

COMMITTEE	Finance, Policy and Resources
DATE	20 <sup>th</sup> September 2017
REPORT TITLE	Management of Gaps in the Public Transport Network
REPORT NUMBER	CHI/17/171
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**1. PURPOSE OF REPORT:-**

- 1.1 The purpose of this report is to advise members on the identified gaps in the public transport network in Aberdeen and how these gaps measure against the Council's assessment criteria for determining what transport is required. The report also seeks approval to address a number of gaps in the public transport network by tendering for new contracts.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that the Committee:

- a) Delegates authority to the Interim Head of Planning and Sustainable Development, following consultation with the Head of Commercial and Procurement Services, to undertake a tender process for the procurement and thereafter award of contracts for supported bus services in Kingswells, Airyhall/Craigiebuckler and Dubford/Denmore as detailed in this report and in Appendix 2.
- b) Approves the total estimated expenditure for the award of these contracts as detailed in Appendix 2.
- c) Instruct the Interim Head of Planning and Sustainable Development to include the budgetary spend for supported bus services as detailed in Appendix 2 to this report for the 2018/19 financial year. Any additional funding will be subject to the Council forecast out-turn delivering a balanced budget for the year. If this is not the case then the item will be referred to the budget process.
- d) Requests the Interim Head of Planning and Sustainable Development to report to the Communities Housing and Infrastructure Committee in May 2018 with regards to the position of operating services under s22 Community Bus Permit and to update on the performance of all supported bus services.

### **3. BACKGROUND/MAIN ISSUES**

#### **3.1 Background**

3.1.1 At the Council meeting on 21<sup>st</sup> June 2017 the Council instructed “*the Interim Director of Communities, Housing and Infrastructure to report to the Finance, Policy and Resources Committee in September 2017 with options for dealing with gaps in the public transport network, where a need has been identified and for a decision to be made.*” This followed on from the recommendation for the Council to engage in the forthcoming Transport Bill in order to seek new powers for local authorities to deliver bus services and to consider how the Council will deal with gaps in the public transport network in the interim, recognising that there are key areas of the City which currently have an identified gap in public transport provision and specific options for dealing with these gaps have been appraised.

#### **3.2 Statutory Provisions / Assessment Criteria**

3.2.1 The local bus service market is governed by the Transport Act 1985 and the Transport (Scotland) Act 2001, under which, commercial bus operators have the freedom to set their own routes, timetables and fares. Local Transport Authorities have a duty under sections 63-64 of the 1985 Act to secure the provision of public transport in its area that it deems is required. In order to consider the public transport that the Council considers may be required an assessment criteria is followed and is detailed in Appendix 1 to this report.

#### **3.3 Identified Gap Assessment**

3.3.1 The majority of Aberdeen is served throughout the day and all week, to a satisfactory level by commercial bus services. There are however a number of gaps which have been identified, noted below in priority rank order, along with a summary as to how they measure against the assessment criteria; recommendation on action required and how any required transport should be undertaken. The full assessment detail for each area with an identified gap is contained in Appendix 1 to this report.

##### **Kingswells**

3.3.2 Commercial bus services ceased to operate in Kingswells Village in April 2017. As a result there was no bus service and the nearest services were at the Park and Ride (P&R) which is up to a 2.5km walk for some residents. The Council has implemented interim services all day Monday to Friday, but a more permanent solution is required and a commitment has been given to residents to establish one.

3.3.3 The assessment for Kingswells demonstrates that the existing supported services do meet the minimum criteria between Monday to Friday, but there are insufficient bus services at the weekend and should supported services no longer be available then residents would have a significant walk to a bus service and this would significantly impact on residents ability to access education, employment and key services.

- 3.3.4 The current service requires passengers to connect at the P&R and the current cost to Council is high as there is no fare revenue to offset the running costs and there is a change in service between daytime and evening which has resulted in an inconsistent two-tier service. On this basis, it is considered that a service should be supported with a 30 minute peak time service daytime, a minimum hourly service off-peak and in the evenings between 06:00 to 23:00 Monday to Saturday and an hourly service on Sundays, between 08:00 to 22:00. It is recommended where possible for any service to travel via Lang Stracht and Westburn Road as the feedback from the community has highlighted the importance of this link; however when doing so consideration would have to be given to the availability of funding.
- 3.3.5 The recommended delivery of a service would be to support journeys on an existing commercial bus service. This would be dependent on an operator's willingness to amend one of their services and/or to bid for such a service. This method of service delivery would represent best value as there wouldn't be the requirement to fully support a standalone service. The financial implications with regards this option is detailed in Appendix 2 to this report.

### **Airyhall/Craigiebuckler**

- 3.3.6 Commercial bus operators ceased to provide evening services in the area in April 2013 and as a result residents were required to walk up to 2km for their nearest bus service. The Council currently provides a supported bus service in the evenings which was implemented in June 2016.
- 3.3.7 The assessment for Airyhall/Craigiebuckler demonstrates that the existing supported evening services do meet the minimum criteria, however should supported services no longer be available then residents would have a significant walk to a bus service and this would significantly impact on resident's ability to access education, employment and key services in the evenings.
- 3.3.8 The current supported service has seen growth since its inception with the cost per passenger averaging at around £5-£6, which is considered medium level for a supported bus service, when benchmarked with other local authority supported services.
- 3.3.9 An option worth considering in more detail would be to deliver this service in-house on a s22 permit. An analysis of the financial implications for both options is detailed in Appendix 2 of this report.

### **Dubford/Denmore**

- 3.3.10 Commercial bus operators ceased to provide Sunday services in the area in September 2012 and as a result residents are required to walk up to 1.6km for their nearest bus service.
- 3.3.11 The assessment for Dubford/Denmore demonstrates that there is an insufficient level of bus service in the area on a Sunday, requiring residents to walk a considerable distance to access a bus service.

3.3.12 It is considered that a supported service is implemented between 09:00 and 22:00 on a Sunday given the assessment that has been made, this may be a standalone service or an amended existing service and there are a number of options which Officers could tender for. Consideration should also be given to operating in-house as detailed in paragraph 3.3.12.

### **Footdee/Sea Beach**

3.3.13 Commercial bus operations have not operated to the Beach and Footdee in the evenings for a considerable period of time.

3.3.14 The assessment for the Beach and Footdee demonstrates that the majority of residents in the beach area are within a reasonable walking distance to a bus service with only Footdee being a considerable distance to a bus service in the evenings. The population of Footdee is small and the level of demand would not substantiate the cost of a supported service where the subsidy per passenger would be extremely high, as such it is recommended that no further action is taken at this time.

### **Lower Deeside**

3.3.15 Lower Deeside has a good level of service along North Deeside Road. This however can be challenging for some residents to access due to the topography of the area.

3.3.16 The assessment for Lower Deeside demonstrates that the majority of residents are within a reasonable walking distance to high frequency bus services, but those with mobility problems do have difficulty in accessing services. The Council has supported services in the past, but these have been at high cost per passenger and were not representing value for money given the low level of demand. The Council currently operates the Community Transport dial-a-bus service in the area Monday to Friday between 10:15 and 14:15 and it is considered that this is generally sufficient to meet the needs of residents to get some access to services, as the majority of residents use the commercial services.

### **Leggart**

3.3.17 The Leggart area has bus stops on the A90 Stonehaven Road and a number of infrequent services operate along Leggart Terrace.

3.3.18 The assessment for Leggart demonstrates that the majority of residents are within a reasonable walking distance to high frequency bus services. But those with mobility problems do have difficulty in accessing services. The Council is currently operating the Community Transport dial-a-bus service in the area Monday to Friday between 10:00 and 14:30 and there are accessible local bus services on Leggart Terrace three times per day and it is considered that this is generally sufficient to meet the needs of residents to get some access to services, as the majority of residents use the commercial services.

## **Airport/Dyce Station bus link**

- 3.3.19 The service 80 was initially funded by Nestrans between 2008 and 2013, as the route between Dyce Station and Aberdeen International Airport was viewed to be of regional strategic importance. The service was subsequently operated commercially by Stagecoach North Scotland from 1<sup>st</sup> April 2013 to 5<sup>th</sup> May 2017, with Stagecoach withdrawing the service due to low levels of patronage.
- 3.3.20 This is not a service which the Council would readily subsidise as the Council would only usually subsidise socially necessary transport where the service would not be provided except by action taken by the Council. While this strategic importance, alternative options do exist to access the Airport and Kirkhill Industrial Estate by bus, including bus access from Aberdeen train station, as such it is not recommended the Council provide financial support for such a service.
- 3.3.21 The Civitas Portis project, Collective Travel work stream focusses on the A96 transport corridor between Broad Street and Inverurie and will review the current travel methods and work towards modal shift from car to more sustainable forms of transport such as bus and train and the link between Dyce station and the airport will play an important role in this work stream.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 The financial implications are considered in Appendix 2 to this report.

## **5. LEGAL IMPLICATIONS**

- 5.1 The Council must adhere to the legislative requirements for bus services as determined by the Transport Act 1985 and Transport (Scotland) Act 2001 and any procurement must be conducted in line with the Council's Procurement Regulations and an open Tender process would be required through Public Contracts Scotland.
- 5.2 Consideration has been given as to whether state aid would apply in such circumstances, where funding is being awarded to a commercial operator to provide these services. State Aid is not considered to apply as the funding of such services does not distort competition or affect trade between Member States. Furthermore, if a competitive tendering exercise is undertaken there is no favouring of one particular undertaking, but an open and transparent process.
- 5.3 A section 22 community bus permit can be utilised to operate local bus services but this must be on the basis of the social needs of a community and on a non-profit making basis, as such the Council would need to be mindful of these requirements and as such a service could not compete with commercial bus services. There is an imminent Department for Transport consultation with regards to the operation of s22 permits to ensure adherence to EU Regulations and this may have significant implications on the operation of these permits and services and accordingly the Council would be best to await the outcome of the consultation before implementing any s22 services.

## **6. MANAGEMENT OF RISK**

- 6.1 Financial - There is a medium risk that there will not be sufficient budget to provide supported services, particularly in the forthcoming years. Officers will work to ensure options are costed and work with members to identify how to accommodate services in line with available resources. Consideration is also to be given to the possible options under the forthcoming Transport Bill to establish more sustainable delivery methods of bus services.
- 6.2 Employee - There is a risk that there is insufficient staff time and resource to implement and manage supported bus services. There is a low likelihood of this occurring, given the low volume of services and the workloads of Officers will be managed by the Interim Head of Planning and Sustainable to ensure requirements are met.
- 6.3 Customer/Citizen - There is a high risk that where the Council does not step to provide supported bus services that this will significantly impact residents, particularly in their ability to attend work, education, social activities and healthcare, and in some cases will result in social isolation.
- 6.4 Environmental - Transport is a major contributor to carbon emissions and in Aberdeen there is an exceptionally high level of car ownership and usage. There is a medium risk that if public transport is not readily available that this places more dependence on private car which will continue to impact on air quality. By ensuring high quality public transport services are available, helps encourage bus use and reduce dependency on the private car. Any supported service introduced by the Council would stipulate low emission vehicles or cleaner engines.
- 6.5 Technological - There are no technological risks as a result of the recommendations of this report
- 6.6 Legal - It is envisaged that in the medium term the wider situation required to be resolved satisfactorily, most likely within a new legislative framework introduced by the Scottish Transport Bill. Members should be aware that there are potential risks in subsidising bus services, such as competition implications with commercial bus services and adherence to procurement regulations and by ensuring proper consideration of and strict adherence to the legislation is undertaken reduces such risks.
- 6.7 Reputational - There is a medium risk of adverse publicity and reputational damage for the Council if supported bus services are not introduced or if residents do not feel the services are sufficient. We will ensure any decision is managed through our communications team and details are fully set out with regards to the reasoning for any decision and ensure officers continue to engage with the communities involved and to work in collaboration with the communities.

## 7. IMPACT SECTION

### 7.1 Economy

7.1.1 The recommendations in this report are focussed on improving public transport in the City. A high quality public transport system is important for any thriving economy in transporting people to work and education and directly support the business and education sectors and ensures the workforce can travel effectively and that all have access to appropriate education opportunities and access to all facilities in a cost effective way. A consistent approach to delivery of public transport in the City will ensure that local environmental factors, changing priorities and customer needs are considered as well as available budgets are taken into account on a reviewed basis.

### 7.2 People

7.2.1 The improvement to public transport links to the Community Plan vision of creating a *'sustainable City with an integrated transport system that is accessible to all.'* The actions in the Action and Delivery Plan assist in the delivery of actions identified in the Single Outcome Agreement (SOA) 2013, in particular the Thematic Priority – Older People (*'Older people in Aberdeen have increased independence'*) and the Multi-lateral Priority – Integrated Transport (*'Aberdeen is easy to access and move around in'*) and the Underlying Principle – (A presumption for community based access to services – *'Services are accessible to all citizens in the ways which meet their needs'*). This report will be of interest to the public as the citizens of Aberdeen have a vested interest in the public transport network and an Equality and Human Rights Impact Assessment (EHRIA) has been completed.

### 7.3 Place

7.3.1 The Local Outcome Improvement Plan (LOIP) sets out that we will improve multi-modal access to Aberdeen. The LOIP identifies that transport is a major contributor to carbon emissions and in Aberdeen there is an exceptionally high level of car ownership and usage. It is a vicious circle – poor air quality and poor road safety discourages people from walking or cycling, yet reducing reliance on private transport is the best way to improve air quality and a high quality public transport network is critical to this and this is identified in the LOIP which sets out the requirement for a competitive and accessible public transport system. Improvements to public transport will assist in the delivery of the Strategic Business Plan to provide and promote a sustainable transport system which reduces our carbon emissions. The Equality Outcomes sets out that Aberdeen will be an accessible city. The provision of a fully integrated and accessible public transport network is crucial to this as it is for ensuring physical and social barriers are removed for those with a disability to access services and public space.

### 7.4 Technology

There are no technological impacts as a result of recommendations to this report at the present time.

**8. BACKGROUND PAPERS - N/A**

**9. APPENDICES (if applicable)**

9.1 Appendix 1 – Transport Assessment

9.2 Appendix 2 – Financial Assessment and Procurement Requirements

**10. REPORT AUTHOR DETAILS**

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