

## **Appendix 1**

### **North East of Scotland Bus Alliance Terms of Reference and Quality Partnership Agreement 2018**

#### **1. Purpose of the North East Quality Partnership Agreement**

- 1.1. Aberdeen City Council, Aberdeenshire Council, First in Aberdeen and Stagecoach Bluebird have been involved in a Quality Partnership for public transport since its inception in April 1998. Nestrans, the Regional Transport Partnership for the North East, joined the Quality Partnership in 2007 and a further update to the agreement was signed by all five partners in 2010.
- 1.2. This new North East Scotland Bus Alliance augments the Quality Partnership and covers the whole of the Nestrans region, encompassing both Aberdeen City Council and Aberdeenshire Council areas and is open to all operators of registered local bus services operating within the region. It establishes a new Bus Alliance Board responsible for the establishment of joint objectives and targets, overseeing monitoring, providing resources and committing to the aims of the Passenger Charter.
- 1.3. By joining the North East Bus Alliance, partners are signing up to the Passenger Charter on the following page and the objectives and Terms of Reference set out in the following sections.
- 1.4. The Bus Alliance and region-wide Quality Partnership Agreement form a voluntary partnership with all partners participating on an equal basis.
- 1.5. The Partners of the North East Bus Alliance are:
  - Nestrans;
  - Aberdeen City Council;
  - Aberdeenshire Council
  - First in Aberdeen;
  - Stagecoach North Scotland.
  - .....*and others as appropriate.*

## 2. Objectives

### ***Passenger Charter***

*The North East of Scotland Quality Bus Partnership has defined objectives for improving public transport in the north east of Scotland. To help bring these about it has set itself a range of challenging targets. The partners have committed to the following:*

*Bus operators in the Partnership will provide a modern, accessible and high quality fleet. They will also ensure that drivers go through recognised customer care and disability awareness training. Operators will individually strive to ensure that their ticketing strategy is focussed on customer value for money, to increase the bus market, to fund future investment and ensure the long-term viability of services.*

*Public sector partners will implement policy, infrastructure and traffic management measures that will benefit buses by improving reliability, reducing journey time variability and/or reducing current journey times. This will include more schemes that will give people using buses greater priority. They will also provide high quality and accessible passenger waiting areas. Public sector partners shall seek to support socially necessary routes in relevant areas through conventional scheduled services and demand responsive services and they will ensure that an increasing proportion of these routes are provided using quality and accessible vehicles.*

*Bus operators and public sector partners will work together to provide a wide range of passenger information services and multi-operator ticketing initiatives that promote ease of understanding and use. These will help to provide seamless interchange opportunities. Key outcomes are improved customer satisfaction and increased patronage. The partners will also participate in an annual passenger satisfaction survey, the results of which will be published in an annual report, and they will consult with members of the public and communities in an effort to seek feedback on services and facilities provided.”*

2.1. This Agreement is intended to support delivery of the Nestrans Regional Transport Strategy, Aberdeen City and Aberdeenshire Councils' respective Local Transport

Strategies and to lock in the benefits of significant investment in recent and imminent infrastructure improvements including the opening of the Diamond Bridge in 2016 and the opening of the Aberdeen Western Peripheral Route and Balmedie-Tipperty improvements in 2018.

2.2. The overarching Objectives of this agreement are to:

1. Arrest decline in bus patronage in the North East of Scotland by 2022;
2. Achieve year-on-year growth in bus patronage to 2025.

2.3. A number of sub-objectives have also been developed, against which targets will be set and progress will be monitored through the Alliance.

- a) To increase the mode split proportion of people travelling by bus across the region;
- b) To improve the operational performance of bus services;
- c) To improve customer satisfaction with the overall level of service across the region;
- d) To reduce emissions per bus passenger journey, contributing to improved local air quality and reducing carbon emissions.
- e) To improve access to public transport for all, reducing the equalities gap across the region by reducing barriers including cost and physical access.

2.4. The mechanisms by which the above objectives and targets can be achieved will include:

- reducing journey times and their variability;
- improving journey speeds;
- improving service frequencies;
- providing a punctual and reliable service as well as quality infrastructure and information to encourage mode shift and improve accessibility;
- by improving the fuel efficiency and emissions profile of the bus fleet, utilising greener technologies;
- by reducing lost mileage; and
- re-investing the savings made through more reliable bus operation back into enhanced bus services.

2.5. Improving journey time reliability by reducing its variability and reducing journey times will be a key focus of this agreement in order to make savings that can be re-invested back into the network in a way that creates future growth.

- 2.6. In order to measure future performance against the objectives, the Board will agree appropriate targets to achieve the objectives following development of a State of the Network report.

### 3. Key Deliverables

3.1. A number of significant infrastructure schemes and other improvements have been completed in the last five years or are currently under construction and will provide significant benefits to the movement of traffic and buses across the City Region. Together these form a significant investment on the part of the public sector partners and the participating bus operators. They include:

- Removal of the restriction on the A96 at Inveramsay Bridge in 2016 through creation of a new 1.5km road link at a cost of £10.2m;
- Opening of the Diamond Bridge in 2016 and the creation of a new link from the north of the city at a cost of £22.3m;
- Construction of the Aberdeen Western Peripheral Route and Balmedie – Tippetty dualling with the aim of removing traffic from and reducing congestion within the City as well as improving journey times and reliability on the key route north towards Ellon, Peterhead and Fraserburgh (overall estimated project cost £745m);
- An investment of £304,000 to create a direct access for buses to the Kingswells Park and Ride from the A944, opened in 2016, and making it easier for a wider range of services to serve the site;
- An investment of £15.2m to construct a new 1,000 space park and ride site at Craibstone on the A96 and the Dyce link road. The project was completed in February 2017;
- An expansion of the Ellon Park and Ride facility at a cost of £292,000 in 2013/14 to provide additional parking spaces and controlled access to the site;
- Extension to the operating hours of bus lanes on Great Northern Road to better reflect peak traffic conditions. These changes came into effect in June 2015;
- Decriminalisation of bus lanes enforcement in March 2013 following an investment of around £350,000 in bus lane cameras and back office systems;
- The closure of Broad Street to all traffic except for buses, cyclists and pedestrians as part of the wider City Centre Masterplan;
- Investment of £160,000 in an upgraded Aberdeenshire Electronic Ticket Machine back-office facility in February 2017 to assist small operators across the region and in the delivery of smart ticketing initiatives;
- Completion of a bus interchange hub at Fyvie in 2016 at a cost of £114,000; and
- Construction of a bus turning circle at Dyce rail station (£426,000).

3.2. Other improvements to the quality of provision have included:

- Bus operator improvements including significant investment in the vehicle fleet, the installation of new electronic ticket machines, website and app developments, introduction of contactless payment methods and investment in new fuel technologies;
- Investment of £614,000 to introduce real time passenger information across Aberdeenshire in 2015 and subsequent extension of real time information to cover all services across the region and the upgrade of at-stop screens (£35,000);
- Joint working to improve at-stop timetable information (£271,000 over the last five years);
- Investment of £19m from a number of industry and public sector partners in the Hydrogen bus project including a fleet of 10 new hydrogen fuelled vehicles and refuelling station;
- £17.5 million revenue support for bus services by Aberdeenshire Council over the last five years and £658,000 support by the City Council over the last five years; and
- Investment in bus shelters and timetable provision.

3.3. Work is also progressing on a number of projects that will be progressed over the coming years, including:

- Further extension of the Park and Ride site at Ellon;
- Potential bus priority and associated improvements identified through modelling of the network on the B9119 Queens Road between Aberdeen Crematorium and Springfield Road;
- Wellington Road multi-modal study;
- The City Centre Masterplan and Roads Hierarchy review which will significantly change the way in which traffic moves through and around Aberdeen City Centre, including buses;
- CIVITAS PORTIS – a four year European funded project of which one strand is focussed on “Collective Travel” and reducing the mode split of car travel on the A96 between Aberdeen and Inverurie;
- Further investment in park and ride mini-hubs on the A947 and A93 corridors; and
- Dualling of the A96 between Aberdeen and Inverness, to be delivered by Transport Scotland.

## 4. Statutory agreements

- 4.1. As well as aiming to improve quality standards across the region in line with the Partnership objectives and targets, the purpose of the Bus Alliance and region-wide voluntary Quality Partnership Agreement is to set an agreed framework for the development of more formal statutory agreements on individual route corridors.
- 4.2. The legislation currently allows for the introduction of Statutory Quality Partnerships or Quality Contracts, however there are proposals for changes to the legislation and the introduction of Service Improvement Partnerships similar to the Enhanced Partnerships contained within the Bus Services Act in England. The Scottish Government is currently considering these in the context of Scottish legislation and more detail on the form that these new partnerships will take will emerge in due course. The partners of the Bus Alliance will consider and review the appropriateness of any new partnership models as they develop in order to decide which model is most suitable. By signing this voluntary agreement, partners are committing to consider and review any proposed structure and management arrangements of such agreements and to a proposed implementation programme.

### The rationale for setting up corridor specific statutory agreements

- 4.3. Annual monitoring of the existing quality partnership standards and targets has been carried out over the last five years. Whilst progress has been made towards a number of the infrastructure and vehicle targets, for example the proportion of accessible vehicles and availability of information at bus stops, the key indicators for bus patronage and journey times are moving in the wrong direction and away from the targets set. Customer satisfaction with the overall level of service has, despite the intervention of operators to reduce dwell time through investment in smart ticketing and the review of schedules, decreased in recent years, particularly in relation to punctuality and time customers are waiting at their bus stop.
- 4.4. Monitoring of bus patronage data through the current Quality Partnership agreement shows a 7% reduction in paying bus passengers between 2015/16 and 2016/17 and a reduction of around 35% since 2009/10.
- 4.5. Travel to work and education statistics also show that objectives to encourage mode shift away from private car to more sustainable modes of transport are not being achieved with, at best, mode split remaining fairly static and the proportion of people using the bus for the journey to work declining from 17% to 12% in the City and remaining at 5% in Aberdeenshire between 2005/06 and 2015. Although declining bus patronage is, to a certain extent, a national trend, the following data from the 2015 Scottish Household Survey shows the proportion of people travelling to work and education by bus in Aberdeen is lower than other cities in Scotland.
  - Aberdeen: 11%
  - Glasgow: 17%
  - Edinburgh: 27%
  - Dundee: 20%

- 4.6. The recent 2017 Passenger Focus surveys also show the north east to have lower levels of passenger satisfaction than other areas across Scotland.
- 4.7. These trends demonstrate the need for more to be done to challenge the dominance of the private car and increase the attractiveness of bus travel.
- 4.8. It was agreed by all partners that a new approach was needed and statutory quality partnerships (or if applicable in the future, Service Improvement Partnerships) have been identified as a mechanism providing for a greater level of commitment from partners to deliver necessary improvements for buses when compared with current voluntary agreements. All partners entering into this agreement are doing so on the basis that they have clear intention and will to address the challenges that are faced in achieving the aims and objectives that are described.
- 4.9. This agreement also sits within the wider context of ongoing work to deliver the City Centre Masterplan, Roads Hierarchy Review and to lock in the benefits of the Aberdeen Western Peripheral Route (AWPR). The management and provision of parking is also key to encouraging greater bus use, particularly for access to the city centre. Statutory partnership agreements could include consideration of how demand management measures can be used to influence modal shift and how funding can be directed to prioritise improvements.
- 4.10. Aberdeen City Council is currently undertaking a strategic car parking review which will assist in identifying measures that can feed into future agreements.

#### **Facilities to be provided through a statutory partnership agreement**

- 4.11. A statutory Quality Partnership (sQP) agreement would be required to set out the specified facilities to be provided by the authorities and the standards to be met by the bus operators. Legislation on sQPs states that the scheme may include facilities provided before any proposals to form a quality partnership have been considered if they are provided no more than 5 years before the scheme is proposed or for more than 5 years but less than 10 years before the date the scheme is proposed, where the consent of all operators using the facilities has been obtained.
- 4.12. In return for the facilities provided by the transport authority(ies), bus operators are required to operate their services to specified standards which must be linked to the aims and objectives of national, regional and local bus policies. Under the current legislation, specification can be made on standards of minimum frequencies and vehicle requirements but not on maximum frequency, the timing of services or the levels of fares.



4.13. Further to the above improvements already delivered and identified in Section 3, it is anticipated that statutory corridor agreements could include the following key principles:

<u>Local Authority / Nestrans</u>	<u>Bus Operators</u>
Potential improvements to bus priority measures and additional bus priority (e.g. bus lanes, bus gates, bus only turning restrictions, traffic signal priority and sequencing, urban traffic control), to be identified through corridor studies.	Commitment to run a minimum frequency on defined corridors (with consideration of exclusions for special services like registered school services).
Demand management measures to reduce car movements in certain areas and improve priority for buses.	Service stability (e.g. a limited number of timetable changes per year)
Improvements to bus stop infrastructure (e.g. bus shelters, bus interchanges, bus boarders, build outs, raised kerbs, dropped kerbs).	Minimum vehicle standards (e.g. maximum age, accessibility, emissions).
Improvements to passenger safety and security (e.g. CCTV, bus shelter lighting)	Enhanced monitoring of service performance (e.g. journey times, reliability and punctuality)
Enhanced monitoring of service performance (e.g. journey times, reliability and punctuality) through real time information systems and data sharing.	Enhanced customer engagement (e.g. commitment to consult with passengers/communities on service changes and participate in Area Bus Forums).
Enhanced customer engagement (e.g. commitment to monitoring bus passenger satisfaction and Area Bus Forums)	Potential to link fare rises to other factors, subject to ensuring compliance with Competition Law.
Enforcement (e.g. additional bus stop clearways, parking, waiting & loading restrictions, and bus priority enforcement).	Customer service and staff training over and above disability and dementia awareness training, which are mandatory from 1 March 2018.
Improvements to passenger information (e.g. at-stop information, real time disruption information and branding materials)	Continued development of smart, integrated and cashless ticket products
Continued development of smart and integrated ticket products	Targeted marketing and promotion.



Pursue an increase in personal travel planning with and by employers / households on the corridor.

Implementation of planning policy that supports the mode hierarchy of walking, cycling and public transport movements over car.

A consistent parking policy that focuses on both supply and pricing in order to encourage modal shift.

Encouraging and developing green travel plans.

4.14. Depending on the outcome of consultation and new legislation on bus partnerships, this list could be expanded or amended to include a wider range of public sector policy tools as well as infrastructure measures as part of the development of new partnership models. The Alliance will review the options for enhanced partnership agreements when new legislation is introduced.

## 5. Statutory partnership corridors and programme for delivery

5.1. Initial corridors for delivery of statutory agreements (whether these be sQPs or a new form of statutory agreement) and for which work is already progressing are:

- A944 / B9119 Queens Road Westhill to Aberdeen;
- A96 Inverurie to Aberdeen; and
- A956 Wellington Road to Stonehaven.

5.2. Future corridors / areas for delivery are:

- City Centre;
- A90 north and A956 King Street corridor;
- A93 Deeside corridor;
- A947 corridor; and
- A90 south corridor.

5.3. This programme is guided by a range of studies that are currently being progressed in the short to medium term and will help to identify specific improvements that can be made for buses on each of the corridors, subject to a State of the Network report to be progressed as an early deliverable of the Bus Alliance.

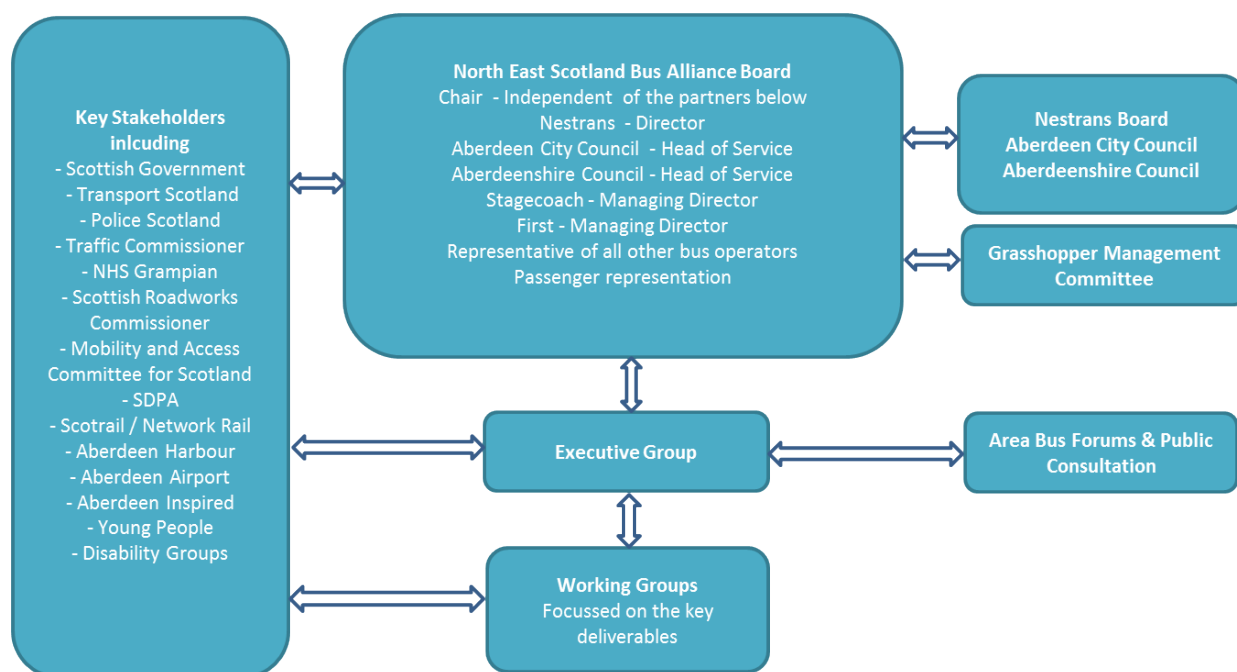
5.4. The agreements for each of these corridors will cover:

- The rationale for a statutory agreement from all parties, linked to wider bus policy.
- Objectives and targets of the agreement, specific to the corridor in question;
- Details of all the facilities / interventions to be provided by the transport authority.
- Details of the specified standard of local services which operators are required to provide.
- Date from which the scheme will come into operation.
- Duration of the scheme.
- Who is responsible for the delivery of the different facilities and standards.
- Who is responsible for the maintenance of the different facilities.
- Timescales for the delivery of the different interventions over the duration of the scheme (including details of any phasing of improvements).
- A written undertaking from the operator to the Scottish Traffic Commissioner that they will provide services to the specified standard as part of the agreement.
- Details of any Traffic Regulation Orders that require to be included with the scheme.
- Exclusions from the scheme and conditions that may be attached.
- A mechanism for dispute resolution.
- Monitoring and reporting arrangements.

## **6. North East Scotland Bus Alliance – Terms of Reference**

6.1 Governance and reporting on both the voluntary and statutory elements of this Partnership Agreement will be critical and both will require a robust governance structure and the establishment of a Bus Alliance Board by which actions will be agreed, progress reported and that is able to resolve any disputes that may arise. It is anticipated that the Executive Group membership will be constituted of representatives from each member of the Bus Alliance, as appropriate, and will implement the instructions from the Board by overseeing the delivery of activity by the working groups and report on progress to and seek direction from the Board. It is anticipated that the Working Groups' memberships will be constituted of appropriate representatives from across the members of the Bus Alliance, as required, specific to a particular area of delivery, reporting to the Executive Group. Whilst the passenger representative will not serve as a direct partner to the Bus Alliance, as there is no onus on the representative to deliver anything within the Alliance, they will still be present on the Board in an advisory role in order to ensure that the customer has a strong voice in the Alliance.

**Figure 1 –Bus Alliance Membership and Structure**



6.1. The Chair of the Board will be independent of the partner organisations.

### Responsibilities of the Bus Alliance Board

6.2. This is a voluntary agreement and it is intended that all decisions will be taken by consensus. In the case of dispute or inability to reach consensus, business will be determined by a vote with each organisation/representative on the Board (as listed above but with the exception of the Chair who will remain independent) given one vote each, totalling three votes from the public sector, three votes from bus operators and one vote from a passenger representative body.

6.3. Meetings of the Bus Alliance Board will be held quarterly.

6.4. Each member partner will commit a practical level of resource to the partnership in order to:

- Commit to attendance at Bus Alliance meetings and, if unable to attend, provision of an appropriate substitute;
- Provide support and delegated authority to collaboratively agree targets and a delivery programme;
- Provide support and delegated authority to resource the delivery of the agreed plan, including allocation of appropriate resource for the Executive and Working Groups;
- Resolve or mitigate any issues or conflicts among partners and stakeholders;
- Resolve any issues or conflicts with other areas of work within this programme and other work programmes / projects;
- Make resources available for planning and delivery purposes;

- Provide input, recommendations and agreement to the joint decision making process to meet the Partnerships objectives;
  - To validate and critique the financial implications and business case of the above tasks; and
  - Agree Bus Alliance priorities to feed into the capital and revenue planning process of partner organisations.
- 6.5. The minutes and decisions of the Bus Alliance Board will be reported directly to the Nestrans Board with progress and project specific updates also reported to the two Councils. The two Councils and Transport Scotland will remain the relevant roads authorities and issues relating to roads consent will require to be submitted to the relevant roads authority for approval.
- 6.6. The first tasks of the new Board will include the development of an action plan and agreement of a dispute resolution procedure. The Board will in due course review the action plan on an annual basis.
- 6.7. Nestrans will provide secretariat support to the Bus Alliance and support to the Chair.

### Rules of Participation

- 6.8. The Bus Alliance will determine the work programme, technical themes and be responsible for delivering agreed actions. Participants should endeavour to provide resources to assist in the work and deliverables. These could be from existing committees, sub-groups and work areas.
- 6.9. Given the potentially sensitive nature of some of the issues that might be discussed in the Alliance Board, documentation will be assigned an information sharing level of GREEN, AMBER or RED.
- 6.10. GREEN: Documentation that may be published in the public arena. All meeting notes will be GREEN.
- 6.11. AMBER: This will cover any documentation of a commercial interest that Board members may wish to share at the Board and which will only be accessed by Board members and agreed individuals. Unless permission is given, information contained in such documents will not be directly quoted or attributed in the publicly available meeting notes. Amber documents cannot be shared by Board Members with anyone, including people in their own organisation, unless permission is given by the Board.
- 6.12. RED: Non-disclosable documentation/information and restricted to participants present at the meeting themselves only. Participants must not disseminate the information outside of the meeting. Red information should not be discussed with any other Board member or any other person from the same organisation who is not present at the meeting in which the information is discussed.

- 6.13. Given necessary obligations with regards to data sharing and Competition Law, certain issues may need consideration as to whether they are appropriate to be discussed in the Alliance Board.
- 6.14. Verbal contributions at Alliance Board meetings can also be assigned an information sharing level. Members who wish their contributions to be considered AMBER or RED should clearly state this before making their point, otherwise information will be considered to be GREEN. Such contributions will not be recorded in the meeting note but may be recorded separately by the Minute-taker for direct follow up outside the meeting.
- 6.15. The information sharing protocols set out above will also apply to the Executive and Working Group levels of the Alliance.
- 6.16. As a member of the Alliance Board, each participant will be asked to sign this document to show their agreement to abide by the confidentiality and disclosure provisions set out above in relation to each information sharing level as described above.
- 6.17. Alliance Board participants and observers who breach the rules of confidentiality and disclosure provisions under any information sharing level may have their membership ceased.
- 6.18. The structure, responsibilities and rules of participation of the Board will be reviewed on an annual basis.