



Belfast City Council

Report to:	Development Committee
Subject:	Public Transport Reform – Draft Response
Date:	13 January 2010
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Relevant Background Information

In November 2009, the Department for Regional Development (DRD) published a consultation document on the Reform of the Public Transport System. At present all rail services and the majority of bus services are provided by the Northern Ireland Transport Holding Company through Translink and its subsidiary companies Ulsterbus, Metro and Northern Ireland Railways. The public transport system is regulated and all operators providing a fare paying service must apply for a licence from the Department of the Environment.

DRD initiated the public transport reform process in 2002 and identified the need to reform the current structural arrangements. A proposal in August 2006 considered the option of transferring responsibility for public transport to the new local councils proposed under the Review of Public Administration; however this option was not pursued once the decision to retain roads functions within the Department for Regional Development was made.

An outline business case was carried out and published in September 2009 with a preferred option for the reform. The reform also must take account of a new European Union regulation on public transport, EU regulation 1370/2007, which states that all public transport services will be required to be provided through contracts. This provision comes into force in December 2010 and has a 10 year transition period.

The Department for Regional Development have requested all consultation responses on the reform proposals are returned by 5 February 2010.

Key Issues

The Department is proposing the retention of a regulated public transport system although there will be options for contracted services by private operators. The principle reform proposal is that a public transport agency within DRD will be formed with responsibility for:

- public transport regulation, planning and policy implementation;
- developing local transport plans;
- specifying the public service requirements;
- securing the delivery of public transport services through performance contracts awarded either directly to Translink or in some cases subject to open competition;
- monitoring and evaluation of service delivery performance by operators;
- the granting and enforcement of innovative service permits where gaps in provision are identified; and
- to allow permitted independent operators to use designated bus/rail stations as shared facilities.

The outline business case looked at a number of options and recommended the reform would be best delivered through a three tier structure involving:

- a top government tier responsible for funding policy, legislation and associated regulation; (DRD & DOE)
- a middle tier body responsible for specifying public transport service requirements securing their provision and managing contractual and licensing arrangements (public transport agency); and
- a third tier comprising transport operators responsible for delivering the services (Translink and private operators).

Appendix 2 contains the table outlining the three tier structure and the proposed responsibilities.

The consultation seeks views on a number of issues including:

- should the public transport system continue to be regulated;
- responsibility for the new departmental agency;
- role of Translink;
- approach to develop local transport plans; and
- the proposal for performance based contracts and innovative service permits.

The Council draft response is attached in Appendix 1 and the main issues are as follows:

- The Council supports the continued regulation of public transport, however, the role of local councils must be clarified and levers to improve efficiency and quality must be put in place.
- The Council would request clarification on the consultation arrangements for the outline business case on public transport reform and the involvement of local councils in the process and the decision to move away from local council involvement in public transport provision.
- The Council welcomes the proposals to improve integration between different transport modes and different service providers and the proposed integrated ticketing system.
- The Council welcomes proposals to allow private operators to deliver licensed services and use bus and rail facilities, however, strict measures to monitor the quality of services should be put in place.

- The outline business case stated that the preferred option is for a new agency within DRD. The Council would request proposed arrangements for local council involvement in the new agency. There is a lack of clarity in the consultation document on the role of councils in the future development of public transport. This is highlighted by a lack of provision for council involvement in the proposed new agency within DRD.
- One of the responsibilities of the proposed new agency will be the creation of local transport plans. The document identifies the involvement of local councils as important but does not offer any further detail on how this involvement will occur. Clarification on this issue will be needed, and on how this new power will integrate with the future responsibilities of local councils post-RPA, for example local development planning and development management.
- The proposed new departmental agency will sit within a three tier hierarchy below central government (Department for Regional Development and Department of Environment) and above the bottom tier which will contain Northern Ireland Transport Holding Company (NITHC) /Translink and other private providers. The proposed new departmental agency aims to improve the efficiency of public transport but the Council is concerned that key elements of public transport will remain fragmented between central government departments and their agencies.
- The Council would support additional bus services in Belfast, including cross city bus routes and night time bus services to enhance connectivity. The Council would request measures to encourage operators to introduce these services where gaps in provision have been identified but may not initially be commercially attractive for operators.
- The proposal states that funding for public transport will change from capital funding to revenue funding. The Council would request further details on the proposed change and if the move will have implications on the real level of funds available for public transport.

Recommendations

Members are requested to consider the content of the proposed draft response to the proposals for Reform of Public Transport consultation as set out in Appendix 1, and, if appropriate, endorse this as the formal response for submission to the Department for Regional Development.

Decision Tracking

Further to approval of the draft consultation response to DRD, that the response be submitted within required timeframe.

Time frame: February 2010

Reporting Officer: Keith Sutherland

Key Abbreviations

Department for Regional Development – DRD

Department of Environment – DOE

Documents Attached
Appendix 1: Draft Council Response Appendix 2: Proposed three tier structure and responsibilities

Appendix 1

Draft Council Response Reform of Public Transport

Questions on Detailed Policy Proposals

Question 1

Do you agree that a system of performance-based contracts should be introduced for the public transport network, with a system of innovative service permits for other non-contracted services?

The Council would support the introduction of performance based contracts and innovative service contracts as a lever to improve efficiency and quality of service of public transport. The Department must put measures in place to ensure that the proposed operator is meeting or exceeding certain clearly defined minimum performance indicators. The performance based contracts must include commitments to reliability, punctuality and customer service.

The Council would advocate that there are social benefits in the performance based indicators which will balance against any commercial benefits. The Council would request a clear role for local authorities in developing performance based contracts to ensure they are transparent, locally accountable and address real need.

The proposal states that innovative service contracts may be applied for by private operators where gaps in services occur. The Council would support additional services in Belfast including cross city bus routes and night time services. The Council would request measures to encourage operators to introduce these services where gaps in provision have been identified but may not initially be commercially attractive for operators. The Department should ensure that public transport system enhances connectivity for local neighbourhoods by making them safer, healthier and more inclusive.

Question 2

Do you agree that the public transport system should continue to be regulated?

The Council would support the continued regulation of public transport however levers to improve efficiency and quality must be put in place. There must be a clear role for local councils in the regulation of this important service sector to ensure transparency and local accountability. The proposal to allow Translink to provide the majority of services must contain measures to ensure continual improvement to the service and increased efficiency.

Question 3

Do you agree that the fares levels and fare structure for services on the public transport network should be regulated in future?

The Council agrees with regulation of public transport fares. It is essential that fares are regulated in a manner which encourages use of public transport and contributes to the modal shift from the private car to public transport through a fare system that is attractive and economic to the user.

Public transport plays an important role in the overall economy in terms of access to jobs and services; and it also supports the sustainable development of the metropolitan area.

Question 4

Do you agree that the departmental agency should be responsible for specifying public transport service requirements, awarding contracts and monitoring and reporting on operator performance?

The Council would request proposed arrangements for local council involvement in the new agency and would recommend a role for local councils in the specification of public service requirements. The Council would like to highlight a number of gaps in the current service such as cross city routes and night time services and would also request clarification on the integration of current services with the proposed rapid transit system in Belfast. There should be equality of access to public transport across the city in particular in areas where new infrastructure is not proposed. In this regard it should be noted that public transport enhancement through rapid transit does not include proposals for the north and south of the city.

There is a lack of clarity in the consultation document on the role of councils in the future development of public transport. This is highlighted by a lack of provision for council involvement in the proposed new agency within DRD. The Council would also recommend that the agency is formulated in a manner which reduces fragmentation of responsibilities across different agencies and Departments.

Question 5

Do you agree that Translink should continue to be the lead supplier of public transport services?

The Council would support the proposal to allow Translink to provide the majority of services but measures should be put in place to ensure efficiency and continued improvement of service.

Question 6

What are your views on:

- **the proposed offences and fine levels to support the contracting/permit regime;**
- **the continuing offences and fine levels for operator licensing, railway byelaws and conduct on buses; and**
- **the proposed powers to regulate passenger conduct in bus premises?**

The Council would support the concept of penalties and monitoring of conduct on public transport services. A general level of conduct should be agreed and the level should be matched across all service provision. The Council would like to comment on the decision that enforcement of the regulations on the operator will remain the responsibility of the Department of Environment. It would be preferable that one department is responsible for monitoring and enforcement with an appropriate separation from commissioning of services within that department.

Question 7

What are your views on the best approach to develop local transport plans and who needs to be involved?

The Council welcomes the approach for the creation of local transport plans however the document identifies the involvement of local councils as important but does not offer any further detail on how this involvement will occur. Clarification on this issue will be needed, and on how this new power will integrate with the future responsibilities of local councils post-RPA for example local development planning and development management. Local councils should have the responsibility of articulating the transport needs for their area.

With the proposed transfer of local planning functions to councils, the Council would like to adopt a strong and public city leadership role in the promotion of sustainable development for the city of Belfast and would like to ensure a consistent and integrated approach to land use and transportation planning.

It is proposed that local councils will have a community planning function and in line with this the Council would like to support local people and communities by ensuring a community plan approach that integrates transportation to enhance connectivity for local neighbourhoods by making them safer, healthier and more inclusive.

The Environment (Northern Ireland) Order 2002 places a statutory responsibility on local councils to manage air quality within their districts in accordance with the provisions of the Air Quality Strategy for England, Scotland, Wales and Northern Ireland. In 2004, Belfast City Council declared four air quality management areas across the city principally associated with road transport and subsequently published an air quality action plan in collaboration with a range of relevant authorities including the Department for Regional Development and Translink. Planning Policy Statement (PPS) 1 establishes air quality as a material consideration within the planning process. Accordingly, the Council recommends that in developing new proposals the Department for Regional Development should engage with local authorities at the earliest instance in order to take account of the linkages between planning and development control, air quality and transportation.

The Council would also request that the local transport plans consider the following issues in relation to connecting communities:

- There is a clear desire to build a vision of a shared and better future between local communities in the city as we enter the next phase, moving from conflict management to city transformation. Shared spaces provide attractive destinations of common purpose and use and, as drivers for community cohesion, are therefore key to overcoming the problems of segregation in Belfast. Critical to the delivery and sustainability of shared spaces is well-connected, affordable and safe transport links.
- Re-connecting the city of Belfast is critical to its success as a cohesive and competitive city. It is essential that we maximise mobility across the city, so that residents and visitors can easily, safely and affordably access jobs, services and leisure opportunities wherever they are located.
- In 2008, the Council commissioned a think-piece of research entitled 'Improving Connectivity and Mobility in Belfast' exploring specifically the contribution that improved connectivity could make to the conflict transformation agenda in Belfast. It highlighted that physical and psychological barriers at the interfaces between the segregated communities, makes travel around parts of the city difficult and resulting in people avoiding certain areas perceived to be unsafe, freezing current land use patterns and making the creation of shared spaces more difficult. Safe, affordable and shared public transport is critical to the continued transformation of the city.

The report highlighted a number of disadvantages, particularly from a social policy perspective including: bus routes perceived to be following the sectarian segmentation of the city and exacerbating segregation; routes easily identifiable with specific communities; a lack of orbital routes, discouraging cross community contacts; and, the need to pay twice when interchanging in the city centre.

The think-piece highlighted that mental mapping studies, looking at how some communities cognitively perceive their environment, found them to have very limited spatial maps, greatly limiting their access to employment and educational opportunities. It was widely believed by most stakeholders consulted as part of the think-piece research that large parts of the public transport network – by responding to commercial pressures to meet current patterns of demand – exacerbate segregation. Rather than cutting across the communities and linking different parts of the city, the network tends to reproduce and reinforce patterns of segregation, in line with current perceptions of territoriality.

The report proposed that, through modifications to the existing services, public transport can play a major role in helping to change perceptions, enlarge travel horizons, and shape new travel and social patterns in Belfast. The report also proposed a concept to promote Belfast as the “city on the move”, with buses as its mobile shared units and information exchange hubs.

The report suggested that there may be ways in which the public transport could enhance good relations and social inclusion outcomes. The principal concept underlying the recommendations put forward in the document was to start expanding the number and range of the city’s shared spaces. It was suggested that this will provide more areas which people can safely travel to and through, thereby expanding their travel horizons and encouraging inter-community and inter-racial tolerance; it will also help to bring wealth into deprived communities. The paper outlined how the expansion of shared spaces has the potential to be the catalyst for unravelling some of the long standing issues confronting Belfast.

Labour mobility is critical in reinforcing peace in Northern Ireland, promoting it as an attractive global city where its resident talent pool is able to move freely and safely, as well as attract the best to international employers in the Girdwood site. The links to building an attractive, competitive city are clearly outlined in Richard Florida’s work on the three central ‘prongs’ of technology, talent and tolerance; a city ill at ease with difference will neither attract nor retain talent in a globalised, mobile labour and investment market. Labour mobility in the city is dependent on ease of access and reduction in the perception of risk to personal safety and transport is key to delivering a competitive and cohesive city

Question 8

Do you agree that the departmental agency should have statutory powers to designate passenger facilities as “shared facilities” and to specify the access arrangements and charges for the use of the facilities by other public transport operators?

The Council welcomes proposals to allow private operators to deliver licensed services and use bus and rail facilities, however strict measures to monitor the quality of services should be put in place. This should be linked to greater regulation of private operators on use of halts and road space.

Question 9

Do you agree with the proposed future role of the Consumer Council, which would involve the Council in:

- **advising the Department on the consumer interests in relation to the development of public transport policy and fares;**
- **providing comments on service requirements specifications for public transport contracts and innovative service permit applications;**
- **representing the consumer interest in unresolved complaints about the services provided by the departmental agency and by operators; and**
- **agreeing arrangements for co-operation between the Council and the agency on public transport matters of shared interest.**

The Council welcome the role of the consumer council in advising the Department on consumer needs in the context of a clarified role for local councils in the future provision of public transport.

Question 10

Do you agree with the proposals on the future arrangements for the provision of rail services?

The Council would support the move towards formal contract arrangements with Northern Ireland Railways to ensure the financial and transparency requirements. The Council would request that performance targets are set to ensure continual improvement of services and options to encourage the expansion of the service in the future.

Question 11

Do you agree that there is a need for integrated and off-vehicle ticketing across all forms of public transport?

The Council strongly supports the introduction of an integrated ticketing system that allows travel between the different modes for example bus, rail and proposed rapid transit, also with private operator services. It is the view of the Council that integrated ticketing and off-vehicle ticketing will enhance public transport and contribute to achieving a modal change from private car to public transport.

Question 12

Do you agree that the Department should become a statutory consultee in land use planning decisions, and should be able to secure developer contributions for public transport?

Clarification will be needed on the potential role for the new agency pending the outcome of planning reform and its role as a statutory consultee in relation to the proposed planning hierarchy.

The Council considers that the proposal for developer contributions has a range of implications and was included in the recent Planning Reform proposals for consideration by a wider range of planning professionals and stakeholders. The Council recognise the need for a role in relation to land use planning however the matter of any developer contribution will be an issue of balance of a range of issues on which the local planning authority will be required to make a decision.

Question 13

Do you agree that the Department should formalise and take forward legal arrangements to provide funding to transport advisory-type bodies?

The Council would support specific legislation arrangements to enable it to continue to fund transport advisory boards. It is essential that public transport is accessible to all sections of the community and opportunities for improvement are investigated.

Question 14

Do you believe that service provision and information should be provided in languages other than English by Translink and other operators, where a clear demand is evident?

The Council would support the proposal to provide information in different language where there is a clear demand to ensure all sections of the community have the option to access public transport.

Please make any further comments here, ensuring that you clearly refer to any relevant questions or responses submitted above.

Any other comments:

(i) The Council would support additional bus services in Belfast including cross city bus routes and night time bus services. The Council would request measures to encourage operators to introduce these services which may not be commercially viable initially but are essential to connecting local neighbourhoods. The Council would advocate robust measures to prevent bus parking or layover in the city centre and strong regulation for private operators.

(ii) The proposals states that funding for public transport will change from capital funding to revenue funding. The Council would request further details on the level of revenue funding for public transport provision.

(iii) Within Chapter 3 of the consultation document, the Minister has indicated that he wishes to make public transport people's first choice, not last resort, adding that people's willingness to use public transport is often related to the ease with which it enables them to make a journey and the duration of that journey, including time spent waiting, compared to the alternative means of transport, which is normally the private car. He concludes therefore, that it is essential that bus priority and park and ride measures that give preference in the use of road space to public transport continue to be implemented.

The recently revised Belfast City Council Transportation Policy supports this viewpoint by committing the Council to seek to influence the development of transportation policies and proposals which improve connectivity and encourage a modal shift away from the private car to more sustainable forms of travel, such as walking, cycling and public transport.

The Council considers it essential however, that park and ride facilities are located in appropriate locations that maximise the opportunity for modal shift. The draft Belfast Metropolitan Area Plan has proposed planning protection for a range of transportation schemes under Policy Tran 2, including a proposal to locate a park and ride facility at Kennedy Way. Council has already articulated its opposition to the siting of a park and ride at Kennedy during the Belfast Metropolitan Area Plan public enquiry on the basis of its proximity to the city centre and to residential properties and its potential to worsen air quality within an area of existing poor air quality. The

park and ride site may also increase ambient noise levels in the vicinity of Kennedy Way.

Accordingly, Council supports the provision of park and ride sites but recommends that they be sited in appropriate locations so as to maximise the opportunity for modal shift whilst minimising adverse environmental and other impacts on the surrounding population and environment.

(iv) Within section 3.7, it is proposed that in order to encourage the greater use of public transport, it is intended to expand further the use of bus lanes and to improve enforcement so that journeys by public transport are quicker for users than by other means of transport.

The Council supports commitments to increase the number of bus lanes and to improve enforcement in order to speed public transport journeys however, it recommends that bus lanes should where possible be of an uninterrupted design. Presently, on arterial routes such as the Malone Road and the Lisburn Road, bus lanes periodically merge with other road users, particularly at road junctions. Moreover, the failure to sequence traffic lights along arterial routes also lengthen public transport journeys unnecessarily.

(v) With regard to the decriminalisation of parking enforcement, the Traffic Management (Northern Ireland) Order 2005 enabled the Roads Service to take over from the police, the enforcement of most parking restrictions including yellow lines, urban clearways, bus lanes, limited waiting parking places and pay and display bays. The Road Service has stated that the objective of the new enforcement regime is to reduce the number of illegally parked vehicles, which will lead to reduced traffic congestion, improved road safety and improved accessibility for all road-users. However, many parking restrictions provide dispensation for loading and unloading of commercial vehicles. It is considered that on arterial routes loading and unloading, particularly during the AM and PM peak travel hours, has the potential to obstruct bus lanes, congest other traffic and significantly lengthen commuter journey times.