

Public

Neath Port Talbot County Borough Council
Cyngor Bwrdeistref Sirol Castell-nedd

Democratic Services
Gwasanaethau Democrataidd

Chief Executive: Steven Phillips

Date: 3 November 2020

Dear Member,

CABINET - WEDNESDAY, 4TH NOVEMBER, 2020

Please find attached urgent item for consideration at the next meeting of the **Cabinet - Wednesday, 4th November, 2020.**

Item

6. **Urgent Items**

Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Section 100b (4)(B) of the Local Government Act 1972

- b) **Continuation of Covid 19 - Bus Industry Support** (Pages 1 - 14)

Yours sincerely

p.p Chief Executive

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

4th November 2020

Report of the Head of Engineering & Transport David W. Griffiths

Matter for Decision

Wards Affected: All

Continuation of Covid19-Bus Industry Support.

Purpose of the Report:

To obtain Members' approval to delegate authority to the Director of Environment and Regeneration and Head of Engineering and Transport to enter into Covid19-Bus Industry Support agreements with Passenger Transport Operators.

Executive Summary:

The Coronavirus pandemic has created uncertainty across all industries and sectors and the bus industry are no exception, many of whom are SME's or charities that are facing significant and unprecedented challenges in the provision of transport services.

Members will be aware that a report was brought before them in April 2020 requesting delegated power for officers to authorise payments to operators under the Bus Emergency Scheme (BES) until October. However, the Council has received a letter from the deputy Transport Minister extending the scheme for the month of November 2020.

Background:

Welsh Government has been taking action to help bus operators in Wales, including the Operator, get through the inevitable uncertainty of the COVID-19 affected operating conditions. Funding has been provided by the Welsh Government to bus operators in Wales via the Bus Hardship Funding scheme and the Bus Emergency Support scheme. This provided money to operators through the Local Authority and other local transport authorities.

In April delegated powers were requested to administer the scheme until October 2020. However, on the 22nd October 2020, the Council received a letter from the Deputy Minister for Transport Minister requesting Local Authorities continue to pay operators for November. A copy of this letter is set out at Appendix A.

Financial Impacts:

Home to school and social services transport are already budgeted for by the Council and continuing to pay routes that are not running at 75% will reduce overall spend.

Concessionary fares reimbursement is funded by Welsh Government along with a contribution from the Council. Local bus support is wholly funded by Welsh Government BSSG (Bus Services Support Grant). Welsh Government are releasing funding based on historical payments made to each Local Authority. Financial spend will therefore be similar to last year and budgeted for.

Integrated Impact Assessment:

A first stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts:

No impacts.

Workforce Impacts:

No impacts.

Legal Impacts:

The Council has a statutory obligation to provide home to school transport under The Learner Travel (Wales) Measure 2008. Also under Section 145 of the Transport Act 2000 it is mandatory that concessionary travel schemes be provided by the bus operators and section 149 of the Transport Act 2000 requires travel concession authorities (such as County Councils) to reimburse operators for providing concessions.

Risk Management Impacts:

No impacts.

Consultation:

The proposal is in response to Covid19 emergency measures to support the Bus Industry in Wales by Welsh Government to maintain Transport Services in consultation with the Welsh Local Government Association, Local Authorities, and The Association of Transport Coordinating Officers.

Recommendations:

It is recommended that

- 1) The Director of Environment and Regeneration, the Head of Engineering and Transport and those officers so designated by them be granted delegated authority to implement the Welsh Government guidance on the administration of the Bus Emergency Scheme (BES) while this mechanism continues to support the bus industry
- 2) Delegated authority be granted for the Council to enter into Covid-19 Indemnity Agreements with Passenger Transport Operators in accordance with the guidance provided by Welsh Ministers, the Welsh Government

Covid19-Bus Industry Support April 2020 and any subsequent guidance that may be issued by the Welsh Government.

Reasons for Proposed Decision:

The proposal will help maintain transport services in the short term and ensure that there are services at the end of the Covid19 public health crisis.

Implementation of Decision:

The decision is proposed for immediate implementation.

Appendices:

Appendix A – Letter 20 October 2020

Appendix B – Integrated Impact Screening Assessment

List of Background Papers:

Covid 19 Bus Industry Support April 2020.

Officer Contacts:

Peter Jackson ITU Manager

Tel. No: 01639 686091

Email: p.jackson@npt.gov.uk

Brendan Griffiths Passenger Transport Manager

Tel. No: 01639 686658

Email: b.griffiths@npt.gov.uk



All Local Authority Leaders

22 October 2020

Dear Leader,

We would like to update Local Authorities on the arrangements for public transport during the 'firebreak' lockdown that the First Minister recently announced.

From 18:00 on Friday, 23 October until 00:00 Monday, 9 November we are asking people to stay at home. For the lockdown period we expect service levels will be similar to those in August.

We will make every effort to ensure that buses and trains continue to operate in peak hours to enable key workers to get to work and pupils to get to school (and throughout the day in for services which run into England, where the Covid restrictions are different), but outside of the main commuting times we have asked Transport for Wales and bus operators where possible to reduce services for the lockdown period. This is not straightforward due to varying the registrations of bus routes with the Traffic Commissioners office, rostering staff, and interlinking services. Each operator and region will need to consider their own circumstances, such as those exceptional cases where the August service level does not meet certain essential shopping and medical needs.

Late cancellations and changes to timetabled services are likely, often with limited notice; therefore, those who must use public transport should check directly with operators before travelling. Neither local authorities nor Traveline Cymru are likely to be able to offer the latest timetable information to the public.

Our joint letter at the start of the last national lockdown on the 20 March, sent to all local authority chief executives recommended that local authorities continue to pay a minimum of 75% of the contract value for Home to School and other contracted local passenger services where schools or further education establishments are closed due to Coronavirus. It is recommended that this should continue as we enter the next phase with actual amounts to continue reflecting local circumstances and requirements – which we recognise will be difficult because of the different mix of pupils in schools this time around.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lee.Waters@llyw.cymru
Correspondence.Lee.Waters@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

We are also recommending that local authorities pay the ramp up funding for scheduled services under the Bus Emergency Scheme at 100% rather than 80% for November to operators to help with their continued cash-flow while revenues from ticket sales will be significantly reduced during this period. These payments will be reconciled in future months through the current process.

The Traffic Commissioner for Wales already recognises the challenges faced by operators in meeting the statutory bus registration requirements during the pandemic. This firebreak lockdown will obviously have an immediate impact on bus service provision for the limited two week period. The Traffic Commissioner has made it clear that she will continue to adopt a proportionate and flexible approach in response to the developing situation and in the exercise of her regulatory functions. At the very least, the Traffic Commissioner expects operators to ensure that service information is easily available to the people who rely upon those services.

Again, we would like to put on record our gratitude to officials and operators who have worked so hard to plan for and deliver these vital services during these unprecedented times

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lee Waters', with a large, sweeping flourish extending to the right.

Lee Waters AS/MS

Dirprwy Weinidog yr Economi a Thrafnidiaeth
Deputy Minister for Economy and Transport

A handwritten signature in black ink, appearing to read 'A. Morgan', written in a cursive style.

Councillor Andrew Morgan

WLGA Leader and Spokesperson for Transport, Environment and Sustainability

Impact Assessment - First Stage

It is essential that all initiatives undergo a first stage impact assessment to identify relevance to equalities and the Welsh language as well as an evaluation of how the proposal has taken into account the sustainable development principle (the five ways of working); an incorrect assessment could ultimately be open to legal challenge.

The first stage is to carry out a short assessment to help determine the need to undertake a more in-depth analysis (the second stage).

Relevance will depend not only on the number of people/service users affected, but also the significance of the effect on them.

When completing the first step you must have regard to the following:

- Does the initiative relate to an area where important equality issues have been, or are likely to be, raised? (For example, funding for services to assist people who are victims of rape/sexual violence or individuals with particular care need; disabled people's access to public transport; the gender pay gap; racist or homophobic bullying in schools)
- Is there a significant potential for reducing inequalities, or improving outcomes? (For example, increasing recruitment opportunities for disabled people).
- Does the initiative relate to instances where opportunities to use the Welsh language are likely to be affected or where the language is likely to be treated less favourably? (For example, increase the number of Welsh speakers moving from/to a certain area; closing specific Welsh language services or put those services at risk services;
- Does the initiative relate to the improvement of economic, social, environmental and cultural well-being? To what extent does the initiative prevent things getting worse? (For example, funding for services to assist in cultural well-being; changes in policies that promote independence and/or assist carers)

1. Provide a description and summary of the initiative.

Identify which service area and directorate has responsibility for the initiative.

2. Identify who will be affected by the initiative.

If you answer **Yes** to service users, staff or wider community continue with the first stage of the assessment

If you answer **No** to service users, staff or wider community or **Yes** to 'Internal administrative process only', go to **Question 5 – sustainable development principle**.

3. Using relevant and appropriate information and data that is available to you think about what impact there could be on people who share protected characteristics; whether they are service users, staff or the wider community.

Some things to consider include:

- transport issues
- accessibility
- customer service
- cultural sensitivity
- financial implications
- loss of jobs

Definitions of impacts (either positive or negative):

- High – likely to be highly affected by the initiative
- Medium - likely to be affected in some way
- Low - likely to be affected by the initiative in a small way
- Don't know - the potential impact is unknown

You **must** provide reasons, and indicate what evidence you used, in coming to your decision.

4. Using relevant and appropriate information and data that is available, think about what impact there could be on opportunities to use the Welsh language and in treating the language no less favourably than English.

Definitions of impacts are the same as in **Question 3**.

The classification 'Don't Know' should be categorised as 'High Impact' in both questions 3 & 4.

5. Consider how the initiative has embraced the sustainable development principle in accordance with the Section 7c of the Well-being of Future Generations Act 2015.

Give details of the initiative in relation to the 5 ways of working:

- **Long term** - how the initiative supports the long term well-being of people
- **Integration** - how the initiative impacts upon our wellbeing objectives
- **Involvement** - how people have been involved in developing the initiative
- **Collaboration** - how we have worked with other services/organisations to find shared sustainable solutions;
- **Prevention** - how the initiative will prevent problems occurring or getting worse

6. The most appropriate statement must be selected (and the relevant box ticked) based on the first stage of the assessment and an explanation of how you have arrived at this decision must be given.

In addition a summary of the how the initiative has embraced the sustainable development principle must also be included.

Where the first stage of the assessment indicates that a more in-depth analysis is required the second stage of the assessment will need to be completed and this will need to be started immediately.

A first stage assessment must be included as a background paper for all Cabinet/Cabinet Board/ Scrutiny Committee Reports.

Where the first stage assessment is completed by an accountable manager it must be signed off by a Head of Service/Director.

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Covid19-Bus Industry Support 2020
Service Area: Passenger Transport Services (Public Bus Services, Home to School Contracts and Taxi Industry Contracts)
Directorate: Environment.

2. Does the initiative affect:

	Yes	No
Service users	✓	
Staff		✓
Wider community	✓	
Internal administrative process only		✓

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				Older generation (over 70's) have been advised not to travel, hence no impact. Younger generations must not either unless journeys are essential. Any transport provision supplied is for essential journeys only, hence no impact
Disability		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.

Gender Reassignment		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Marriage/Civil Partnership		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Pregnancy/Maternity		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Race		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Religion/Belief		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Sex		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from

						place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.
Sexual orientation		✓				Those with underlying health issues have been advised not to travel. Persons who have no underlying health issues may travel for essential journeys only to and from place of work, for example key workers. Any transport provision supplied is for essential journeys only, hence no impact.

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				
Treating the Welsh language no less favourably than English		✓				

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?

To maintain and enhance biodiversity		✓				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The support provided to the bus industry will help maintain services and ensure that there are services at the end of the Covid19 public health crisis.
Integration - how the initiative impacts upon our wellbeing objectives	✓		The proposal will retain minimal services to enable critical service users to access their places of work where possible in accordance with WG legislation.
Involvement - how people have been involved in developing the initiative		✓	The general public have not been consulted on the proposals which are driven by Welsh Government as emergency measures to support the Bus Industry in Wales.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		The proposal is in response to Emergency action taken by Welsh Government to maintain Transport Services in consultation with the Welsh Local Government Association, Local Authorities, and The Association of Transport Coordinating Officers-Wales.

Prevention - how the initiative will prevent problems occurring or getting worse	✓		The proposals are intended to support the long term viability of bus services in Wales during and post the Covid19 emergency response.
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7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
A full impact assessment is not required as the proposals are intended as immediate support measures to the Bus Industry as part of the Covid19 response.	

A full impact assessment (second stage) is required.	
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Peter Jackson	ITU Manager.		06.04.2020
Signed off by	David Griffiths	Head of Service/Director		06.04.2020