

**Joint Meeting of the Cabinet / Streetscene and Engineering Scrutiny
Committees**

(Via Microsoft Teams)

Members Present:

22 January 2021

Chairperson: Councillor R.W.Wood

Vice Chairperson: Councillor S.Paddison

Councillors: R.Davies, S.E.Freeguard, C.Galsworthy,
W.F.Griffiths, J.Hale, S.K.Hunt, J.Hurley,
D.Keogh, A.Llewelyn, A.McGrath, S.Miller,
R.Mizen, J.D.Morgan, S.Paddison, S.M.Penry,
L.M.Purcell, S.H.Reynolds, C.J.Jones and
A.N.Woolcock

Officers In Attendance: A.Jarrett, H.Jenkins, K.Jones, C.Griffiths,
C.Davies, A.Thomas, P. Jackson, J.Woodman-
Ralph and D.Griffiths

Cabinet Invitees: Councillors C.Clement-Williams, D.Jones,
L.Jones, R.G.Jones, E.V.Latham, A.R.Lockyer,
P.A.Rees, P.D.Richards and A.Wingrave

1. **Appointment of Chairperson and Vice Chairperson**

It was agreed that Councillor R.Wood be appointed Chairperson and that Councillor S.Paddison be appointed Vice Chairperson for the meeting.

2. **Chairperson's Announcement/s**

The Chair thanked all those who had helped and provided their support in the recent flooding incident in the Skewen ward within the County Borough.

3. **Bus Emergency Scheme 2 (Contained within the Cabinet Papers)**

The Committee was presented with a report in relation to the Bus Emergency Scheme (BES) 2; the report set out the wider context of the scheme which had been introduced as a result of the pandemic.

It was explained that prior to the pandemic, Welsh Government proposed changes to the way in which bus services would be delivered in Wales; a Bus Bill was due to have been brought forward during the current Senedd term, however pressures associated with Covid 19 had meant that a large volume of legal work, along with the Brexit transition, had resulted in that bill being delayed. Officers highlighted that as there was such a large amount of public funding in bus services, Welsh Government and Local Authorities wanted the public sector to have greater influence over areas such as the bus networks and services they provide, ticketing and integration across the board and rail services.

Members were informed that Welsh Government were working closely with Transport for Wales, which now included buses; they had provided a lot of support, firstly with Bus Emergency Scheme 1 and followed with Bus Emergency Scheme 1.5. It was noted that each scheme in turn had a set of criteria to follow, to make them more accountable for the public money they were receiving to support their organisations as they were delivering the services. Officers mentioned that the new scheme was more significant than the previous agreement as it contained a lot more conditions for the bus operators.

The Integrated Impact Assessment (IIA), contained within the circulated report, stated that there were no impacts on the valley communities associated to the BES 2 agreement; Members asked if Officers could clarify why the valleys weren't impacted. Officers explained that this particular report was in relation to the background administration and not services on the ground, and as such was not something that would have any impact on the valleys. Officers confirmed that when they received further details on the network review of services, they would report back to Members.

Officers were asked to explain the benefits of the Council signing into the BES 2 agreement. It was noted that the Council would have greater influence with the bus service operators and could make decisions in relation to how they would operate in the future; it will allow for a more all-encompassing network that will work for the Council, Transport for Wales and the public. Officers mentioned that bus services had been withdrawn on a regular basis from various

areas within the County Borough; the scheme will provide the Council with some degree of control over the service, including being able to challenge decisions made by bus operators. It was added that currently, the Council subsidises local bus services for valley and rural communities that were not commercially viable, with the agreement in place, partnerships would be developed in order to overcome this; Officers were already working with the consultants employed by Welsh Government on the strategic bus network, and a meeting would be taking place in February 2021 to identify what the ideal network would look like.

Members mentioned that both businesses and bus services had been negatively impacted by the outbreak of the pandemic, and asked if buses could be used to help promote various destinations within the County Borough, e.g. Neath Market and Aberavon Shopping Centre, for when they could be opened again and also promote the concept of people using the buses to get to these destinations. It was explained that currently all of the buses were commercial and promoted their own services, due to this Officers were unsure if the buses would promote these free of charge; however, there was space on the back of the bus that could be purchased by businesses to advertise whatever they chose, therefore it was something that could be looked into. It was added that Welsh Government were currently looking into holding working groups on how to get people to catch buses again; Officers suggested that they could also put this idea forward via the working groups.

Officers provided an update from the meeting between Lee Waters (Deputy Minister) and the Welsh Local Government Association (WLGA) Bus Member Group which took place on 18 January 2021:

- During the meeting the Deputy Minister was noted to be keen to address that Welsh Government wanted to work in partnership with Local Authorities; it was a constructive first meeting, where Welsh Government were able to present their views on potential ways forward. It was added that these meetings were going to continue every six weeks.
- Members at the meeting expressed their views around the need for Local Authority influence, and at the same time recognised the key roles for the Region;
- The future legislation in this area was highlighted to still be a possibility, especially if the proposed partnership arrangements with operators around the BES 2 did not deliver; the agreement

would last until the end of July 2022, and if results weren't gathered from this by then, Government could legislate changes in the area;

- It was identified that the objective of the old 1985 Act conflicted with the key aims of the integration of the bus network with rail, and other key elements, such as ticketing and information;
- Those at the meeting were informed that Government had been paying multiple operators to compete with each other on commercial routes through the Bus Services Support Grant (BSSG) and the concessionary fares, particularly in the urban environment and town centres; it was recognised that the funding regime was complex, patronage was in decline and Covid 19 had exposed some flaws in the system;
- There was reference to social exclusion, in particular that 78% of people who used bus services did not have access to a car;
- The Minister recognised that Local Authorities were the starting point for public transport and had a key role in shaping place, listening to the communities and holding the bodies to account, including Welsh Government, whether it be regional or national;
- It was explained that the governance objective was to provide access to all, and the Group talked about the response to the climate change and the aim to create a sustainable public transport network;
- The four Regions across Wales were noted to have a key role in building on its previous good practice and holding Transport for Wales to account on the development of the bus service network that was proposed;
- The role of Small and Medium-sized Enterprises (SMEs) in the bus network and investment in the rural areas was recognised. The minister felt that there needed to be a de-coupling of the two, however proposed to issue another document for Members to review around the rural dimension and bus networks;
- In terms of the role of Transport for Wales, the Minister made reference to the ticketing, journey planning system and market information, which all needed to be developed going forward as part of this BES 2 agreement;
- It was noted that the Group discussed the funding and that it was critical in ensuring it will be sustainable going forward;
- Julie James (Minister for Housing and Local Government) offered some input regarding the relationships between what will become the future corporate joint committees and how

those plans will be taken forward both in the Planning and Housing, and Transport sectors;

- In the meeting, the Minister suggested that Local Authorities and the Regions would need to determine where was best to deliver, and that there were no ridged borders in this respect. It was added that as a Region, discussion were taking place in regards to what relative functions could be devolved to the Region, linked with the corporate joint committees;
- Some Members in the Group highlighted that they didn't agree with the centric model and that it would be controlled from Cardiff and Transport for Wales, and that the Region and Local Authorities would be a key part of the new model. The Members of the Group very much favoured a hybrid solution in that respect;
- In conclusion, the Minister noted the feedback from the four Regions and the 22 Authorities in which the Local Authorities were reasonably content at this stage in supporting the direction of travel.

Members queried if the proposals would have any effect on concessionary fares arrangements. Officers confirmed that there will be no changes that will impact the travelling public, however there will be some changes around the administration arrangements; Officers will be included in discussions, as part of a voluntary partnership agreement, in regards to what that administration service will look like and how it is to be resourced.

Officers were asked if the proposals would move forward towards interchangeable ticketing between bus companies. It was noted that Welsh Government and Transport for Wales were very keen on achieving this; it was something that could only be achieved with Government intervention, and was not something that could be accomplished by individual Local Authorities with the sector. Officers hoped there would be a change in this area with the help of the Government.

Members expressed their concerns in relation to delayed tendering and asked Officers if they knew the basis in which services would be retendered at the end of BES 2. Officers mentioned that they had received notice from Welsh Government that currently, anybody that was putting tenders out could face significant increases in the prices as the operators would put in for loss of fare as well; therefore it was a concern as subsidies that were currently being paid could triple.

Members were informed that Officers were looking at the regional transport network with the consultants that Transport for Wales had employed to carry out this work; these factors could be highlighted in these discussions, and perhaps some of the routes the Council were currently subsidising will not necessarily have to be subsidised. It was added that guidance on this would be issued going forward.

It was queried if there could be early cross boundary discussions with other Local Authorities within the BES 2 framework, where services cross county boundaries. Officers confirmed that in terms of regional working, Neath Port Talbot Council worked closely with Swansea, Carmarthen and Pembrokeshire; monthly Transport Officers meetings take place with these connections. It was mentioned that it was sometimes difficult to engage with Powys, and Officers have had some cause for concern when Powys had or hadn't implemented something their side, which had detrimentally affected services to certain areas. However, it was highlighted that going forward, especially with the set-up of the joint committees, these issues could be improved on; there were already discussions taking place in house around these issues that need to be addressed.

Members noticed that the Bus Member Group did not have any representation from bus users, therefore asked what opportunities Local Councillors had to feed into the discussions of this Group in order to ensure that full information was received and that all needs were met. It was highlighted that Members could raise their concerns by contacting the Head of Engineering and Transport and/or the Integrated Transport Manager; the mentioned Officers and the Cabinet Member (Deputy Leader), was the Council's representative on the Transport Forum and would take any concerns to these meetings in order to feed them into the process. It was added that any concerns or queries raised at these meetings would be picked up by the regional chairs of the Transport Forum who would raise it at WLGA level; it was added that Neath Port Talbot Council had the benefit that the Deputy Leader was also the Deputy Chair Spokesperson at the WLGA meetings on transport, therefore the Council was well represented.

A discussion took place in relation to smaller bus companies in which it was noted that Welsh Government and Transport for Wales were leading on the bus network review and the BES, and had been in full consultation with the main operators; however, there has been some criticism that they hadn't spoken to the smaller operators. Members

were informed that further dialogue with those companies was going to take place.

Detailed in the circulated report it stated that there would be standards that will be specified as part of BES 2 agreement to provide an objective way to defend the Local Authority's right to let a supported contract, where the service offered by the operator does not meet the specified standard; Members asked for further information on this. In relation to the legal interventions where challenges could be made, it was highlighted that the BES was proposing that there be quality partnership arrangements and there could be potential franchising arrangements with the Region; moreover, where intervention was needed would be if the operators decline services for particular reasons, for example not delivering service due to the patronage. In these cases, it was noted that Officers could step in and direct the operators to maintain the services, especially if the public money was going to be continued to be passed in their direction.

Members were informed that currently, the Council could not subsidise a bus service on an already commercial route; however, this was being looked into and could potentially be changed in the future.

The Committee were informed that Transport for Wales were already piloting schemes in Pembrokeshire and North Wales in relation to running their own buses to feed into the main bus services; however services such as the Community Transport Organisations operating within NPTCBC could easily take part by enabling their services to feed into the Transport for Wales network. It was added that much of this thinking is reflected in the new Wales Transport Strategy.

Members asked if there was potential going forward for Local Authorities to have their own transport network services. It was mentioned that it would be expensive for Local Authorities to run their own bus services, however there were opportunities out there and Transport for Wales would be looking at all opportunities to integrate as much transport as they can. Officers added that there may be changes to bus operations, and that there may be a more demand responsive and taxi services in rural communities; it was an aspiration to have a bus every hour in the rural areas and it was something that needed further dialogue. Members were informed that Officers were looking to achieve a blended solution into maintaining and improving services in the County Boroughs valley communities.

The circulated report stated that the BES 2 arrangements were seeking to ensure that operators were incentivised to support the recovery of the whole network and not just a limited number of commercial routes; Members asked if this was going to work as far as the providers were concerned, and if improvements would be seen in the communities, and if not what would happen. Officers stated that it would be challenging, however there was a huge amount of money that was going into bus services across Wales; the BES 2 agreement aimed to tackle issues, and if the operators failed to work with the Local Authorities and provide an assured network for the community, Welsh Government may then need to get involved and legislate on that position. It was added that in order to get the public to use the bus service and it sustainable, then a reliable and frequent service was needed. In relation to funding, Welsh Government had highlighted that it was a key element and more money would be put into this area for the next financial year; Officers were hoping that the Council would see some of the benefits from the extra money.

It was suggested that in future, when completing the Integrated Impact Assessment on the valleys, Officers could put that it was a benefit / enhancement for the community, rather than stating that there was no impact.

Members asked how much influence the Council would have, if the scheme was flexible enough, to change certain routes depending on public need, and how could the Council penalise should the bus operators not conform to what was agreed. The Committee was informed that if and when the operators sign up to the BES 2 agreement, discussions would need to take place in relation to the details of the agreement including the expectation of delivery and standards. It was added that currently the Council did not have much control, therefore when the operators put in their commercial services, and where they deemed it not commercial, they would tend to reduce or withdraw the service; with the BES 2 Officers hoped the Council would obtain this type of influence and control.

Officers were asked for information on the Regional Lead Authorities and how they were selected. It was noted that since 2013, the City and County of Swansea acted as the regional bankers for the funding arrangements and Carmarthenshire was the lead for administration; below this, the transport sections across the four Local Authorities had worked very closely together and had monthly meetings in terms of the agreed arrangement. Members were informed that the Regional Transport Forum debated the subject matter, as the

proposal had been received at short notice; the regional Members felt it was best, for continuity purposes and for the existing Officers involved, to continue to support this change with a similar arrangement. It was explained that the City and County of Swansea were asked and confirmed that they were prepared to take the lead on the BES 2 and would become the lead Authority for the South West Region; all of the Officers and Members were in agreement on this. It was added that the four teams were yet to work up the voluntary partnership agreement that was shared by Welsh Government recently; the Regions and all legal colleagues will be reviewing the document line by line before signing up, to ensure everyone is satisfied and comfortable with the working arrangements. Officers mentioned that the Regional Officers and the Cabinet Members for Transport had good working relationships.

Following scrutiny, the Committee was supportive of the proposals to be considered by Cabinet.

CHAIRPERSON