

Environment and Transport Cabinet Committee – 16 September 2015

Petition - Give Canterbury its Buses back

Briefing note from Kent County Council's Public Transport Department

Kent County Council's Public Transport Department has considered the issues raised in the petition "Give Canterbury its Buses back" and provides the following responses to support discussions held at the Environment and Transport Cabinet Committee meeting on 16th September 2015:

Issue raised: *Damage to Towers - "The structural survey shows the only damage was to the south side and it is caused by rain damage"*

Response:

The Westgate Towers are a protected ancient monument and therefore, as defined by statute, any damage caused is classified as an offence. The Tower's northern arch is 2.8 metres wide with the vehicles utilised by Stagecoach for operation measuring 2.55 metres. Side mirrors add an additional 0.23 metres at each side of buses, resulting in a total width of 3.01 metres. All vehicles used for operation by Stagecoach comply with United Kingdom Construction and Use regulations for PCV vehicles and are fully Disability Discrimination Act compliant.

Prior to May 2013, Stagecoach vehicles operated through Westgate Towers, with drivers retracting both the nearside and offside mirrors in order to ensure physical passage was possible. Buses would then proceed through the monument with drivers unable to make use of these mirrors resulting in no rear view of either the arch or of any pedestrians in the vicinity. At the end of the Westgate traffic scheme trial, Stagecoach reviewed whether this practice was safe and appropriate and determined that the manoeuvre was unsafe and posed a risk to safety as well as a risk to the company from a legal perspective. It is very evident that the arch has been damaged by large vehicles including buses, as the marks on the stone work can be seen clearly.

Stagecoach has made it clear to Kent County Council that they will not reverse this decision and, as a commercial operator, have every right to take this stance.

Issue raised: *"Stagecoach stated it was illegal for drivers to retract their wing mirrors"*

Response:

It is not appropriate for Kent County Council to adjudicate whether this is legal or not, as the Kent County Council is not the enforcement authority for road traffic; this is enforced by Kent Police.

Issue raised: Disabled access - *“Routemaster manufacturer a narrower and greener bus which complies with current legislation and is used by Stagecoach in other areas Stagecoach letter dated 1st March 2013 to Cllr Northey states 100 people per hour were being dropped in St Dunstons St Peters Street, These people are now taken along London Road to Rheims Way to Whitefriars shopping Centre. By passing St Dunstons and St Peters Street. Passengers are unable to reach their desired destination.*

Stagecoach are planning to provide two buses an hour to bring people to Station Road West for the Train station and North Lane. This is not acceptable. It is not commercially viable and may well be a short lived service.

Stagecoach have stated that the St Dunstons route through the Westgate Towers is a very lucrative route (see Local plan) and buses must return to this area.

The bus stop through the Westgate Towers remains there and needs buses for residents to get to Doctors surgeries and Kent and Canterbury Hospital, plus customers for the shops in St Peters Street and St Dunstons area.

For the Cabinet member for Highways to say he has no influence is simply risible. He has massive power and should exercise it in the public interest. He who pays the piper should call the tune.

Sadly KCC payments on the freedom pass have created a monopoly which allows Stagecoach to tell KCC what to do. This entire business has been a web of misinformation.

This petition is to ask KCC to ensure Stagecoach run buses through the Westgate Towers or to get a bus company that will.”

Response:

East Kent has predominantly been served by one bus operator for the past 50 years, both through the period when the operator East Kent Road Car Co. formed part of the government-owned National Bus Company and its privatised form, under the ownership of Stagecoach. That there is not a mix of operators reflects the history of bus service development in this area and the market for bus travel. That Stagecoach today operates the majority of services has no linkage to the supported services provided by KCC, the payments for concessionary travel or the public transport policies of KCC.

Under the 1985 Transport Act, the market for local bus services was de-regulated. Any bus operator, who satisfied the Operator Licensing regulations, could register to run a bus service on a commercial basis. Since the 1985 Transport Act there has been the opportunity for all operators to develop services; that they haven't is linked to the market, not Kent County Council.

There is no market regulation of bus services outside of London, exercised by local authorities or any other regulatory body. The majority of the network operated into/out and around Canterbury is operated commercially by Stagecoach, with KCC supporting a small number of services / journeys to meet minimum social need where this cannot be provided by the commercial operator. Contracted services are, in the most part, awarded following a competitive tender process open to all operators registered on the relevant procurement framework. Some contracts are awarded on a di-minimis basis where for instance a limited number of journeys which build on a core commercial service are funded e.g. in the early morning or late evening.

Payments made to Stagecoach by the Kent County Council for the English National Concessionary Travel Scheme (ENCTS) are payments for concessionary travel and are governed by the 1985 Transport Act. Kent County Council does not have the right to withhold payment for such travel, except in limited circumstances. Likewise, whilst the Young Persons Travel Pass (YPTP) is provided as a discretionary scheme, Stagecoach must be re-imbursed for each use of a pass. If their payments are higher than those for other operators this is simply reflective of the number of services they operate as a result of the de-regulated network described above. The Westgate Towers issue would not constitute a reasonable circumstance to alter the payments made in respect of YPTP or ENCTS.

Stagecoach has developed a compromise to the current issues at Westgate Towers with the aim of improving connections to the St Dunstons area. The proposal required the co-operation of Canterbury City Council, Kent County Council and the University of Kent and will come into effect from 21st September 2015. Whilst the solution is based on Stagecoach's resolution that they will not return to operation through the Towers, it does provide more journeys into the area.

The changes provide the following:

- 1 bus per hour from Herne Bay via Whitstable to Canterbury via the University & St Dunstons
- 2 buses per hour from Whitstable to Canterbury via the University & St Dunstons
- 4 buses per hour from the University to Canterbury via St Dunstons

The above will be on top of existing services between the University to Canterbury via St Dunstons. The service in Whitstable will also be serving the new Estuary NHS complex.