

West Yorkshire Combined Authority's Franchising Scheme for Buses 2024 Service Permit Conditions and Descriptions of Conditions Notice

Transport Act 2000, section 123R

1.1 Introduction

The Transport Act 2000 allows for conditions or descriptions of conditions to be attached to service permits.

Different conditions or descriptions of conditions can be attached for different circumstances, or for different sorts of services.

Government guidance explains that a franchising authority may apply a 'lighter touch' set of conditions to services which have a limited number of stopping places in the franchising area but may require services which operate wholly within the franchising area to comply with more stringent conditions, to ensure they integrate effectively with the network of franchised services.

West Yorkshire Combined Authority may attach conditions or conditions of a description to a service permit at the time it is granted, or after it has been granted. If it does this, it must give the applicant notice of its reasons for doing so within a period of 14 days beginning with the date on which it grants the service permit or attaches the conditions to an existing service permit.

A person who is granted a service permit with conditions, or a person to whose service permit conditions are attached after the service permit has been granted, may appeal to the Traffic Commissioner against the attaching of the conditions, or any of them.

A notice specifying the conditions, or description of conditions that may be attached to a service permit can be withdrawn, and a new notice published instead. If a notice is withdrawn, conditions attached to a service permit before the notice was withdrawn cease to have effect (subject to such conditions being attached to a service permit again).

1.2 Conditions and Descriptions of Conditions that may be attached to Service Permits

As stated in the Service Permit Policy Statement the following conditions may be applied, where relevant, to local services operating within West Yorkshire that are granted a service permit:

Operational Standards

OP1. Environmental

Vehicles used to operate permitted services must meet, or exceed, Euro V (or Euro VI when a service enters a Clean Air Zone area such as central Bradford). **Where appropriate West Yorkshire Combined Authority may require that vehicles used for permitted services meet equivalent emission standards to those that will be met by services under local service contracts**

OP2. Accessibility

All operational staff who are materially involved in the provision of the permitted service shall receive disability, equality, and customer care training as part of the operator's planned training programme for its operational staff. **This will ensure that high standards of customer care are met by operational staff, ensuring confidence in bus travel in West Yorkshire.**

OP3. Safer Travel Partnership

The operator of the permitted service shall participate in the Enhanced Safer Travel Partnership, including allowing safer travel officers of the Combined Authority to travel on the permitted service for the purposes of passenger safety and security and revenue protection. The operator may also be required to embrace additional policies and standards, such as incident reporting and information sharing with West Yorkshire Combined Authority in relation to incidents involving its staff or vehicles on the permitted service upon request. **This will ensure that high standards of customer safety are met by permitted services, ensuring confidence in bus travel in West Yorkshire.**

OP4. Vehicles TROs and highways requirements

Permitted service operators shall comply with any requirements in respect of:

1. The size and type of vehicles which may be used.
2. Compliance with existing Traffic Regulation Orders.
3. Compliance with any proposals to amend the highway layout or Traffic Regulation Orders.

For the avoidance of doubt, to ensure that the service fully fulfils its purpose and appropriately benefits persons making journeys on local services in the area to which the Scheme relates, the West Yorkshire Combined Authority may also set out in the service permit itself, details of the route, including its starting points, waiting and departure locations, times, stopping places and termini including agreed frequency, operating hours (first and last bus) and days of operation based upon the application submitted by the operator. The service permit would therefore define the service to

which the service permit was granted, including the extent to which West Yorkshire Combined Authority was happy to accept minor deviations in the service provided without a new service permit being required to be granted, where the West Yorkshire Combined Authority had agreed to such deviations.

The West Yorkshire Combined Authority expects to use these conditions to ensure that operators comply with their service permit application, in particular in respect of elements of the service specification which the West Yorkshire Combined Authority have relied upon in determining to grant a service permit.

OP5. Duplicate Vehicles

Duplicate vehicle(s) which provide additional capacity on a permitted service may only be operated over any part of the route of the permitted service within West Yorkshire, with, and in accordance with, the West Yorkshire Combined Authority's prior consent. **The permit will be granted on the basis of the timetable and other details provided within the service permit application. Running of duplicate buses to increase capacity within a timetable slot may mean that the service breaches the statutory requirements, in particular if it leads to congestion on routes also used by local services under local service contracts. This condition will allow the operator to agree such duplicate vehicle use on a short-term basis but allow the West Yorkshire Combined Authority to intervene if such duplicate vehicles adversely affect other services.**

OP6. Service Performance & Operational Standards

The permitted service shall be provided in accordance with the principles, operating standards and statutory guidance issued by the Traffic Commissioner. Any non-compliance may be reported to the Office of the Traffic Commissioner and/or the Driver and Vehicle Standards Agency. **The permitted service will need to comply with these requirements outside West Yorkshire, so this ensures consistent standards throughout the journey.**

Passenger Information & Customer Service

CS1. Passenger Information

Permitted service operators shall comply with national legislation requirements where relevant. This includes vehicles being fully PSVAR compliant ensuring that:

- AVA information is provided along the whole route.
- vehicles are boardable by passengers with additional accessibility requirements.

Additionally, permitted service operators shall comply with any marketing initiatives reasonably required by the West Yorkshire Combined Authority, including:

- a) providing required information in the appropriate way as specified by the West Yorkshire Combined Authority pursuant to sections 139 – 141 of the Transport Act 2000;
- b) publishing on vehicles operating the permitted service notices relating to West Yorkshire Combined Authority's concessionary fares and up to two other passenger information or marketing notices provided by the West Yorkshire Combined Authority. **This condition ensures that operators under service permits do not detract from consistent provision of information across the network, which could adversely affect passengers and their confidence in the franchised bus network.**

CS2. Service Numbers and Names

Where service numbers are to be used, applicants must take account of existing service numbers to avoid situations of more than one service operating with the same number in the same locality or district(s) of West Yorkshire. The West Yorkshire Combined Authority reserves the right to allocate a different service number that the operator will be required to use as a condition of a service permit.

Conditions relating to service numbers ensure that there is consistent service numbering within West Yorkshire and that this does not have an adverse effect on any franchised services. Where such clashes exist, the West Yorkshire Combined Authority will engage with the applicant to identify an alternative service number.

CS3. Communication with passengers

The operator will properly investigate and address customer complaints relating to the permitted service to the West Yorkshire Combined Authority's reasonable satisfaction and within a reasonable timescale. **This condition ensures that passengers within West Yorkshire are able to benefit from proper management of any complaints and have confidence that such complaints will be dealt with properly, whatever bus they travel on.**

Fares & Ticketing

FT1. Fares and acceptance of the West Yorkshire Combined Authority's tickets and passes

The operator shall retail and accept the West Yorkshire Combined Authority's specified range of tickets and passes at the same fare scale as that provided by the West Yorkshire Combined Authority for journeys within the West Yorkshire boundary, unless specifically exempted from doing so, either in full or part by the West Yorkshire Combined Authority. Operators should note that whilst this condition may be imposed on a permitted service, this will be subject to the West Yorkshire Combined Authority ensuring that operators are reimbursed appropriately for

acceptance of tickets and fare such that they are no better and no worse off as a result of compliance with this condition and such tickets being available within the West Yorkshire boundary.

Such conditions will be intended to ensure that whilst operating within West Yorkshire **services do not adversely affect the local services provided under local service contracts or passengers, by ensuring that passengers can make use of the West Yorkshire Combined Authority ticketing types which are valid within the West Yorkshire Combined Authority's franchising scheme area.** Such conditions will, however, be subject to ensuring that **compensation/reimbursement arrangements are in place to ensure that operators are not worse off as a result of such a requirement and those ticket types still being available within West Yorkshire.**

Service Monitoring

SM1. Service Monitoring

Authorised representatives of the West Yorkshire Combined Authority shall be allowed to board vehicles operating the permitted service without prior notice and require the provision of any data reasonably required for the purpose of confirming compliance with service permit conditions. **It is important that the West Yorkshire Combined Authority can ensure that permit conditions are complied with.**