
Meeting: Overview and Scrutiny Committee

Date: 24 November 2009

Subject: Luton Dunstable Busway

Report of: Cllr Tom Nicols, Portfolio Holder for Sustainable Development

Summary: This report asks the Overview and Scrutiny Committee to support the content of a forthcoming report to December Executive seeking member's approval to progress the DfT funding application and on a successful funding offer support Luton Borough Council in awarding a contract for the construction of the Luton Dunstable Busway.

Contact Officer: Dave Buck, Senior Strategic Infrastructure Officer

Public/Exempt: Public (Exempt: Executive report Appendix D parts 23 to 26)

Wards Affected: Houghton Regis, Northfields, Dunstable Downs, Icknield, Watling, South East Bedfordshire

Function of: Executive

CORPORATE IMPLICATIONS

Council Priorities:

The Luton Dunstable Busway contributes to all five of the Councils priorities:

- It will support the delivery of managed growth by providing a service which is forecast to reduce local vehicle trips significantly.
- It will improve links to educational facilities, including to Dunstable college which will be served by the busway.
- Local perception of crime is an issue that the Busway will also contribute to with increased CCTV and 'help points' at high profile bus stops and potentially the IT infrastructure to boost local communications.
- The provision of a high quality bus service and of a cycleway will contribute to the promotion of healthier lifestyles.
- Access for elderly people will be improved through the provision of a regular bus service including access on to the bus) for those with mobility difficulties.

Financial:

Details of the financial implications are set out in Appendix D. The two Councils will be required to contribute approximately 10% of the scheme cost, made up from direct Council payments and, where available, from local contributions including under section 106 agreements. The contribution is £6,843k (see Appendix D par 22c) of which £4,460k has been secured (Appendix D par 26) leaving £2,283k to be found. Work is continuing to secure this with expectations of a significant contribution as outlined in Appendix D par 26. The contribution may be phased over the duration of the scheme with initial payments of £4m proposed in 2010/11 (as detailed below).

The expected capital costs of the scheme are

	To March 2010	2010/11	2011/12	2012/13	2013/14	2014/15
Expenditure	£9m	£46m	£22m	£0.5m	£0.18m	£1.4m
Funded by						
DFT Grant	£9m	£41m	£22m	£0.5	£0.18m	£1.4m
Luton BC		£4m				
CBC						

These costs are subject to variation in accordance with the sharing formula outlined in appendix D. Cost overruns and change of user specification would be the two main risk areas for a cost overrun.

Legal:

Luton Borough Council has all legal powers to construct the scheme under the Luton Dunstable Translink Order 2006, an order made under the Transport and Works Act (TWA) 1992.

A legal agreement between the two authorities was the subject of the report to shadow Executive of 17 March 2009. This agreement provides for joint working, cost sharing and joint ownership of the Busway.

Risk Management:

The transport impact of planned development in the southern Central Bedfordshire area will be substantial. Without significant measures to improve the transport network, it will not be possible for the authority to manage this growth sustainably.

Failure to deliver the busway is likely to result in damage to the reputation of the authority with government and may affect future funding decisions for transport.

As a result of previous decisions by the old County Council, ownership and operation of the scheme rests with Luton Borough Council. Failure to agree to go forward with the scheme, will pass all control back to the Borough, giving Central Bedfordshire no say in how it will be developed in the future.

The risk of increased cost to CBC is mitigated by a number of actions including the contractor sharing agreement, effective cost and change control measures and the ability to 'flex' scheme specification.

Staffing (including Trades Unions):

None

Equalities/Human Rights:

The Busway will offer a step change in the existing public transport infrastructure in the conurbation, this will include greatly improved facilities for people with disabilities, including wheelchair access on to the buses and help points to assist the visually impaired and those requiring extra assistance and information.

Community Safety:

Provision of CCTV, 'Help Point' and local lighting at the high profile bus stops will assist in tackling anti-social behaviour issues.

Sustainability:

Sustainability is an overarching consideration in the preparation of the Core Strategy. Public transport plays a significant part of this to address the proposed growth. The Busway will set high public transport standards for comfort, reliability and flexible ticketing required to help encourage a modal shift towards public transport.

RECOMMENDATION(S):

1. **that the Sustainable Communities Overview and Scrutiny Committee recommend that the Executive:-**
 - (a) **confirm the Council's support on the Luton Dunstable Busway to Luton Borough Council and the Department for Transport;**
 - (b) **agree to proceed with award of contract for the Busway in accordance with the legal agreement between Central Bedfordshire Council and Luton Borough Council as approved at the Shadow Executive on 17th March 2009 subject to the Department of Transport's Full Approval / funding offer; and**
 - (c) **agree to delegate to the Director of Sustainable Communities, in consultation with the Director of Corporate Resources authority to deliver the scheme, subject to 6 monthly bulletin reporting; and**
 - (d) **make a future revenue budget allowances for maintenance of the busway currently estimated at £50k for financial year 2012/13 increasing annually to £250kpa by year 3.**

Purpose for report

1. Members are asked to consider and endorse the attached report going to Executive on 8 December 2009.

2. The report outlines recent progress in relation to the Busway and seeks Members support to take the application forward to the Department for Transport (DfT) for Full Approval and, on a successful application, to agree to proceed with Luton Borough Council to award the contract.

Background

3. The busway was considered by the Shadow Executive on 17th March 2009. The following was agreed:
 - Shadow Executive agrees to take over from Bedfordshire County Council, as an equal partner with Luton Borough Council, on the Luton Dunstable Busway and that it enters into a legal agreement, as set out in Appendix A to the report.....”
 - Shadow Executive authorises the Director of Sustainable Communities to write to the Department of Transport confirming that the shadow authority fully understands the consequences of Full Approval for the new authority and that it will be ready to take over the scheme and the costs from Bedfordshire County Council.
 - That the award of contract decision is reserved to the Executive.
4. A legal agreement between the authorities provides for equal status in developing the Busway including ownership of land and infrastructure within each authority’s administrative area.
5. Tenders for the Busway were returned on 23 September and a preferred bidder selected.
6. Talks are ongoing with the Department for Transport to secure successful Full Approval status / funding offer.

Details of the Scheme

7. The Busway will be a modern high quality system offering clean, low noise vehicles that interact in real time with bus stop level displays to advise when the next bus will be along. The displays offer facilities for the visually impaired and hard of hearing with systems like SNAPPY and REACT 3 that can automatically adjust screen fonts and sound levels. CCTV will be provided at strategic stop along with ‘help points’ to assist with enquiries and provided a level of security. Integrated ticketing is also intended along the lines of ‘PLUSBUS’. Stops will have raised kerbs to provide at level access.
8. The Busway is over 13km long linking Houghton Regis to Luton London Airport via the town centres of Dunstable and Luton. Buses will leave and rejoin at various locations along route to link residential, industrial, educational and retail areas.

The growth area

9. The proposed growth area to the north of Luton Dunstable and Houghton Regis is detailed in the draft Core Strategy that is about to be submitted to the Secretary of State. The busway is the key provision to providing a public transport alternative to the car by addressing the congestion issues related to busy town centre access. By extending into the growth area the Busway will provide reliable access to areas of employment, retail and leisure.

Assessment

10. The scheme has been through a comprehensive independent assessment process testing for strategic, financial and commercial viability along with Gateway Reviews by the 4ps on business justification, procurement strategy and investment (planned in December).

Appendices:

Appendix 1 - Report to Executive (containing appendices A-D)
Appendix 2 – Outline of Costs

Background Papers: (open to public inspection)

Major Scheme Business Case

Location of papers:

Central Bedfordshire Offices, Bedford