Greater Manchester Combined Authority
Bus Priority Package
Quality Partnership Scheme

Pursuant to Sections 114-123 of the Transport Act 2000 (as amended by the Local Transport Act 2008)

Date ...........................................
QUALITY PARTNERSHIP SCHEME

Date: [Date to be specified]

THIS QUALITY PARTNERSHIP SCHEME FOR THE BUS PRIORITY PACKAGE SCHEME AREA IS MADE IN ACCORDANCE WITH SECTIONS 114 TO 123 OF THE TRANSPORT ACT 2000 (as amended) BY

1. GREATER MANCHESTER COMBINED AUTHORITY of Wigan Investment Centre, Waterside Drive, Wigan, WN3 5BA (“GMCA”).

2. MANCHESTER CITY COUNCIL of Town Hall, Albert Square, Manchester, M60 2LA (“MCC”).

3. ROCHDALE BOROUGH COUNCIL of Number One Riverside, Smith Street, Rochdale, OL16 9NP (“RBC”);

4. SALFORD CITY COUNCIL of Salford Civic Centre, Chorley Road, Swinton, Salford, M27 5AW (“SCC”)

5. WIGAN COUNCIL of Town Hall, Library Street, Wigan, WN1 1YN (“WC”)

1. DEFINITIONS AND INTERPRETATION

"Core Operator Standards" means those standards prescribed at paragraph 4 of Schedule D;

“Effective Date” means [date to be inserted];

"Eligible Operator" means an operator of a Service operating within the Scheme Area which meets the criteria set out in Schedule B;

"Euro Equivalence Standards" means the standards prescribed in Paragraph 3 of Schedule D;

“Facilities” means the bus stops and bus priority facilities specified in Schedule C;

"Facility Availability Date" where no date is specified in Schedule C the Effective Date shall be the Facility Availability Date but where a date is specified then that date so specified for provision of that Facility in Schedule C shall be deemed to be the Facility Availability Date;

"Management Group” means the group to be constituted pursuant to clause 3 of the Voluntary Multilateral Partnership Agreement which may be entered into in connection with this Scheme as such agreement may thereafter be amended from time to time;

"Participating Operator” means an Eligible Operator who has given an undertaking in accordance with the requirements of paragraph 7.1 (a) of this Scheme to the satisfaction of the Traffic Commissioner the terms of which commit the Eligible Operator to providing all Services in accordance with the Service Standards;
"Performance Standards" means the standards prescribed in Paragraph 2 (Performance Standards) of Schedule D to this Scheme Document;

"Prescribed Particulars" in relation to any Service means the prescribed particulars for that Service registered with the Traffic Commissioner in accordance with section 6(2)(a) of the Transport Act 1985 and the Regulations;

"QPS Corridor" means any one of the corridors each originating from the junction of Parker Street and Portland Street in Manchester and identified respectively as the A580 corridor (excluding the Leigh and Atherton branches), the Oxford Road corridor and the Rochdale Road corridor as shown in the map appearing in Annex 1 of Schedule B;

"Revised Scheme Standards" means any revisions made by the Scheme Makers by way of variation to the Scheme effected pursuant to section 120 of the 2000 Act;

"Schedule" means a schedule to this Scheme document;

"Scheduled Service" means a Service where the Prescribed Particulars state that the Service interval is greater than ten minutes;

"Scheme" means this Quality Partnership Scheme, including any schedules and appendices annexed hereto and incorporated herein;

"Scheme Area" has the meaning set out in paragraph 4 of this Scheme;

"Scheme Maker" or "Scheme Makers" means any one of GMCA, MCC, RBC, SCC and WC;

"Service" means a local service, as defined in section 2 of the Transport Act 1985, having the operational characteristics specified in Schedule B (to the extent required by that Schedule);

"Service Standards" means the standards specified in Clause 6 and Schedule D as the same may be varied from time to time by reason of any variation to this Scheme implemented by the Scheme Makers; and “Standard” shall be construed accordingly;

"Service Tier 1" means any local services where the route as registered with the Traffic Commissioner (including any variants existing within that route) causes the route to satisfy the criteria set out at Paragraph 1.1(a) and Paragraph 1.2 of Schedule B to this Scheme;

"Service Tier 2" means any local services where the route as registered with the Traffic Commissioner (including any variants existing within that route) causes the route to satisfy the criteria set out at Paragraph 1.1(b) and paragraph 1.2 of Schedule B to this Scheme;

"Service Tier 3" means any local services where the route as registered with the Traffic Commissioner (including any variants existing within that route) causes the route to satisfy the criteria set out at Paragraph 1.1(c) and paragraph 1.2 of Schedule B to this Scheme;
out at Paragraph 1.1(c) and paragraph 1.2 of Schedule B to this Scheme;

"Tendered Service" means a Service which has been procured under the Service Subsidy (Agreements) Tendering) (England) Regulations 2002 and which would be a Service to which this Scheme would have application

"TfGM" means Transport for Greater Manchester, of 2 Piccadilly Place, Manchester M1 3BG, being the statutory executive of GMCA;

TfGM Committee means the Transport for Greater Manchester Committee, which is a joint committee of the GMCA and the ten local authorities in Greater Manchester;

"the 2000 Act" means the Transport Act 2000 (as amended);

"the 2009 Regulations" means The Quality Partnership Schemes (England) Regulations SI 2009/445;

"Traffic Commissioner" means the Traffic Commissioner for the North Western Traffic Area;

“TRO” means an order under the Road Traffic Regulation Act 1984 or any other enactment regulating the use of roads or other places by public service vehicles; and

Voluntary Multilateral Partnership Agreement means an agreement proposed to be entered into between the Scheme Makers and the Participating Operators (or those Participating Operators who agree to become party to that agreement).

1.1. Words importing the singular include the plural and vice versa and works implying any one gender include all genders;

1.2. Headings and references to headings shall be disregarded in construing this Scheme;

1.3. A reference to a statute, a statutory instrument, code of practice or statutory guidance is a reference to it as amended, extended, re-enacted or replaced from time to time;

1.4. A reference to a schedule in the Scheme document is a reference to a Schedule in the Scheme unless the contrary is stated;

1.5. A reference to a Facility is a reference to any individual facility as the same may be provided under this Scheme from time to time;

1.6. In the event that there shall be any transfer of a statutory function associated with this Scheme or upon which this Scheme may rely from one Scheme Maker to another the statutory duty of that Scheme Maker under this Scheme and any rights and powers associated with the relevant functions shall in respect of that transfer of that function be deemed to have also transferred unless any legislative provision prescribe otherwise.

1.7. In the event that for any reason the Voluntary Multilateral Partnership Agreement shall not be implemented or shall cease to exist, then from the Effective Date (if the VMPA is not implemented) or the date such agreement ceases to have effect (if the VMPA is implemented), any decision or action that is a function of the Management Group shall become a decision or other action to be taken solely by the Scheme Makers in their discretion.
2. DATE, PERIOD OF OPERATION AND EXTENDING THE SCHEME PERIOD

2.1. The Scheme is made on [date to be inserted] and will come into operation on the Effective Date.

2.2. The Scheme will operate for a period of five (5) years from the Effective Date subject to variation, revocation or any extension in accordance with Section 120 of the Transport Act 2000 (as amended). In entering into the Scheme, the Scheme Makers do so in expectation that the Scheme will be extended following a review no earlier than the start of the fourth year in which the Scheme is effective.

3. REVIEW, MONITORING AND VARIATION

3.1. The Scheme Makers will review the operation of the Scheme on an annual basis, in conjunction with Participating Operators, the Management Group and other consultees who shall at all times include those parties referred to at Section 118(3)(b) to (c) of the 2000 Act and other parties as the Scheme Makers determine in their discretion.

3.2. The annual review set out in Paragraph 3.1 will include an assessment of the Scheme’s benefits in order to determine if any action is required to maintain the Facilities and/or Service Standards.

3.3. The Scheme Makers reserve the right to monitor compliance with the Service Standards in respect of a Participating Operator which is using or has given an undertaking enabling it to use any of the Facilities and Participating Operators to whom this provision applies will allow the Scheme Makers (including their respective officers and employees) reasonable access to any Service for this purpose and provide any reasonable assistance required for this purpose.

3.4. From time to time, the Scheme will be updated through the exercise of the Scheme Maker’s powers to vary the Scheme and as deemed appropriate by the Scheme Makers. Changes to the Scheme can be proposed by the Scheme Makers and Participating Operators, the Scheme Makers being entitled to consult with such parties as it considers appropriate prior to the making of any proposal for change to the Scheme. After the Scheme Makers have established the detail of any changes, the alterations will be published in a revised document showing the tracked changes for the purpose of all necessary consultations.

3.5. Without prejudice to the discretion generally available to the Scheme Makers to vary the Scheme, Scheme Makers will review the Scheme and may (having formed the conclusion that a variation to the Scheme would be appropriate) consult with all parties that it is required to consult with and such other parties at its discretion regarding possible variation of the Scheme on the occurrence of any of the following:-

(a) In relation to the Service Standards where the Management Group consider that a variation to the Service Standards required of Participating Operators who are subject to the Scheme is necessary the Management Group may give notice of its request for review to the Scheme Makers.

(b) The implementation of significant changes to highways infrastructure in the Scheme Area or to highways infrastructure in the vicinity of the Scheme Area.

(c) The implementation by the Scheme Makers of significant additional highway and/or traffic management initiatives within the Scheme Area.

(d) Significant redevelopment in the vicinity of the Scheme Area which in the opinion of the Scheme Makers may require a change to the Service Standards and/or Facilities.

(e) If, since the Effective Date or the last date on which the Scheme was varied, because of reduced journey speeds due to factors outside a Participating Operator’s control, the Scheme Makers, following representations from the Management Group and/or one or more Participating Operators reasonably consider that the level of resource required by one or more of the Participating Operators in order to comply with the Service Standards has increased
significantly (other than on a temporary basis for a period of time which is reasonably foreseeable).

(f) If the Scheme Makers, following representations from the Management Group or one or more Participating Operators, reasonably consider that, since the later of the Effective Date or the last date on which the Scheme was varied, there has been a change in market conditions which materially affects the ability of any Participating Operator, acting in a competent and efficient manner, to secure an appropriate rate of return from continuing to operate any Service or Services to the Service Standards.

4. SCHEME AREA

4.1. The Scheme Area is as designated in the route maps appearing at Schedule A to this Scheme. The Scheme Area is represented by that area which appears within the boundaries of the blue line delineating the Scheme.

5. FACILITIES

5.1. The Scheme Makers will make the Facilities (to the extent not already provided) available from the Effective Date or such later date as is provided for in Schedule C until the Scheme ceases to have effect.

5.2. Paragraph 5.1 does not apply in relation to any period during which the Scheme Makers are temporarily unable to fulfil their obligations due to circumstances beyond their control.

5.3. It is anticipated that certain areas of the Scheme Area and/or Facilities may be made temporarily unavailable during the term of the Scheme due to necessarily works which need to be undertaken. In these circumstances, Paragraph 5.1 shall not apply and the Scheme Makers may decide, in their discretion, to modify the applicable Standards for the period during which the works affect the Scheme Area/Facilities.

5.4. The Facilities may be modified from time to time, with the prior approval of each Participating Operator (such approval not to be unreasonably withheld), for safety or other temporary operational purposes.

5.5. The provision of each Facility is the responsibility of the Scheme Makers as provided for in Schedule C with their respective responsibility being identified in the following manner:

<table>
<thead>
<tr>
<th>Scheme Maker</th>
<th>Location in Schedules</th>
</tr>
</thead>
<tbody>
<tr>
<td>GMCA</td>
<td>Schedule C paragraph 2</td>
</tr>
<tr>
<td>MCC</td>
<td>Schedule C paragraph 3</td>
</tr>
<tr>
<td>RBC</td>
<td>Schedule C paragraph 4</td>
</tr>
<tr>
<td>SCC</td>
<td>Schedule C paragraph 5</td>
</tr>
<tr>
<td>WC</td>
<td>Schedule C paragraph 6</td>
</tr>
</tbody>
</table>

6. SERVICE STANDARDS

6.1. Subject to the remaining provisions of this clause 6 the Participating Operators who wish to use the Facilities will undertake to provide such Services in accordance with the Service Standards as set out in Schedule D from the Effective Date until the Scheme ceases to have effect.

6.2. The Scheme shall not restrict any Participating Operator from providing any Services in excess of the Service Standards.

6.3. From the Effective Date until the fourth anniversary of this Scheme each Participating Operator is required to use all reasonable endeavours to comply with the Performance Standards.

6.4. From the fourth anniversary of this Scheme, each Participating Operator will be required to comply in full with the Performance Standards throughout the remaining period that the Scheme is in effect.
7. CONDITIONS OF USE

7.1. An Eligible Operator may only become a Participating Operator who is entitled to use any of the Facilities in the Scheme Area if:

(a) a written undertaking from the Eligible Operator in the form attached at Schedule E (having no amendment or addition to its terms) is provided by that Eligible Operator to the Traffic Commissioner in respect of all local services to be provided within the Scheme Area by that Eligible Operator to which this Scheme applies and a copy of the duly completed undertaking has been delivered to TfGM who shall receive such copy as agent for all Scheme Makers.

(b) each Service provided in compliance with the requirements of this Scheme is provided by the Eligible Operator in compliance with the Service Standards (applicable at the relevant time) in accordance with that undertaking except for any period during which the Eligible Operator is temporarily unable to do so owing to circumstances beyond its control.

7.2. Any Eligible Operator of a Service who fails to comply with paragraph 7.1(b) above may be subject to action by the Traffic Commissioner in accordance with Section 26 of the Transport Act 1985 and Section 155 of the 2000 Act.

8. EXISTING FACILITIES

8.1. No objection to the inclusion in the Scheme of any existing facility (as provided for in the Quality Partnership Scheme (Existing Facilities) Regulations 2001) has been received and not withdrawn.

9. RECLASSIFICATION OF SERVICES ACROSS SERVICE TIERS

9.1. Should a Participating Operator implement a change to any Service which has the effect of changing the Service Tier that the Service is deemed to fall within, then the Participating Operator shall provide written notice to TfGM as soon as reasonably possible. In the event that a Participating Operator is unsure whether a proposed change shall lead to a change of classification of the Service Tier it provides, then it shall consult with TfGM.

9.2. Should a Participating Operator implement a change to any Service which has the effect of changing the Service Tier that the Service is deemed to fall within, then the re-categorisation of the Service shall have immediate effect, whether or not the Participating Operator has yet provided written notice to TfGM in accordance with Paragraph 9.1 above, and the Participating Operator shall be required to comply with the applicable Service Standards of the applicable Service Tier.

10. ENFORCEMENT AND APPEALS PROCESS

10.1. In the event that any party to this Scheme considers that another party under the Scheme or a party to any undertaking given in connection with the Scheme is failing to meet its obligations or duties in connection with the Scheme the matter shall be referred to the Management Group who shall be entitled to make any recommendation for consideration by the Scheme Makers and/or report the alleged breach of an undertaking given by the relevant party to the Traffic Commissioner.

11. VOLUNTARY PARTNERSHIP ARRANGEMENTS

11.1. The Scheme Makers have authorised TfGM to monitor the implementation of this Scheme in liaison with the Scheme Makers. TfGM intends to put in place partnership arrangements with Participating Operators of Services for the monitoring and review of the Scheme and of the benefits to passengers accruing through the Scheme in each case through the Management Group.
12. NO JOINT AND SEVERAL LIABILITY

12.1. Notwithstanding that this Scheme is made jointly by the Scheme Makers each such Scheme Maker enters into this Scheme independently of the other Scheme Makers and shall be solely responsible for its obligations and liabilities hereunder. Nothing in this Scheme shall have the effect of making the Scheme Makers jointly and severally in respect of their separate obligations and liabilities that may arise hereunder.
SCHEDULES

SCHEDULE A – Scheme Area
SCHEDULE B – Services
SCHEDULE C – Facilities
SCHEDULE D – Service Standards
SCHEDULE E – Operator Template for undertaking to Traffic Commissioner
SCHEDULE A

Scheme Area

1. The Scheme Area is represented in the map listed and reproduced below.

   Map A: Bus Priority Package Quality Partnership Scheme – Scheme Area

2. Further detail of the Scheme Area is represented in the maps listed and reproduced below.

   Map A.1: Detail of Scheme Area at Leigh
   Map A.2: Detail of Scheme Area at Atherton and Tyldesley
   Map A.3: Detail of Scheme Area at Ellenbrook
   Map A.4: Detail of Scheme Area at A580 / A6 / A666 Junction
   Map A.5: Detail of Scheme Area at A6 / A576 Junction
   Map A.6: Detail of Scheme Area at Middleton
   Map A.7: Detail of Scheme Area at Manchester City Centre
   Map A.8: Detail of Scheme Area at East Didsbury

[The maps are provided on the consultation website. The maps will then be included in this Schedule, subject to due regard being had to any objections during the consultation.]
SCHEDULE B

Services

1. A local service, part or all of whose route is within the Scheme Area will be a Service:-

1.1 If it meets any one of the following requirements, in each case by reference to the map set out at Annex 1 (Criteria One):-

(a) the Service operates over a route such that the Service operates on a relevant QPS Corridor a distance that is either continuously or in aggregate a presence on the relevant QPS Corridor for a distance equivalent to ≥ 60% of the relevant QPS Corridor (pre-requisite for "Service Tier 1"); or

(b) the Service operates over a route such that the Service operates on a relevant QPS Corridor a distance that is either continuously or in aggregate a presence on the relevant QPS Corridor for a distance equivalent to ≥ 20% but < 60% of the relevant QPS Corridor (pre-requisite for "Service Tier 2"); or

(c) the Service operates over a route such that the Service operates on a relevant QPS Corridor a distance that is either continuously or in aggregate a presence on the relevant QPS Corridor for a distance equivalent to ≥ 10% but < 20% of the relevant QPS Corridor (pre-requisite for "Service Tier 3");

and

1.2 having satisfied any one of the above criteria also operates on ≥50% in aggregate of the following sections, in each case by reference to the map set out at Annex 2 (Criteria Two):-

(a) A580 Corridor – From the junction of Portland Street and Parker Street to directly south of the A580 junction with the A666; or

(b) Rochdale Road Corridor – From the junction of Portland Street and Parker Street to the junction of Rochdale Road with Lathbury Road; or

(c) Oxford Road Corridor – From the junction of Portland Street and Parker Street to the junction of Oxford Road with Hathersage Road.

1.3 In the event that part of a Service provided falls into the criterion for one Service Tier and another part of the Service falls into the criterion for a different Service Tier, then the higher Service Tier will be applicable to the whole Service. By way of example, if an outbound journey falls under Service Tier 1 but the inbound journey falls within Service Tier 2, then the whole Service would be classed as Service Tier 1. Similarly, if a Service runs on different QPS Corridors and is classed as Service Tier 1 on one QPS Corridor and Service Tier 3 on another QPS Corridor, then the whole Service will be classed as Service Tier 1.

2. A local service is excluded from the Scheme where the service satisfies one or more of the following criteria:–

2.1 local services that do not satisfy the conditions provided for at paragraphs 1.1 and 1.2 of this Schedule; or

2.2 a local service which operates for the primary purpose of carrying schoolchildren or students between their home and a school or Further Education College at the start or finish of the day where the availability of the Service to other passengers is demonstrably ancillary to and not a primary purpose of the relevant local service; or
2.3 a local service which operates on an ad hoc basis the determining factor for its operation at any given time being a major public or other social event; or

2.4 out of service buses operating for the purpose of the commencement or termination of the operation of that vehicle for the purposes of a relevant local service; or

2.5 an excursion or tour service that does not serve a local transport function; or

2.6 an Inter-urban or other long distance Scheduled Service that is not available for local journeys (by reason of having available pick up and set down points) within the Scheme Area; or

2.7 a flexible service (as defined in The Public Service Vehicles (Registration of Local Services) Regulations 1986 (SI 1986/1671) (as amended).
Annex 1- Map delineating Criteria One

[The map is provided on the consultation website. The map will then be included in this Schedule, subject to due regard being had to any objections during the consultation.]
Annex 2- Map delineating Criteria Two

[The map is provided on the consultation website. The map will then be included in this Schedule, subject to due regard being had to any objections during the consultation.]
SCHEDULE C
Facilities

1. Introduction

1.1 In this Schedule C reference to Bus Stop Clearway means a road marking with associated signing that prevents stopping or waiting at bus stops other than buses (subject to exemptions) during prescribed hours, and which is marked and signed to the requirements of The Traffic Signs Regulations and General Directions 2002 and subsequent amendments.

[Note for consultation: The following note in the square brackets is provided for guidance during the consultation and will not be included in this Schedule.

The Facilities are detailed in a separate spreadsheet on the consultation website for consultation to aid the review and analysis of the Facilities. The Facilities will then be included in this Schedule, subject to due regard being had to any objections during the consultation.

Facilities to be completed

It should be noted that a number of the Facilities require TROs to give them effect. There are currently some Facilities where the construction works are to be completed and therefore the TROs haven’t been sealed. The Facilities that are still to be provided are highlighted in green in the Facilities spreadsheet. It is not expected that there will be any significant changes to these Facilities, however any changes will be reviewed with the Eligible Operators before the Scheme is made.

Existing Facilities

It is proposed that the Scheme includes existing Facilities that are more than 5 years old but less than 10 years old. The 5 to 10 years old Facilities are highlighted in blue in the Facilities spreadsheet so that any bus operators that have relied on the Facilities have the opportunity to register an objection. If within the consultation period, no operator has objected to the inclusion of such a Facility, or any objection made has subsequently been withdrawn, the existing Facilities can be included in the Scheme.

Facilities outside the Scheme Area

It is proposed that the Scheme includes Facilities that are outside of the Scheme Area where these Facilities are required to secure the bus priority benefits of the Facilities within the Scheme Area. The Facilities that are outside of the Scheme Area are highlighted in orange in the Facilities spreadsheet and bus operators have the opportunity to register an objection.]

2. Facilities to be provided by GMCA

2.1 The following facilities are to be available during the period in which the Scheme has effect. Where the provision of the Facility is to be made on a date after the Effective Date (as provided for in Section 116(4) of the 2000 Act) the date provided for in column [   ] is the date that the relevant Scheme Maker considers that it will be reasonably practicable to make the Facility available.

[Facilities to be included in this Schedule, subject to due regard being had to any objections during the consultation.]

3. Facilities to be provided by MCC

3.1 The following facilities are to be available during the period in which the Scheme has effect. Where the provision of the Facility is to be made on a date after the Effective Date (as provided for in Section 116(4) of the 2000 Act) the date provided for in column [   ] is the date that the relevant Scheme Maker considers that it will be reasonably practicable to make the Facility available.
4. **Facilities to be provided by RBC**

4.1 The following facilities are to be available during the period in which the Scheme has effect. Where the provision of the Facility is to be made on a date after the Effective Date (as provided for in Section 116(4) of the 2000 Act) the date provided for in column [ ] is the date that the relevant Scheme Maker considers that it will be reasonably practicable to make the Facility available.

5. **Facilities to be provided by SCC**

5.1 The following facilities are to be available during the period in which the Scheme has effect. Where the provision of the Facility is to be made on a date after the Effective Date (as provided for in Section 116(4) of the 2000 Act) the date provided for in column [ ] is the date that the relevant Scheme Maker considers that it will be reasonably practicable to make the Facility available.

6. **Facilities to be provided by WC**

6.1 The following facilities are to be available during the period in which the Scheme has effect. Where the provision of the Facility is to be made on a date after the Effective Date (as provided for in Section 116(4) of the 2000 Act) the date provided for in column [ ] is the date that the relevant Scheme Maker considers that it will be reasonably practicable to make the Facility available.
SCHEDULE D
Service Standards

1. Definitions
In this Schedule:-

"AVL" means Automatic Vehicle Location;

"AVL Equipment" means Automatic Vehicle Location equipment;

"CCTV" means closed circuit TV camera equipment (recording to evidential quality to enable prosecution) for the purpose of TRO enforcement, detection, deterrence and/or prevention of crime or antisocial behaviour;

"CCTV Code of Practice" means the CCTV code of practice issued by the Information Commissioner in its current form from time to time;

"Conditions of Carriage" means the Participating Operator's conditions of carriage;

"Driver CPC" means driver's certification of professional competence as issued and managed by the DVLA;

"Euro Equivalence" means the target standards for exhaust emissions, determined from the test cycle environment certified by the manufacturer, applicable to vehicles supplied by manufacturers in EU member states as set by the European Commission;

"Final Destination" means the final destination of the Service registered as part of the Prescribed Particulars;

"Frequent Service" means a service where the Prescribed Particulars state that the service interval is ten minutes or less;

"Information Commissioner" means the Information Commissioner responsible for enforcing the Data Protection Act 1998;

"Intermediate Point" means any registered Timing Point which is not the Start Point nor the Final Destination of the Service registered as part of the Prescribed Particulars;

"Intermediate Point Punctuality" means the percentage of 'on-time' bus departures from the Intermediate Points of a Service, where an 'on-time' departure is one which is between 60 seconds early and 5 minutes and 59 seconds late, inclusive;

"LSTF AVL Projects" means the project promoted by TfGM known as OPTIS and AToM;

"Mystery Shopper Audit" means a structured covert assessment of driver standards carried out at the expense of the Participating Operator;
"Operated Mileage" means the percentage of the scheduled mileage as shown in the current published timetable for that Service actually operated;

"PCV Licence" means Passenger Carrying Vehicle licence;

"PRMS" means the Punctuality Reliability Monitoring System introduced by TfGM to provide TfGM, bus operators and highway authorities detailed performance management information;

"PSVAR" means the Public Service Vehicle Accessibility Regulations 2000;

"PVR" means the peak vehicle requirement, being the maximum number of vehicles that a Participating Operator is required to assign to a specific service;

"Senior Traffic Commissioner" means the traffic commissioner appointed by the Secretary of State to be the senior traffic commissioner, whose duties and powers are set out in the Local Transport Act 2008;

"Smart (get me there)" means the existing get me there smartcard scheme or any other smartcard scheme promoted or endorsed by TfGM;

"Start Point" means the start point of the Service registered as part of the Prescribed Particulars;

"Start Point Punctuality" means the percentage of ‘on-time’ bus departures from the Start Point of a Service, where an ‘on-time’ departure is one which is between 60 seconds early and 5 minutes and 59 seconds late, inclusive;

"The Uniform Standard" means a uniform which displays the Participating Operator's identification and consists as a minimum of a collared shirt/blouse, trousers/skirt (not jeans) and appropriate outerwear;

"Timing Point" means in relation to any Service the principal points on the route referred to in paragraph 3(b) of Part 2 of the Schedule to the Regulations of the Transport Act 2000; and

"Traffic Commissioner Standards" means the punctuality standards promulgated by the Senior Traffic Commissioner from time to time.

2. Performance Standards

2.1 Performance Standards apply to all Service Tiers, are for each individual Service and will be measured over any 3 month rolling period. Participating Operators shall submit the outcome of these measurements to the Management Group on a quarterly basis, or in respect of any Participating Operator more frequently as may be reasonably required by the Scheme Makers.
2.2 For each Performance Measure set out in column one of Table 1 below, a Participating Operator is required to achieve the Minimum Standards as set out in column five. Columns two and three identify whether the requirement is applicable to a Scheduled Service or to a Frequent Service. For further detail on whether ‘AVL’ or PRMS’ should be used as the source of measurement as referred to in column four, please refer to the Core Operator Standard entitled ‘On vehicle AVL Equipment & transponder devices’ in Table 3.

Table 1

<table>
<thead>
<tr>
<th>Performance Measure</th>
<th>Application</th>
<th>Source</th>
<th>Minimum Standard</th>
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<tbody>
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<tr>
<td>Scheduled Services</td>
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<td>Frequent Services</td>
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<td>Operated Mileage</td>
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<td>Operator</td>
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<tr>
<td>Start Point Punctuality</td>
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<td>Operator (AVL) / TfGM (PRMS)</td>
<td>≥92.5%</td>
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<tr>
<td>Intermediate Point</td>
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<td>Operator (AVL) / TfGM (PRMS)</td>
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</tr>
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</table>

3. Euro Equivalence Standards

3.1 Euro Equivalence Standards apply to all Service Tiers and are measured over any 3 month rolling period for all the Services combined for each Participating Operator. Participating Operators shall submit the outcome of these measurements to the Management Group on a quarterly basis, or in respect of any Participating Operator more frequently as may be reasonably required by the Scheme Makers.

3.2 Table 2 below sets out the percentage of vehicles used on the Participating Operator’s combined Services that shall meet the relevant Euro Equivalence for emissions by the required date:

Table 2

<table>
<thead>
<tr>
<th>Euro IV Equivalence</th>
<th>Euro V Equivalence</th>
<th>Euro VI Equivalence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date by which percent of vehicles operating on a Participating Operator’s combined Services must meet the emissions standard</td>
<td>Date by which percent of vehicles operating on a Participating Operator’s combined Services must meet the emissions standard</td>
<td>Date by which vehicles operating on a Participating Operator’s combined Services must meet the emissions standard</td>
</tr>
<tr>
<td>≥95% by 1st April 2017</td>
<td>≥70% by 1st April 2020</td>
<td>Not required for the initial 5 year period</td>
</tr>
</tbody>
</table>

3.3 The Euro Equivalence of a vehicle shall include any retrofitted upgrade to the vehicle resulting in the vehicle being deemed to have achieved the necessary standard. By way of an example a Euro III engine that has been retrofitted to achieve Euro V emission standards, shall, for the purpose of compliance with the Euro Equivalence Standards, be considered to meet Euro V Equivalence. Testing in the operational environment is not required.
3.4 For the Euro V Equivalence column in Table 2, the percent of vehicles that do not need to meet Euro V Equivalence emissions standard shall meet the Euro IV Equivalence emissions standard.

3.5 The percent of vehicles are calculated from the Euro Equivalence of each departure and rounding to determine the 3 month rolling percentage is acceptable.

4. Core Operator Standards

4.1 Each Participating Operator is to report on the non-achievement of the Core Operator Standards by exception.

4.2 If and when requested to do so by any one of the Scheme Makers the Participating Operator shall demonstrate compliance of the undertaking to TfGM and provide any documents and supporting evidence as required. Information on compliance of the undertaking may be requested to help the Management Group identify best practice that the Participating Operators should achieve.

Table 3

<table>
<thead>
<tr>
<th>Core Operator Standard</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Accessibility</td>
<td>All vehicles must have 100% compliance with the standards specified under the PSVAR from the Effective Date.</td>
</tr>
<tr>
<td>CCTV</td>
<td>All vehicles shall be fitted with CCTV to provide adequate internal and external coverage for passenger security, accident reduction and to provide evidence for TRO enforcement. The Participating Operator shall operate the CCTV system at all times when the bus is in passenger service and shall comply with the CCTV Code of Practice and any subsequent amendments and/or replacement.</td>
</tr>
<tr>
<td>Information to be displayed on vehicle</td>
<td>All vehicles shall display the correct destination and route information on the outside of the bus. Front destination displays and side and rear number displays should comply with the standards set out in the PSVAR and any subsequent amendments and/or replacement.</td>
</tr>
<tr>
<td>On vehicle AVL Equipment &amp; transponder devices</td>
<td>By 1 April 2016, all vehicles should have on vehicle AVL Equipment to comply with the standards that have been specified in line with the TfGM technical guidance issued to operators as part of the Smart (get me there) and LSTF AVL Projects. AVL data shall be used as the source of measurement for the Performance Standards, however the Scheme Makers may at their discretion accept data provided on a PRMS basis where a Participating Operator has notified TfGM that the implementation of AVL will not be achievable without exceptional difficulty.</td>
</tr>
<tr>
<td>Core Operator Standard</td>
<td>Details</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Driver and other staff</strong></td>
<td><strong>Training and qualifications</strong> Participating Operators shall utilise a robust recruitment process and offer opportunities for drivers to ensure that they are fully aware of any legislative or procedural changes that affect them as part of ongoing training and development. All drivers shall comply with all relevant and appropriate legislation, and regulations relating to holding a vocational PCV Licence including Driver CPC. Drivers shall have received training which covers safe and efficient driving and driver training programmes shall recognise the requirements of, and adopt good practice principles relating to; disabled passengers and pedestrians, cyclists, pedestrians, emergency services etc.</td>
</tr>
<tr>
<td><strong>Development, behaviour, disciplinary code</strong></td>
<td>Participating Operators shall issue a disciplinary code to staff that details the requirements expected of them, robust actions to take when faced with reasonable operational situations and the likely consequences should they fail to do so. This shall include a list of actions that would contravene the disciplinary code and the likely consequences should they fail to adhere to it. This should also include the disciplinary and appeals process.</td>
</tr>
<tr>
<td><strong>Drugs and alcohol policy and testing</strong></td>
<td>Participating Operators shall have in place and shall implement an alcohol and drugs policy. The Participating Operator shall perform random testing as part of a commitment to ensure that drivers are not under the influence of alcohol or drugs whilst operating the Services.</td>
</tr>
<tr>
<td><strong>Uniform and appearance</strong></td>
<td>All drivers shall wear a uniform which at least complies with the Uniform Standard and any subsequent amendments and/or replacement. Participating Operators shall engage in regular quality checks.</td>
</tr>
<tr>
<td><strong>Customer care package</strong></td>
<td>Participating Operators shall have appropriate procedures in place to ensure that drivers are able to provide the best possible levels of customer service.</td>
</tr>
<tr>
<td><strong>Performance in delivery</strong></td>
<td><strong>Customer satisfaction monitoring including mystery shopper</strong> Participating Operators shall undertake a minimum of 1 Mystery Shopper Audit per peak vehicle per annum on each Service route or 2 per vehicle if the total PVR on the Participating Operator's Services is less than 20. An annual summary of the audits shall be provided to TIGM on request.</td>
</tr>
<tr>
<td></td>
<td><strong>Vehicle appearance – livery and branding</strong> All vehicles for each Service shall be consistently branded at either group or service level. Exceptions are allowed for promotional or advertising purposes and it will be acceptable to use group branded vehicles on service branded routes, or vice versa to meet operational requirements.</td>
</tr>
<tr>
<td>Core Operator Standard</td>
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</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| **Vehicle appearance - internal and external cleaning and upkeep** | All vehicles shall be maintained to high standards of presentation, cleanliness and upkeep, and the Participating Operators shall diligently operate procedures to ensure, as far as reasonably practicable:  
  • an effective external and internal cleaning regime for all vehicles used on Service, including the removal of litter;  
  • an effective inspection and maintenance regime for identifying and rectifying defects on all vehicles;  
  • the maintenance of seating and other fittings to a good standard;  
  • removal of all graffiti from any vehicle within 48 hours, removal of offensive graffiti from any vehicle within 24 hours, window etchings to be removed from any vehicle within 21 calendar days, unless the etching is ‘offensive’ where the 24 hours deadline is applicable; and  
  • maintenance of an effective heating and ventilation system on all vehicles used. |
<p>| <strong>Vehicle appearance – vehicle bodywork</strong>                   | Significantly damaged vehicle body panels shall be repaired within 48 hours of damage and repaired to normal livery standards.                                                                                                      |
| <strong>Timetable changes</strong>                                       | Participating Operators shall strictly adhere to the agreed TfGM service change dates, except in circumstances where extreme operational performance issues exist as agreed with TfGM. Participating Operators shall provide 10 weeks’ notice of registration changes.                |
| <strong>Service levels</strong>                                          | Whilst the intent of the Scheme includes protection and enhancement to current service levels (such as frequency, starting times and end times to any Service) the Scheme Makers appreciate that a Participating Operator may wish to reduce their levels of service below their current levels. Such reductions should involve an explanation to TfGM of the Participating Operator’s reasons for doing so, and if requested to do so by TfGM the Participating Operator shall also provide an explanation through personal attendance to the TfGM Committee. Participating Operators are expected, on an annual basis, to review with TfGM the capacity and vehicle resources on their Services where patronage indicates a strong performance. |
| <strong>Customer care</strong>                                           |                                                                                                                                                                                                     |
| <strong>Information on how to access customer services</strong>          | All vehicles to display in the interior, both upstairs and downstairs, contact details for customer services. The displays shall be professionally produced.                                                                 |
| <strong>Customer comment and complaints procedure</strong>               | Participating Operators shall have in place and shall implement an effective, robust and professional customer comment and complaints procedure including the provision of contact details, timescales for responses and processes to monitor trends to ensure that appropriate action is taken as a result. Participating Operators shall maintain an effective system for making any consequential changes to driver training and/or service procedures. |
| <strong>Customer code of behaviour</strong>                              | Participating Operators shall have in place as part of its Conditions of Carriage clear guidance as to the required behaviour of passengers.                                                                                                                     |
| <strong>Passenger notification period for service and fares changes</strong> | Participating Operators shall provide 14 calendar days notification to passengers for service and fares changes.                                                                                           |</p>
<table>
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<tr>
<td>Performance information for passengers</td>
<td>Participating Operators shall work with the Management Group to agree a format by which Services and Participating Operator performance figures can be conveyed to passengers.</td>
</tr>
<tr>
<td>Fares and ticketing</td>
<td></td>
</tr>
<tr>
<td>Smart ticketing</td>
<td>By 1 April 2016, all vehicles shall have on vehicle smart ticketing equipment to comply with the standards that have been specified in line with the TfGM technical guidance issued to operators as part of the Smart (get me there) project, or any other ITSO based scheme supported by TfGM.</td>
</tr>
<tr>
<td>Fares display</td>
<td>Participating Operators shall display, at a minimum, day and weekly ticket prices in a manner clearly visible from the outside of the vehicle.</td>
</tr>
<tr>
<td>Fare structure</td>
<td>Participating Operators shall work in partnership with TIGM to deliver simplified fare structures and simplified ticketing systems.</td>
</tr>
<tr>
<td>Data</td>
<td></td>
</tr>
<tr>
<td>Aggregate patronage data for QPS services</td>
<td>Summary patronage information to be reported quarterly with detailed information reported annually. Detailed information to include patronage per Service route disaggregated by type (child, concession etc.) and time of day.</td>
</tr>
<tr>
<td>Supply of performance data - data content, format (including summary requirements, frequency and timeliness)</td>
<td>As appropriate, Participating Operators shall supply TfGM monthly performance figures for each Service in terms of Operated Mileage, Start Point Punctuality and Intermediate Point Punctuality. Participating Operators shall commit to agreeing alternative figures and base lining if further Performance Measures are required in connection with the move to the use of AVL data. The performance figures shall be in a format that will enable performance analysis by reference to Participating Operator, QPS Corridor and Scheme Area. Timing will be in line with the programme for Management Group meetings. The timing and frequency of performance figures required of any Participating Operator may be adjusted by TfGM on not less than three (3) months’ notice where performance issue require such change in timing.</td>
</tr>
<tr>
<td>Performance data quality</td>
<td>For Services that use AVL Equipment the percentage of actual departures recorded via the AVL Equipment shall represent ≥85% of the Service’s scheduled departures.</td>
</tr>
<tr>
<td>Planning applications</td>
<td>Participating Operators shall regularly review planning applications in the Scheme Area and in the vicinity of the Scheme Area and where appropriate provide representation to the Planning Authority and TfGM.</td>
</tr>
</tbody>
</table>
SCHEDULE E
Operator Template for undertaking to Traffic Commissioner

Bus Priority Package Quality Partnership Scheme
Pursuant to Sections 114-123 of the Transport Act 2000 (as amended)

TO:  Traffic Commissioner for the North West Traffic Area

Suite 4
4 Stone Cross Place
Stone Cross Lane
Golborne
Warrington
WA3 2SH

FROM: [Name and address of Operator]

[Name of Operator] hereby undertakes that, when using the Facilities on any date it will provide the Services to the Service Standards specified in the Scheme as it has effect in relation to that date. All terms used in this undertaking have the same meaning as those set out in the Bus Priority Package Quality Partnership Scheme as made on [insert date]

SIGNED

[Insert name of Director of Operator Company]

[Title]

[Operator Company name]

DATE: