

Report to the Transport for South Hampshire Joint Committee

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Subject: South East Hampshire Bus Rapid Transit Scheme Update
and Development of Wider Network

Purpose of the Report

This report provides a progress update regarding: legal issues; ongoing construction and the draft voluntary partnership being progressed with the local bus operators for the South East Hampshire Bus Rapid Transit (BRT) Phase 1 Redlands Lane in Fareham to Tichborne Way in Gosport. The operational aspect of BRT is as fundamentally important as the delivery and construction aspects of the scheme hence the report suggests that the draft voluntary partnership being progressed should be used as a template for similar agreements covering future phases of the wider BRT network.

The report builds upon the vision and objectives approved at the TfSH Joint Committee on 21 June 2010 and provides a prioritised work programme for the wider BRT network. The future development of the sub-regionally significant wider BRT network is fully dependent upon a work programme which is sufficiently progressed and flexible in nature to allow a state of readiness when both public and private sector funding opportunities arise in the future. Approval is sought to proceed in accordance with a prioritised work programme and delivery strategy.

Recommendations

- 1. That progress regarding legal issues, construction and the draft voluntary partnership with the bus operators for the South East Hampshire Bus Rapid Transit (BRT) Phase 1 Redlands Lane in Fareham to Tichborne Way in Gosport be noted and that the draft Voluntary Partnership Agreement for BRT Phase 1 should form the basis for similar agreements covering the wider network.**
- 2. That the prioritised work programme and delivery strategy for the wider BRT network be approved as a way forward.**

Introduction

1. In the current context of economic decline and need to reduce carbon emissions combined with rising fuel prices, the South East Hampshire Bus Rapid Transit (BRT) scheme is essential to help deliver the Transport for South Hampshire vision to create a transport system for the sub-region that can cope with current and future transport requirements, will not have a detrimental affect on the area's environment and will improve its residents' quality of life. BRT will provide a high specification alternative to the car, with improved journey time reliability in an area with a constrained, urban, highway network, peak period delay and little scope for improvement.
2. The construction of BRT Phase 1 needs to be set in the context of the aspirations for the development of the wider scheme which will add value and maximise the benefits for the sub-region by linking existing and proposed key destinations via high specification routes and multi-modal interchanges. The development of the wider scheme is necessary to promote sub-regional growth, to help overcome transport barriers to growth in an area currently frustrated by transport inaccessibility, to help encourage new investment in the area and to provide a viable alternative to using the car. The scheme has been sub-divided into sections which can be delivered independently in a flexible manner taking advantage of funding opportunities as they arise. This report outlines the rationale behind the proposed prioritised work programme and delivery strategy and proposes a way forward for approval.
3. Infrastructure planning and delivery is only one part of the progression of this project. The operational dimension and the marketing and branding of the scheme are equally important as the public facing elements of the scheme. In order to ensure high specification and quality an operational agreement has been drafted and is outlined in this report. The marketing and branding elements are covered in a separate but linked report to this Joint Committee at agenda item 6.

Phase 1 Update

4. TfSH secured £20 million Community Infrastructure Funding in March 2009 to construct Bus Rapid Transit Phase 1. Planning Permission for the scheme was awarded in July 2009. Subsequently a series of legal challenges were made. The Phase 1 update provided to this Joint Committee in June 2010 set out matters relating to legal challenge to that date. In June 2010 the Appeal Court in supporting the previous High Court judgement dismissed the Application for Judicial Review of the Decision by Hampshire County Council to grant Planning Permission.
5. Despite Hampshire County Council successfully defending various injunctions seeking to prevent ongoing work this has inevitably led to delays in the construction programme. However the demolition of Palmerston Bridge and carriageway widening on Palmerston Drive on the site of the demolished bridge in June and July 2010 was seen as a key

milestone and had a tremendous visual impact in relation to the County Council's commitment to deliver the project.

6. A further legal challenge to the Supreme Court was made in July 2010 which sought a further Injunction to halt the scheme. The challenge related to the Planning Process rather than the merits of the scheme and focused upon 3 grounds relating to: firstly the Environmental Impact Assessment; and secondly the regulations relating to bat roosts, both of which grounds were dismissed. The third ground related to a technical point of clarification regarding the interpretation of the European Habitats Directive concerning the definition of 'disturbance' to protected species, in this case bats. Leave to Appeal was granted in relation to this matter, however an Injunction to stop work was refused. This decision vindicated any criticism of the Planning Process and Planning Consent issued by Hampshire County Council and enabled the scheme to progress.
7. Construction of the scheme re-commenced in August 2010, initially focusing on the completion of site clearance and preparatory works.
8. The Appeal against Hampshire County Council relating to the disturbance to bats was heard at the Supreme Court in November 2010 and the Judgement by the Law Lords was announced in January 2011 dismissing the Appeal and ratifying the previous judgements by both the High Court and the Court of Appeal.
9. In addition to the legal challenge process two Applications have been made from local residents to seek to register sections of the scheme as Village Greens. The first Application related to a section of the corridor north of the Wych Lane junction and adjacent to Woodside and the second related to a triangle of land adjacent to Tichborne Way. Following two independent non statutory Public Inquiries which considered the Applications in March and July 2010 respectively, reports prepared by the Inspector have been referred back to the Commons Registration Authority (CRA). The first report was considered by the CRA and the application in respect of this land was dismissed by the Regulatory Committee. The CRA will be meeting in April to consider the second application in relation to the land at Tichborne Way.
10. The legal challenges and Village Green Applications have served to add considerable delay to the construction programme for the scheme, however works have been progressing rapidly since last Autumn seeking to make up for lost time. Initially construction works from October 2010 focused upon drainage works, ecological mitigation, works relating to diverting public utilities and statutory undertakers, and the construction of retaining walls at the northern end of the scheme. The most visible, significant, works since that time have been in the vicinity of Newgate Lane where excavation of the flyover commenced to allow the construction of a new bridge over the busway. A significant amount of work has been undertaken in this area since October following the successful switch of traffic onto a temporary road in September when minor diversions were

also put in place. The traffic will be switched back onto the new road bridge over the busway in the summer.

11. The recent demolition of Wych Lane bridge in March 2011 has formed another visibly significant, milestone in the construction programme. Wych Lane will be closed from March for approximately ten months to enable works relating to gas, water and telecom and electricity cables to be undertaken in a phased and safe manner. Highway diversions have been put in place, via Gregson Avenue, Cunningham Drive and the A32 Fareham Road to allow the construction of a new at grade signal controlled junction and bus diversions have also been implemented to minimise disruption to local residents as far as possible. A free shuttle bus is also being provided from Nobes Avenue Shops to Tukes Avenue, Brading Avenue, Brewers Lane and Nobes Avenue.
12. As part of the Planning Approval in July 2009 a condition was placed on the scheme which required the identification of a means to prevent unauthorised access to the busway. A solution involving the installation of automatic raise arm barriers at all vehicular access points to the scheme which will be used to close of the busway during non-operational times at night was approved by the Planning Authority in February 2011 and these will now be implemented as part of the scheme.
13. In order that Phase 1 delivers the maximum benefit linked schemes on the surrounding highway network will be needed. A junction improvement is being progressed at the northern junction of Redlands Lane with the A27 which will involve the provision of new traffic signals which will be prioritised to assist BRT movement through the junction towards Fareham town centre. Work on this scheme commenced in March 2011. In addition further measures are likely to be necessary to assist the movement of BRT through the town centre towards the bus station and these are currently under investigation.
14. Due to the considerable delays on this scheme resulting from the protracted legal challenges, it is envisaged that scheme completion will now be in early 2012. Despite these delays the bulk of the £20million Community Infrastructure Funding will have been drawn down by 31 March 2011 as required by The Homes and Community Agency. Any shortfall in funding needed to complete this proposal will be met using resources previously set aside by Hampshire County Council for this eventuality.

Voluntary Partnership Agreement

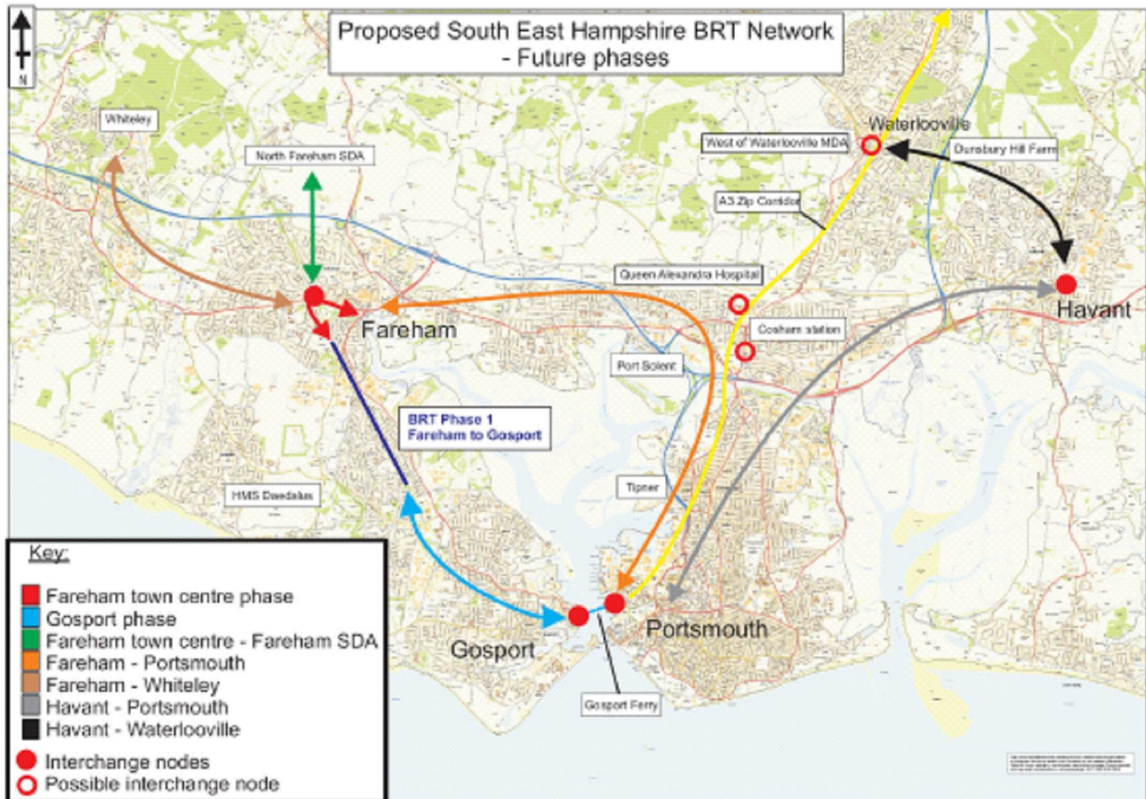
15. The need for a BRT Phase 1 legally enforceable Voluntary Partnership Agreement with the South Hampshire Bus Operators Association (SHBOA), was reported to the Executive Member for Environment in April 2010, in order to give officers the delegated authority to proceed to conclude the agreement. Following a number of drafting meetings between Hampshire County Council, SHBOA and First it is anticipated that

the agreement will be in a position where all parties will be ready to sign well in advance of the scheme opening date.

16. The agreement and its schedules cover: Standards of service; Promotion and Marketing; Real Time Information System; Data Provision; Monitoring and Quality Control; Maintenance of Passenger Infrastructure and Bus Facilities; Enforcement of Traffic Regulation Orders; Operator Financial Contributions; Targets; Facilities Provided by The County Council; Services Covered by the Agreement; and Traffic Regulation Orders; Duration; Purpose; Status of the Agreement; Partnership Board; Additional Partners; Abandonment of the Project; Liability and Indemnity; Warranties and Representations; Intellectual Property; Monitoring and Review; Dispute Resolution; Provisions of Termination; Social Responsibility; Freedom of Information Act 2000; Confidentiality; Contract (Rights of Third Parties) Act 1999; Assignment; Variation; Notices; and Governing Law.
17. The agreement is being developed in such a way that will permit other parties to sign the Voluntary Partnership Agreement, for example the Borough Councils of Fareham and Gosport given their roles in bus shelter ownership and maintenance and (in the case of Fareham Borough Council) enforcement of Traffic Regulations.
18. The Voluntary Partnership Agreement should be used as a template which will form the basis for similar agreements as future phases of the wider BRT network develop, including in for those parts of the network in Portsmouth. Whilst based upon the overarching template, the details of future partnership agreements will still need to reflect the relative investment in each specific part of the scheme and hence will need to be tailored to fit as each case will be unique. Nevertheless the template will form a useful basis and will be crucial in securing consistency of operational approach and service provision across the whole network.

Wider BRT – Approach to Prioritisation

19. The June 2010 Joint Committee Report regarding BRT provided the visionary background and context for this report. An outline BRT network was identified which sub-divided the network into 7 broad corridors, see map below.
20. The initial network identified links to key existing and proposed destinations in the sub-region, including Gosport and Fareham town centres, Portsmouth city centre, Tipner, North Fareham SDA with connections to rail stations and ferry interchanges, the Queen Alexandra Hospital (QAH), Havant and Waterlooville including the proposed Dunsbury Hill Farm and the A3 ZIP Corridor, and links west to Segensworth and Whiteley. In the longer term BRT will be rolled out to other parts of the sub-region including providing links beyond Segensworth to Southampton city.



21. A series of options for each key corridor forming the proposed wider BRT were presented to the Joint Committee in June 2010, following a study by Mott Gifford which was completed in March 2010. These options had been identified following initial outline engineering feasibility studies and provided a useful starting point and guide. It was recognised at that time that subsequent wider appraisal was necessary to determine which of the options for each corridor should be progressed as part of a preferred network.

Delays in commencing this workstream have been an inevitable consequence of the protracted legal challenge relating to BRT Phase 1.

22. In order to progress to a preferred network, it is necessary to have a clear idea of the relative priorities of each section of the wider network, set within the context of an economic climate which demands flexibility in order to be able to take advantage of both public and private sector funding as opportunities arise. Having regard for the need for flexibility it remains necessary to clearly identify which of the key corridors limited study funding should be focused upon in the first instance in order not to spread resources too thinly. To this end a prioritisation matrix has been developed.

23. The prioritisation matrix further sub-divided the seven route corridors identified in the Mott Gifford reports into 19 sections. The matrix has been developed to provide a comparative framework to enable each of these 19 sections to be appraised against a range of criteria and to help identify constraints, opportunities and priorities across the network. The criteria include: operational; land-use planning; economic; environmental; land

ownership; transport impact, engineering; Highways Agency; cost, deliverability; stakeholder engagement, marketing and branding, potential funding and other issues. Each of these categories was refined by detailed sub-criteria to ensure issues were fully considered across the matrix.

Set out below are high level summaries of some of the key issues:

24. In terms of the **operational dimension** members of South Hampshire Bus Operators Association (SHBOA) have assisted by prioritising the sections of the network from their perspective which takes into account patronage, new and existing demand and route viability.

Short term priorities from the operational perspective include: links from BRT Phase 1 to Fareham town centre; links from Fareham town centre to the QAH via the A27 in the first instance with links via the M27 forming a lower priority; infrastructure works to the wider network linking onto Phase 1 and links from the QAH to Portsmouth city centre and ferry.

Medium term priorities include links from BRT Phase 1 to Gosport and the ferry; the A27 from Fareham to Segensworth and Whiteley; Fareham town centre north to the SDA;

Longer term priorities are links through Havant and Waterlooville.

25. In terms of the **land-use planning and economic dimension** the Local Planning Authorities provided useful input in terms of the location, quantum and likely delivery timescale of all planned forthcoming developments. BRT will need to be developed in a flexible manner reflecting links to sites if and when they come forward. Key development sites which if progressed will link directly to the wider BRT network as part of sustainable access strategies, include North Fareham SDA; Gosport Waterfront; Tipner, Dunsbury Hill Farm, North Whiteley and Solent Business Park. The timing of sections of the BRT network which will link to these developments is fundamentally linked to the timing of the associated development. It is critical in planning sections of BRT that potential contributions from the developments can be used to best advantage. The earliest development at any of these sites could come forward is 2014, being mindful of the 'cities first' approach. In many cases BRT will be required from the outset and will form a key part of access strategies.

26. In order to be in a position to bid for public sector funding in the current climate the number of houses or more importantly at present, jobs created and overall economic benefits is fundamental. The Local Growth White Paper published in October 2010, sets out the coalition Government's priorities for economic growth and local economic development and focuses on interventions which will: tackle barriers and bottlenecks to growth; ensuring that the conditions for growth exist; increasing confidence to invest; and supporting areas facing long term growth challenges and regeneration of areas in decline. In this respect those sections of BRT which link to city and town centres and proposed new employment sites or which facilitate regeneration will score well. Hence in this category BRT sections in central Gosport linking to the Waterfront development and also in central Portsmouth linking to Tipner, followed by North Fareham, Dunsbury and Segensworth and Whiteley are afforded high priority in

order to be in a position of readiness to bid when funding opportunities arise.

27. Having regard for the above and in order to take account of the localism agenda which dictates that schemes will only prosper if there is demand and support from the local community and businesses, the priorities of the existing Business Community and local stakeholders are being sought. A survey has recently been undertaken by Hampshire Economic Partnership and the Chambers of Commerce based around the seven key routes forming part of the wider BRT network. The survey which was sent out to several thousand businesses in the area, sought views on: the BRT vision, the perceived priority of the identified seven route corridors for each specific business and what the reason for this was in terms of specific benefits for employers, visitors and the local environment generally. The results of this survey are currently being analysed and will help identify what the existing demand for BRT is and what factors will help influence the promotion and use of BRT to help contribute to its success and that of the sub region of South East Hampshire.
28. The prioritisation matrix also took into account: physical factors, such as engineering complexity, environmental impact, the need for land and the transport impact as well as cost. These factors have all been evaluated in a comparative manner and have helped identify where there are issues which need to be resolved prior to being able to develop particular sections. For instance the section of the network running north from that currently under construction in Gosport and Fareham, following the disused railway line to Fareham railway station has both complex engineering and environmental factors as well as a comparatively high construction cost which will mean this is not easy to deliver in the short term. The Port Solent and Tipner link has similar issues.
29. The marketing and branding of BRT are subject to a separate report to this Joint Committee so will not be covered here, other than to say that it is vitally important whichever sections of the wider network are progressed initially. The approach for marketing and branding will need to be consistent across the board and build on the work undertaken already for BRT Phase 1.

Sections to be progressed

30. Whilst certain sections may have scored high or low in certain categories in the prioritisation matrix it is important to balance relative issues and identify a priority in order to work towards delivery. Those sections which have scored relatively highly will be progressed in the short term in order to prepare for their implementation, when funding opportunities arise and as potential quick wins. Feasibility work for preferred options will be undertaken which is backed up by transport appraisal and operator advice and input in order to clearly identify a preferred network from the options that currently exist. Once preferred schemes have been identified then it becomes much easier to prepare business cases, seek funding and progress delivery. It is prudent to prepare scheme plans for both high and

low cost elements of the network, in order to be in a state of readiness whatever the scale of the available funding and the priority list takes this into account. In the event that funding opportunities arise for sections which have not been progressed sufficient flexibility will be required to adapt and develop necessary business cases accordingly to maximise the investment in Phase 1 and to meet the future challenges for the public, the business community and funding authorities.

31. A high level summary of the matrix analysis is set out in the table below to show the priorities which have been established.

SECTION		SUMMARY OF KEY ISSUES	COST V high = £10m+ High = £5-10m Medium = £1-5m Low = less than £1m	PRIORITY
1A	Disused railway corridor from Redlands Lane in Fareham to Tichborne Way in Gosport	New dedicated busway. £20m CIF funding secured, construction due for completion early 2012.	VH	Underway
4A	A27 / Redlands Lane junction improvement	Traffic signal improvement with bus detection. Essential as interim scheme to assist operation of Phase 1 and bus access into town centre.	L	Underway
15	A3 QAH to Waterlooville and Clanfield	ZIP Corridor. Priority bus corridor.	VH	Completed
19	Gosport / Fareham bus stop infrastructure	Upgrade works to bus stops and bus infrastructure on wider network essential on opening of Phase 1A to ensure high specification route continuity for passengers. A high priority for operators.	L	High
6	Fareham railway station to Fareham town centre via West Street	Measures along West St to assist bus movement through town centre are essential to ensure that journey time from Phase 1 to the bus station via A27 west is quicker than the old bus route via A32.. Links to Town Access Plan are key. Top priority for bus operators. Low cost measures being investigated to be ready for implementation concurrent with opening of Phase 1.	L	High study underway
1B	Disused railway corridor from Tichborne Way to Military Road, Gosport	Dedicated busway extending Phase 1A. Planning Permission secured and detailed design completed. Added value important which increases when linked to 3 below. Medium priority for operators as lower spec routes already in existence. Important investment to help arrest decline in Gosport and provide viable alternative for residents.	VH	High
3	Disused railway corridor plus on road - Military Road, Gosport to Gosport town centre and ferry	Dedicated route plus on-road priority measures. At feasibility /option stage, study underway to identify preferred option. Will require Planning Permission. Will add value to Phase 1 and provide continuity of high specification route to ferry interchange. Medium priority for bus operators as lower spec routes already in existence. Will feed directly into proposed development at Gosport Waterfront in 2013 and provide viable alternative access for new housing and approximately 210 jobs, helping to remove transport constraints to growth. Ticks boxes for current government funding pots.	H	High
9	A27 from Fareham town centre to QAH	On road priority measures focusing on junction improvements. At feasibility stage – study to be commenced mid 2011. This route from Fareham to QAH is a higher priority for operators than via the M27 equivalent route due to passenger pick up potential. Relatively straightforward, Important perceptually for residents as provides vital connection from Gosport to the QAH. Provides added value as links to ZIP Corridor into Portsmouth.	L/M	High
16	A3 from QAH to Waterlooville & Clanfield Future	Measures to enhance the existing ZIP corridor by providing additional bus stop infrastructure including RTPI at missing stops and increased frequency, maximising the asset and ensuring	L	High

SECTION		SUMMARY OF KEY ISSUES	COST V high = £10m+ High = £5-10m Medium = £1-5m Low = less than £1m	PRIORITY
		compatibility with BRT network. Improved cleaning and maintenance regime.		
4	Disused railway corridor from Redlands Lane, Fareham to Fareham Railway Station including improvements to Fareham Station	Continuation of dedicated route along disused railway corridor. Afforded medium priority as would add significant value to Phase 1 and perception of scheme. Alternative route currently being progressed to Fareham railway station via Redlands Lane is intended as an interim scheme only and will not provide journey time savings as much as dedicated route. Will require Planning permission and a Full Environmental Appraisal and has complex engineering issues. This section will not be easy to progress in a short timescale but its importance should not be forgotten.	VH	Medium
10	ZIP Corridor QAH to Portsmouth city centre and ferry	On street priority measures and RTI within Portsmouth, vital part of BRT network as key destination for employment, but could be challenging to identify and deliver preferred route. Initial discussions with PCC should be a priority. High priority for bus operators.	M	Medium
7	Fareham town centre to North Fareham SDA via M27 Jct 10	If development proceeds at North Fareham on street bus priority measures will be needed to minimise the impact of the SDA (6500-8000 houses / 1,300 jobs from 2016) on highway network. BRT essential component of the emerging SDA access strategy which will need to be ratified through testing with the sub-regional transport model. BRT will be required from outset. Preferred route option required asap to feed into masterplan and ensure that sufficient preparatory work has been undertaken to enable delivery in 2016. Maybe contentious through the town centre hence will require adequate appraisal and consultation time, linked critically to TAP, will help reduce traffic impact overall and will be combined with safety improvements north of Jct 10. Medium priority for operators.	L	Medium
11	Port Solent and Tipner link	On road bus link and limited access bridge to M275. Dependent upon delivery of development at Tipner including 1,770 new jobs commencing in 2014. Planning Permission and Full Environmental Appraisal and Habs Reg Assess linked to the dev will be required. Complex Engineering. Low priority for operators at this time. BRT will need to form a key part of the access strategy for this development.	VH	Medium
13	Havant to Dunsbury Hill Farm and Waterlooville	On street bus priority measures. Linked to development of 2,590 jobs at Dunsbury Hill Farm. Low priority for operators at this time as other routes provide alternative provision. BRT should form a key part of the access strategy for this development from the outset.	M	Medium
14	Havant to Harts Farm Way	On street bus priority measures. Will provide a key link to existing and proposed employment at Broadmarsh including 370 jobs in 2014. Low priority for operators as services already in existence. HBC keen, could be linked to 13 above.	L	Medium
8	North Fareham SDA to Portsmouth via M27	Provides fast, direct link from SDA (proposed business park 3,600 jobs from 2021) via Jct 11 onto M27 to Portsmouth. More in keeping with aspirations for BRT network than A27 alternative but not favourable with operators as commercial prospects are limited by fewer pick-up points. Early discussions should be commenced with the HA to scope out potential options for priority measures.	H	Medium
5	A27 Fareham to Titchfield	Possible on street priority measures, which could assist Phase 1 by improving traffic management on the A27 west of Redlands Lane. Could assist current development in Fareham Western wards and Fareham College. Medium priority for bus operators.	M	Longer term

SECTION		SUMMARY OF KEY ISSUES	COST V high = £10m+ High = £5-10m Medium = £1-5m Low = less than £1m	PRIORITY
18	Western Waterlooville MDA link	On street bus priority measures with link to be implemented and funded by West of Waterlooville MDA developer, (3,480 jobs currently underway). Medium / low priority for operators.	L	Longer term
17	A27 Titchfield to Segensworth and Whiteley	On road priority measures. Needs consideration of approach across key junctions no feasibility to date. A key link from Gosport and Fareham to existing and proposed employment at Segensworth and Whiteley plus North Whiteley development 2014. Secondary to links to employment in Portsmouth which has greater demand. Medium / low priority for bus operators.	M	Longer term
12	QAH to Havant town centre	On street bus priority measures. Turning circle already provided at QAH. Should follow on from and link to 13. Low priority for operators as alternative routes already cover much of the route.	L	Longer term

32. Both resources and funding will be required to progress the six high priority work streams identified above. Section 6 and Section 1B are already underway. Work has just commenced on Section 3 in order to identify any measures which could potentially be included in the Local Sustainable Transport Fund bid for funding. Work has yet to commence on the other three high priority sections. Approval is sought to enable resource and funding to be allocated in order to progress sections 19, 16 and 9.

33. Following the identification of a preferred route for all sections of the wider BRT network whether high, medium or longer term priority, the next steps will involve the preparation of an implementation plan and funding strategy which will be needed as a priority to take the scheme further.

34. To date, the focus of BRT has been in South East Hampshire, in order to develop a comprehensive network that builds on the existing A3 ZIP corridor and Fareham to Gosport section currently under construction. However, TfSH recognises that a similar step change in bus service quality will be essential across the whole of South Hampshire, to sustainably accommodate increasing travel demand. Later this year, the Evidence Base will be used to develop a South Hampshire Long Term Strategic Implementation Plan of prioritised transport interventions. It is therefore intended that this work will consider and prioritise not only the BRT proposals outlined in this report, but the provision of similar corridor enhancements and improvements in the western part of South Hampshire.

Section 100 D - Local Government Act 1972 - background papers

The following documents disclose facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of this report.

NB the list excludes:

1. Published works.
2. Documents which disclose exempt or confidential information as defined in the Act.

TITLE

LOCATION

To be completed