

**20<sup>th</sup> March 2019**

**Environment and Enforcement Committee**

**Countywide Bus Shelter Project**

**Report of:** *Greg Campbell Director of Operations*

**Wards Affected:** *All*

**This report is:** *Public*

**1. Executive Summary**

- 1.1 Brentwood Borough Council have received an approach from Essex County Council to seek to amalgamate all bus shelters across Essex under one authority (ECC).
- 1.2 This it is envisaged will enable better returns from advertising contracts to be realised. This revenue would in turn be spent on improving and replacing bus shelters for residents across the County as part of a programme of works.
- 1.3 The request at present is for Brentwood Borough Council to agree in principle to the project. The actual detailed arrangements of how this relationship would work have not been fully discussed nor agreed.
- 1.4 The project includes bus shelters owned by Brentwood Borough Council and those provided by Clear Channel in the Borough of Brentwood but not those owned by Parish Council's.

**2. Recommendation(s)**

- 2.1 To agree in principle to work with ECC on this project to amalgamate bus shelters under one County ownership, with the aim of reducing costs and improving the sites in general by adding them into a maintenance and replacement plan.**
- 2.2 That the project will need to consider the bus shelters owned by Parish Councils.**
- 2.3 That progress and any recommendation for a final decision be brought back to the Environmental and Enforcement Committee for consideration.**

### **3. Introduction and Background**

- 3.1 The Council has been approached by Essex County Council to consider whether Brentwood would work with ECC and other Essex Councils to create a single bus shelter owner. This would then create a single contract for maintenance, replacement and supply, to be paid for by the ECC contract for Advertising at these sites.
- 3.2 It appears that this would eventually require an asset transfer or acquisition of our bus shelters within the borough. So far, this approach does not include those under the authority of Parish Councils.
- 3.3 The approach is summarised in a prospectus produced by ECC which is attached at Appendix 1. The main focus of the prospectus is:
- All identified bus shelters across the county will be acquired/transferred to ECC ownership and control.
  - ECC would manage and maintain these shelters. In so doing would generate revenue from advertising.
  - The funds raised from advertising would be ring fenced and used to pay for improvements, replacements and repairs of bus shelters across Essex.
- 3.4 Brentwood presently have 34 bus shelters excluding those in the three high streets and within the parishes.
- 3.5 Brentwood do not have a repairs, maintenance or replacement schedule nor budget for these shelters and replacement of one bus shelter in the wooden style would be in the region of £11,500.
- 3.6 ECC believe a joined-up approach would provide increased negotiation power when seeking sponsorship / advertising for over 2000 shelters in the County.

### **4. Issue, Options and Analysis of Options**

- 4.1 The request from ECC is to agree in principal that this Council is open to discuss this opportunity with ECC to acquire our bus shelters and take on the improvement, replacement and repairs of these shelters; and that Brentwood Council have a full part of the on-going workshop and negotiations.

- 4.2 The Committee is therefore requested at this stage, to agree in principle, subject to any final decision coming back to this Committee, for agreement to take part in this project.
- 4.3 At present, the Council generates no income from the bus shelters we own including those run by Clear Channel on our behalf. Investigations to establish from Clear Channel the size of revenue that they generate are being undertaken.
- 4.4 It appears the suggestion from ECC is that they would undertake an acquisition transfer taking on all responsibility of all the shelters they have identified in the borough and eventually those that are part of the Clear Channel contract.
- 4.5 The detailed working arrangements and governance still need to be addressed, and at this stage commitment in principle is only sought until the draft terms and the governance arrangements are presented.
- 4.6 Further, the discussions will need to answer some fundamental questions before a final decision could be made. These include:
- What advertising revenue would Brentwood Council miss out on if it decides to sell the bus shelters?
  - What is the maintenance and replacement programme, and how much would it cost the Council if it were to undertake this work itself?
  - What are the governance arrangements to understand how Brentwood will still have a voice and exert some influence over any decisions made on bus shelters in our borough in the future?
  - What is ECC's thoughts/intentions on those bus shelters owned by the parish council's?

## **5. Reasons for Recommendation**

- 5.1 It is recommended that the council agree in principle to work with ECC to develop the project subject to contract and agreement by members. To confirm to ECC our approval to work with them but not commit.
- 5.2 In order that any final decision will be made by Members of the Environment and Enforcement Committee at a future date.

- 5.3 This enables Brentwood to be at the heart of any decisions being considered for Brentwood bus shelters.
- 5.4 This enables the Council to pull away from any final decision should it believe it is an unfavourable contract.

## **6. Consultation**

- 6.1 None.

## **7. References to Corporate Plan**

- 7.1 To ensure the provision of efficient and effective services to our residents.

## **8. Implications**

### **Financial Implications**

#### **Name & Title:**

#### **Tel & Email**

- 8.1 No direct financial implications arising from this report. Various financial implications need to be worked through as part of this proposal and will be reported back for final consideration.

### **Legal Implications**

#### **Name & Title:**

#### **Tel & Email**

The recommendations set out within this report are lawful and within the Council's powers and duties. The Council has the power to provide and maintain bus shelters under s4, Local Government (Miscellaneous Provisions) Act 1953, and may make arrangements for bus shelters to be provided by another organisation. Under s101 of the Local Government Act 1972 the Council may arrange for the discharge of any of its functions by another authority.

All agreements, including the acquisition of any bus shelters, should be in a form approved by Legal Services.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.2 None

**9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 None.

**10. Appendices to this report**

- Appendix A - Countywide Bus Shelter Project Prospectus.

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