

Report subject	<b>Bus Operator Enhanced Partnership Plan and Scheme (National Bus Strategy)</b>
Meeting date	9 February 2022
Status	Public
Executive summary	<p>The Council and the bus operators have agreed to enter into an Enhanced Partnership (EP), and this is required by end of April 2022.</p> <p>Failure to form an EP would result in no new sources of bus funding from the government's £3bn budget and cessation of other government support for bus services.</p> <p>The establishment of an EP requires several stages including the development of draft documentation; public engagement; negotiation between partners; and statutory consultation of key stakeholders before the EP can be formed.</p> <p>Due to the timescales set by government, it is not possible for Cabinet to consider the EP Plan (including EP Scheme) before the end of April 2022. The purpose of this report is to seek delegated authority in regard to decision making for the formation of an Enhanced Partnership Plan and Enhanced Partnership Scheme.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p><b>(a) Cabinet delegates authority to the Director of Transport and Engineering in consultation with the Portfolio Holder for Sustainability and Transport to form an Enhanced Partnership Plan and Enhanced Partnership Scheme by the end of April 2022, to meet the challenging timescale required by the Department for Transport within the National Bus Strategy for England.</b></p>
Reason for recommendations	<p>The National Bus Strategy for England sets out an ambition for every local transport authority and bus operator in England to be in a statutory Enhanced Partnership or a franchising arrangement (entering an EP does not preclude franchising in the future, however, achieving franchising is lengthy and complex with significant financial risk).</p>

	Improving bus services to attract more passengers is a joint aim of the bus operators and the Local Transport Authority. A Bus Service Improvement Plan has been jointly agreed with the bus operators, which subject to government funding, will result in more people travelling by bus. The next stage is an Enhanced Partnership Plan and Enhanced Partnership Scheme which need to be in place by the end of April 2022.
Portfolio Holder(s):	Councillor Mike Greene, Cabinet Member for Sustainability and Transport
Corporate Director	Jess Gibbons, Chief Operations Officer
Contributors	John McVey, Sustainable Transport Policy Manager Richard Pincroft, Head of Transportation including Sustainable Travel Julian McLaughlin, Director of Transport and Engineering
Wards	All BCP Council Wards
Classification	For Decision

## Background

1. In March 2021 the government published 'Bus Back Better, a National Bus Strategy for England'. This followed a general decline in bus patronage since the 1950s whilst traffic congestion and emissions have continued to increase. COVID-19 has caused a significant shift from public transport to the private car. To avoid the worst effects of a car-led recovery – cities and towns grinding to a halt; pollution, road injuries, respiratory illness and carbon emissions all rising – the government wants the country to shift back quickly, by making radical improvements to local public transport as normal life returns. Government considers buses are the quickest, easiest and cheapest way to do that.
2. Greater emphasis will now be placed on partnership working, where Local Transport Authorities (LTAs) and bus operators form statutory partnerships to define bus networks, service levels, and fares strategies. The government expects all LTAs to develop Bus Service Improvement Plans (BSIPs) and set up Enhanced Partnerships (EPs), as defined in the Bus Services Act 2017. The strategy represents the greatest change since 1985 and provides the opportunity to give LTAs more control.
3. Through the strategy, LTAs and bus operators are asked to commit to forming a statutory Enhanced Partnership (EP) and to jointly develop a Bus Service Improvement Plan (BSIP). Dependent on how ambitious the BSIP is, LTAs and bus operators will benefit from £3bn of total government funding over 5 years.
4. On 30 June 2021 BCP Council committed to forming an Enhanced Partnership with the bus operators across the BCP area. In line with government's tight timescale, on 31

October 2021, BCP Council published its Bus Service Improvement Plan (BSIP), developed jointly with the bus operators.

5. At its meeting on 1 September 2021 Cabinet resolved to support the formation of an Enhanced Partnership with the bus operators as a replacement to the existing voluntary Quality Bus Partnership. Cabinet also supported delegated authority to the Director of Transport and Engineering in consultation with the Portfolio Holder for Sustainability and Transport to negotiate, seek stakeholder views and then publish a Bus Service Improvement Plan (BSIP) on behalf of the Council by the end of October 2021 in line with the requirements of the National Bus Strategy for England.
6. A [BSIP](#) was published by the required deadline. In addition, a confidential funding request pro-forma (£multi-million) was simultaneously submitted to the Department for Transport (DfT) setting out indicative capital and revenue spend required to implement the plan in future years.
7. A 'Bus Back Better, Improved Bus Services' consultation was undertaken between 30 November 2021 and 7 January 2022. The consultation requested the views of the public and stakeholders on a range of actions set out in the BSIP.
8. The next stage is to develop and agree an Enhanced Partnership Plan (EP Plan) and an Enhanced Partnership Scheme (EP Scheme) with the bus operators, taking into account the results of the consultation. These must be in place by the end of April 2022 (note DfT wrote to all LTAs on 11 January 2022 extending the deadline from 1 April to end of April 2022). The content of the EP Plan will, in the main, reflect the BSIP. The EP Scheme sets out in detail the commitments of the parties to deliver the plan.
9. Once the draft EP Plan and EP Scheme have been prepared, a statutory consultation of key stakeholders on the draft EP Plan and EP Scheme must be undertaken. If this results in further changes to the EP Plan and EP Scheme then the bus operators must be given a further 28 days to consider these prior to the plan and scheme being adopted.
10. The government recognises the time pressures that LTAs are under and recommends that the EP Scheme is limited at this stage as it can be changed later, for example if new funding has been identified, using a bespoke variation mechanism.
11. No decisions relating to bus services that are subsidised by the council are included in the recommended delegation and as such would be subject to a separate report/decision in the future.
12. The latest draft of the [EP Plan and EP Scheme](#) is on the BCP Council website.
13. Proposed Timetable (including consultations)

31.10.2021	Bus Service Improvement Plan (BSIP) Published
01.11.2021-30.01.2021	Drafting of EP Plan and EP Scheme in consultation with Bus Operators
30.11.2021-07.01.2022	Public consultation on BSIP objectives
31.01.2022-27.02.2022	Statutory consultation on EP Plan and EP Scheme (key stakeholders only)
By 30.04.2022	Approval to 'make' EP Plan and Scheme and publish

## **Summary of financial implications**

14. Failing to form an Enhanced Partnership with the bus operators will preclude the LTA and bus operators from receiving any new sources of funding from the £3bn budget to support buses and bus passengers (no further details available). It will also be an end to the annual ringfenced Bus Service Operator's Grant (BSOG) of £294,368 which is paid to the Council to part fund operator provided bus services.
15. A funding request was submitted to government on 31 October 2021 alongside the BSIP (capital and revenue). It is not clear when the outcome of this will be notified and therefore the facilities and measures set out in the EP Scheme will only be those that can be delivered from established funding streams. No additional BCP Council resource is requested.

## **Summary of legal implications**

16. Enhanced Partnerships are statutory arrangements created by the [Bus Services Act 2017](#). All parties have a stronger commitment to joint working than the voluntary Quality Bus Partnership arrangement previously in place.

## **Summary of Human Resources Implications**

17. Government funding was provided to support the delivery of the BSIP and development of the Enhanced Partnership Plan and Enhanced Partnership Scheme. This has been utilised by employing specialist transport consultants as well as supporting internal resource. The funding request submitted to government on 31 October 2021 included an element for employee costs associated with operating the Enhanced Partnership.

## **Summary of sustainability impact**

18. In its recently published Decarbonising Transport Plan, the government set out its vision for a net zero transport system which will benefit us all. In the plan, public transport and active travel will be the natural first choice for our daily activities. We will use our cars less and be able to rely on a convenient, cost-effective and coherent public transport network. The bus can be the most efficient user of road space and a vital part of an environmentally friendly local sustainable transport system. Actions taken by the council that negatively impact on bus service provision will make it more difficult to achieve this vision. It would also be contrary to the Council's own 2030 zero carbon priority set out in the Corporate Strategy.

## **Summary of public health implications**

19. Urban traffic speeds are falling by on average 2% every year, causing NOx emissions to rise. Diesel cars are the single biggest contributor to NOx levels, responsible for 41% of all NOx emissions from road transport. Buses are amongst the cleanest vehicles on our roads with many now achieving Euro VI emissions standards. Improving local bus services contributes to the BCP Council priority of developing an eco-friendly and active transport network with positive implications for public health.

## Summary of equality implications

20. An Equalities Impact Assessment (EIA) was undertaken on the Statutory Enhanced Partnership and considered by the EIA Panel on 22 July 2021 and it shows a positive impact. A further EIA will be undertaken on the EP Plan and Scheme.

21. Summary from the EIA Panel:

*The recommended decision to enter into an Enhanced Partnership between BCP Council and local bus operators is the first required step in our obligations under the government National Bus Strategy. The decision in itself has no specific impacts but the progression of the Enhanced Partnership from April 2022 as a result of the decision will have equality impacts. As the overall aim of entering into the partnership is to improve local bus services, when developed there are significant anticipated positive equality impacts – based on the profile of people that use bus services. These benefits will not just affect existing people who use buses but also potential users as the strategy aims to encourage people that have not necessarily used bus before to do so.*

*The profile of people that use buses from both national and local evidence are groups the Equality Act is intended to benefit by advancing equality of opportunity between people who share a protected characteristic and those who do not. Much older, much younger age groups, people with a disability, women, other ethnic groups, other religions, other sexual orientations and residents from more deprived areas are all more likely to use buses, compared to others in their protected groups. When the strategy is developed improved bus services will give wider transport choice to all, but notably improve opportunities for the groups listed above.*

*Wider benefits to our communities through improved transport to access employment, education, healthcare, retail and leisure opportunities will also result in positive equality implications. Visitors to our area will also benefit from an enhanced public transport network.*

*The initial intended recommendation to decide to enter into an Enhanced Partnership is the first stage in realising the equality benefits suggested above. Further assessment will be needed as the partnership formally starts and develops to determine equality impacts when specific actions are discussed, agreed and implemented.*

## Summary of risk assessment

22. None identified.

**Appendices** - none

## Background papers

1. [Bus Back Better - A National Bus Strategy for England](#)
2. [BCP Bus Service Improvement Plan \(BSIP\)](#)
3. [Draft Enhanced Partnership Plan and Enhanced Partnership Scheme](#)