



REPORT TITLE: Bus Back Better – Gloucestershire’s Enhanced Partnership

Cabinet Date	30/03/22
Cabinet Member	Cllr Philip Robinson, Cabinet Member for Economy, Education and Skills
Key Decision	Yes
Purpose of Report	To update Cabinet on progress to date on developing the Gloucestershire Bus Enhanced Partnership (EP) document, to update Cabinet with the indicative results of the public consultation process, and to inform of the legal implications of the EP.
Recommendations	<p>To delegate authority to the Executive Director of Economy, Environment and Infrastructure to:</p> <ul style="list-style-type: none">(a) further develop and finalise the Enhanced Partnership in consultation with the Cabinet Member for Economy, Education and Skills(b) submit a draft Enhanced Partnership document to the Department for Transport (DfT) by 30/04/22, and subsequently submit the agreed final document by a date yet to be advised, and(c) enter into the Enhanced Partnership agreement with transport operators later in the year once the date for final EP submission referred to in (b) is confirmed by the DfT.
Reasons for recommendations	<p>The Enhanced Partnership (EP) forms an integral part of the long-term strategy for public transport as part of the DfT ‘Bus Back Better’ strategy. Councils will need to have an EP to receive future DfT funding and support to invest in public transport in the long-term. This report considers the second of a two-stage process: a draft Enhanced Partnership document will need to be agreed with local bus service operators and submitted to the DfT by 30 April 2022.</p>

Resource Implications	<p>As instructed by the DfT, the EP is a legally binding document between the Council and local bus operators. This Partnership agreement sets out the legal framework for delivering topics raised in this Council's Bus Service Improvement Plan.</p> <p>The development of the Enhanced Partnership and Bus Service Improvement Plan and the consultancy support provided by Atkins have been funded using a DfT grant of £385,000, provided explicitly to help with such capacity costs. All development costs will be met with this grant.</p>
Background Documents	<p>DfT – Bus Back Better – National Bus Strategy for England</p> <p>The National Bus Strategy – Delivering Bus Service Improvement Plans using an Enhanced Partnership -Guidance 2021</p> <p>Gloucestershire Bus Service Improvement Plan, October 2021</p> <p>GCC - Local Transport Plan 2020-2041</p>
Statutory Authority	<p>Transport Act 2000</p> <p>Bus Services Act 2017</p>
Divisional Councillor(s)	<p>All</p>
Officer	<p>Name: Tom Main Tel. no: 01452 425343 Email: tom.main@gloucestershire.gov.uk</p>
Timeline	<p>30/03/22 – Cabinet approval</p> <p>30/04/22 – Submit draft Enhanced Partnership to the DfT</p> <p>01/05/22 onwards – Discussions with DfT regarding scheme implementation and formalising the Enhanced Partnership</p>

Background

1.1 In May 2021 the Department for Transport (DfT) published guidance on National Bus Strategy: Bus Service Improvement Plans. This is a key part of the Government's Bus Back Better strategy to support Local Authorities to improve public transport services in partnership with transport service operators. The development of this strategy can be broken down into two steps:

STEP 1: The development of a Bus Service Improvement Plan (BSIP). This is a high-level strategic document that states the aims of the Council and its transport service operators, focused on improving the local bus services in the county to; (a) aid the bus industry in its recovery from the Covid-19 pandemic; (b) improve passenger access; (c) grow the number of passengers using the Gloucestershire local bus network.

STEP 2: The development of an Enhanced Partnership (EP) agreement. This is a detailed agreement between the Council and the transport service operators that states how the Council and the transport service operators in Gloucestershire will work together to develop and implement specific schemes and provide high quality services, achieving the aims stated in the BSIP.

1.2 The purpose of this Cabinet report is to update on progress and to gain approval for the second of these steps. This Council submitted its BSIP by the deadline of 31 October 2021. Following publication of the BSIP there was a period of public consultation, discussion with the transport service operators and drafting of the EP agreement. This cabinet report refers to a draft EP document, which must gain Cabinet Member consent to proceed towards final completion, including the actions and schemes contained within.

1.3 Together, these two documents will form the wider strategy to invest, improve and expand the public transport (local bus) network in the county, giving residents greater ability to travel for employment, education, health appointments and leisure activities. An improved public transport network is a key enabler of the economic recovery and growth strategy of the county and is critical to support proposals to decarbonise transport in the County.

1.4 The EP document is essentially a legal agreement between Gloucestershire County Council and the local bus operators. The format of the EP is set out in national guidance, and consists of:

- The Plan (mirroring the aspirations in the BSIP)
- The Scheme (requirements to achieve these aspirations)
- Obligations of the Local Authority – Facilities and Measures
- Obligations of the Bus Operators
- Competition Test
- Governance structure – Board and Forum
- Bespoke Variation Mechanism

1.5 Gloucestershire's EP Plan will re-iterate the objectives of our BSIP, to increase the number of people using the local public transport network, and to list the BSIP aspirations, covering the following types of intervention;

- Improved information
- Improved vehicles
- Improved bus stop infrastructure
- Increased bus priority measures
- Improved bus service levels
- Better multi-modal integration

1.6 Gloucestershire's EP Scheme and its Appendices will list the proposed interventions to be delivered in the 2022/2023 financial year and indicatively in the 2023/2024 and 2024/2025 financial years. The Government has delayed advice regarding the provision of funding related to the bid contained within the BSIP submission, the initial Scheme will only list those Facilities and Measures which either exist currently (bus lanes and other priority facilities, bus stops/interchanges, shelters, real-time information displays etc.), or those which already have an agreed internal funding allocation for 2022/23.

1.7 These proposed interventions in the public transport network will be categorised as 'Facilities' (generally physical items such as bus stops, bus lanes, interchanges) and 'Measures' (for example policy interventions, subsidies, and car parking regimes).

1.8 The EP Scheme will have several Appendices attached, which will sit outside the main agreement. These Appendices will list the various Facilities and Measures, and these will be further broken down into three lists: Existing, Proposed and For Consideration.

1.9 When funding streams related to the Gloucestershire BSIP (or from other sources) are made available, then the Bespoke Variation Mechanism will be used to add specific schemes or projects to the Scheme list, and/or to move projects from the 'For Consideration' to the 'Proposed' category, as appropriate. The EP document will be updated on an annual basis, so this will allow for re-categorisation of projects on a more systematic basis once more is known about funding streams.

1.10 Obligations relating to bus operators may relate to vehicle quality (age and emissions), ticketing schemes, co-ordination of services with other operators and timetable change dates, etc. It is unlikely that any of these aspects will be agreed and implemented for 2022/23, however there are aspirations within the BSIP for a steady transition to a more modern bus fleet and for some form of integrated ticketing. These aspects can be added to the Enhanced Partnership document at a later stage, through the Bespoke Variation Mechanism.

1.11 Local Transport Authorities are advised to seek legal advice regarding entering into an Enhanced Partnership, as a consequence of the legally binding nature of this form of agreement. This Council will need to use due diligence in listing any

proposal which cannot or might not be delivered. There are also specific requirements of the Government's Competition and Markets Authority regarding proposals which limit competition between bus operators – mainly linked to integrated ticketing schemes and co-ordinated timetabling of buses. Finally, the wording of the Bespoke Variation Mechanism needs to be verified to enable the Enhanced Partnership to operate in the flexible manner anticipated by the Government, without exposing this Council to undue risk. GCC Officers have received legal advice relating to the above, this advice has confirmed our approach.

- 1.12 The governance of the Enhanced Partnership is of fundamental importance. It is currently proposed that an Enhanced Partnership Board is created consisting of three members, one member representing the County Council, a second member representing Stagecoach and a third member representing smaller bus operators and Community Transport providers.
- 1.13 Stagecoach is the major commercial bus operator providing over 90% of bus services in the County (by distance covered and by passengers carried).
- 1.14 The third member would be elected by the constituent body of operators, the Enhanced Partnership Forum. It is acknowledged that the interests of small commercial bus operators and community transport operators will not be identical, but the commercial bus sector also has a wide range of operators with different perspectives. It is intended that there will be ample opportunity for discussion between all commercial and Community Transport operators at regular meetings of the Enhanced Partnership Forum.
- 1.15 It is proposed that this Board would meet between two and four times a year, that it would be supported by an administrator who would organise meetings and circulate agendas and papers. Decisions would be by unanimous consent, with any item not agreed to be debated again at the next Board meeting, decisions impinging on financial budgets will then be subject to the usual processes for allocation of resources.
- 1.16 A consultation process has already begun with local bus operators, this will be completed as part of the formalisation process for the draft Enhanced Partnership and should happen later in the calendar year. A formal consultation will then begin with a list of statutory consultees (for example the Traffic Commissioner, the Police and Crime Commissioner etc.) prescribed by the DfT, this is required to be completed to formalise the draft Enhanced Partnership. It is anticipated that continued detailed dialogue with the bus operators will minimise any risk of an objection.

Options

- 2.1 To agree the recommendations set out in this report.
- 2.2 To decline the opportunity to take part in the Enhanced Partnership with local bus operators.

Risks

- 1.1 The lack of an agreed Enhanced Partnership agreement would leave Gloucestershire at significant risk of missing out on future funding streams from the DfT and other sources. The DfT have stated that they require all Local Authorities to engage in the Bus Back Better project given that funding will likely be conditional on their participation. It also carries a large reputational risk of being viewed by the public as missing out on a chance to be part of this national effort to improve local public transport.
- 1.2 The Covid-19 pandemic has had a major impact on bus passenger numbers in Gloucestershire and therefore on revenue for bus operators. Recovery from such an impact in the medium and long term will depend on a successful Enhanced Partnership agreement, as a means of coordinating future public and private sector investment and development. Without this agreement, there is an extremely high risk that many bus services in the county will fail and, therefore many residents will be left without a viable means of accessing education, employment, leisure activities and vital local services.
- 1.3 There are current indications that Gloucestershire, indeed maybe all local authorities, might not receive all the funding requested for projects listed in its submission to Government. However, an Enhanced Partnership agreement is still required by Government as a mechanism for prioritising investment in the County's bus network according to its published Bus Service Improvement Plan.

Financial Implications

- 4.1 Whilst the Enhanced Partnership agreement document will contain some detail on how the Council will achieve the aims set out in the BSIP, any financial information will be presented in a way that makes it clear that only schemes with agreed funding are listed. This EP document will be brought to the Cabinet Member at a later date for consideration and approval before it is submitted to the DfT in draft form prior to the deadline of 30 April 2022, and again later in the year, in consultation with the Cabinet Member, when the draft agreement is formalised.
- 4.2 The development of the BSIP, the EP document and the consultancy provided by Atkins have been funded using a DfT grant of £385,000 which was provided explicitly to help with such capacity costs. All development costs will be met from this grant.

Climate Change Implications

- 5.1 Increased use of public transport, regardless of the vehicle fuel type, is a net benefit to the county in terms of the reduction of emissions of greenhouse gases and local air pollutants. Public transport vehicles in the county currently contribute around 1% to the total vehicle carbon dioxide emissions of Gloucestershire. By comparison, private cars contribute around 55%. Improving use of the existing public transport network will provide a significant contribution in meeting the Council's net zero

emission savings target. Improvements to this network, giving more Gloucestershire residents more opportunity to travel, and to more destinations, will further enhance this contribution to transport decarbonisation.

- 5.2 Moving from fossil fuelled vehicles to renewable sources is a key aim in the medium term for public transport, as set out in the ULEV Strategy. As part of the consultation with bus service operators so far, the Council has discussed in detail electric buses, compressed natural gas and bio-methane solutions. A key part of the BSIP published in October 2021 was an aim to further investigate alternative fuelled vehicles and ensure the Council is prepared with an agreed strategy for expected future funding rounds to be opened by the Government. It is anticipated that the Enhanced Partnership will help provide the framework within which these objectives can be developed and progressed.
- 5.3 One short term measure the Council included in the BSIP was a commitment to raise the vehicle emission standards of its subsidised bus network. Currently the Council does not specify any minimum engine requirements as part of its contract tender process. The Council aims to provide a phased approach first to specify Euro 5 engines to operate GCC contracts, then transition to Euro 6. It is important to do this in a measured way to avoid spikes in contract costs and to give providers the opportunity to assess their fleet and plan a replacement strategy to meet this requirement.

Equality Implications

- 6.1 An Equality Impact Assessment has been produced to accompany this Cabinet report.
- 6.2 The Council is acutely aware that some of the most vulnerable residents in the county rely on public transport to travel and access services. There are many aspects of public transport that are already in place to improve access for vulnerable residents, such as high kerbs/low floor buses, improved access to information, provision of the ENCTS (English National Concessionary Travel Scheme) pass offering almost unlimited travel for eligible pass holders, improved training for bus drivers, and continued engagement with local disability groups. In general, an extensive network of bus services will provide better access to all residents of the County including those with protected characteristics and full consideration to this will be given as part of any development of the public transport network.

Data Protection Impact Assessment (DPIA) Implications

- 7.1 There is no current impact of this work with regards to Data Protection as no personal data is used. However, this may need to be considered in future once details are confirmed.

Social Value Implications

- 8.1 The majority of bus service operators who provide transport in Gloucestershire are Gloucestershire-based SME companies who put a significant amount of time and resource into the local economy by employing drivers, passenger assistants, office staff and managers. They also invest significantly in training and development of their staff. All drivers of larger vehicles will have to undertake and pass the professional CPC qualification. Many such operators also work with and contribute to local charities, and most of our Community Transport operators are charities in their own right. These organisations provide an exceptional service to their local area, areas that often lack regular transport services due to their extremely rural nature.
- 8.2 Transport services also contribute significantly to the economy by offering residents opportunities to move around the county for training, education, and employment. A healthy transport network is vital to a growing local economy and to give people a chance to socialise. Many younger, older, and disabled residents do not have access to a car so the only way they can travel to meet family and friends, access health appointments and take part in leisure activities is by using the public transport network.

Consultation Feedback

- 9.1 Council Officers met and consulted with all local bus service operators in the county during the period 01/05/21 to 20/08/21 to advise them of the BSIP and the impact it will have on public transport, and to gather their feedback around any issues arising therefrom. It also gave such operators a chance to raise any issues they considered important, and in many cases shape a significant part of the Council's BSIP. Partnership working is at the heart of the Bus Back Better project and the BSIP was the first stage towards a fully agreed Enhanced Partnership with all transport service operators.
- 9.2 It was a requirement for the Council to go out to full public consultation, prior to the submission of the draft Enhanced Partnership in April 2022. This has been completed, the results have been analysed and summarised below.
- 9.3 The Council's Bus Service Improvement Plan Survey closed on 03/02/22 and attracted 1,734 completed on-line forms. Around 95% of these responses were from local Gloucestershire residents – with the remainder mainly from Councillors or organisations. Responses appeared to be reasonably spread across all six of the County's constituent District Council areas. Around 50% of responses were from regular bus users (weekly or more frequently).
- 9.4 The survey asked what would encourage the respondents to use the bus more often. The most frequent answers were:
- Additional buses in the morning and evening
 - Direct services
 - More reliable services (according to the published timetable)

- 9.5 There were several different questions, for example about ticketing, about the effect of traffic congestion, about the purpose of journeys and about the desired facilities at stops and interchanges. These themes will be analysed in more detail and will be subsequently reported.
- 9.6 The Council is currently gathering public feedback in other ways, i.e., via the Transport Focus passenger representative group, comments made to transport service operators and to Councillors, engagement sessions and the existing knowledge of Officers who have years of experience engaging with the public regarding transport.
- 9.7 After the BSIP and EP agreement are agreed and finalised, public engagement will form a key part of the Council's public transport strategy going forward. The Council aims to include a mechanism for the public to pro-actively engage with it, both at regular events and via an electronic reporting system.

Officer Recommendations

- 10.1 Failure to agree and enter into an Enhanced Partnership agreement with local transport operators would leave Gloucestershire at high risk of missing out on future funding streams, this would have a long-term detrimental impact on public transport. Therefore, the Officer recommendation is:

To delegate authority to the Executive Director of Economy, Environment and Infrastructure to:

- a. further develop and finalise the Enhanced Partnership in consultation with the Cabinet Member for Economy, Education and Skills
- b. submit a draft Enhanced Partnership document to the DfT by 30/04/22, and subsequently the agreed final document by a date yet to be advised, and
- c. enter into the Enhanced Partnership agreement with transport operators later in the year once the date for final EP submission referred to in (b) is confirmed by the DfT.

Performance Management/follow-up

- 11.1 The draft Enhanced Partnership document will be published by 30 April 2022 and will subsequently become a 'made' legal agreement. GCC will publish a review of EP each subsequent year for as long as the Enhanced Partnership is in force.