

# Southend-on-Sea Borough Council

Report of Executive Director for Neighbourhoods and Environment

To

Cabinet

On

18 October 2021

Report prepared by: Karen Gearing, Roy Skinner and James Gleave (Strategic Transport Policy Team)

Agenda  
Item No.

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## Bus Service Improvement Plan (BSIP) & Enhanced Partnerships (EP)

Place Scrutiny Committee  
Cabinet Member: Councillor Woodley  
Part 1 (Public Agenda Item)

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### 1. Purpose of Report

- 1.1 To seek Member approval for the adoption of the Bus Service Improvement Plan (BSIP), the BSIP is a requirement from Department for Transport and Local Transport Authorities are to have an adopted plan in place by 31 October 2021.
- 1.2 To seek Member approval to publish the draft Enhanced Partnership (EP) document for public consultation. Department for Transport requires Local Transport Authorities to have an agreed EP in place by 31 March 2022, ready to start from 1 April 2022.

### 2. Recommendations

- 2.1 **Approve the Bus Service Improvement Plan document (attached at Appendix 1), in order to meet the Department for Transport requirement for an adopted plan by 31 October 2021.**
- 2.2 **Approve the draft Enhanced Partnership (EP) for public consultation in order to progress the work required on the EP for a final version to be adopted by 31 March 2022 (attached at Appendix 2).**
- 2.3 **Agree to delegate authority to the Executive Director for Neighbourhoods and Environment, in consultation with the Cabinet Member for Transport, Asset Management and Inward Investment, to:**
  - **make amendments to the draft Enhanced Partnership prior to consultation; and**
  - **take all necessary steps to ensure compliance with the relevant statutory processes and procedures to undertake the consultation.**

### **3. Background**

3.1 In March 2021 the Department for Transport published The National Bus Strategy for England titled Bus Back Better. The Bus Strategy sets out the policy priority of buses at a national level. The overarching goal of the strategy is:

“...to get bus use back to what it was before the pandemic. Then we want to increase patronage and raise buses’ mode share. We can only do these things by ensuring that buses are an attractive alternative to the car for far more people.”

There are 3 important timelines, and they are as follows:

- By 30 June 2021 Local Transport Authorities (LTAs) must commit to establishing an Enhanced Partnership under the Bus Services Act 2017. (This has been met by the Council)
- By 31 October 2021 LTAs will need to publish a local Bus Services Improvement Plan, which will have to be updated annually and reflected in the authority’s Local Transport Plan and other relevant plans such as Local Cycling and Walking Infrastructure Plans. (LCWIPs).
- By 1 April 2022 LTAs will need to have an Enhanced Partnership in place.

3.2 The National Bus Strategy is explicit in priority for buses over other modes of transport, notably the use of the private car. Furthermore, the National Bus Strategy itself gives new requirements on all Local Transport Authorities, which will significantly affect the plans for buses in the authority over the coming months and years.

3.3 The strategy itself makes it very clear that the Government expects LTA’s to lead on the processes and setting up the arrangements set out in the National Bus Strategy. To assist with this, the Government made available during the 2021/22 financial year £25 million for capacity building, which can take the form of securing external consultants, or recruiting additional members of staff. Of this, £100,000 was made available immediately for each Local Transport Authority. A second payment of £62,000 was also received as Southend’s additional proportion of the funds.

#### **Enhanced Partnerships (EP)**

3.4 At the core of the strategy, however, is the need for local transport authorities to demonstrate that they are working with local bus operators to improve local bus services. The primary mechanism for this is an Enhanced Bus Partnership (EP). In summary, an EP is:

- A formal agreement between a Local Transport Authority (LTA) and local bus operators to work together to improve local bus services. The LTA has formal responsibility for making the EP scheme(s), but at set points in the

process they can only proceed with their proposals if they have the support of a majority of local bus operators.

- 3.5 An EP often comprises two parts: The Plan which defines the problems to be addressed, establishes an evidence base and sets out the ambition and targets to be achieved, and also; the scheme that develops the measures to be delivered by each partner. The strategy's requirement to produce a Bus Service Improvement Plan (BSIP) by the end of October 2021 essentially combines the Plan and the Scheme into a single document.

### **Bus Service Improvement Plan (BSIP)**

- 3.6 Having a BSIP & EP in place is critical to accessing future funding for buses and is a necessary pre-requisite for accessing future government funding for all schemes (see 5.2). From 1 July 2021, the COVID-19 Bus Services Support Grant, which is funding bus services as they recover from the pandemic, was only made available to support bus services in areas where the operator and the LTA are committed to being part of an Enhanced Partnership. This discretionary funding will be linked to a Bus Service Improvement Plan (BSIP), which LTA's need to produce and agree with bus and community transport operators by the 31 October 2021.
- 3.7 Each BSIP will need to explain how current services meet or fall short of expectations; how improvements will be delivered; financial support that the LTA provides for subsidised services; and how traffic management and investment is used to prioritise buses. From April 2022, funding will be available only to LTA's with an Enhanced Partnership in place, or which are following the statutory process to decide whether to implement a franchising scheme; and only to services that are operated, or measures taken, under an Enhanced Partnership or where a franchising scheme has been made.
- 3.8 BSIPs will be 'living' documents and can be altered (and republished) if the LTA, working closely with its bus operators, believes this is necessary. BSIPs should be revised at least every twelve months to ensure they remain relevant and that the plans within it are working as intended. Revised versions should also be sent to the Department for Transport (DfT).
- 3.9 DfT expect BSIPs to set targets for journey time and reliability improvements for the LTA as a whole, as well as for passenger growth and customer satisfaction. LTAs should show what progress they expect to make by 2025 and also 2030; and progress against these targets should be reported publicly every six months.

### **Cross-boundary services**

- 3.10 The majority of bus services in Southend are cross-boundary hence why Council Officers have worked in collaboration Essex County Council colleagues. Essex CC are the local transport and highway authority for their area. Improved bus services in Southend are being co-ordinated across south Essex with the identity of Southend's buses reflecting this wider context in terms of branding and ticketing.

- 3.11 Many of the actions in our EP plan will also be delivered in collaboration with Essex County Council, such as reviews of routes and investigating bus priority along key corridors.

### **Franchising**

- 3.12 The Bus Services Act 2017 provides automatic access to franchising powers to Mayoral Combined Authorities (MCA), akin to the system operated by Transport for London (TfL). The franchising powers within the Bus Services Act can currently be used by MCAs at any time, but only by other LTAs with the Secretary of State's consent and new secondary legislation.
- 3.13 DfT support the use of franchising and will allow any LTA which has the capability to do so to pursue franchising where it would not needlessly delay the provision of better services. This will include demonstrating the capability in traffic management necessary to ensure buses are prioritised appropriately. The Secretary of State will reserve the right to refuse an application for franchising if he believes a LTA does not, or will not, have the capability and resources to deliver the franchised model chosen; or that an Enhanced Partnership would deliver the improvements proposed more quickly and cost-effectively.
- 3.14 DfT have said that those LTAs which do not have access to franchising powers at present, but consider that it is the best route to adopt in the interest of passengers and that they have the capability and resources to deliver it, should progress with the implementation of an Enhanced Partnership alongside applying to the Secretary of State for access to franchising powers. An LTA may move from an Enhanced Partnership to franchising later, subject to the conditions above.
- 3.15 It is against this that an Enhanced Partnership was seen as the best way forward currently due to uncertainty of Local Government finances and the limited time factor that has been forced upon LTA's to produce a plan.

## **4. Current Situation in Southend**

- 4.1 Since 2003 there exists a voluntary bus partnership agreement between the Council and the local bus operators. The actions of the Council in relation to buses are primarily infrastructure upgrades, either in response to operators requests or to replace life-expired equipment. This includes upgrading bus stops, digital real time displays, and improving bus shelters.
- 4.2 Since April 2005 the Council took the decision not to provide direct financial support for bus services where operators could not run them commercially, therefore bus services operate on a commercial basis, this has had an effect on service reduction over parts of the Borough and during the evening.

## **5. Implications for bus services in Southend**

- 5.1 The most significant implication of the Bus Strategy for the Council is financial. The Bus Strategy makes clear, that the following funding sources are

conditional upon the Council and local bus operators entering into at least an Enhanced Partnership:

- The COVID-19 Bus Services Support Grant (CBSSG). This was providing funding for operators to keep services running as demand returns following the COVID-19 pandemic. Since 1 July 2021, getting access to this funding was made conditional on operators and councils committing to enter into an Enhanced Partnership. Without this immediate funding, many services would be financially unviable. This grant ceased on 31 August 2021 and was paid directly to the bus operators.
- The CBSSG has been replaced by the Bus Recovery Grant which started on 1 September 2021 and is scheduled to finish on 5 April 2022. To receive this grant adequate steps have to be taken in working towards an Enhanced Partnership or Franchising. The Bus Recovery Grant is paid directly to the Operators.
- £3bn in future discretionary funding released through the National Bus Strategy. Having an Enhanced Partnership in place will be a necessary prerequisite to accessing this funding, which could range from transitioning to zero emissions vehicles, to supporting additional services.
- The Bus Service Operator Grant (BSOG). BSOG is a scheme that refunds (directly to the Operators) some of the fuel duty incurred by Operators of registered local bus services. The Department for Transport is considering options for making this funding conditional on being part of an Enhanced Partnership. Without this grant, bus services across the Borough may become unviable.

5.2 In addition to these bus industry-specific funding allocations, as part of funding bids for Major Schemes in the future, LTA's will be expected to demonstrate and evidence how their proposals will prioritise buses meaningfully. This is not in terms of improving the general operational environment for buses (e.g. reduced congestion), but in terms of specific, dedicated improvements for buses (e.g. bus lanes).

### 5.3 Policy implications

The National Bus Strategy places a significant emphasis on prioritising buses – alongside walking and cycling – as a mode of transport at a local level. Local Authorities will be expected to demonstrate that they are doing so through their delivery of bus service improvements in partnership with operators.

5.4 The National Bus Strategy does not, as a precondition, require local authorities to change local transport policies to access National Bus Strategy funding. But entering into an Enhanced Partnership and the Bus Service Improvement Plan will necessitate aligning Southend's transport policies to reflect the National Bus Strategy. This will be facilitated through the delivery of Local Transport Plan 4, with the development of a Bus Strategy for Southend.

## **6. Other Options**

- 6.1 This Authority could choose not to have either an BSIP or EP, however this will affect future funding from Department for Transport on any major highway schemes, that this Authority bids for. This will also affect any funding that DfT allocate to Bus Operators in the Borough and will see a reduction in bus services supplied by the operators.

## **7. Reasons for Recommendations**

- 7.1 The recommendations in this report are to ensure that this Authority has an adopted Bus Service Improvement Plan in place as required by Government, and that the draft Enhanced Partnership document undertakes a public consultation in order that the deadline for a final approved EP is achieved by 31 March 2022. This will ensure that the reasons in section 5 are carried out.

## **8. Corporate Implications**

### **8.1 Contribution to the Southend 2050 Road Map**

Bus Service Improvement Plan will contribute significantly to a number of elements of the Council's vision, themes and outcomes, for example, improving transport provision and infrastructure, reducing carbon emissions, improving air quality and enhancing overall well-being. It will ensure that the bus services that people need are provided including those residents without cars. This helps to deliver the Connected and Smart 2050 roadmap.

### **8.2 Financial Implications**

- 8.2.1 The BSIP itself is a non-statutory document, but lists potential schemes and estimated costings, these schemes will form part of the Enhanced Partnership Plan which is a legally binding document. There are no direct financial implications from the BSIP. It is made clear in the BSIP that schemes are subject to DfT funding.

- 8.2.2 DfT have indicated that they will assess the BSIP's and from that look at how funding may be apportioned out to LTA's going forward to support the EP's. It is understood that there will be a revenue/capital split, however at this stage the split is unknown.

- 8.2.3 It is also unclear how much of any scheme DfT will fund at this stage, and how much will fall upon LTA's and Bus Operators once the final Enhanced Partnership Plan has been agreed.

- 8.2.4 Further information on funding allocations and potential costs to this Authority will be made clear when the final draft EP is produced for consideration in early 2022.

### **8.3 Legal Implications**

The BSIP is not a statutory document and as such has no legal implications, however moving towards an adopted EP, this will be a legal partnership, placing a liability on the Council and bus operators to deliver on its commitments to improve local bus services. Further legal implications will be announced when the final version is presented to Council in March 2022 for adoption.

#### 8.4 People Implications

The EP will have an effect on all the people in the Borough including residents, visitors and businesses. The purpose of the EP is to improve bus services and therefore to encourage bus usage and accessibility to residents.

#### 8.5 Property Implications

There are no property implications

#### 8.6 Consultation

As part of the BSIP work a series of consultations have taken place to-date, we have had meetings with the bus operators, workshops with Councillors and Stakeholder groups, these will be on-going as we go forward with the draft EP.

There is also a public consultation in place on the Your say Southend portal which is open until end of December 2021, see link below.

[Southend Bus Service Improvement Plan | Your say Southend](#)

#### 8.7 Equalities and Diversity Implications

An Equality Assessment will be undertaken as part of the project to inform the EP.

#### 8.8 Risk Assessment

If the Council does not enter into an EP then the risk is that Government funding will not be provided by DfT for any future schemes.

#### 8.9 Value for Money

The preparation of an EP intends to bring new investment for bus services in the Borough which benefits residents, businesses and visitors along with the ability to bid for government funds to help growth in the bus market.

#### 8.10 Community Safety Implications

Community Safety Implications will be taken into account when the plan is developed.

## 8.11 Environmental Impact

The BSIP will support a mode shift from car to bus, which in turn will help to improve air quality for health and reduce vehicle emissions; by enabling a shift from private vehicles to bus in addition to promoting a low-carbon bus fleet.

## 9. Background Papers

Bus Back Better – National Bus Strategy for England March 2021

National Bus Strategy Bus Service Improvement Plans (BSIP) guidance May 2021

Bus Services Act 2017 Enhanced Partnerships Guidance REVISED JULY 2021

## 10. Appendices

10.1 Appendix 1 Bus Service Improvement Plan Document

10.2 Appendix 2 Draft Enhanced Partnership Document (for consultation)