

DECISION-MAKER:	CABINET		
SUBJECT:	NATIONAL BUS STRATEGY		
DATE OF DECISION:	JUNE 15, 2021		
REPORT OF:	CABINET MEMBER FOR GROWTH		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

Not Applicable

BRIEF SUMMARY

This report presents the Cabinet with an outline of the National Bus Strategy (NBS) 'Bus Back Better' and seeks approval for Southampton City Council as Local Transport Authority to commit to developing an Enhanced Partnership (EP) that comprises of a Plan and Scheme, and a Bus Service Improvement Plan (BSIP) for Southampton to support dramatic improvements and recovery of bus services in England. This is to provide local leadership, partnership working between bus operators, local authorities and the public, to reverse shift away from public transport and encourage people to use the bus.

This report outlines the Government's aspirations and requirements of the NBS, how they intend to meet the ambition of reversing bus patronage decline in England (outside of London), and how they will allocate funding for buses in the future. It sets out the requirements and the process for every English Local Transport Authority – in this case Southampton City Council for developing an EP and BSIP.

This report sets out the options for the Council in meeting this requirement. The options are:

- Do Nothing – do not enter into an Enhanced Partnership with the local bus operators;
- Progress with the Enhanced Partnership with the local bus operators to improve bus services, customer experience and increase number of people using buses; or
- Franchise bus services.

It seeks delegated authority for the development and consultation on the EP and preparation of the BSIP to the Executive Director of Place, following consultation with the Cabinet Member for Growth and Leader, and Legal & Finance. This work will be done in collaboration with Hampshire County Council as neighbouring LTA to ensure that the respective EPs and BSIPs are integrated to account for the cross-border bus networks and travel to work, education and leisure patterns. This work will be funded by an initial DfT grant payment of £100,000 which was paid to each Local Transport Authority to support the development of BSIPs. Further DfT funding maybe made available to support the work on the Enhanced Partnerships.

RECOMMENDATIONS:		
	(i)	To Note the outline and aspirations of the National Bus Strategy and how it aligns and supports the Council's current transport strategy (Connected Southampton 2040) and delivery programmes (Transforming Cities Fund & Future Transport Zone).
	(ii)	To approves the development of the Enhanced Partnership as the most appropriate statutory route for buses in Southampton; to delegate authority to the Executive Director Place to publish a of Notice of Intent as required in section 138F of Transport Act 2000 by 30 th June 2021, and to develop the subsequent Bus Services Improvement Plan.
	(iii)	To delegate authority to the Executive Director Place, following consultation with the Cabinet Member for Growth, to negotiate, develop and finalise the specific content of the agreements for the Enhanced Partnership Plan and Scheme, and the Bus Service Improvement Plan, subject to complying with the statutory preparation, notice and consultation on both.
REASONS FOR REPORT RECOMMENDATIONS		
1.		This report is submitted for consideration as a General Exception under paragraph 15 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public
2.		The reason for this Exception is to meet a Department of Transport deadline of 30 th June 2021, for the City Council to set out, via a Notice of Intent, the statutory route for buses in Southampton as set out in this report and expected by the National Bus Strategy. If this is not done before this date the Council would not be eligible for any further financial support for buses from the Government.
3.		The Enhanced Partnership requires a statutory notice to proceed, initially a Notice of Intent, and is a policy decision affecting all wards within Southampton.
4.		A Bus Service Improvement Plan is required under the National Bus Strategy that covers the LTA area and extending into neighbouring areas.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED		
5.		Do Nothing – not recommended; as failure to commit to a EP as a minimum statutory instrument as set out in the NBS, would have an impact on the level of funding SCC receives from central Government for bus services (Supported Services), Concessionary Fares Reimbursement, Covid-19 Bus Services Support Grant (CBSSG) and Bus Services Operator Grant (BSOG) as set out in the National Bus Strategy. It is also an expectation of Government, as set out in the NBS that LTAs work towards the creation of an EP and development of a BSIP in order to continue to access future national funding opportunities.
6.		Franchising – not recommended; within the NBS and Bus Services Act 2017 there is provision and powers for SCC to take on the franchise of local bus services. Under franchising the Council would take on greater powers and

	control of local buses – setting standards, timetables, fares, networks etc. Franchising is within the remit of Mayoral Combined Authorities and would require the approval of the Secretary of State. Franchising typically takes longer to achieve, requiring additional resource, and still requires an EP to be in place beforehand. For Southampton’s bus market this is not the most appropriate route at this stage.
7.	Existing Quality Bus Partnership – not recommended; the existing Southampton QBP was developed in 2012 as a voluntary partnership between SCC and the bus operators. It has been invaluable in growing bus patronage in Southampton and assisted in levering in investment in buses and infrastructure such as Better Bus Fund and Transforming Cities. Through TCF the QBP was to be strengthened but this has been superseded by the requirements of the NBS and Government and would not satisfy the minimum requirement set by Government. The assessment also concluded that current partnership legislation does not provide the level of protection for local authorities and bus operators when considering the value and scale of investment set out by the Government.
DETAIL (Including consultation carried out)	
8.	<p><i>National Bus Strategy</i></p> <p>In March 2021 the Government published the National Bus Strategy ‘Bus Back Better’ as its long-term strategy for buses in England. It aims to support economic recovery from Covid, meeting carbon emissions targets and increase investment in buses to London standards making buses an attractive alternative to the car. Bus use in England, outside of London, had been decreasing prior to the Covid pandemic, this was accelerated sharply during the pandemic with patronage levels down 85-95%. During the pandemic local bus services were supported by central Government funding paid through the Council covering Concessionary Fares, Covid BSOG, and Bus Services Operators Grant (BSOG) to compensate for the loss of revenue due to suppressed passenger demand.</p>
9.	<p>The strategy sets out Government’s vision to improve local bus services in England outside London through greater local leadership, to reverse the recent shift in journeys away from public transport and encourage passengers back to the bus. The aim is that LTAs and local bus operators work at pace with local communities to plan and deliver a fully integrated service with simple, multi-modal tickets, more bus priority measures, the same high quality information for all passengers, and better turn-up-and-go frequencies that keep running into the evenings and weekends. This is to be achieved via:</p> <ul style="list-style-type: none"> • Bus service improvements on a network basis; • Bus priority to reduce journey times and improve reliability; • Cleaner & greener vehicles; • Partnership working between Local Authorities and bus operators; and • Better co-ordination between operators, particularly as emerge from Covid pandemic to avoid services planned purely commercially separate from what the LTA may want to achieve for its area.
10.	The funding model for this is changing with reforms to the BSOG, by reducing levels given to diesel vehicles and supporting greater local leadership for buses. To achieve this, £3bn is available to support the delivery of the strategy (for new and increased services, bus priority schemes, and zero emission

	buses). The first of these is the ZEBRA ¹ fund. This funding will be available to Local Transport Authorities (LTAs) who are willing to develop Enhanced Partnerships (EP) or the process of franchising, and Bus Service Improvement Plans (BSIPs) by April 2022. From 1 st July 2021 only LTAs with a commitment to enter an EPs will be able to access the BSOG funding, and from April 2022 the £3bn of funding.
11.	Franchising is within the remit of Mayoral Combined Authorities (MCAs), non-MCAs would need to apply to the Secretary of State for franchising powers.
12.	<p>To access the funding the DfT has placed expectations on LTAs to develop EPs and a BSIP and there are three steps to proceed through:</p> <ol style="list-style-type: none"> 1. End of June 2021 – LTA to decide which statutory path to follow e.g. pursue an Enhanced Partnership (via publication of a statutory notice – Appendix 3) or begin statutory process of franchising with operator cooperation; 2. End of October 2021 – each LTA will need to publish a BSIP – updated annually and reflected in Local Transport Plans (LTPs); and 3. End of March 2022 – LTA needs to have EPs in place as an end-state to access new funding including BSOG. <p>From April 2022 the BSIP should be delivered either via the EP or franchising approaches.</p>
13.	<p><i>Local Transport Policy – Connected Southampton 2040</i></p> <p>The current Local Transport Plan (LTP4) Connected Southampton 2040 sets out the long-term vision for transport in Southampton. It introduces the concept of the Southampton Mass Transit System (SMTS) model – that is seeking a step change in the provision of public transport in the city to meet sustainable economic growth, climate change and provide a better service and experience for passengers. The SMTS consists of rail, bus, ferry, dial-a-ride along with interchange and information. Partnership working is part of the approach with an emphasis on priority and better integration of modes and ticketing. Early stages of the SMTS are proposed to be delivered through the Transforming Cities programme. The LTP is supported by a draft Public Transport Plan that provides more detail on the aspirations with aims and objectives for corridors covering journey times, frequency and partnership. This provides a foundation to progress the requirements of the NBS.</p>
14.	<p><i>Overview of Bus Operations in Southampton</i></p> <p>There are two major bus operators in Southampton – First Group and GoSouth Coast who make up 95% of the bus market, and a smaller operator Xelabus. There has been a level of competition across the city for buses which has helped to drive a healthy level of bus patronage. Up to 2019/20 Southampton was bucking national trends for bus patronage and had seen a 9% increase in patronage over decade from 2010. With 20.6m bus journeys and 80.5 bus journeys per head made in 2019/20 – this was 7th highest in England. In 2020/21 the level of bus patronage had dropped to 10m as a result of Covid.</p>
15.	There are challenges that passengers face in Southampton that could be improved. The network is focused on main corridors leaving some areas of the city with poor or no bus services. There is repetition of bus numberings for entirely different routes in different parts of the city. On the busiest routes

¹ ZEBRA – Zero Emission Bus Regional Areas - £120m fund for all-electric or other zero emission vehicles.

	there can be overcapacity at certain times of the day and frequencies decrease in evening and weekends. There is a multi-operator ticket in Solent Go in operation since 2012 but is seen as a premium product and has had limited uptake
16.	There has been a history of investment by the operators in buses with all vehicles now Euro VI compliant, an improved on-board environment, contactless payments, WiFi, on-board announcements, and development of apps with m-tickets. This has been done in advance of many other areas of England placing Southampton at the vanguard of innovation.
17.	Support from SCC has been through Legible Bus standards for bus shelters and information, marketing resources, introducing in-signal bus priority on two corridors and expanding, and bus lane camera enforcement.
18.	<p>SCC currently receives revenue and capital funding for buses:</p> <ul style="list-style-type: none"> • Bus Service Operators Grant (BSOG) – annual grant from DfT to LTA and bus and community transport operators to help recover fuel costs – SCC £75,112 2019/20; • Covid Bus Service Support Grant (CBSSG) – grant from DfT to support tendered services – SCC (to date 2020/21) - £136,000 • Concessionary Fares – SCC is administrator for older & disabled bus pass reimbursements – 26,200 passes making 2.12m journeys 19/20 £4.3m • Supported Services – SCC provides funding to operate socially necessary services (X12, Bitterne Hoppas 1, 2 & 3) – 20/21 budget £130,000 • Capital Investment – annual programme in bus stops, information, bus shelters, bus lane enforcement, bus priority, TCF – 20/21 - £290,000 LTP + £750,000 TCF.
19.	<p><i>Enhanced Partnership</i></p> <p>An Enhanced Partnership (EP) is a formal agreement between a Local Transport Authority (LTA) and local bus operators to work together to improve bus services. It requires a clear vision for the improvement that the EP is delivering, known as the EP Plan and at least one EP Scheme, which sets out the action, requirements and commitments to achieve the improvements within the Plan. The LTA has the formal responsibility for making the scheme, but at set points in the process can only proceed if they have the support of a defined proportion of local bus operators.</p>
20.	<p>An EP is the high-level strategic document that sets the bus network in the EP area in context and must cover:</p> <ul style="list-style-type: none"> • The geography (Appendix 1); • The period it relates to; • Review points; • Analysis of local bus services; • Objectives of the plan – how it will improve quality and effectiveness of local bus services; • Policies; • How related schemes intend to assist in implementing the policies and achieving objectives; • Effect on neighbouring areas; • Improve inclusivity, accessibility and equality; and • Plans for consultation with passenger groups.

21.	<p>The EP Plan is supported by one or more EP schemes which set out the detail of how the vision and objectives will be achieved, including any commitments made by the LTA or standards to be met by the bus operators.</p> <p>The requirements of a LTA under the EP Scheme could include:</p> <ul style="list-style-type: none"> • Facilities – e.g. bus stops, bus priority measures; • Measures – e.g. marketing support, changes to parking, limitations on other types of traffic, enforcing traffic offences, restrictions on roadworks etc. <p>If agreed there is a legal obligation to implement to provide the facilities or measures.</p> <p>The requirements of a bus operators under the EP scheme could include:</p> <ul style="list-style-type: none"> • Operational requirements: vehicles used, information, timetables, tickets (how purchased, entitlements, publicity, appearance, price of multi-operator tickets & standardising ticketing zones) • Route requirements: frequency, timing, headways etc. <p>It should be noted that the price of single operator tickets cannot be controlled through the EP and this remains for the individual operators to maintain competition.</p>
22.	<p>There is a staged process for forming an EP with engagement with local bus operators at each stage, stages numbered below:</p> <ol style="list-style-type: none"> 1. Informal consultation to decide whether an EP is viable; 2. Formal discussion with a notice of intention and invitation to participate from which an Enhanced Partnership Plan and Schemes will be developed into formal documentation; 3. Notification that a draft plan and scheme have been prepared whereby local bus operators can object over a 28-day period; 4. Formal Public Consultation to seek views of residents, businesses and stakeholders; and 5. Making of Plan & Scheme – following consultation, and if modifications need to be made, the LTA can decide to ‘make’ the EP Plan and Scheme. A notice is prepared and local bus operators have a final opportunity to object. Once completed the LTA can make the plan and scheme.
23.	<p>Before any formal processes are embarked on, the LTA needs to carry out informal discussions with local bus operators who run services in that geographical area on whether an EP is viable or not. These informal views should also include those of a wider set of stakeholders such as passenger groups, community transport operators, and representatives of local businesses. When considering any type of partnership LTAs must consider competition issues – not just Competition Law but preserve as far as possible passenger benefits of lower fares, quality services, and innovation that competition between operators can help foster.</p>
24.	<p>From these informal discussions a formal commitment to making an EP can commence. This becomes a formal negotiation between the LTA and operators and commitments made at this stage can be considered legally binding and could be challenged by the other party(ies). LTAs can also consider whether it is appropriate to make an EP jointly with another LTA – such as Hampshire County Council. Before the formal process begins a notice of intention is published, setting out the geographical area, and inviting all local operators to participate in the process. The Notice of Intent can be published online or in local newspapers.</p>

25.	Once negotiations through the formal period are completed the EP can proceed to formal consultation and objections periods before being 'made'.										
26.	<p>SCC needs to decide which of the statutory paths of EP or franchising it is to follow by the end of June 2021 to be eligible for continued access to CBSSG and BSOG (as set out in para 18). At this stage a statutory notice of intent for either EP or franchising (Appendix 2) must be published. At this stage this nothing further is required on a statutory basis.</p> <p>The final EP needs to be completed (i.e. legally 'made') by April 2022 to access future BSOG funding and any share of the £3bn funding via bids e.g. ZEBRA.</p>										
27.	<p><i>Bus Service Improvement Plan (BSIP)</i></p> <p>A BSIP is developed by the LTA in collaboration with bus operators, community transport bodies and local businesses, services and people. It covers the whole LTA area and buses within it, focusing on delivering the bus network that the LTA and residents want to see including under and over provision of services and integration with other modes. A single BSIP could be developed with other LTAs particularly where economies and travel patterns overlap significantly.</p>										
28.	<p>A BSIP sets out a high-level strategy for achieving the aims of the EP and detailed delivery plan. They should cover:</p> <ul style="list-style-type: none"> • The current situation for buses, population and travel demands in the area; • Proposals for improvement – how the LTA and operator proposed to deliver the key goals on the Bus Strategy in Southampton; and • Post Covid Challenges. <p>An estimate of the funding needed to deliver on the proposals can also be included</p>										
29.	The first outline BSIP, needs to be in place by end of October 2021, reflected in the LTP, and be updated annually. Need to be integrated with LTP and other strategies such as Cycling.										
30.	<p><i>Considerations</i></p> <p>At this stage the consideration for SCC is whether to follow the EP or franchising statutory path to follow. This is required to continue to access CBSSG and other funding for buses in 2021/22.</p>										
31.	<p>The considerations for each statutory path are:</p> <table border="1"> <thead> <tr> <th>Enhanced Partnerships</th> <th>Franchising</th> </tr> </thead> <tbody> <tr> <td>Go above existing Quality Bus Partnerships to allow for a wider range of measures to support better services for people who use and want to use the bus.</td> <td>Next step from Enhanced Partnerships where the LTA takes on responsibility for specification for a route, or routes, or network; and invites difference operators to tender competitively to operate.</td> </tr> <tr> <td>LTAs could take on service registration functions from Traffic Commissioners</td> <td>Standards are set regarding the operation – vehicles, information, data, services, frequency, fares etc</td> </tr> <tr> <td>Can comprise of more than 1 LTA and be area or corridor based</td> <td>There is an expectation that an EP will be in place</td> </tr> <tr> <td>Bus operators are formally invited to join to develop a Plan and Scheme(s).</td> <td>Financial risk/gain either lies with LTA, operator or is shared.</td> </tr> </tbody> </table>	Enhanced Partnerships	Franchising	Go above existing Quality Bus Partnerships to allow for a wider range of measures to support better services for people who use and want to use the bus.	Next step from Enhanced Partnerships where the LTA takes on responsibility for specification for a route, or routes, or network; and invites difference operators to tender competitively to operate.	LTAs could take on service registration functions from Traffic Commissioners	Standards are set regarding the operation – vehicles, information, data, services, frequency, fares etc	Can comprise of more than 1 LTA and be area or corridor based	There is an expectation that an EP will be in place	Bus operators are formally invited to join to develop a Plan and Scheme(s).	Financial risk/gain either lies with LTA, operator or is shared.
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	Covers frequency, timetables, vehicles, multi-operator fares & ticketing, priority measures, data, information, and communications that is used as the basis for registering bus services.	Combined & Mayoral Authorities have franchising powers, non-CA/MCA authorities would need to apply to Secretary of State to start franchising
	Does not cover single operator fare setting	High resource requirements to set up and deliver
	Plan is consulted on before implementation	
	Once agreed actions in it are binding and would need resource to manage and delivery – could be done with 1xFTE additional resource	
32.	<p>For Southampton, the most appropriate route would be for the Enhanced Partnership approach. The existing QBP and the TCF programme along with the years of partnership working and investment by operators provides a strong foundation from which to develop the EP. Franchising, while available to SCC or HCC via DfT approval, would not achieve many of the objectives without significant resources from the Council. Franchising can take 3-4 years to develop and this would not meet the Government’s requirement to move swiftly to support public transport and ensure recovery from Covid. The bus network in Southampton has grown based on competition and has led to some sections having perceptions of over supply while other areas of the city are under served. EPs would allow SCC to work with HCC on cross-boundary routes reflecting the way people travel to and from Southampton as part of the wider City Region. This would be backed up by policies within the LTP, Local Plan and other Council documents.</p>	
33.	<p><i>Informal Consultation with Bus Operators</i></p> <p>To ensure that SCC meets the obligations of the EP process and to continue to foster good working relations with bus operators, officers have carried out a series of meeting with them. There is an acceptance from the operators about the direction of travel that the National Bus Strategy has set out and that evolution of the QBP is the most appropriate route. These sessions have discussed:</p> <ul style="list-style-type: none"> • Long term views around the market and level of competition – getting the most out of the network for passengers and grow the number of passengers; • Bus priority & network – focus to improving journey time reliability via bus priority/traffic management, how best to provide a service to people living and working in Southampton by considering network overall and development of long-term public transport vision through the SMTS; • Fares & ticketing – roll out of Tap On Tap Off as first step but simplified fare structures and role of multi-operator ticketing; • Information/Publicity & Branding – each operator has a strong individual brand but not so concerned about the legibility of the numbering system; • Using a ‘Bus Ambassador’ to act as voice to promote, but also working with existing and potential passengers; and • Level of partnership working – there is an acceptance that an EP is the approach for Southampton and looking at the wider geography. 	

	Throughout the development of the BSIP and EP Plan and Scheme the bus operators will be involved and formally consulted at set points.
34.	<p><i>Potential EP& BSIP Geography & Working with HCC</i></p> <p>To reflect the complex travel to work, school and leisure journeys made between Southampton and the wider area including Waterside, Totton, Chandlers Ford, Eastleigh, Hedge End and Hamble, the proposed geography for the EP to consider will be the City Region, as shown in Appendix 2. This is in line with the existing TCF bid area and governance arrangements for that. All the bus operators provide services within that area. There are a handful of services that extend beyond that boundary – Winchester, Romsey, Lymington and Portsmouth-Fareham. These would be included in a Hampshire wide EP that Southampton would be included within.</p> <p>SCC and HCC will collaborate on the development of an EP and BSIP for the Southampton City region to ensure sufficient coordination as “one network” but will adopt and enter into final agreements with the bus operators on individual EPs relating to each as respective Local Transport Authorities.</p>
35.	<p><i>Governance & Review</i></p> <p>The Governance of the Southampton EP and BSIP will be through existing Boards that have been set up for TCF and the Bus Punctuality Task Force. There needs to be cross-boundary collaboration with HCC on the development of the EP and BSIP to reflect the wider bus market and travel movements. This will be through the existing TCF arrangements. These will involve SCC, HCC officers and Cabinet Members for TCF. Officers and bus operators will be involved for the BSIP Project Board and Bus Punctuality Task Force (to be renamed BSIP Working Group).</p> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="border: 1px solid black; padding: 5px; text-align: center; width: 250px;"> <p>TCF Steering Board</p> </div> <div style="margin-left: 10px;"> <p>Remit of existing Board to be expanded to include EP & BSIP cross-boundary work</p> </div> </div> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 5px;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center; width: 250px;"> <p>EP & BSIP Project Board</p> </div> <div style="margin-left: 10px;"> <p>Board attended jointly between senior SCC and HCC officers and MDs for bus operators</p> </div> </div> <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 5px;">↓</div> <div style="border: 1px solid black; padding: 5px; text-align: center; width: 250px;"> <p>BSIP Working Group</p> </div> <div style="margin-left: 10px;"> <p>BSIP Working Group (Bus Punctuality Task Force) – SCC officers, Bus Operators</p> </div> </div> <p>The first BSIP will need to be completed for October 2021 and reviewed annually. It will also need to be reported on six monthly basis to DfT.</p>
36.	<p><i>Consultation Strategy</i></p> <p>Informal consultation has taken place with all the bus operators in Southampton – GoSouth Coast, First Group, Xelabus and University of Southampton (as the owners of UniLink services). This has informed the decision to proceed with a Notice of Intent as required by the DfT for the EP. These will continue through the development of both the EP and the BSIP to ensure that the operators are jointly involved in their development and all parties buy-in to the process and the aims of the EP.</p>
37.	<p>For the EP there will need to be a formal public consultation on the draft Plan and Schemes. As a minimum the following statutory consultees will be required to be consulted:</p> <ul style="list-style-type: none"> • All operators of local bus services affected; • Organisations that represent local passengers;

	<ul style="list-style-type: none"> • Traffic Commissioners; • Chief of Police; • Transport Focus; • Competition & Markets Authority; and • Others deemed appropriate by the LTA. <p>These would form part of a wider consultation with residents, businesses, visitors, existing bus passengers, road users and Ward Members.</p>																																										
38.	Bus operators have two opportunities to object (28 days) to the draft EP before formal public consultation and before the EP Plan is legally 'made' (Stages 3 and 5 in para 18). The BSIP will follow the objectives and priorities in the EP and is not required to have formal consultation but need the involvement of the bus operators.																																										
39.	<p><i>Funding & Resource</i></p> <p>The DfT has provided an initial revenue capability funding (£100,000) towards the development on in-house resources for the preparation of both the EP and the BSIP. Further funding may be available later in the Summer to further assist with internal resources. This will provide additional capacity for 1xFTE and consultant support within the Green City & Infrastructure service area. Future DfT funding maybe made available later in 2021/22. Delivery of any activities from the BSIP and EP will be through existing contractual arrangements such as the Highways Service Partnership or bus shelter contract with ClearChannel.</p>																																										
40.	The EP and BSIP will be able to be reviewed at Overview and Scrutiny Management Committee.																																										
41.	<p><i>Timeline</i></p> <p>The key dates for the preparation, consultation and making of the EP Plan & Scheme and BSIP are set out below. Dates highlighted in bold are key dates set by the DfT.</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Who</th> <th>Dates (<i>indicative</i>)</th> </tr> </thead> <tbody> <tr> <td>Informal discussions with bus operators and stakeholders</td> <td>SCC Officers</td> <td>April-June 2021</td> </tr> <tr> <td>Approval for setting up an EP</td> <td>SCC Cabinet</td> <td>June 2021</td> </tr> <tr> <td>Issue Notice of Intent to Prepare an EP</td> <td>SCC</td> <td>30 June 2021</td> </tr> <tr> <td>Formal discussions on EP and BSIP</td> <td>SCC, HCC & Local Bus Operators</td> <td>July-October 2021</td> </tr> <tr> <td>Seek approval to consult</td> <td>Cabinet Member for Growth</td> <td>October 2021</td> </tr> <tr> <td>Issue a Notice that an EP Plan and BSIP have been prepared</td> <td>SCC</td> <td>October 2021</td> </tr> <tr> <td>Outline BSIP Finalised</td> <td>SCC</td> <td>31 October 2021</td> </tr> <tr> <td>Local Bus Operators Objection Period (minimum 28 days)</td> <td>Local Bus Operators</td> <td><i>November 2021</i></td> </tr> <tr> <td>Formal (Public) Consultation</td> <td>SCC, HCC & Local Bus Operators</td> <td><i>December-January 2022</i></td> </tr> <tr> <td>Consultation Outcomes and Approval to 'make' the EP Plan</td> <td>SCC Cabinet</td> <td><i>February 2022</i></td> </tr> <tr> <td>Issue Notice to 'make' the EP</td> <td>SCC</td> <td><i>February 2022</i></td> </tr> <tr> <td>Local Bus Operators Objection Period</td> <td>Local Bus Operators</td> <td><i>February-March 2022</i></td> </tr> <tr> <td>EP Plan Made</td> <td></td> <td>31 March 2022</td> </tr> </tbody> </table>	Activity	Who	Dates (<i>indicative</i>)	Informal discussions with bus operators and stakeholders	SCC Officers	April-June 2021	Approval for setting up an EP	SCC Cabinet	June 2021	Issue Notice of Intent to Prepare an EP	SCC	30 June 2021	Formal discussions on EP and BSIP	SCC, HCC & Local Bus Operators	July-October 2021	Seek approval to consult	Cabinet Member for Growth	October 2021	Issue a Notice that an EP Plan and BSIP have been prepared	SCC	October 2021	Outline BSIP Finalised	SCC	31 October 2021	Local Bus Operators Objection Period (minimum 28 days)	Local Bus Operators	<i>November 2021</i>	Formal (Public) Consultation	SCC, HCC & Local Bus Operators	<i>December-January 2022</i>	Consultation Outcomes and Approval to 'make' the EP Plan	SCC Cabinet	<i>February 2022</i>	Issue Notice to 'make' the EP	SCC	<i>February 2022</i>	Local Bus Operators Objection Period	Local Bus Operators	<i>February-March 2022</i>	EP Plan Made		31 March 2022
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RESOURCE IMPLICATIONS	
42.	The costs for preparing, undertaking consultation, and making the EP and BSIP will be met by the Council. The Department for Transport have provided £100,000 of revenue funding that is to be used to develop in-house capabilities, consultant support, communications and other costs. Further funding maybe forthcoming from DfT later in 2021/22 to support development of the BSIP. Any overspend on that will need to be met from SCC revenue (AG0190) for Transport Policy.
43.	Delivery and funding of any infrastructure schemes that arise from the EP or BSIP would need to come from different funding sources. These include BSOG, Local Transport Plan Integrated Transport Block, Transforming Cities Fund, Green City, and any future funding from central Government e.g. Levelling Up Fund, ZEBRA.
44.	The publication of an EP and BSIP are a requirement of the National Bus Strategy in order for the Council to access funding for buses, indicated at £3bn, including BSOG, CBSOG, decarbonisation of buses, infrastructure and supported services.
<u>Property/Other</u>	
45.	There are not property implications with this report
46.	SCC will liaise with bus operators and Hampshire County Council.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
47.	An EP agreement is entered into pursuant to section 9 of the Bus Services Act 2017, which amended the Transport Act 2000 by inserting relevant sections (S138A-138S) relating to EPs. .
<u>Other Legal Implications:</u>	
48.	The development of an EP Plan and Scheme are subject to the requirements of competition law. However, it is noted that bus partnership have been around in various forms since the mid-1990s and there have been no cases where partnership working has given rise to action taken on competition grounds. In the development of EPs LTAS need to conduct the negotiations in a fair way that doesn't disadvantage one or more operators against another.
49.	The Competitions Market Authority are a statutory consultee on the draft EP and LTAs will need to take into account Part 1, Schedule 10 of the Transport Act 2000 when making Enhanced Partnership Plans and Schemes.
50.	The statutory consultation and development of Plans will be subject to the Public Sector Equality Duty as set out in the Equalities Act 2010, s.17 Crime & Disorder Act 1998 and Human Rights Act 1998. The detailed Plan and consultation will be accompanied by an EISA setting out implications and mitigations for those with protected characteristics as well as economic and environmental impacts that will be taken into account in determining the final form of the Plans.
51.	In the event that consultation identifies significant detrimental or strategic impacts on any local communities, Cabinet will retain the option to approve the final Plan in due course.
RISK MANAGEMENT IMPLICATIONS	

52.	<p>The key risks include:</p> <ul style="list-style-type: none"> • Obligations are placed by the Plan and/or Scheme upon the Council which are not fundable/acceptable/deliverable; • The EP Plan and/or Scheme are not supported by Bus Operators through the formal objection period; • The EP Plan and/or scheme are not supported by those responding to the public consultation; • The Council is unable to complete with the EP or BSIP within the timescales required of the National Bus Strategy. <p>These risks are being mitigated through continued engagement between the Council and other parties to the EP and BSIP, and the content to be negotiated and finalised as per the report recommendations.</p>
POLICY FRAMEWORK IMPLICATIONS	
53.	<p>The EP and BSIP will need to be consistent with the Council's Policy Framework with the Local Transport Plan (LTP4) Connected Southampton 2040 as the current adopted statutory transport policy for Southampton. An early Equalities Impact Assessment (Appendix 3) accompanies this report and will be further developed as Plans are progressed through consultation with affected parties.</p>

KEY DECISION?	Yes
WARDS/COMMUNITIES AFFECTED:	All
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Proposed Southampton Enhanced Partnership Geography
2.	Draft Notice of Intent for Enhanced Partnership
3.	Equalities Impact Assessment

Documents In Members' Rooms

1.	
2.	
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules /

	Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	