

Bus Enhanced Partnership – Update

Date: January 11th, 2023.

Report of: Principal Transport Planner

Report to: Chief Officer, Highways & Transportation

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief Summary

- In April 2022, the Chief Officer, Highways & Transportation gave approval in the form of a Key Decision to enter a Bus Enhanced Partnership with the West Yorkshire Combined Authority, and the Bus Operators in West Yorkshire. (*Approval To Enter Into A Bus Enhanced Partnership – D55076 – 06.04.22*).
- The National Bus Strategy – Bus Back Better required all Local Transport Authorities (LTA) and Combined Authorities (CA) to submit a Bus Service Improvement Plan (BSIP) to Government by 31 October 2021 and to be in a Bus Enhanced Partnership (EP) or actively pursuing bus franchising by the end of March 2022.
- As a result, the Combined Authority received confirmation from the DfT that based on the strength of its BSIP, it had been awarded an indicative settlement of £69,974,070 revenue funding over three financial years (2022/23, 2023/24, 2024/25) to support delivery.
- On July 29th the Department for Transport agreed the City Region Sustainable Transport Package with the West Yorkshire Combined Authority. At the current time all these projects are subject to an Inflation Review process which the Combined Authority is undertaking. As and when funding is confirmed and further details are known about each project, then the Scheme document will be updated accordingly.
- This Report seeks to acknowledge the specific obligations on Leeds City Council contained within the updated Enhanced Partnership submission to Government, to continue a further partnership with WYCA and the Bus Operators and agree to undertake these duties where appropriate, particularly with regard to the capital projects within the CRSTS.

Recommendations

- a) Note the contents of the Report and the duties and responsibilities required to be undertaken by Leeds City Council.
- b) Acknowledge the specific obligations on Leeds City Council contained within the updated Enhanced Partnership submission to Government with WYCA and the Bus Operators .
- c) Agree to undertake these duties, particularly with regard to the capital projects in the City Region Regional Sustainable Transport Settlement, which will be developed in accordance with the principles of the Enhanced Partnership, and will be included within the BSIP EP Scheme as and when the funding is confirmed, and further details are known about each project.
- d) The Chief Highways Officer delegates all non-material amendments to the Agreement or its subsequent versions to the Head of Transport Policy.

What is this report about?

1. In April 2022, the Chief Officer, Highways & Transportation gave approval in the form of a Key Decision to enter a Bus Enhanced Partnership with the West Yorkshire Combined Authority, and the Bus Operators in West Yorkshire. (*Approval To Enter Into A Bus Enhanced Partnership – D55076 – 06.04.22*).
2. *The National Bus Strategy – Bus Back Better* required all Local Transport Authorities(LTA) and Combined Authorities (CA) to submit a Bus Service Improvement Plan (BSIP) to Government by 31 October 2021 and to be in a Bus Enhanced Partnership (EP) or actively pursuing bus franchising by the end of March 2022.
3. Leeds City Council has worked closely with the West Yorkshire Combined Authority (WYCA) throughout the development of the West Yorkshire BSIP which was submitted in October 2021, and the Enhanced Partnership in March 2022.
4. The EP has two elements :-
 - a. The Plan : The strategic document setting out the vision and objectives for the EP reflecting the ambitions and contents of the BSIP and providing more detail on proposed interventions where appropriate. It also set out the governance arrangements for the partnership
 - b. The Scheme : Linking the commitments around specific interventions that will deliver the EP Plan and identify facilities and/or measures within a defined geography. At least one EP Scheme must always be in place in addition to the EP Plan. The first such EP scheme in West Yorkshire was a Bus Infrastructure Scheme, which focused on the A61 South corridor from the junction of Hunslet Road/South Accommodation Road to the junction of A639 Wakefield Road/Queen Street adjacent to Stourton Park and Ride. It was agreed that further projects may be introduced across West Yorkshire as they develop.
5. In April 2022, the Combined Authority received confirmation from the DfT that based on the strength of its BSIP, it had been awarded an indicative settlement of £69,974,070 revenue funding over three financial years (2022/23, 2023/24, 2024/25) to support delivery.
6. The Combined Authority propose to prioritise 53% of this funding towards subsidising fares (driving down the cost of single journey and day tickets - the 'daily cap') and 44% on

investing in new routes and enhanced services, radically improving the local bus network and delivering significant improvements for local passengers.

7. The headline fare reductions were announced publicly by the Mayor in early May and build on the original proposition set out in the BSIP seeking to cap single fares at £2.00 and the WY Day Saver ticket (the maximum price anyone should pay for a day's bus travel in the region) at £4.50.
8. The DfT requested that for the Combined Authority to receive the funding it would be required to commit the revenue allocation and associated activities within an EP Scheme, including CRSTS schemes at a high level. The Combined Authority agreed to create a bespoke 'BSIP' EP Scheme for this purpose.
9. Appendix 2 details the duties incumbent upon partners contained in the Enhanced Partnership of both WYCA themselves, the Bus Operators, and the Local Authorities.
10. The specific duties of the Local Authorities are to partake in the development of the following:-
 - Linkages between bus and urban traffic management and passenger information – ongoing.
 - Superbus – town network enhancement – yet to begin.
 - Mobility hub development – Phase 2 – ongoing.
11. On July 29th the Department for Transport agreed the City Region Sustainable Transport Package with West Yorkshire Combined Authority. At the current time all these projects are subject to an Inflation Review process which the Combined Authority is undertaking.
12. As and when funding is confirmed and further details are known about each scheme, then the Scheme document will be updated accordingly.

What impact will this proposal have?

13. As members of the Enhanced Partnership, LCC now need to acknowledge the new commitments and the LCC commitment to the implementation of the Capital schemes as elements of the BSIP EP Scheme when appropriate and support the Revenue schemes contained within the £70M BSIP settlement.
14. The Enhanced Partnership, which comprises both the *Plan* and Scheme, has ensured that WYCA have been successful in gaining a £70 Million settlement for West Yorkshire, of predominantly Revenue improvements contained within the Plan, in addition to substantial Bus Priority schemes contained within the CRSTS.
15. Now included in the BSIP EP Scheme are the six Bus Priority Projects contained within the City Region Sustainable Transport Settlement (2022 – 2027) and broadly speaking these projects will be under development in 2022/23, and will start to go on site, in 2023/24. The projects connected with City Square however are likely to be on site sooner, towards the end of this Financial Year. The Scheme will be amended as more information comes forward on their development.

16. Leeds has a very successful record on the delivery of Bus Priority projects , and the therefore the commitment to deliver contains a manageable risk.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

15 Climate Emergency: Reliable, faster, and attractive low emission buses are a key element of responding to the climate emergency and the Leeds wide target of being Carbon Neutral by 2030.

16. Inclusive Growth: Attractive reliable bus services are a key element of facilitating people into employment.

17. Health and Wellbeing: Provide a more efficient, safe, accessible public transport network which better connects people to key employment, educational, health and leisure destinations.

What consultation and engagement has taken place?

Wards affected: **All**

Have ward members been consulted? Yes No

18. The original consultation on the BSIP has been built upon extensive passenger insight gained through public consultations on the West Yorkshire Transport Strategy and Bus Strategy (2017) and the Connectivity Infrastructure Plan (2021), as well as ongoing work conducted by Connecting Leeds beginning with the Leeds Transport Conversation and WYCA's Research and Intelligence department and the passenger transport watchdog Transport Focus. In turn this has helped inform the EP Plan and initial Scheme.

19. In addition, extensive engagement has been undertaken across WYCA officers, bus operators and politicians over several months to support the development of the BSIP proposals and consider their application within the EP Plan and Scheme. This includes groups such as:

- West Yorkshire Bus Alliance Boards
- Transport Committee Working Group
- Joint District Consultation Subcommittee
- Combined Authority Bus Expert Panel
- Mayoral roundtable with bus user groups and other stakeholders

20. As part of the statutory process, a consultation period is required to take place before a Plan and Scheme will be made, with the following statutory consultees:

- All operators of local services who would be affected by the proposals
- Representative of users of local services
- Transport Focus
- Competition and Markets Authority
- The Traffic Commissioner
- Chief Officer of Police for each Police Area covering the whole or part of the area to which the plan related

21. On this occasion WYCA have consulted with the West Yorkshire local authorities and local bus operators on the Bus Service Improvement Plan and Enhanced Partnership documents. Our own (LCC) feedback has been considered and has shaped proposals where appropriate (see Risk section below).

The BSIP EP Scheme will also be kept under review in light of any relevant findings through the Mayor's Big Bus Chat public engagement . The capital projects from the CRSTS will be given more detail as they progress.

What are the resource implications?

22. No additional resource is required. At its heart the EP depends on Leeds, as the Highway Authority, ensuring it amplifies its role in furtherance of its transport polices to ensure the scheme objectives, both revenue and capital activities, deliver in a timely and thorough fashion.

23. The capital requirements will be entirely funded from the new CRSTS schemes.

What are the key risks and how are they being managed?

24. Whilst there is no legal risk (see the *Legal Implications* below) against the local authority, should they not be able to adhere to the commitments within the EP Scheme, there are other potential key risks. These have been mitigated as far as possible as follows. However, in the public interest all reasonable effort will be taken to implement the scheme in the most positive way possible for the city of Leeds:

Risk Type	Key Risk	Mitigation
Financial	Funding is unavailable to deliver on the commitments	Funding has been provided for the capital schemes within the associated fees while the revenue obligations, can be accommodated by Officers while undertaking their normal duties.
Reputational	The local authority attracts a negative reputation for not being able to deliver on their commitments	Commitments have only been included where Leeds has a track record of delivery, or as an element of Officer activity as the Highway Authority.
Stakeholder	Should the local authority not be able to deliver on their obligations, operators are then disinclined to comply with their commitments	

What are the legal implications?

25. The Transport Act 2000 and the Bus Services Act 2017 empower LTA and bus operators to enter EP Schemes. The schemes themselves are binding commitments with provisions within them that must be honoured by all parties from the date the Scheme comes into operation and until the date it ends.

26. However there is no provision within the legislation for legal recourse against local authorities should they not be able to adhere to their commitments. There are however other risks that may arise because of this, detailed in the previous section, particularly with regard to Reputational or Stakeholder Risks.
27. It can be argued that these duties are no stronger than those placed on the Highway Authority by the Highways Act 1980 and as such there are no additional legal implications but rather the agreement looks to amplify the work and duties that are currently carried out by Leeds City Council in its capacity as a Local Highway Authority, and now include the capital schemes from the CRSTS.

Options, timescales and measuring success

What other options were considered?

28. Last year WYCA and the Council were required as a result of Government legislation, to enter an EP, and the previous approval gave authority for Leeds to enter this Partnership.
29. This Report signals the manifestation of that intent with the measures contained in the EP and the CRSTS announcements .
30. WYCA are still pursuing bus franchising, and WYCA and Districts may well have an option at a later date as to whether to enter into a Bus Franchising agreement.

How will success be measured?

31. The EP sets clear targets and standards to ensure it furthers the overall bus strategy aims of increasing patronage and through that securing the wider goals of inclusivity and carbon reduction. Key performance monitoring indicators (KPI's) have been identified to measure the impacts of the different themes within the EP, mirroring those outlined within the BSIP. As per DfT guidance, the BSIP KPI's are required to be reported on every 6 months and this will therefore also be an appropriate opportunity to review on-going progress and performance of the Enhanced Partnership. Further monitoring and reporting guidance for the revenue funding allocation is expected in the coming weeks. Individual monitoring and evaluation plans devised for individual infrastructure schemes and projects will also help feed into this.
32. As the assessment for Franchising will be developed alongside the Enhanced Partnership then if the Enhanced Partnership does not achieve its aims, then this would provide evidence to support a decision to progress with a Franchising Scheme. It is expected that the Enhanced Partnership will be included as part of the assessment for a bus franchising scheme.

What is the timetable and who will be responsible for implementation?

33. The Revenue measures contained within the Enhanced Partnership will start to be delivered this year (witness the £2 cap. which started in May), and the next two financial years concluding in March 2025, while the capital schemes contained within the CRSTS conclude in March 2027.

34. Overall responsibility for the success of the Project lies with WYCA, while within LCC the responsibility lies with the Chief Highways Officer as the Senior Responsible Officer for the capital projects , and to ensure the contribution to the Revenue elements are met.

Appendices

- Appendix 1 : Equality, Diversity, Cohesion and Integration (EDCI) screening.
- Appendix 2 : Bus Service Improvement Plan Enhanced Partnership Scheme — BSIP EP Scheme Commitments

Background papers

- Approval To Enter Into A Bus Enhanced Partnership – D55076 – 06.04.22.