

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – T3 21/22

Decision	
1	Title of decision: Formation of an Enhanced Partnership under Section 9 of the Bus Services Act 2017
2	Decision maker (Cabinet member name and portfolio title): Councillor Jonathan Drean (Cabinet Member for Transport)
3	Report author and contact details: Rosemary Starr – Sustainable Transport Manager Email: rosemary.starr@plymouth.gov.uk Tel: 01752 305514
4	Purpose of the decision <p>This decision seeks approval for the Council to form a statutory Enhanced Partnership, as set out in the Bus Services Act 2017, accompanied by a Bus Service Improvement Plan, with Plymouth's bus operators.</p> <p>On the 15th March 2021 the Government published the National Bus Strategy for England 'Bus Back Better'. The strategy is intended to deliver cheaper, more frequent and more reliable bus services for passengers.</p> <p>The strategy requires the establishment of a formal partnership arrangement for buses across all local authority areas outside London. This must be led by the Council, as the Local Transport Authority (LTA), with the commitment to develop an Enhanced Partnership needing to be made by the end of June 2021. The formation of a statutory Enhanced Partnership is necessary in order to be eligible for future Government funding.</p> <p>The Council, as LTA, are also required to lead the preparation of a Bus Service Improvement Plan for submission to the Department for Transport by the end of October 2021 setting out what the Partnership will deliver in order to make buses easier, cheaper and more convenient to use.</p> <p>Therefore, in response to the National Bus Strategy, approval is sought to form an Enhanced Partnership with Plymouth's Bus Operators. This will require the preparation of both a Bus Service Improvement Plan and Enhanced Partnership Plan and Scheme which will be subject to future decisions.</p>


	<p>The purpose of this decision is that the Cabinet Member for Transport, as an executive decision</p> <ul style="list-style-type: none"> Approves the formation of a statutory Enhanced Partnership under Section 9 of the Bus Services Act 2017
5	<p>Reasons for decision:</p> <p>To enable the delivery of the objectives of the National Bus Strategy; cheaper, more frequent and more reliable bus services for passengers.</p> <p>To allow the formation of a statutory Enhanced Partnership, as required by the National Bus Strategy, and thereby ensure that both the Council, and Plymouth's bus operators, remain eligible to receive Government funding for public transport services and projects.</p>
6	<p>Alternative options considered and rejected:</p> <p>Options Considered:</p> <p>(1) Maintain the Council's existing informal partnership arrangements with Plymouth's bus operators without formalising this into an Enhanced Partnership</p> <p>(2) Entering into a franchising arrangement</p> <p>The alternative options have been considered and rejected because:-</p> <p>(1) Maintaining existing arrangements - Failure to form an Enhanced Partnership with Plymouth's bus operators will mean that neither the Council nor the bus operators would be eligible for Government funding for public transport, such as the Covid-19 Bus Services Support Grant (CBSSG), from the summer of 2021. Given the impact of Covid-19 on the public transport industry this would have catastrophic consequences for the city's bus network, which in turn would significantly impact on our ability to deliver modal shift, sustainable development and the objectives of the Climate Emergency Action Plan.</p> <p>(2) Entering into a franchising arrangement – Due to the successful working relationship the Council already has with all Plymouth bus operators, both the Council and the operators are satisfied that the outcomes set out in the National Bus Strategy can be achieved through an Enhanced Partnership and hence a franchise arrangement, which has significant budget and resource implications, is not required.</p> <p>Furthermore, due to the lengthy process required to enter into a franchise arrangement, the Council would first have to form an Enhanced Partnership in order to continue to receive Government funding beyond this Summer.</p>
7	<p>Financial implications:</p> <p>The Government has currently made £100,000 available to the Council, through the Bus</p>

	<p>Capacity Fund, to support the development of the Enhanced Partnership and associated Bus Service Improvement Plan. The Department for Transport (DfT) has advised that further funding should be available following confirmation of the Council's intention to form an Enhanced Partnership although the amount of funding, and any terms and conditions, has not yet been confirmed.</p> <p>Delivery of an Enhanced Partnership will require funding. The Enhanced Partnership must start by the 1st April 2022 and Government funding will be available. The DfT have advised that funding is likely to be available in two tranches; with one tranche being allocated on a formulae basis to Local Transport Authorities and the second tranche, for larger schemes, being competitively awarded. It is therefore expected that the Government funding will be available to support the delivery of the Enhanced Partnership. Both its development and delivery. The financial implications on existing Council budgets is therefore expected to be low. However, failure to deliver an Enhanced Partnership has the potential for significant, adverse implications, on existing Council budgets if Government funding is withdrawn and the Council is required to provide further, local, financial support to maintain the existing level of network coverage.</p>			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions	May 2021		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	<p>The provision of a comprehensive public transport network supports both Plymouth's recovery from the Covid-19 pandemic, and its sustainable growth, by providing residents with sustainable transport options to access employment, education, healthcare, leisure and retail opportunities.</p> <p>Links to the Corporate Plan:- Our Values Co-operative – To ensure we meet the aims and objectives of the National Bus Strategy we will work with our bus operators to ensure we deliver the best</p>		

		<p>possible bus services for the city's residents, making them cheaper, more frequent, more reliable, and more convenient.</p> <p>Our Priorities</p> <p>Growing Plymouth – Plymouth already has a comprehensive bus network. However, delivery of the objectives of the National Bus Strategy, through an Enhanced Partnership, provides an opportunity, in partnership with our operators, to make buses more affordable and more convenient for customers whilst still ensuring they can access the employment, education, medical and leisure facilities they need. This will support the recovery of both the city and public transport and allow both to build back better.</p> <p>Caring Plymouth - Buses provide valuable links to shops, healthcare, employment, education and leisure for those citizens who do not have access to the private car or other modes of transport. Improving the current bus network across the city, in accordance with the National Bus Strategy, will ensure that residents have affordable transport options, reducing the risk of isolation, resulting in improved independence and wellbeing.</p> <p>Links to the Plymouth Plan:-</p> <p>Provision of a comprehensive bus network supports the use of sustainable transport modes as set out in the Plymouth Plan specifically policies SPT9 (5)5, where it states that the local Planning and Highway Authorities with key stakeholders will deliver: “realistic sustainable transport choices and increasing the integration of transport modes so that people have genuine alternative ways to travel.,” SPT9 (6), which seeks to get the most out of our existing network and encourage behavioural change, SPT9(9) (delivering transport projects which provide a safe and effective transport system) and SPT (10) of the Plymouth and South West Devon Joint Local Plan and policies HEA6 (Delivering a safe, accessible, sustainable and health enabling transport system), GRO4 (Using transport investment to drive growth) and GRO7(Reducing carbon emissions and adapting to climate change) of the Plymouth Plan.</p>
10	Please specify any direct environmental implications of the	The aims and objectives of the National Bus Strategy have clear synergies with the Council's declaration of a

	decision (carbon impact)	Climate Emergency and approved 2 nd Climate Emergency Action Plan. Through delivery of an enhanced bus network offering cheaper fares, enhanced frequencies, improved reliability and greater convenience this will encourage modal shift away from the private car, thereby reducing carbon emissions. The Strategy also has a focus on ensuring that walking and cycling needs are considered in the development of plans for bus services to ensure that we can continue to encourage sustainable travel.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes	<input checked="" type="checkbox"/>	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	<input type="checkbox"/>	(If no, go to section 13a)
12a	Reason for urgency: To ensure the statutory deadline for publishing the Notice of Intent to Form an Enhanced Partnership Plan can be achieved following a change in Council administration			
12b	Scrutiny Chair Signature:	Councillor Richard Bingley approved by email	Date	23 June 2021
	Scrutiny Committee name:	Brexit, Infrastructure and Legislative Change Overview and Scrutiny Committee		
	Print Name:	Councillor Richard Bingley		
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	<input type="checkbox"/>	
		No	<input checked="" type="checkbox"/>	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drear, Cabinet Member for Transport		
13c	Date Cabinet member consulted	27 th May 2021		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes	<input type="checkbox"/>	If yes, please discuss with the Monitoring Officer
		No	<input checked="" type="checkbox"/>	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	26 May 2021	

Sign-off							
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS09 21/22				
		Finance (mandatory)	pl.21.22.21				
		Legal (mandatory)	lt/3783/070621				
		Human Resources (if applicable)	N/A				
		Corporate property (if applicable)	N/A				
		Procurement (if applicable)	N/A				
Appendices							
17	Ref.	Title of appendix					
	A	Briefing report for publication - Formation of an Enhanced Partnership under Section 9 of the Bus Services Act 2017					
	B	Equalities Impact Assessment - Formation of an Enhanced Partnership under Section 9 of the Bus Services Act 2017					
Confidential/exempt information							
18a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)			
		No	X				
		Exemption Paragraph Number					
		1	2	3	4	5	6
18b	Confidential/exempt briefing report title:						
Background Papers							
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>						

Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Bus Back Better – National Bus Strategy								
Bus Services Act 2017								
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature					Date of decision		25 June 2021	
Print Name		Councillor Jonathan Drear						