

# North Tyneside Council

## Report to Cabinet

### Date: 20 September 2021

#### Title: Bus Partnership

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<b>Portfolio:</b> Deputy Mayor	<b>Cabinet Member:</b> Councillor Carl Johnson
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**Report from Service Areas:** Regeneration and Economic Development

**Responsible Officer:** John Sparkes, Director of Regeneration and Economic Development Tel: (0191) 643 6091

**Wards affected:** All

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#### PART 1

##### 1.1 Executive Summary:

The Local Plan and the North Tyneside Transport Strategy state that the Authority will work with partners to maintain and enhance bus provision as part of an integrated public transport network. The Covid-19 pandemic and subsequent Government advice to stay at home and avoid unnecessary travel has had a profound effect on bus travel since March 2020. Reduced bus patronage has meant that, in common with other regions, the North East's bus network is now being heavily supported by Government funding.

The Government announced in March 2021 that funding for bus services would be dependent on authorities' and bus operators' participation in new arrangements. The National Bus Strategy set out the Government's requirement for each area to publish a Bus Service Improvement Plan by 31 October 2021, and to have an Enhanced Partnership with bus operators in place by 1 April 2022. This is a requirement of Government in order to receive ongoing future funding support. Noting that the National Bus Strategy and funding support provide an opportunity to start delivering the objectives set out in the North East Transport Plan, the North East Joint Transport Committee (JTC) has issued formal notice of its intent to prepare an Enhanced Partnership Plan and Schemes for bus services and has begun working with local bus operators to pursue this.

Public engagement, billed as the 'Big Bus Conversation', has been carried out over the Summer on the JTC's Vision for Buses, and feedback from this engagement will inform the preparation of the region's Bus Service Improvement Plan. The plan will show how transport bodies and bus operators will work with local highway authorities and local communities to plan and deliver a bus network where buses are better coordinated and easier to understand and use.

The development of the partnership is expected to involve local authorities making certain commitments to support the use of buses, e.g. commitments to deliver bus priority or enforcement measures. Once the Enhanced Partnership is created, such commitments are legally binding on local authorities. The Authority's engagement with Transport North East and bus operators during the development of the Enhanced Partnership will help to ensure that any such commitments reflect North Tyneside's strategies and policies on such matters.

Recognising that the work initiated by the JTC to develop an Enhanced Partnership represents an opportunity to deliver aspects of the Authority's and the region's transport objectives and to secure ongoing Government funding for bus services, Cabinet is invited to support the JTC's creation of an Enhanced Partnership and agree to receive further reports on its development and the implications for North Tyneside.

This approach is in line with that of other local authorities which comprise the JTC which have also sought support from their respective Cabinets to support the establishment of an Enhanced Bus Partnership.

## **1.2 Recommendation:**

It is recommended that Cabinet:

- i. fully supports and endorses the creation by the North East Joint Transport Committee of an Enhanced Bus Partnership for the region in accordance with the National Bus Strategy; and
- ii. agrees to receive further reports on the progressive development of the Enhanced Bus Partnership and its implications for North Tyneside.

## **1.3 Forward Plan:**

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 6 August 2021.

## **1.4 Council Plan and Policy Framework**

The proposals in this report relate to a number of priorities in Our North Tyneside, the Council Plan 2020 to 2024, in particular:

- Our places will:
  - Recognise the climate emergency by further reducing the Borough's overall carbon footprint
  - Have an effective transport and physical infrastructure

## **1.5 Information:**

### **1.5.1 Background**

There were approximately 5.9 million miles of bus journeys made within North Tyneside in 2018/19. Since the onset of the Covid-19 pandemic, buses have continued to provide a vital service, however passenger numbers have been substantially lower than before.

The Local Plan and the North Tyneside Transport Strategy state that the Authority will work with partners to maintain and enhance bus provision as part of an integrated public

transport network. The regional North East Transport Plan also aims to improve bus travel and attract more passengers.

The North Tyneside Travel Safety Strategy states that the Authority aims to support improved safety for public transport users and the Network Management Plan notes that using technology to support bus priority is an important part of managing the Authority's highway network. As a low-carbon form of transport, bus services are also a vital part of realising the aims of the Authority's Climate Emergency Action Plan.

### 1.5.2 Bus services post-Covid

The Covid-19 pandemic and subsequent Government advice to stay at home and avoid unnecessary travel has had a profound effect on bus travel since March 2020. Bus patronage in Tyne and Wear fell to below 15% of its former level in March- April 2020; between Summer 2020 and Spring 2021 it varied between around 25% and 50% of pre-Covid levels and has since showed some further recovery.

This reduction in patronage has meant that, in common with other regions, the North East's bus network is now being heavily supported by Government funding. The unparalleled level of Government financial support has enabled operators to continue delivering almost the full bus network. The Government has announced a further £226.5m of recovery funding for operators to retain bus services at or near to pre-Covid levels until 31 March 2022. Beyond this date, authorities and bus operators are expected to have new arrangements in place as described below.

### 1.5.3 Regional and national context

In March 2021, the North East Joint Transport Committee (JTC) agreed to work with bus operators to consider how a voluntary bus partnership could be progressed, building on the shared objectives and principles of the JTC and the regional bus operators' association, NEBus, to increase bus patronage.

The Government announced, also in March 2021, that ongoing funding for bus services would be dependent on authorities' and bus operators' participation in new arrangements. The National Bus Strategy, 'Bus Back Better', set out an ambitious vision to dramatically improve bus services through greater local leadership. The strategy stated that the existing model of bus service delivery was not working and outlined the Government's desire to enable a post-Covid recovery in bus patronage and to ensure that buses were more frequent; cheaper; faster and more reliable; more comprehensive; easier to understand; easier to use; and better integrated.

The National Bus Strategy set out a more formal framework for partnership working between authorities and bus operators and instructed each area to implement a statutory Enhanced Partnership under the Bus Services Act 2017. This is a requirement to receive Government funding for bus services, including any of the £3bn allocated funding for bus improvements.

Each area was required to:

- i. by 30 June 2021 – commit to establishing an Enhanced Partnership with bus operators;
- ii. by 31 October 2021 – publish a Bus Service Improvement Plan, setting out its desired outcomes to be delivered through the Enhanced Partnership; and
- iii. by 1 April 2022 – have negotiated and implemented an Enhanced Partnership with bus operators.

#### 1.5.4 The North East's Vision for Buses

This matter was discussed by the JTC at its June 2021 meeting. Members appreciated that views had been expressed by local groups and individual residents in favour of alternative approaches which could provide further local control of bus services, such as bus franchising. It was noted that this is something which the JTC does not have the automatic powers to establish and which would need permission from the Secretary of State for Transport in order to proceed. However, the establishment of Enhanced Bus Partnerships along the lines proposed represents a strong starting point from which to further improve bus services for residents, businesses and visitors.

It was noted that the Government has announced funding of £3bn nationally to support the policies set out in the National Bus Strategy and had been clear that funding would not be available to authorities and local bus operators who did not develop an Enhanced Partnership. The National Bus Strategy and funding support provided the JTC with the opportunity to start delivering the objectives set out in the North East Transport Plan.

The JTC agreed at its June meeting to issue formal notice of its intent to prepare an Enhanced Partnership Plan and Schemes, begin consultation with local bus operators to pursue this, and establish a project team within Transport North East to deliver this. Key milestones for its delivery are shown in Appendix 1.

At its July meeting, JTC approved a Vision for Buses as a basis for public engagement. The document is based on the aims of the regional North East Transport Plan which, following public consultation, was approved in March 2021. The Vision for Buses proposes ten key solutions, including an enhanced network that is simple and easy to understand, improved safety and security, and a first-class customer experience.

Public engagement on the Vision for Buses, billed as the 'Big Bus Conversation', commenced on 29 July with a closing date of 10 September 2021. Feedback from this engagement will inform the preparation of the region's Bus Service Improvement Plan. The plan, to be published by 31 October 2021, will show how transport bodies and bus operators will work with local highway authorities and local communities to plan and deliver a bus network where buses are better coordinated and easier to understand and use.

#### 1.5.5 Infrastructure measures

To ensure it delivers improvements for bus operators and the travelling public, a key part of any Enhanced Partnership scheme is commitments from local authorities, which manage the highway network in their areas. These could relate, for example, to the provision of new facilities, e.g. new bus lanes or bus gates, or could involve policy measures, such as commitments to enforce against illegal parking on specific routes or restrict the number of roadworks on key bus corridors.

It should be noted that, where the Enhanced Partnership includes the provision of highway facilities or the making of a Traffic Regulation Order, it will be a requirement for the local authority to be a formal party to the statutory Enhanced Partnership scheme and the delivery of any such commitments will be legally binding on the local authority.

The Authority's engagement with Transport North East and bus operators during the development of the Enhanced Partnership will help to ensure that any such commitments are in accordance with the delivery of bus service improvements for residents,

businesses and visitors and with the Authority's statutory duty to manage the efficient operation of the highway network in the borough.

#### 1.5.6 Next steps

Recognising that the work initiated by the JTC to develop an Enhanced Partnership represents an opportunity to deliver aspects of the Authority's and the region's transport objectives and to secure ongoing Government funding for bus services, Cabinet is invited to support the JTC's creation of an Enhanced Partnership and agree to receive further reports on its development and the implications for North Tyneside.

#### 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

##### Option 1

To approve the recommendations as set out in paragraph 1.2 above.

##### Option 2

Not to approve the recommendations as set out in paragraph 1.2 above.

Option 1 is the recommended option.

#### 1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

Approving the recommendations in paragraph 1.2 will clearly indicate the Authority's support for the development of an Enhanced Partnership, which represents an opportunity to deliver aspects of the Authority's and the region's transport objectives and to secure ongoing Government funding for bus services.

#### 1.8 **Appendices:**

Appendix 1 – Key milestones for Enhanced Partnership delivery

#### 1.9 **Contact officers:**

Paul Dowling, Service Manager Regeneration and Transport, 0345 2000 101  
Nicholas Bryan, Highway Network Manager, 0191 643 6622  
Andrew Flynn, Integrated Transport Manager, 0191 643 6083  
John Cram, Integrated Transport Officer, 0191 643 6122  
Cathy Davison, Principal Accountant Investment (Capital) and Revenue, 0191 643 5727

#### 1.10 **Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) [North Tyneside Transport Strategy](#) (approved by Cabinet on 8 May 2017)
- (2) [North East Transport Plan](#)

- (3) [North Tyneside Network Management Plan](#)
- (4) [North Tyneside Travel Safety Strategy](#)
- (5) 'Vision for Buses': appendix to item 9 at [North East Joint Transport Committee](#) 13 July 2021
- (6) [Bus Back Better: the national bus strategy for England](#)
- (7) [Department for Transport Guidance – Bus Services Act 2017: Enhanced Partnership creation](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial and resource implications directly arising from this report. Any expenditure which cannot be contained within existing budgets will be reported to Council / Cabinet, as appropriate for a decision before any expenditure is incurred or committed.

### **2.2 Legal**

Specified transport functions of the Authority must be exercised through the North East Joint Transport Committee which is a joint committee of the Durham, Gateshead, South Tyneside and Sunderland Combined Authority (known as the "North East Combined Authority") and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (known as the "North of Tyne Combined Authority") established in accordance with the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018. Some of Authority's transport functions are exercised through the Joint Transport Committee's Tyne and Wear Sub-Committee. The Authority works with the Joint Transport Committee and its Tyne and Wear Sub-Committee on a range of transport-related matters.

There are no direct legal implications for the Authority in supporting and endorsing the creation by the Joint Transport Committee of an Enhanced Partnership plan or scheme for bus services at this stage. However, any future Enhanced Partnership scheme would oblige the Authority to take the measures set out in the scheme by a specified date unless the scheme is formally postponed, or the Authority is temporarily unable to meet its obligations for reasons outside its control. Each local authority is able to shape the development of such facilities and measures as part of the development of an Enhanced Partnership.

The development of an Enhanced Partnership follows a statutory framework under the Bus Services Act 2017, requiring legal notices and formal agreements. Specialist legal advice has been sought on behalf of the Joint Transport Committee in support of the project, particularly in relation to subsidy control and competition law matters.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

Internal consultation has involved the Deputy Mayor, the Director of Regeneration and Economic Development and the Director of Environment, Housing and Leisure.

### 2.3.2 External Engagement

External engagement has been carried out by Transport North East as described in section 1.5.4.

## 2.4 **Human rights**

There are no human rights implications directly arising from this report.

## 2.5 **Equalities and diversity**

There are no equalities and diversity issues directly arising from this report. The Bus Service Improvement Plan and Enhanced Partnership are to be developed in line with the Public Sector Equality Duty.

## 2.6 **Risk management**

There are no risk management implications arising directly from this report. Strategic and operational risks associated with transport matters are assessed via the established corporate process.

## 2.7 **Crime and disorder**

There are no crime and disorder implications arising directly from this report.

## 2.8 **Environment and sustainability**

There are no environment and sustainability issues directly arising from this report. There are potential positive implications from the introduction of an Enhanced Partnership as this is expected to support the greater provision of zero-emission buses and new ticketing products which may incentivise bus travel in preference to car travel.

## **PART 3 - SIGN OFF**

- Chief Executive  X
- Director of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Assistant Chief Executive  X

## Appendix 1 – Key milestones for Enhanced Partnership delivery

The table below shows the North East Joint Transport Committee's (JTC) key milestones for the delivery of an Enhanced Partnership for bus services, as set out in the JTC's Vision for Buses.

<b>Date</b>	<b>Milestone</b>
June 2021	JTC and bus operator confirmation submitted to Government to develop an Enhanced Partnership in line with the National Bus Strategy requirements
July-September 2021	Working with bus operators and other stakeholders, and listening to people across the region to develop our plans
October 2021	North East Bus Service Improvement Plan submitted to Government
November 2021	Heads of Terms of Enhanced Partnership Agreed
December 2021	Draft Enhanced Partnership Agreed for public consultation
March 2022	Enhanced Partnership is officially signed
April 2022	Enhanced Partnership begins