

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Place Scrutiny Panel **DATE:** 28<sup>th</sup> June 2022

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**WARD(S):** All

### **PART I** **FOR COMMENT & CONSIDERATION**

#### **BUS ENHANCED PARTNERSHIP**

##### 1. **Purpose of Report**

An Enhanced Partnership Plan and Scheme (EPPS) has been created in partnership between Slough Borough Council (SBC) and the bus operators of registered local services in Slough, following on from the Bus Service Improvement Plan (previously reviewed by Scrutiny and approved by Cabinet in October 2021). The Enhanced Partnership (EP) is the next essential stage in the development of the Council's response to the Government's National Bus Strategy (NBS). The EPPS is due to be submitted to the Department for Transport (DfT) following approval by Cabinet. The submission date is expected to be in June 2022.

A Cabinet report has been produced in support of the proposed EPPS. This will be reviewed by Cabinet on 20<sup>th</sup> June 2022. The recommendations in the Cabinet report are to: note the proposed plan and governance arrangements, approve the final version of the EPPS, and approve the formal commencement of the EP with the bus operators. We are now seeking comments from the Scrutiny panel. All comments and requests will be considered and applied to the Cabinet report, but changes to the EPPS itself are not expected to be applied at this stage. Any such changes would require another round of operator and other stakeholder consultation. However, all comments received from the Scrutiny Panel will be used to help inform the ongoing development of the EP as it commences in action.

##### 2. **Recommendation(s)/Proposed Action**

The Panel is requested:

- A) to note the report for information regarding the Enhanced Partnership;  
and
- B) to make any comments and requests for consideration by the Transport Team, noting that the Scrutiny meeting will be after the Cabinet meeting.

### 3. **The Slough Joint Wellbeing Strategy and the JSNA**

#### 3a. **Slough Wellbeing Strategy Priorities**

*The Enhanced Partnership, along with the BSIP, will contribute to meeting the needs of the Slough Wellbeing Strategy as follows:*

*Priorities:*

##### 1. Starting Well

Increased availability and patronage of public transport is essential to all aspects of sustainability. The EP/BSIP will help create a safer and more reliable network, which will be of benefit especially to young people, include school children, by meeting their transport needs in the first instance, and also forming part of a much wider behavioural change process that is needed in society, and which must cover all age groups.

##### 2. Integration (relating to Health & Social Care)

A better, more reliable bus network will lead to greater accessibility and mobility, particularly for those without private transport. The EP/BSIP will help ensure that services will provide better access in particular to health care services and facilities, and all locations where people want and need to travel to. Improved connectivity across the borough is expected.

##### 3. Strong, healthy and attractive neighbourhoods

The EP / BSIP include measures to promote environmental sustainability, including better air quality and reduced carbon emissions. This includes proposals to support better quality fleets and zero emission buses. Furthermore, reduced congestion and better infrastructure, along with improved modal integration are all expected to be realised through the plan.

##### 4. Workplace health

As above, better environmental conditions will contribute to better workplace health, including a fitter workforce, for the bus companies and more widely throughout the borough.

### 4. **Other Implications**

#### (a) Financial

4.1. From 2022, Local Authorities with BSIPs / EPPs in place will be invited to submit bids for EP / BSIP related schemes, for funding contributions from the overall funding pool. SBC was not awarded funding in the initial DfT announcement in April 2022, however the establishment of an EP will enable SBC to apply for any further funding from National Bus Strategy and from other government sources to improve bus services.

4.2. An underlying principle applicable to all schemes and improvements proposed in the EPPS (and previously the BSIP) is that they are subject to availability of funding and that they are feasible in all relevant ways. Currently there is no funding available from the Council. Furthermore, the Council is

currently seeking ways to reduce expenditure in any way legally and practically possible, including, for example, supported bus services.

4.3. Bus operators will be expected to be equally committed to the EP (they will be joint members of and legally bound to all decisions made by the EP board).

4.4. Regarding services to Heathrow Airport, there is a possibility that funding opportunities may arise in the future, potentially to be provided by Heathrow Airport Limited, for improved services across the relevant authority areas.

4.5. Consistent with the terms of the BSIP, the EPPS does not include any immediate financial commitments. However, given the requirements of the Government and the DfT, it is necessary to have an Enhanced Partnership with the bus operators in order to support the improvement of services and infrastructure at local level.

4.6. Overall, subject to the successful establishment of the partnership, and ongoing effective provision of bus services and relations with the bus operators, no negative financial impacts are anticipated.

However, should the Council not have a satisfactory EP in place, the DfT has stated an intention to cease the Bus Service Operators' Grant (BSOG) payments to local authorities and bus operators not participating in an EP. BSOG helps operators to keep fares down and to run services that might otherwise be unprofitable. Loss of BSOG income would therefore be likely to lead to service cancellations.

The absence of an EP would also prevent the ability to bid for DfT funding for schemes in the lifetime of the National Bus Strategy, placing both the Council and bus operators at a disadvantage compared to other authorities where partnerships or franchises are in place.

4.7. A grant of £100K already has been received by SBC from the DfT from the Bus Capacity Grant. This was in response to the Council's provisional indication that it has committed to an Enhanced Partnership arrangement and BSIP submission. A subsequent £50k has been received to further assist in the development of the BSIP. The funding covers the following:

- Preparation of the formal statement committing to an Enhanced Partnership
- Development of the BSIP, including preparatory work with the bus operators
- Development of the subsequent specific scheme bids in the Enhanced Partnership Plan (EPP).

Expenditure on the preparation of the EP and BSIP has been approved by the SBC Expenditure Control Panel.

4.8. Slough did not receive any BSIP funding in the DfT's announcement in April 2022. Hence, there is no budget available to cover the infrastructure proposals included in the BSIP. However, any BSIP proposals not requiring funding from SBC will still be considered by the EP for possible implementation.

4.9. The Council's support on the non-investment requirements of the plan is able to be provided on a BAU basis through the work of the Transport Planning team and colleagues as necessary. There are no implications for the budget in this regard.

(b) Legal

4.10. The Council as a LTA has statutory functions under the Local Transport Act 2008 and has a statutory duty to comply with the Transport Act 2000, as amended by the Bus Services Act 2017. This 2017 Act introduces an Enhanced Partnership, which is an *'agreement between a local transport authority (LTA) and local bus operators to improve local bus services'*

4.11. The Council is also under a statutory duty to comply with the National Bus Strategy. Statutory guidance was issued by the DfT in May 2021: National Bus Strategy: Bus Service Improvements Plans which set out the timeline for compliance with various stages.

4.12. Step 1 is for the Council to decide which statutory path to follow – pursue an Enhanced Partnership or develop a bus franchising assessment. As stated in the Strategy, by the end of June 2021, to be eligible for new funding and continued access to COVID-19 Bus Services Support Grant (CBSSG) every LTA must have published a statutory notice that they intend to prepare an EP (as required by S.138F(1)(a) of the Transport Act 2000).

*As stated in section 2.3, the Council has chosen to develop an Enhanced Partnership. Formal notice of this decision was given in May 2021.*

4.13. Step 2 LTA's should develop and publish a BSIP by 31 October 2021. Each plan will need to be updated annually and reflected in the authority's Local Transport Plan and in other relevant local plans.

*The BSIP was submitted to the DfT on 29<sup>th</sup> October 2021 and has been reviewed by the DfT. The Transport team will manage the annual review and the alignment of the BSIP with all Council related Transport policies.*

4.14. Step 3 From July 2022, the BSIP should be delivered using one of the two statutory options under Step 1 above. Subsequently, the Council must have an Enhanced Partnership in place. The proposal now is to formally commence the Enhanced Partnership from July 2022.

4.15. Although the EP is a joint commitment, with all parties accountable for the successful operation of the partnership and the delivery of the plan, the Council has ultimate responsibility for submitting the EPPS to the DfT in the first instance, and thereafter to chairing the partnership.

4.16. The EP (following on from the BSIP) will facilitate the Council's statutory duty to identify the bus services appropriate to meet the needs of their areas, and to secure provision of those services that cannot be provided on a commercial basis. However, the EP will inevitably provide new challenges as well as opportunities relating to the best way to fulfil this duty.

4.17. The commitments proposed in the EP will have implications for both the Council as Local Transport Authority and the Bus Operators, who will be the joint

owners of the EPPS. However, again in line with the BSIP, all schemes included in the EP plan and scheme are proposals at this stage, and are subject to feasibility, funding availability and consultation.

4.18. Under Part 3.5, Table 3, point 2 of the Council’s Constitution, approving “... policies and plans for implementation by lead members and officers” is an Executive function and it is considered on that basis that the EPPS requires Cabinet approval.

4.19. Part 3.6 of the Constitution sets out the Scheme of Delegation to Officers and under Section 2 - Executive Directors’ general delegated powers include: taking and implementing any decision required for operational effectiveness, taking any action necessary to ensure the effective development and implementation of the Council’s key strategies and services relating to directorates and attending and representing the Council on partnership boards. Under section 4, specific delegation is given to the Executive Director, Place for functions relating to Transport Planning.

(c) Risk Management

A risk assessment has not been conducted specifically to accompany the preparation and submission of the EPPS and the BSIP to the DfT. However, when it comes to progressing proposed schemes, the risk assessments, notably including financial risks, will be considered and prepared as appropriate.

In broad terms, there is no financial risk associated with the preparation and submission of the BSIP and the Enhanced Partnership. Conversely, there would be a significant risk should the Council decide not to continue to proceed with its EP and BSIP commitments already made. This relates to the comments in the Finance section above.

Similarly, there are no policy related risks associated with the preparation and submission of the EPPS and BSIP. Given the options made available by Government to LTAs, the EP and BSIP route is considered the best way to deliver on policy commitments already made by the Council.

| Recommendation from section 2 above                        | Risks/Threats/ Opportunities  | Current Controls  | Using the Risk Management Matrix Score the risk | Future Controls  |
|--|---|---|---|--|
| <i>To note the report for information regarding the EP</i> | <i>No risks.<br/>This is an opportunity to gain knowledge of the upcoming implications of the NBS at local level. Also to ensure that the Council’s EP is as well designed as possible to meet the needs of bus users and</i> | <i>Transport team engaging with the DfT and responding to all guidance.<br/><br/>Professional consultants with detailed knowledge of Public Transport have been engaged to assist in the preparation of</i> |   | <i>The EP will be presented along with a report to the Cabinet meeting on June 20<sup>th</sup> 2022.<br/><br/>All proposals for EP / BSIP schemes and measures are subject to feasibility, funding and consultation.</i> |

|   |  |  |  |   |
|---|--|--|--|---|
|   | <i>the wider community throughout the borough.</i>   | <i>the BSIP and EP.<br/><br/>Engagement with the bus operators is ongoing.</i> |  |   |
| <i>To make any comments and requests for possible amendment to the cabinet report</i> | <p>No risks.</p> <p>As above, this is an opportunity for the EP cabinet report to be fine-tuned as well as possible, to ensure that it is ultimately results in the successful further development of the Enhanced Partnership, as well as success in securing funding from the DfT to facilitate the delivery of schemes and measures proposed in the BSIP.</p> |  |  | <p>Any responses from this panel meeting will be collated and considered by the Transport team, and applied as appropriate, in the first instance to the Cabinet report.</p> <p>Cabinet members will be asked to approve the proposed EP presented. There is limited opportunity to make amendments to the EP at this stage. Any such amendments will require a further operator objection period and stakeholder consultation.</p> <p><i>All proposals for EP schemes and measures are subject to feasibility, funding and consultation.</i></p> |

(d) Human Rights Act and Other Legal Implications

The associated cabinet report and EPPS document have been reviewed by Harrow Public Law. There are no Humans Rights Act implications in this proposal.

## (e) Equalities Impact Assessment

The Equality Act 2010 outlines the provisions of the Public Sector Equalities Duty and under s.149 it requires Public Bodies as decision makers to have 'due regard' to achieving a number of equality goals, which includes the need to:

- a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design policies and the delivery of services.

In order to assist in meeting its duty the Council has carried out an initial Equalities Impact Assessment (EIA) for the EP and the BSIP and this is provided as **Appendix B** to this report. This is an over-arching assessment at this stage of the overall response to the National Bus Strategy. Subsequently, when it comes to developing plans for specific schemes within the Enhanced Partnership Plan (EPP), individual EIAs will additionally be provided for all schemes of a scale and scope considered appropriate to warrant this level of assessment.

The overall expectations are as follows:

- a) The impacts of the EP and BSIP will be positive for all groups in society, with wide-ranging opportunities and improvements across the borough, and
- b) There will be no negative impacts from the EP and BSIP on any protected group

Examples of the benefits that will be of particular benefit to identified groups include the following:

- c) More frequent services will be especially helpful to the elderly. This will lead to increased perceptions of safety and greater comfort / minimised physical pain related to traditionally longer waiting times. A more reliable network of services will also improve connectivity and social inclusion, as well as access to a range of destinations.
- d) Similar benefits will also be expected for people with disabilities, through a greater understanding of the issues, which will be shared by the operators and the Council. Where not already included, the proposed table of measures and schemes will be reviewed and strengthened to better address the needs of people with disabilities.
- e) More frequent and more reliable services will also improve safety (perceived and actual) especially for mothers of young children. Benefits will also be associated with better access to healthcare related destinations. Lower fare costs may well be of particular benefit here too.

- f) Improved bus services are expected to provide a more attractive, more efficient travel option for specific cultural groups, where there is typically a strong 'car culture' and a reluctance to travel on public transport.
- g) More reliable bus services, reduced waiting times, and a better bus network are all likely to provide a safer and more attractive travel option to those seeking to travel to places of worship across the borough.

(f) Workforce

There is a clear need for the Council to have at its disposal the relevant knowledge, experience, and skills within its workforce. As part of the overall Public Transport related responsibilities of the Council, the EPPS and BSIP will be managed by the Place directorate, Strategy and Infrastructure division. The EP and BSIP are considered to be one of the Transport service's top priorities. Additional staff may be required to cover the full range of BSIP and Enhanced Partnership responsibilities as the plan is delivered. Regular reviews will be required on an ongoing basis to ensure that all aspects continue to be covered. This will include continuous monitoring of journey times, punctuality, patronage and passenger satisfaction.

Furthermore, the success of the plan will also depend on appropriate levels of staffing resources in related service areas, including procurement, legal and financial disciplines, particularly when it comes to progressing scheme development and contractual matters within the Enhanced Partnership.

5. **Supporting Information**

**5.1. EPPS Structure and Contents**

The overarching objective in establishing the EP and the BSIP is to deliver significant improvements in bus services in the borough. This is designed to result in more frequent services, more reliable journey times, increased bus patronage, lower fares, better and easier ticketing systems, and a raft of associated benefits.

Based on DfT guidance, a combined EP Plan and Scheme document has been produced which contains two main sections (Section 1 is the introduction. Section 2 and Section 3 are described below).

Both Sections 2 and 3 also refer to detailed appendices as follows:

**Appendix A) Facilities (infrastructure),  
Appendix B) Measures (technical or procedural innovations) and  
Appendix C) Requirements (legal obligations)**

All of these areas are split in turn and as follows:

- i) Existing
- ii) Already approved and
- iii) Still to be considered by the Partnership.

**Appendix D** specifically focuses on the Terms of Reference for the Governance element of the Partnership.

This structure is designed to enable facilities, measures and requirements to be amended as agreed by the EP Board, but changes to governance require the full change process. This is in line with the legislation and with DfT guidance.

**Section 2: The EP Plan** (EPP, reflecting the main policy elements – objectives, targets, principles, and the summary or proposed measures – as in the BSIP)

This section provides a summarised table of all proposed measures, as well as a summary of Partnership objectives. These are in line with the original proposals and objectives set out in the BSIP. In that context, they are designed to have positive impacts on the four key targets summarised as follows:

- Improved bus journey times
- Improved bus journey time reliability
- Increased bus patronage
- Increased passenger satisfaction

The content in this section is supported by the original summarised outline funding template which was provided as Appendix B to the BSIP which was presented to Cabinet in October 2021. The prioritisation for each summarised package of measures is still to be determined (again, subject to expected DfT guidance). The original, total estimated cost for all measures is approximately £54m. This has not changed.

The EPPS does not currently contain any highly detailed scheme/project proposals for the measures carried forward from the BSIP. In addition, still in line with the principles of the BSIP, all proposals within the EPPS will continue to be subject to feasibility, availability of funding, and consultation responses, including further Cabinet reporting where appropriate.

The DfT announced on 4<sup>th</sup> April 2022 the first round of funding awards for BSIP purposes. Slough was not included in this list. However, the DfT advised that further BSIP funding awards may be made in the future. The DfT has also advised that it will welcome SBC bids to other funds / sources, e.g. Levelling Up, to contribute to the implementation of the EP. Once obtained, SBC officers will negotiate agreements with bus operators that are conditional on the level of funding that can be secured.

**Section 3: The EP Scheme** (EPS, focusing mainly on the Partnership governance)

**EP Governance** is the part of the EP Plan and Scheme document that has not previously been set out in detail in the BSIP. The governance structure and procedures have now been discussed extensively and agreed in principle with the Bus Operators, also being based on DfT guidance / recommendations.

The main points relating to the governance structure and duties are set out in the EP as follows:

**EP Forum**

- To consist of representatives from SBC, bus operators, rail companies, and potentially bus user groups.

- Main duties: groundwork, proposals and recommendations, including proposed prioritisation, consideration of monitoring results.
- Proposals and recommendations will be developed in the forum and referred to the EP Executive Board for formal consideration and voting.

### **EP Executive Board**

- Membership: 3 Local Transport Authority (LTA) reps (Lead Member or Executive Director, Transport officer, Highways officer) and 4 Bus Operator reps (First Bus Group and Reading Buses as major operators, TfL (who have specific statutory duties) and a fourth to collectively represent the smaller operators).
- Main duties: Considering and voting on proposals. Assignment of working groups to investigate feasibility where required.
- When voting, proposals will be approved where there are no votes against them. Items will remain on the agenda until resolved. Hence there is no need for a casting vote or any form of arbitration.
- The Chair is proposed to be the SBC Lead member with responsibility for Sustainable Transport and the Environment, or the Executive Director for Place.
- All proposals are ultimately subject to availability of funding, feasibility assessments and consultation responses.

#### *Implications for ward member input*

There is no provision for ward member representation in the EP Forum or Executive Board. The expectation is that any requests or case-work from ward members would be provided as usual to the Transport team. The information would be reviewed and any proposal arising from this would be considered for inclusion on the agenda for an EP Forum meeting in the first instance.

#### *Timelines for submission*

Following recent changes to DfT guidance, the requirement is now to submit the EPPS to the DfT, and to formally 'make' the EP. The DfT is not planning to formally approve EPs, and the decision to make the Slough EP is the responsibility of SBC as the Local Transport Authority. The DfT has asked that EPs are in place as soon as reasonably possible so that authorities can benefit from other discretionary funds in the future. The planned start date for the EP is 1<sup>st</sup> July 2022.

## **5.2. Transport Policy implications**

In Transport terms, specifically, and the links with Planning, the Council's Transport policy is focused on providing a sustainable, integrated travel solution at local level. At the heart of this is the need for modal shift, with public transport and mass movement of people playing an essential role here. Multi-modal and linked journeys involving public transport and active travel especially are also crucial. The EP and BSIP will also support the following specific related policies:

- The Strategic Transport Infrastructure Plan (STIP)
- The Network Management Plan
- The Local Transport Plan
- The Low Emission Strategy

- The Slough Local Plan and Spatial Strategy.

Full details relating to these policies are set out in the Significant Decision for the BSIP.

### **5.3. Options considered**

The DfT initially presented LTAs with a choice of models to implement the requirements of the National Bus Strategy, and hence a framework to base the BSIP on. Three options were available:

#### *Enhanced Partnership*

An Enhanced Partnership. This entails close working, cooperation and commitment to a formal, shared and legally enforceable plan for the delivery of bus services in and across the local authority area. This plan is the Bus Service Improvement Plan.

This is the option that the Council has selected, and has to date received funding from the DfT to the value of £150,000 to develop this approach.

The first meeting with the bus operators as part of the EP preparations took place on 25<sup>th</sup> June 2021. This led to the development of the BSIP, and in turn, preparation of the EP with the operators. The EP presented with this report has been agreed in principle by the operators, with the shared expectation that the partnership will formally commence on ratification by the DfT.

#### *Franchising*

A franchising arrangement would involve the LTA being in overall control of bus services provided in the borough, including the determination and award of franchises to be awarded to specific companies for specific routes / services, subject to successful bidding processes. This option was not feasible. As per the DfT guidance, as a non-mayoral authority, SBC would have required Secretary of State approval for this option, and this would only have been considered if we had previously fully explored the Enhanced Partnership option. In practice, it would not have been possible for Slough to have a franchising system in place by April 2022, and in this circumstance the DfT would have required Slough to have in place an Enhanced Partnership by April 2022 even if it were to consider franchising in the medium to long term.

#### *Neither of the above / Do Nothing*

It is unclear how Slough could fulfil its duties regarding the delivery of public transport while complying with all related policies and commitments in this scenario. There would also have been greater uncertainty about possible funding sources for public transport projects. This option was rejected.

### **5.4. Further background information**

The National Bus Strategy (NBS) has been developed by Government in the context of the need to bring about a post-COVID-19 recovery across the country, and to ensure the recovery is not car-led. This follows on from the publication of the DfT's *Better Deal for Bus Users* guidance, with a commitment to help local authorities improve current services and restore lost services where they are needed most.

During the COVID-19 restrictions, demand for public transport was substantially reduced and emergency government funding was applied to maintain bus services. All formal restrictions were lifted in July 2021. In transport terms, the essential policy is for public transport to be an integral part of the overall recovery. For buses, the Government has put forward the aim to ensure that services post-COVID will be an improvement on the situation before the restrictions came first came into place.

However, even before the COVID-19 restrictions came into place, policies were in place at Slough to promote increased uptake of public transport and specifically travel by bus. Hence the National Bus Strategy strengthens existing plans and aspirations in Slough.

The first stage of the Council's response to the NBS, the BSIP, was published on the 29<sup>th</sup> October 2021, having previously been reviewed by the SBC Scrutiny Committee in September 2021 and approved by Cabinet on 18<sup>th</sup> October 2021. The BSIP and EP were also the subject of a significant decision in July 2021.

Although the EPPS document is now the main focus of attention, the published BSIP is still an important document which underpins the development of the EP. Following on, the Enhanced Partnership Plan and Scheme was developed and again fully reviewed.

The Lead Member for Transport and the Environment was previously briefed on all aspects of the EP, with particular reference to the governance element. Prior to the most recent cabinet reorganisation, the Lead Member accepted an invitation to chair the EP Executive Board. This offer has now been proposed to the new Portfolio Holder for Transport, Planning and Place. The responsibilities in this role are listed in detail in section 2 of this report (above).

Following the BSIP submission, reviewed by Cabinet in October, the EPPS has subsequently been developed in partnership with the bus operators. The document has been shared at all stages, with revisions made in line with comments and requests where considered appropriate. Care was taken to minimise the risk of admissible objections from the operators. This had particular relevance to TfL who have additional statutory duties.

## **5.5. Consultation**

### **5.5.1. Operator Objection period**

As required by the DfT, the final draft of the EPPS was formally reviewed by the bus operators over a 28-day Operator Objection period. This ran from January 10<sup>th</sup> January to February 7<sup>th</sup> 2022. No objections were received from any of the operators. The overall response from the operators continues to be positive and cooperative.

### **5.5.2. Stakeholder Consultation**

At all stages of the development of the BSIP and the EP, the Council's Transport officers have engaged in extensive discussions with all bus operators who run registered, local bus services in Slough.

SBC Transport officers have also consulted neighbouring local authorities, mainly Buckinghamshire County Council and the Royal Borough of Windsor and

Maidenhead as well as Heathrow Airport Limited. There is a shared commitment here to ongoing engagement, and to ensuring a consistent approach to routes and services that cross boundaries or where there are other shared opportunities and obligations.

### 5.5.3. Responses received

Following the Operator Objection period a wider stakeholder consultation took place. This ran for two weeks from February 15<sup>th</sup> to February 28<sup>th</sup> 2022. The stakeholders included The Traffic Commissioner for the West of England, The Competition and Markets Authority (CMA), Transport Focus, Thames Valley Police, neighbouring local authorities, bus passenger groups, the bus operators and a number of other parties. The full list of consultees and a summary of their responses is shown in **Appendix C**.

There were no outright objections to the EPPS in the consultation responses, and no changes are required to either the plan or scheme. However, a number of questions and comments were received, and these are being addressed or will be referred to again as the partnership develops. The main points raised were as follows:

**The CMA** has asked for more information on the references in the EPPS to competition. The EPPS is required to consider whether its implementation is likely to have a 'significantly adverse' effect on competition. This is potentially the case, since the proposals relating to multi-ticketing and other fare related measures are by nature intended to limit the ability of operators to seek commercial advantage through ticketing.

The EPPS explains that the potential anti-competitive element is justified on the grounds of securing overall improvements to bus services to the benefit of bus passengers. This is considered to be proportionate. The CMA has asked for more information on the competition test applied by the Council. The Transport team will be providing a full explanation to the CMA and will address any further points that they may raise.

The response from **Transport Focus** was extensive and included support for the objectives and key proposals in the EPPS. This includes the key targets to improved journey frequency, reliability, patronage and passenger experience, and specifically the proposals relating to fare changes.

The response also included criticism of some elements. Transport Focus consider the proposed consultation process weak, and that the interaction with bus user groups is not extensive enough. Transport Focus have requested changes to the proposed change mechanism for the EP, which would require more extensive consultation and a more onerous process prior to amending the plan or scheme.

In response, the Council considers that the consultation proposals in place are satisfactory. These include our commitment to an annual survey (to gauge ongoing public opinion). The EP includes a robust change control process in line with DfT guidance. However, the Council welcomes the offer of support from Transport Focus to monitor performance and to assistance with the ongoing development of the plan, scheme where helpful, and appropriate.

### **Thames Valley Police (TVP)**

The response from TVP was fairly brief, and mainly included a request for exemption in traffic regulation orders (TROS) relating to bus lanes. This request does not relate directly to the EP plan or scheme at this stage, but will be referred to again when it comes to proposing and consulting on any new specific bus priority schemes. It is general practice, however, to grant such exemptions to the emergency services, and they already have TRO exemptions, including for the A4 bus lane scheme.

### **Other responses**

Most of the other consultees did not respond. Generally, where comments were received, these were positive. There is a common theme relating to the need for, and the benefit of, improved information provision, and more specifically, cross boundary coordination with all relevant stakeholders.

## **5.6. Going forward / next steps**

It should be noted that there is currently no DfT-endorsed opportunity to revise the document with any significant changes. Any such changes would require a subsequent iteration of the Operator Objection period and a further round of stakeholder consultation. However, all questions and comments raised by the Scrutiny Panel will be responded to fully.

The EP is due to be presented to Cabinet for consideration and approval on 20<sup>th</sup> June 2022.

Once approved by Cabinet, the EPPS will be submitted to the DfT.

Following on, the EPPS will be a 'live' document which will be reviewed at regular intervals and referred to as the core document informing the partnership and all future developments. The proposal is for this to be reviewed annually. In the meantime, the EP board will be authorised to make changes to the appendices to the EP as and when considered appropriate.

## **6. Comments of Other Committees**

The EP was considered by the Cabinet on 20<sup>th</sup> June 2022.

## **7. Conclusion**

The key purpose of this review by the panel is to ensure that there is wider awareness amongst members of the main features and proposals contained within the Enhanced Partnership Plan and Scheme (EPPS), comprising content relating to both the Plan and the Governance of the partnership. The EP is a new partnership in response to the national bus strategy, with far reaching implications relating to the success of public transport at local level. The plan element of the EPPS is summary of all the main elements contained within the BSIP. The Governance element has again been discussed at length with the bus operators, and agreed by the operators, as well as subject to consultation by all parties concerned. The EP Governance framework is designed to achieve progress through shared objectives and commitments.

8. **Appendices Attached**

- 'A' Slough Enhanced Partnership (Plan and Scheme)
- 'B' Equality Impact Assessment for the EP
- 'C' Stakeholder Consultation summary on the EP

9. **Background Papers**

- Cabinet report for the Bus Service Improvement Plan (BSIP), October 2021
- SBC Bus Service Improvement Plan (BSIP)
- Significant Decision: Place – Strategy and Infrastructure: Response to the National Bus Strategy. Dated 12<sup>th</sup> July 2021.
- DfT: Bus Back Better: National Bus Strategy