

**Decision Session – Executive Member for
Transport**

19 October 2021

Report of the Director of Transport, Environment and Planning

Bus Service Improvement Plan

Summary

1. This report presents a Bus Service Improvement Plan (**BSIP**) for York. Local transport authorities are obliged to produce a Bus Service Improvement Plan setting out their priorities for improving the bus service in their area. The Department for Transport (**DfT**) requires local transport authorities to submit their BSIPs by October 31 2021.
2. The BSIP document is attached to this report as **Annex A**.

Recommendation

3. The Executive Member is asked to approve the programme set out in the Plan, delegating authority to the Head of Highways and Transport to submit the plan to the Department for Transport.

Reason: This will allow timely delivery of York's BSIP.

Background

4. The National Bus Strategy (**NBS**) published on 15 March 2021 challenges local transport authorities and bus operators to make large scale improvements to the bus networks in their areas. In order to continue to receive Covid Bus Service Support Grant (**CBSSG**) (which covered the gap between fare income and the cost of running services), authorities and operators were asked to commit to forming an Enhanced Partnership (**EP**) by the end of June. CYC made a decision to form an enhanced partnership at an Executive Member Decision Session in May and published the notice of its intention to form a partnership in June.

5. Before the end of October, local transport authorities must publish a Bus Service Improvement Plan (**BSIP**), setting out how bus services will be improved in the local area. This report presents that Plan.
6. As well as being the framework for plans to improve bus networks, the BSIP, critically, is a bidding document to DfT for improvements to the network. As such it represents a rare opportunity to bid for capital, and particularly, revenue funding for network development. Local authorities have been advised that their BSIPS should be ambitious, with a particular emphasis on targeted fare reductions and bus priority measures.
7. However, the DfT also say in the BSIP guidance that, "*BSIPs...will necessarily be outlines...Their main purpose is to get everyone thinking about what questions need to be addressed in the area, to explore possible answers and to provide an early basis for funding decisions*". As such, the BSIP presented here is a relatively short document, on which there will be significant further work developing the plans and priorities set out in the document, particularly as the bus network reaches a mature state following the Covid pandemic.
8. A further crucial detail is that the DfT expects BSIPs to be refreshed and updated each year. Consequently, whilst it is helpful to indicate funding asks in the BSIP, it is not necessary at this stage to state all the funding requests in detail; this can be done in future BSIPs.
9. In areas where new or expanded mayoral authorities are being developed, the BSIP should be developed in a way which is conscious of this, with shared understandings relating to cross-boundary services and tickets and future development of policy. In early discussions there was a choice about whether York developed its own BSIP, or developed a joint BSIP with North Yorkshire. Ultimately the decision was taken to submit a York-specific BSIP, because of the different focus and development priorities of the York network, in comparison with that of North Yorkshire.
10. This does not preclude later development of a BSIP to reflect the transport priorities of a future combined authority area covering York and North Yorkshire.

Engagement

11. Since the decision to form an Enhanced Partnership, York's bus operators have been engaged in devising the BSIP, through a regular programme of meetings. We have also had a regular series of meetings with North Yorkshire County Council, recognising the joint work done by the two authorities on some aspects of the bus service (e.g. concessionary fares) and the high number of bus routes that cross the boundary between York and North Yorkshire. East Riding of Yorkshire Council and West Yorkshire Combined Authority have also been engaged at various points in the process. York Bus Forum were asked to outline their priorities for developing the bus network and York Civic Trust have also produced a policy piece on developing the bus network, both of which have informed the BSIP. Consultation for Phase One of the Local Transport Plan, through the "Our Big Conversation" joint consultation on carbon/ climate change, transport and the local economy has also informed the BSIP.

Options

12. Option 1 – approve the submission of the BSIP
13. Option 2 – reject the submission of the BSIP

Analysis of Options

14. ***Option 1 Approval of the BSIP Submission.*** A BSIP is the framework for plans to improve bus networks. It will become a key supporting documents to the LTP. The BSIP is also a bidding document to DfT for improvements to the network. As such it represents a rare opportunity to bid for capital, and particularly, revenue funding for network development. Local authorities have been advised that their BSIPs should be ambitious, with a particular emphasis on targeted fare reductions and bus priority measures.
15. A crucial detail is that the DfT expects BSIPs to be refreshed and updated each year. Consequently, whilst it is helpful to indicate funding asks in the BSIP, it is not necessary at this stage to state all the funding requests in detail – this can be done in future BSIPs.
16. ***Option 2 is to reject the submission of the BSIP.*** This is not the recommended option as it limits the opportunities to gain funding to improve the bus services in the city.

Implications

Financial

17. A summary of the ask from Department for Transport is contained within Annex B.
18. The council received £100k to support the development of the BSIP and this funding has covered the cost of producing the plan.
19. The bid in the BSIP seeks significant funding from Government to support the implementation of the plan. The value of investment requested is summarised in the table below.

	2022/23	2023/24	2024/25	3 Year Total	Post 2024/25
	£'000	£'000	£000	£'000	£'000
Revenue	3,000	3,550	3,150	9,700	2,850
Capital	2,150	17,750	4,150	24,050	11,150

20. There is no indication as to how much funding will be awarded but DfT guidance suggest that authorities will be given a formula-based allocation based on the quality of the BSIP with a separate tranche of funding for specific larger schemes.
21. Should the council be successful in receiving funding over the years the detailed proposals will need to be reported and considered by the Council's appropriate decision-making bodies prior to spending.

Legal

22. **Funding Agreements – Subsidy Control Compliance** - Any external funding or financial assistance sought to deliver any part the BSIP will first need to assess by Legal Services, to ensure that receipt of said funding or assistance by CYC complies with the UK Subsidy Control Regime (what used to be known as State Aid).

Any external funding used to deliver an approved procurement strategy in compliance with the current Procurement Regime (see below) is unlikely to be considered an unlawful subsidy under the UK Subsidy Control Regime, as any competitively tendered supplies, works and/or services will have no impact on trade and investment and competition between the UK and its international trading partners. Funding or financial assistance received by CYC for the appointment of officers

required under BSIP, or to fund local community grants or assistance to members of the public will need further consideration on a case-by-case basis.

Further, any funding or financial assistance that CYC is granted must be subject to a binding written agreement, which will first need to be reviewed and vetted by Legal Services before being entered into by CYC.

23. **Commissioning of Supplies, Works and Services – Procurement Compliance** – Any supplies, works and services commissioned by CYC to deliver any part of the BSIP will be subject to the Council’s Contract Procedure Rules (**CPRs**), and (where appropriate) the Procurement Regime currently in force under the Public Contract Regulations 2015 or the Concession Contract Regulations 2015.

Advice will need to be sought from both Legal Services and the Procurement Team on the application of the CPRs and the applicable Regulations before going out to the market, and any contracts for supplies, works and/or services where appropriate will need to be drafted by Legal Services prior to going out to the market and/or entering into any arrangements with suppliers.

Council Plan

24. The measures proposed in the BSIP support the key core outcomes, which in turn reflect the key components of a good quality of life for our residents, most notably “Getting around sustainably”, “A greener and cleaner city” and an “Open and effective Council”.

Equalities

25. The BSIP has an important role in promoting equality of access to the transport network and, by implication, to the opportunities afforded by use of York’s transport network. As individual projects are brought forward individual Equalities Impact Assessments will need to be completed.

Risk Management

26. The BSIP is primarily a bidding document. Care has been taken that the funding requests made in the BSIP do not expose City of York Council to ongoing revenue expenditure, including the revenue

implications of capital expenditure. Individual aspects of the BSIP will be subject to further Decisions as they are enacted, which will consider the implications of any commitments being made.

Contact Details

Authors:

Julian Ridge
Sustainable Transport
Manager
Tel No. 2435

Chief Officer Responsible for the report:

Chief Officer's name James Gilchrist
Title Director of Transport, Environment and
Planning

Report **Date** 11/10/2021
Approved

Specialist Implications Officer(s) List information for all

Implication : Financial

Patrick Looker
Finance Manager
Tel No.: 01904 551633

Implication : Legal

Daniel Moynihan
Senior Solicitor – Contracts & Commercial
Tel No.: 01904 554143

Wards Affected: List wards or tick box to indicate all

All

For further information please contact the authors of the report

Background Papers:

Annex A Bus Service Improvement Plan
Annex B Financial request