

## Transport Delivery Committee

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| <b>Date</b>                 | 4 <sup>th</sup> November 2019   |
| <b>Report Title</b>         | Enhanced Partnership Plan and Scheme – Consultation Strategy  |
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### Recommendation(s) for action or decision:

- To approve the Enhanced Partnership (EP) Plan and associated Enhanced Partnership Scheme Consultation Strategy.
- To approve TfWM proceeding to formal (public) consultation, subject to the preparation of the EP Plan and EP Scheme and the successful outcome of the operator objection mechanism.

### 1.0 Purpose of Report

- 1.1 To provide an update on the development of the Enhanced Partnership Plan and associated Scheme being developed for the West Midlands and set out the Engagement & Consultation Strategy for formal (public) consultation on the EP.
- 1.2 To seek approval from the Transport Delivery Committee to undertake formal consultation in the development of the Enhanced Partnership Plan and Scheme, subject to the preparation of the EP Plan and EP Scheme and the successful outcome of the operator objection mechanism.

### 2.0 Background

- 2.1 An Enhanced Partnership (EP) is a formal agreement between a local transport authority, local highway authorities and local bus operators to work together to improve local bus services and is one of the new powers available in the Bus Services Act 2017. It requires a clear vision for the improvements that the EP is aiming for, known as the EP Plan. The actions, requirements and commitments to achieve the objectives within the Plan are set out in one or more accompanying EP Schemes.
- 2.2 The West Midlands Combined Authority (WMCA) Board approved Transport for West Midlands (TfWM) to give formal notice of the intention to prepare an Enhanced

Partnership Plan and accompanying Enhanced Partnership Schemes as set out in section 138F of the Bus Services Act 2017, at its meeting on 28 June 2019.

- 2.3 Authority was also delegated to the Transport Delivery Committee to oversee the development and subsequent 'making' of the Enhanced Partnership Plan and Schemes.
- 2.4 TfWM issued the Notice of Intention to prepare an EP Plan for the area of the West Midlands Combined Authority<sup>1</sup> and associated EP Schemes for the A34 (north) and A45/Lode Lane corridors. This was published on 17<sup>th</sup> July 2019 on the TfWM website: <https://www.tfwm.org.uk/operations/enhanced-partnership/>. All local bus operators were also made aware of this notice and invited to participate in the formal development of the EP.
- 2.5 During the development of the EP, the constituent authorities will be asked to provide delegated authority from their own Cabinet to a Senior Officer in their authority for the 'making' of the Plan and Scheme, at a later stage in the development.

### **3.0 Enhanced Partnership Plan and Scheme**

- 3.1 TfWM propose an EP Plan which spans the Area of the West Midlands Combined Authority excluding the three existing Advanced Quality Partnership Scheme (AQPS) areas due to the way the legislation is written and applied, as they cannot both apply within the same geography. The Plan for the EP for this region will be based on TfWM's Vision for Bus which is already approved and known to each local authority and local bus operators.
- 3.1 TfWM are also required to create at least one Enhanced Partnership Scheme, which outlines the detail of how the vision and objectives will be achieved, including any commitments for the delivery of facilities and/or measures made by the authorities or bus service standards to be met by bus operators. Following the issue of the notice on the 17<sup>th</sup> July 2019 for 2 EP Schemes, through the preparation of the EP, it is proposed to only create one EP Scheme, covering both areas of the A34 (north) and A45/Lode Lane corridors. This roughly follows the routes of current services 51, X1 and X2 and is proposed to cover the operation of the first two Sprint bus corridors.
- 3.2 Within the EP Scheme the details of the infrastructure commitments, service specification and standards, customer standards, performance requirements and maintenance will be agreed between partners. It is intended that this Enhanced Partnership Scheme will complement the introduction of Sprint by providing bus priority as well as higher bus standards for all bus services in the area, in readiness for the 2022 Commonwealth Games.

### **4.0 Engagement and Consultation Strategy**

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<sup>1</sup> As defined by the West Midlands Combined Authority Constitution, excluding the three existing Advanced Quality Partnership Schemes

- 4.1 As part of the requirements set out in the Bus Services Act 2017, TfWM are required to carry out a formal consultation with a focus on the following groups:
- All operators of local bus services that would be affected by any of the proposals;
  - Organisations that represent local passengers;
  - Other local authorities that would be affected by the proposals;
  - The Traffic Commissioner;
  - The chief officer of police for each area to which the plan relates;
  - Transport Focus;
  - The Competition and Markets Authority (CMA); and
  - Such other persons as the authority thinks fit.
- 4.2 Stakeholder engagement and consultation forms a critical component of decision making in the development of an EP Plan and Scheme. An Engagement and Consultation Strategy (attached as Appendix A) has been prepared by consultants Jacobs, on behalf of TfWM. The aim of this strategy is to clearly define the scope, methods and objectives of all stakeholder engagement and communication during the informal engagement and formal consultation stages of the EP preparation. It also defines the principles of engagement, consultees and the communication and evaluation criteria to ensure that our engagement and consultation processes have been effective.
- 4.3 The formal discussion period has commenced during which the details of the EP are developed and supported. This is expected to conclude at the end of October 2019. TfWM anticipates publishing a draft EP Plan and Scheme to local bus operators in November 2019 with a statutory 28-day operator objection period beginning. Formal consultation would then follow, likely during December 2019 and January 2020 (with a pause during the Christmas period) for 6 weeks, with the Plan and Scheme to be made in the 1st quarter of 2020, subject to the successful outcome of the above phases. The indicative dates are subject to change, if the formal discussions period is not complete by the end of October 2019. The indicative timeline for the development of the EP is shown in the table below.

| Action   | Who   | Dates                | Alternative Dates     |
|--|---|----------------------|-----------------------|
| Issue Notice of Intention to Prepare an EP                         | TfWM  | 17 July 2019         |                       |
| Formal Discussions   | TfWM, Constituent Authorities & Local Bus Operators | July to October 2019 | July to November 2019 |
| Seek Approval to Consult   | Transport Delivery Committee                        | 4 November 2019      |                       |
| Issue a Notice that an EP Plan and 2 EP Schemes have been prepared | TfWM  | November 2019        | December 2019         |
| Local Bus Operation Objection Mechanism Period (minimum 28 days)   | Local Bus Operators                                 | 5 Nov to 3 Dec 2019  | 2 Dec to 8 Jan 2020   |
| Formal Consultation (Public)                                       | TfWM, Constituent Authorities & Local Bus Operators | 9 Dec to 3 Feb 2020  | 13 Jan to 24 Feb 2020 |

|  |                              |             |               |
|--|------------------------------|-------------|---------------|
| Consultation Outcomes and Approval to 'make' the EP Plan and 2 EP Schemes  | Transport Delivery Committee | 10 Feb 2020 | 16 March 2020 |
| Issue Notice to 'make' the EP Plan and 2 EP Schemes                        | TfWM                         | March 2020  | March 2020    |
| EP Plan and 2 EP Schemes Made (70 days after the schemes have been 'made') | -                            | June 2020   | June 2020     |

## 5.0 Financial Implications

5.1 There are no direct financial implications as a result of this update report. Costs incurred or support provided by TfWM from undertaking activity referred to in this report will be from within agreed overall budgets and resources.

## 6.0 Legal Implications

6.1 The Enhanced Partnership Plan and Scheme will be implemented in accordance with the Bus Services Act 2017.

## 7.0 Equality Implications

7.1. An Equality Impact Assessment has been undertaken, which noted some groups of people are more likely to be reliant on public transport and are more likely to face barriers to public transport. The Enhanced Partnership is likely to enhance the travel experience for everyone but will especially positively impact these groups. From a disability perspective measures such as audio-visual availability will help address some of the key information barriers.

7.2 The implementation of cashless ticketing options may exclude individuals who rely on cash as a means of purchase. This can have an adverse effect on individuals who do not have access to a bank account (only a small %) thus being unable to use debit/credit cards to make transactions. Similarly, some of the elderly population feel more comfortable using cash to purchase tickets. In addition, those from a low socio-economic background may not have enough cash within their bank accounts to reach the cap threshold via contactless/card and therefore will rely on cash purchasing being available. Cashless ticketing may restrict the accessibility for these groups. To ensure the measures do not have negative impact on a number of groups (disabled people, people from lower socio-economic backgrounds and different age groups) it is important to ensure a) ticketing options are broad and cash payments continue to be an option, and b) pricing remains at the same level for Enhanced Partnership area services as with other services. This assessment will be taken into account during the development of the EP Scheme.

## 8.0 Inclusive Growth Implications

8.1 Bus is a vital component to inclusive growth as it directly supports access to the labour market, and allows people to access education, employment and services. The flexibility of the bus network also makes bus the perfect means of providing

public transport options in areas of growth, changing travel demand and new housing; directly supporting our West Midlands Housing Deal and Local Industrial Strategy. This means that buses are central to supporting regeneration, inclusive growth and social integration. Where there may not be a case for investing in permanent rail and light rail infrastructure, new bus infrastructure can be planned to connect new communities and support housing and jobs growth.

## **9.0 Geographical Area of Report's Implications**

- 9.1 This report covers the constituent area of the Combined Authority. Whilst the Enhanced Partnership Plan covers all of this area, the Enhanced Partnership Scheme only covers the A34, A45 and Lode Lane corridors.

**Appendix A – Enhanced Partnership Plan and Scheme Engagement & Consultation Strategy**