

# Leicestershire Enhanced Partnership Plan

THE LEICESTERSHIRE COUNTY COUNCIL ENHANCED PARTNERSHIP PLAN FOR BUSES  
IS MADE IN ACCORDANCE WITH SECTION 138G(1) OF THE TRANSPORT ACT 2000 (AS  
AMENDED) BY:

LEICESTERSHIRE COUNTY COUNCIL

Draft Plan Document

8<sup>th</sup> December 2021

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## 0. Definitions

0.1 In this Enhanced Partnership Plan document, the following capitalised terms shall have the meanings ascribed to them below:

|   |  |
|---|--|
| 1985 Act  | Transport Act 1985   |
| 2000 Act  | Transport Act 2000 (as amended by the 2017 Act)  |
| 2017 Act  | Bus Services Act 2017  |
| Bus Operators (or Operators)  | All Large Operators, Medium Operators and Small Operators running Qualifying Bus Services taken collectively.  |
| County Council  | Leicestershire County Council.   |
| Enhanced Partnership Scheme Variation (or Scheme Variation)                   | A formal variation of the relevant Enhanced Partnership Scheme(s) as a result of the mechanism set out in section 8 which will then constitute a formal variation of the relevant scheme for the purposes of s.138E(1) of the 2000 Act.  |
| Facilities  | Those facilities referred to in the Enhanced Partnership Scheme document which shall be deemed such for the purposes of s.138D(1) of the 2000 Act.   |
| Leicestershire Bus Service Improvement Plan (or Leicestershire BSIP, or BSIP) | The Bus Service Improvement Plan published by Leicestershire County Council.   |
| Leicestershire Enhanced Partnership Board (or EP Board)                       | The committee of selected Leicestershire Bus Operator representatives, County Council officers and district or borough council representatives responsible for considering recommendations put forward by the Leicestershire EP Forum and making recommendations to the County Council including specific Enhanced Partnership Scheme Variations using the mechanism in section 6. |
| Leicestershire Enhanced Partnership (or Enhanced Partnership or EP)           | The Enhanced Partnership covering the geographic extent of the administrative boundary of the county of Leicestershire shown for identification purposes only at Figure 1.   |

|   |   |
|---|---|
| Leicestershire Enhanced Partnership Forum (or EP Forum) | The committee of all Leicestershire Bus Operators, the County Council, district and borough councils, responsible for considering all issues affecting the Leicestershire Enhanced Partnership Enhanced Partnership, and making recommendations to the Leicestershire Enhanced Partnership Board in line with the Leicestershire Enhanced Partnership Enhanced Partnership governance arrangements.   |
| Large, Medium or Small Operator                         | <p>Any single Bus Operator with registered mileage within Leicestershire representing the following proportions of total registered mileage within Leicestershire for Qualifying Bus Services:</p> <p>Large: equal to or greater than 15%</p> <p>Medium: equal to 5%, but less than 15%</p> <p>Small: less than 5%.</p> <p>For the avoidance of doubt, a list of Large, Medium and Small Operators will be published at the start of each County Council financial year based on registered mileage reported by operators for an agreed average week in the preceding four-month period. .</p>  |
| Measures  | Those measures referred to in the Enhanced Partnership Scheme document which shall be deemed as such for the purposes of s.138D(2) of the 2000 Act.   |
| Non-qualifying Bus Service                              | Services excluded from classification as Qualifying Bus Services.   |
| Qualifying Bus Service                                  | <p>A registered local bus service with one or more stopping place within the geographical area of the Enhanced Partnership, with the exception of:</p> <ul style="list-style-type: none"> <li>• Any education related or works registered local bus service not eligible for Bus Service Operators Grant</li> <li>• Any cross-boundary registered local bus service with less than 10% of its registered mileage within the Enhanced Partnership area</li> <li>• Any services operated under section 22 of the 1985 Act</li> <li>• Any registered local bus service which is an excursion or tour</li> <li>• Any other registered local bus service that the Operators (through the Leicestershire EP Board voting mechanism in section 6) and County Council decide should be excluded from all or specific requirements of the Enhanced Partnership Scheme.</li> </ul> <p>For the avoidance of doubt, a list of Qualifying Bus Services will be published at the start of each County Council financial year.</p> |
| Requirements  | Those requirements placed upon Bus Operators identified as such within the Enhanced Partnership Scheme document, which shall be deemed as such for the purposes of s.138C 2017 Act.   |

|        |   |
|--------|---|
| Scheme | a scheme made by the County Council pursuant to s138 of the 2000 Act. |
|--------|---|

## 1. Introduction

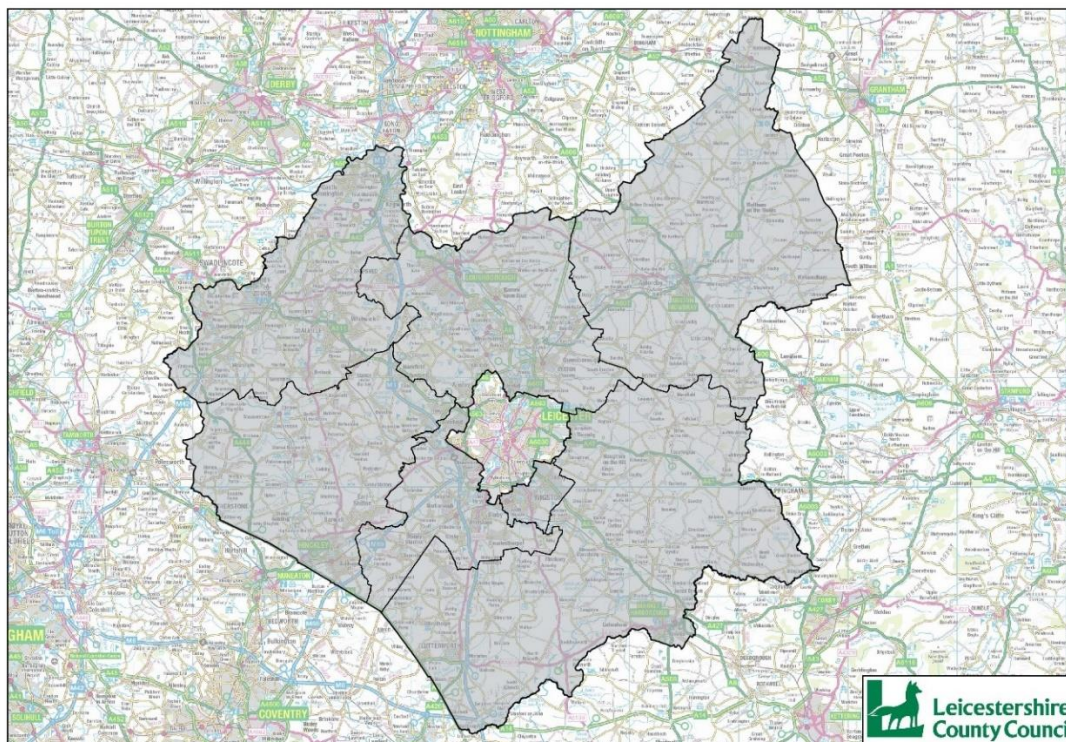
- 1.1 Leicestershire County Council recognises the very important role that buses and other passenger transport services have to play in keeping people and places connected, especially in a largely rural county such as Leicestershire. Use of such services rather than private car travel also helps reduce congestion, improves air quality in our towns, and limits carbon emissions.
- 1.2 Decarbonisation is clearly one of the high priority overall objectives for developing increased use of better, cleaner bus services. The County Council has declared a Climate Emergency and has pledged to reach a revised target of achieving 'net zero' across the county by 2045 – five years sooner than the government target of 2050.
- 1.3 In line with this, the Leicester & Leicestershire Strategic Growth Plan has a strong emphasis on 'clean growth', for which greater bus use will be a key delivery strand. The county already has a number of major employment areas, including Magna Park (the largest distribution hub in Europe), and the East Midlands Gateway adjacent to the airport. It is vital that public transport use is maximised for workers at these and other future major employment parks if 'clean growth' is to be achieved.
- 1.4 This document presents the Enhanced Partnership Plan for delivering the Leicestershire Bus Service Improvement Plan (BSIP). The BSIP has been developed by Leicestershire County Council and consultants, ITP, in collaboration with bus operators in the county. It takes account of views expressed by residents and visitors to Leicestershire and other interested parties and organisations, as gathered through a countywide public engagement exercise. It also takes account of discussions with neighbouring authorities, and community transport operators. The focus of the Leicestershire BSIP is strongly on growing the fare-paying customer market, with concessionary passengers also benefiting from many of the initiatives included.
- 1.5 We believe that the Leicestershire BSIP represents an ambitious but realistic first step on the road to revitalising the Leicestershire bus network. With funding from Government, we will be able to deliver a brighter future for bus use in the county that will play a vital role in achieving Leicestershire's aspirations to be a low-carbon, clean growth area.

## 2. Extent of the Enhanced Partnership

### Area Covered

- 2.1 The area covered by the Leicestershire Enhanced Partnership is the administrative area of Leicestershire County Council, as shown in Figure 2-1.
- 2.2 Leicestershire is predominantly a rural county, with 80% of the county's land being used for agriculture and approximately 55% of the county's population living within rural parishes. The county has approximately 150 settlements with a population of less than 10,000, and approximately 150 small villages with a population of less than 250. The majority of these small villages are located in the east of the County, within the districts of Melton and Harborough.
- 2.3 There are a number of towns in Leicestershire. These include Ashby-de-la-Zouch, Coalville, Earl Shilton, Hinckley, Loughborough, Lutterworth, Market Harborough, Melton Mowbray, Oadby, and Wigston. A significant number of Leicestershire residents also live within the Greater Leicester conurbation, just outside the city council's administrative boundary.

Figure 2-1: Leicestershire EP area (county boundary)



## Duration

- 2.4 It is proposed that the Leicestershire Enhanced Partnership will cover a 10-year period from April 1<sup>st</sup> 2022 to March 31<sup>st</sup> 2032. This corresponds to the Leicestershire BSIP duration and will give stability, consistency, and clarity of long-term vision to allow both LTA and bus operators to commit to delivering a much-needed boost to bus services and usage.

## 3. The Leicestershire Bus Market

### Bus Travel Trends

- 3.1 In general, Leicestershire has seen a downward trend in bus passengers over the last decade, from 17.3m in 2009/10 to 13.8m in 2018/19, as shown in Figure 3-1. This reduction in patronage to some extent coincides with reduction of local authority support for non-commercial bus services as council finances have been reduced. The 20% patronage reduction in Leicestershire is equivalent to the fall in patronage in neighbouring Nottinghamshire and Derbyshire. It is against this background that the Leicestershire BSIP and its delivery through the Leicestershire EP aims to reverse this trend and grow bus use over the next decade. At the same time, however, it should be noted that there are a number of commercial routes whose patronage was growing pre-Covid and there are lessons to be learned from such services.

Figure 3-1: Leicestershire bus passenger trends<sup>1 2</sup>



<sup>1</sup> Based on DfT bus statistics Table BUS0109, as published June 2021.

<sup>2</sup> Last month of 2019-20 (latter part of March) was affected by COVID restrictions.

- 3.2 The impact of the Covid-19 pandemic on bus patronage has been dramatic. Patronage for financial year 2020/21 was just 27.5% of the 2018/19 figure (3.8m compared to 13.8m).
- 3.3 Table 3-1 shows that although the proportion of passengers travelling with an English National Concessionary Travel Scheme (ENCTS) pass has fallen over recent years (in line with the rise in age of eligibility), in 2019/20 31% of all bus passengers in Leicestershire were concessionary travellers. This is significantly higher than the England average of 21%. The concessionary section of the bus market is also taking the longest time to recover post-Covid.

Table 3-1: Concessionary travel trends in Leicestershire<sup>3</sup>

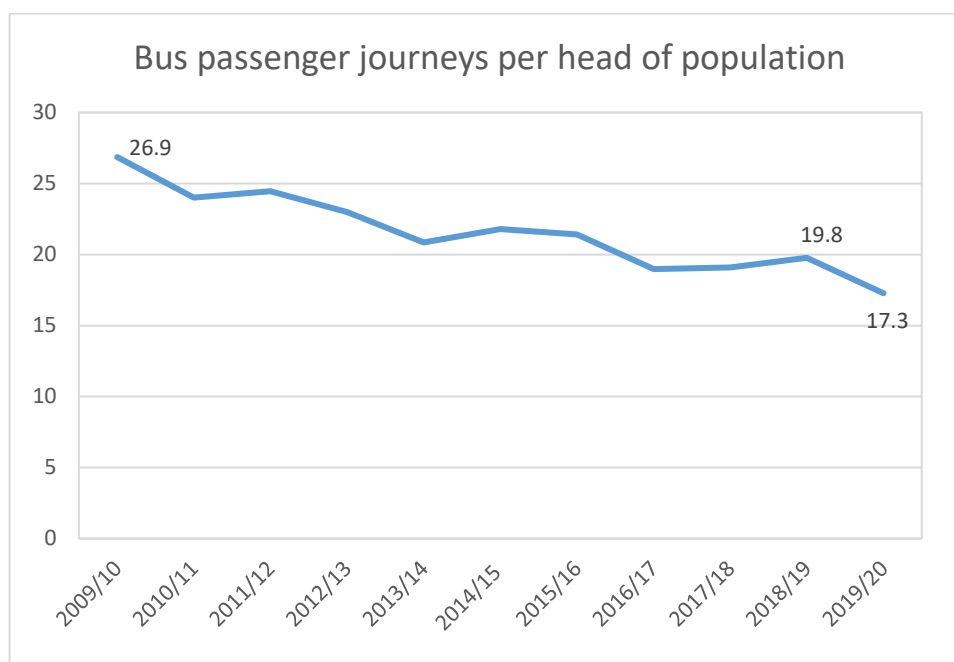
| Year    | Total passenger journeys (millions) | Of which ENCTS (millions) | % ENCTS | England ENCTS % |
|---------|-------------------------------------|---------------------------|---------|-----------------|
| 2009/10 | 17.3                                | 5.6                       | 33      | 23              |
| 2010/11 | 15.5                                | 5.5                       | 36      | 23              |
| 2011/12 | 15.9                                | 5.8                       | 37      | 23              |
| 2012/13 | 15.1                                | 5.8                       | 38      | 22              |
| 2013/14 | 13.8                                | 4.9                       | 36      | 22              |
| 2014/15 | 14.6                                | 5.1                       | 35      | 22              |
| 2015/16 | 14.5                                | 5.3                       | 37      | 22              |
| 2016/17 | 13.0                                | 4.3                       | 33      | 22              |
| 2017/18 | 13.2                                | 4.4                       | 33      | 22              |
| 2018/19 | 13.8                                | 4.5                       | 32      | 22              |
| 2019/20 | 12.2                                | 4.0                       | 31      | 21              |

- 3.4 Over the past decade, there has been a steady decline in the number of bus passenger journeys per head of population in Leicestershire (Figure 3-2), reducing by 26% from just under 27 in 2009/10 to just under 20 journeys per person in 2018/19. This trend reflects the challenges the authority has faced in maintaining service levels, which have resulted in supported service frequency reductions and removal of certain under-used services. It also reflects growth in car ownership and usage.

<sup>3</sup> Based on DfT bus statistics Tables BUS0109 and BUS0113, as published June 2021



Figure 3-2: Bus passenger journeys per head of population



## Bus Network

- 3.5 The primary providers of passenger transport services in Leicestershire are commercial organisations that operate local bus services on a profit-making basis, as envisaged when the local bus service market outside London was de-regulated in 1985. It is generally in the interests of the people of Leicestershire for commercial bus networks to be attractive, efficient, and stable; also commercial networks require no subsidy and there is, therefore, no cost to the taxpayer. Such networks can meet the needs of many people in providing a means of collective transport that reduces congestion on our roads, limits vehicular emissions and provides access to work and life opportunities.
- 3.6 Facilitating and supporting an appropriate mix of services, working with communities and commercial and third sector operators, is a key aim for the Council, against a backdrop of a challenging funding situation. These are intended to meet statutory requirements, help Leicestershire County Council deliver on its strategic priorities and outcomes, and support the people of Leicestershire in accessing key services.
- 3.7 There are just over 70 commercial routes in operation in Leicestershire, many of which operate cross-boundary into neighbouring authority areas. There is no dominant operator of commercial routes – Arriva operates approximately 44% of commercial routes, with Centrebus operating approximately 23%. The remaining commercial

routes are operated by nine different operators, including First, trentbarton and Kinchbus.

- 3.8 There are a number of bus services operating in the county which the County Council considers it appropriate to secure and financially support, in addition to those operated commercially, in order to meet priority social needs. These services together amount to approximately 1.6 million supported miles.
- 3.9 As of October 2021, 14 services are fully supported by the Council at a gross cost of approximately £2.2m per annum. 13 services are funded on a de minimis basis at a gross cost of approximately £580,000. A further two services are supported on a de minimis basis, using Section 106 funding from developers. A number of the de minimis contracts had been commercial within the last five years, demonstrating the fragility of the bus market in Leicestershire.
- 3.10 Some cross-boundary services are also co-funded by neighbouring LTA's, including the Park & Ride services that go into the City of Leicester and the 747 that serves Rutland as well as Leicestershire.
- 3.11 Analysis of the local bus network was undertaken in 2018 to identify the proportion of the population within walking distance (determined as 800m to reflect the rurality of the area) of a commercial or a supported service. The analysis concluded that 82.3% of the county's population was within walking distance of a commercial service and 63.5% of the population was within walking distance of a supported service. Overall, 93.3% of the population was within 800m of a local bus service.
- 3.12 In addition to conventional bus services, the County Council currently funds in excess of 40 demand responsive transport (DRT) services at a gross cost of approximately £185,000 per annum. These taxi DRTs operate on specific days of the week, with a fixed timetable. Journeys only operate if bookings are received, with bookings being made directly with the operator. Concessionary passes are accepted for travel on these services.
- 3.13 The Council secured £1.3m of funding from the Rural Mobility Fund to pilot a technology-based DRT service in the Hinckley / Narborough area of Leicestershire. This pilot will be closely monitored with a view to extending the concept to other low public transport demand areas of the county.
- 3.14 The council also funds community transport services across the county which complement the local bus network and provide lifeline services for those who are unable to use conventional bus services. Annual funding of £512,000 is provided to 12 CT providers who offer car- and minibus-based services for members of their schemes.

## Bus Fleet

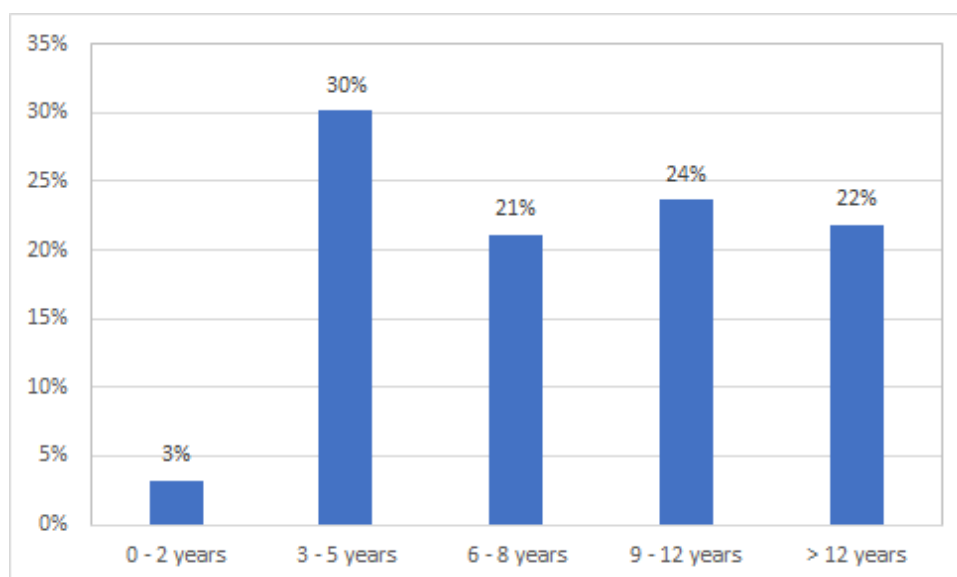
- 3.15 The bus fleet deployed in Leicestershire is predominantly Euro VI (see Table 3-2) as of October 2021, but there are 74 buses that do not meet the Euro VI emission standard. The electric buses within the fleet are deployed exclusively on the tendered Park & Ride services. Only around 3% of the vehicles deployed in Leicestershire are less than two years old (see Figure 3-3)– this includes the Park & Ride electric buses. A Euro 6 diesel car emits 10 times the per passenger NO<sub>x</sub> of a comparable journey by a Euro VI bus.
- 3.16 In general terms, older buses are more polluting than newer buses. Approximately a third of buses in public service in Leicestershire are between three and five years old (Figure 3-3). More than a fifth of vehicles are over 12 years old, which reflects the tendency among operators to cascade vehicles as they age from more profitable urban services onto county services.

Table 3-2: Composition of Leicestershire bus fleet<sup>4</sup>

| Summary      | Total      | %           |
|--------------|------------|-------------|
| Euro 1       | 0          | 0%          |
| Euro 2       | 0          | 0%          |
| Euro 3       | 12         | 4%          |
| Euro 4       | 12         | 4%          |
| Euro 5       | 50         | 17%         |
| Euro 6       | 212        | 72%         |
| Electric     | 9          | 3%          |
| <b>Total</b> | <b>294</b> | <b>100%</b> |

<sup>4</sup> Based on data supplied by the majority of bus operators

Figure 3-3: Average age of Leicestershire bus fleet



## Traffic Levels and Congestion

- 3.17 According to DfT's Road Traffic Statistics, 5.27 billion vehicle miles were travelled on roads in Leicestershire in 2019, of which 3.96 billion (over 75%) were travelled by cars and taxis. For cars and taxis and all motor vehicles, this is an increase of 8% compared to the equivalent figures for 2014<sup>5</sup>.
- 3.18 Traffic congestion in the county has worsened over recent years, resulting in significant pinch points along the network where buses struggle to maintain their schedules as a consequence of competing for road space with other traffic. A list of key bus pinch points on the network where delays are regularly experienced has been identified by bus operators.

## Fares and Ticketing

- 3.19 'Flexi' bus tickets offer unlimited travel on any bus in the city of Leicester and into Greater Leicestershire – the urban area of the county close to the city boundary. Five bus operators participate in the scheme – Arriva, Centrebus, First, Kinchbus and Stagecoach. The scheme includes child and student termly and yearly ticket options.
- 3.20 All commercial bus operators in Leicestershire offer a range of proprietary tickets which include single, return, one day and multiple day options; all discounts offered currently are done so commercially by each individual operator. Operators also offer a range of

<sup>5</sup> Road traffic statistics - Local authority: Leicestershire ([dft.gov.uk](https://www.dft.gov.uk))

tickets for employers, schools, colleges and universities to encourage public transport use. Fares and ticketing information are available from the bus driver or via the relevant operator's website. Saver tickets are also available to buy from drivers for the Council-subsidised Park & Ride services.

- 3.21 Although operators offer some child and young person discounts in Leicestershire, age restrictions, the amount of discount available, and coverage, differ by operator.

## Timetables and Information

- 3.22 The County Council is responsible for providing timetables and information for the local bus services which it financially supports. This information is predominantly available via the Choose How You Move website<sup>6</sup>. The website also includes a journey planner to enable users to explore the different travel options that are available in Leicestershire.
- 3.23 Bus operators provide information for their own commercial bus services, including via their own websites, which are signposted by Choose How You Move. Several operators also provide live at stop real time information via free to download mobile phone apps. Such apps also offer journey planning tools to help customers. There are 114 Real-Time Information displays located around the county.

## Other Factors that Affect Use of Local Bus Services

- 3.24 Local bus services are always in competition with other modes of transport. In particular, this includes the private car, which on a per-person basis uses more road space, contributes much more to congestion, emits more local air pollutants, and has greater carbon emissions.
- 3.25 Private car users incur costs each time they make a trip. These include depreciation on the initial investment made in the vehicle, maintenance costs, tyre wear, fuel costs, and parking costs. However, only the last two items tend to be perceived as a per-trip cost by people, leading to a skewed view of the relative cost of car versus bus or other modes.
- 3.26 Parking capacity and prices are within the partial control of the public sector, where car parks and on-road parking are controlled and operated by local authorities. Private non-residential (e.g. employer-provided) parking is, of course, outside their direct control, as are privately-operated car parks. Nonetheless, parking prices and supply

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<sup>6</sup> [www.choosehowyoumove.co.uk/public-transport/](http://www.choosehowyoumove.co.uk/public-transport/)

control can be used as a demand management tool, helping to re-balance the skewed view of relative costs of car versus bus.

- 3.27 Leicester City Council is considering the introduction of a Workplace Parking Levy in Leicester. Such a measure would have implications for Leicestershire residents who currently drive into work in the city, as city centre employers may opt to pass some or all of the parking charge onto employees, which may affect county residents' modal choice for travel to work in the city.
- 3.28 In the main Leicestershire towns (as in many towns), parking prices are generally set quite low by the seven first tier local authorities (district councils). This is probably due to a concern that higher prices would affect the attractiveness of the town. Nevertheless, there is some scope for using parking price as a lever in future to get more people to use buses and other sustainable transport modes, provided that there are high quality bus services and infrastructure available as alternatives.

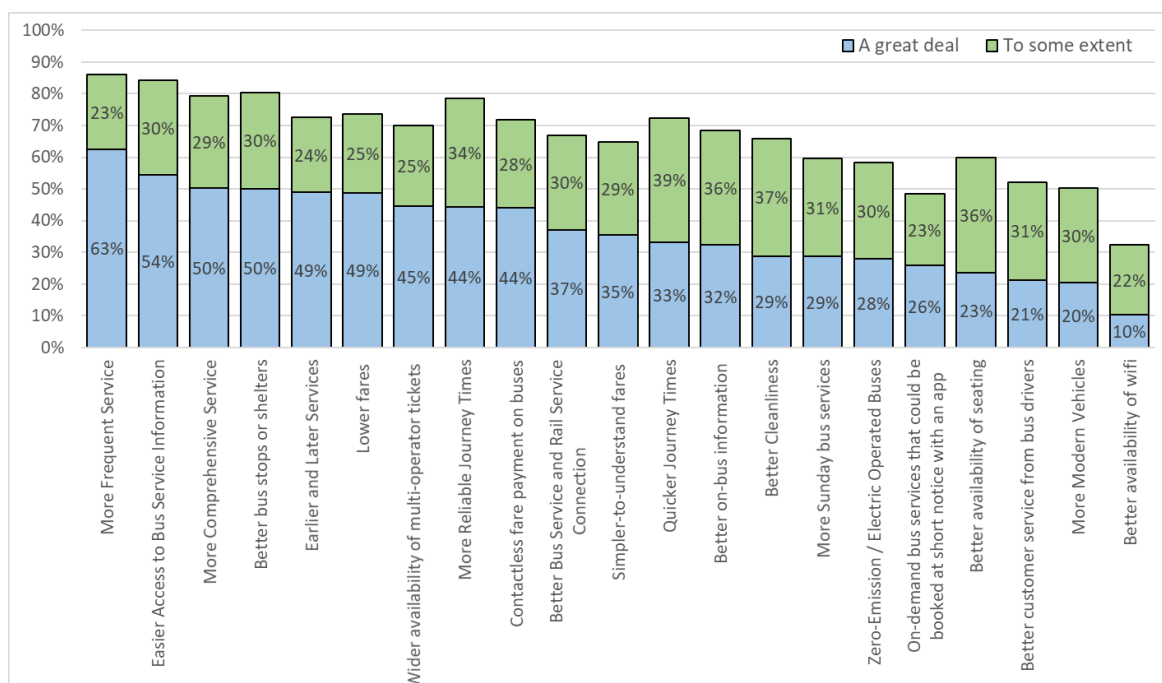
## 4. Public Perceptions and Priorities for Improvement

- 4.1 An online public engagement survey, which was live between 15<sup>th</sup> June and 30<sup>th</sup> July 2021, sought to gather the views of Leicestershire residents and visitors regarding their use of bus services and measures that would encourage them to increase their bus travel. A total of 1,483 responses were received, which included councillors and representatives of organisations.
- 4.2 Figure 4-1 shows that the top ten measures residents and visitors considered would increase their bus use in Leicestershire 'a great deal', were:
- More frequent service (63%)
  - Easier access to bus service information (54%)
  - More comprehensive service (local buses near you serving more destinations) (50%)
  - Better bus stops or shelters (50%)
  - Earlier and later services (49%)
  - Lower fares (49%)
  - Wider availability of multi-operator tickets (45%)
  - More reliable journey times (44%)

- Contactless fare payment on buses (44%)
- Better bus service and rail service connections (37%)

4.3 Among regular users and infrequent / non-users, two of the top three measures were the same – ‘more frequent services’ and ‘easier access to bus service information’. ‘Lower fares’ were considered more likely to increase bus use by infrequent and non-users than by regular users. The capability for contactless fare payment was considered more effective at encouraging increased bus use by infrequent / non-users than by regular users.

Figure 4-1: Measures that would encourage Leicestershire residents and visitors to increase their bus use



4.4 In addition to the measures outlined, councillors and representatives of organisations, business and community groups suggested the following measures could help to increase bus use in the county:

- more circular services providing links to facilities and destinations situated outside of the city centre
- improvements to walking and cycling links to access bus services
- measures to disincentivise car use to achieve modal shift and net-zero carbon targets
- improved communication between the bus operator and its users, such as the provision of real-time information via social media

- retain cash payments on the bus and paper timetables at bus stops.
  - co-ordination between the County and City Council, including better co-ordinated timetabling, ticketing, and links to other public transport interchanges.
- 4.5 Residents and visitors highlighted the following additional measures to encourage greater bus use:
- better bus service connections to Fosse Park shopping centre, avoiding the need to interchange in Leicester and making the bus journey time competitive with the car
  - cheaper and easier-to-understand fares, including multi-operator tickets
  - availability of group saver tickets (particularly for families)
  - under-18 travel to be available without charge
  - an extension to the concessionary pass validity, particularly for travel before 09:30
  - retain traditional methods of payment and bus service information provision at the same time as developing mobile apps
  - increase in use of CCTV and improved driving style
  - improved walking infrastructure to reach bus stops
  - improve vehicle accessibility, particularly for disabled individuals, those travelling by bike and those with a pushchair
- 4.6 The full survey analysis report can be accessed on the Leicestershire public transport website.

## 5. Enhanced Partnership Plan

### Aim and Objectives

- 5.1 The overall aim of the Leicestershire Enhanced Partnership is for the parties to work together to deliver the BSIP, to the extent that is feasible with available funding. The BSIP's aim is:

To increase bus usage (compared with pre-pandemic levels) across the county through improved, financially sustainable, higher standard services that better meet the needs of Leicestershire residents, employees, and visitors – making bus travel a preferred



choice for travel around the county and travel into the City of Leicester. This will enable long term clean growth, supporting delivery of the Leicester & Leicestershire Strategic Growth Plan.

- 5.2 Table 5-1 summarises the BSIP objectives and how they will be delivered by the Enhanced Partnership approach.

**Table 5-1: BSIP Objectives and Approach to Delivery by the Enhanced Partnership**

| <b>BSIP Objectives</b>                                  | <b>EP Approach</b>   |
|---|--|
| 1. A high-quality, integrated and efficient bus network | <ul style="list-style-type: none"> <li>• a clearer brand identity and a more holistic approach to marketing</li> <li>• greater coordination between operators' timetables</li> <li>• integration with other travel modes such as rail, cycling, walking and e-mobility</li> <li>• use of DRT to provide greater availability, particularly in rural areas of the county</li> </ul> |
| 2. A more reliable bus network                          | <ul style="list-style-type: none"> <li>• quicker journey times delivered more reliably and where possible, more frequently</li> </ul>  |
| 3. An affordable bus network                            | <ul style="list-style-type: none"> <li>• focussing on young people who are the potential core bus market for the future</li> </ul>   |
| 4. An easy-to-use bus network                           | <ul style="list-style-type: none"> <li>• improving the customer experience by                             <ul style="list-style-type: none"> <li>- improving information</li> <li>- facilitating interchange between the services of different bus operators</li> <li>- simplifying fares</li> </ul> </li> </ul>   |
| 5. A more attractive and greener bus network            | <ul style="list-style-type: none"> <li>• moving towards use of modern lower emission (and ultimately zero emission) vehicles across the network</li> </ul>   |

## Interventions and Schemes

- 5.3 Within the Leicestershire BSIP, a range of interventions have been identified that address the EP Plan aim and objectives. As funding availability allows, these will be

brought forward and implemented (either singly or in combination) as Schemes made under the Enhanced Partnership. Schemes will be developed to deliver outcomes that are identified as desirable in the context of improving local transport services within the Scheme Area.

- 5.4 The Enhanced Partnership will always have at least one Scheme in operation throughout its duration. The initial Scheme is outlined in the Enhanced Partnership Scheme document; additional Schemes will be required to be made through variations to the EP Plan. In some cases, these Schemes will be corridor, route or area specific.

## Funding Sources

- 5.5 The Enhanced Partnership will draw on multiple funding sources to deliver the desired outcomes of the Enhanced Partnership Scheme(s), as appropriate:
- Funding provided by Central Government
  - County Council capital funding
  - County Council revenue funding
  - Developer contributions
  - Reinvestment of operator revenue generated by schemes
  - Other external funding opportunities.

## Implications for Small and Medium sized Operators

- 5.6 Given the variety of bus operators involved (in terms of market share, fleet size, company turnover and structure), it is important to ensure that the effects of the Enhanced Partnership do not unduly negatively impact smaller operators' ability to engage or to comply with requirements.
- 5.7 The Leicestershire EP Board will therefore allocate operator votes based on a small, medium or large market share, measured as a proportion of total registered mileage. In addition, Bus Operator Requirements will not be placed upon certain categories of service (Non-qualifying Services), including services typically operated by smaller operators.

## Competition

- 5.8 Leicestershire County Council has undertaken an assessment of the impacts of the EP Plan and Scheme [made on [31<sup>st</sup> March 2022]] on competition and believes it will not or

is unlikely to have a significantly adverse effect on competition, for the purposes of Part 1 of Schedule 10 of the 2000 Act. The Competition and Markets Authority has also been consulted on the proposals as required by section 138F of the 2000 Act.

- 5.9 The implementation of an Enhanced Partnership Plan and associated Scheme is aimed at delivering improvements to bus services for passengers in a deregulated environment. The Enhanced Partnership will not impact on competition, as operators will be free to amend and introduce services in the area, provided that the standards that apply to all operators are met.

## 6. How the Enhanced Partnership Plan will contribute to the County Council's Transport Plans and Policies

- 6.1 Leicestershire is currently in the process of developing a new Local Transport Plan (LTP4). Our current Local Transport Plan (LTP3) runs until 2026. The six published goals of the LTP are entirely consistent with the aim of the BSIP – to get more people using buses through an improved bus network and better operation. These goals are:
- 6.1.1 Goal 1: A transport system that supports a prosperous economy and provides successfully for population growth.
  - 6.1.2 Goal 2: An efficient, resilient, and sustainable transport system that is well managed and maintained.
  - 6.1.3 Goal 3: A transport system that helps to reduce the carbon footprint of Leicestershire.
  - 6.1.4 Goal 4: An accessible and integrated transport system that helps promote equality of opportunity for all our residents.
  - 6.1.5 Goal 5: A transport system that improves the safety, health, and security of our residents.
  - 6.1.6 Goal 6: A transport system that helps to improve the quality of life for our residents and makes Leicestershire a more attractive place to live.
- 6.2 This EP Plan made in conjunction with the Scheme will form daughter documents to the Local Transport Plan (current and future editions) to ensure that they are embedded within the County Council's governance framework and culture.

## 7. Alignment with Passenger Transport Policy and Strategy

- 7.1 The County Council's BSIP, current at the date this EP Plan is made, aligns with the county's Passenger Transport Policy and Strategy (PTPS), which has been in operation since October 2018 and was developed against a background of diminishing funds to support buses. The PTPS will be reviewed and updated if necessary to assure continued alignment following the making of this EP Plan as appropriate and in conjunction with the EP Board.

## 8. Enhanced Partnership Governance Arrangements

### Overview

- 8.1 The Leicestershire Enhanced Partnership will be governed by two primary bodies:
- Leicestershire Enhanced Partnership Forum – in which all bus operators and other key local stakeholders will be entitled to participate and be invited, although attendance by individual Operators is voluntary.
  - Leicestershire Enhanced Partnership Board – established by the Enhanced Partnership with terms of reference that engage the County Council and Operators in the development and operation of the Enhanced Partnership.

### Leicestershire Enhanced Partnership Forum

- 8.2 The Leicestershire Enhanced Partnership Forum will be an informal group, providing opportunities for discussing issues of all kinds affecting the Leicestershire bus network, consulting with and building consensus across the various stakeholders and making recommendations for consideration to the EP Board. The Forum will represent a platform for the County Council to monitor the effectiveness of its transport plans and policies and, in particular the effectiveness of the EP Plan through consultations that it will undertake from time to time in conjunction with the EP Board with both the Forum and wider constituent groups within the County.
- 8.3 Membership of the Forum will comprise the following:

- All Bus Operators running Qualifying Bus Services in Leicestershire
- A representative(s) of community transport operators in Leicestershire
- Leicestershire County Council
- All Leicestershire district and borough councils
- Leicester City Council
- Other neighbouring local transport authorities
- All train operating companies serving stations in Leicestershire
- East Midlands Airport
- Leicester and Leicestershire Enterprise Partnership
- A Leicestershire bus user group (to be formed)

8.4 In addition, any other external organisations with an interest in bus services in Leicestershire not listed above will be invited to join or may request to join the Leicestershire EP Forum. At least once per financial year, the Forum will be invited to review and discuss the progress of, and future opportunities for, the Partnership.

#### *Leicestershire Enhanced Partnership Forum Annual General Meeting (AGM)*

8.5 The final Forum meeting of each financial year will be the designated Leicestershire EP Forum AGM. All Operators will be invited to self-nominate or nominate other willing Operators for Leicestershire EP Board membership, to represent themselves and all other Operators in their category, ahead of the EP Forum AGM. A ballot will be organised by the County Council at the Annual General Meeting to select Operators' EP Board representatives.

#### *Meeting arrangements*

8.6 Leicestershire EP Forum meetings will take place not less than twice per year, normally six calendar weeks before each EP Board meeting. Leicestershire EP Forum meetings will be arranged, chaired and minutes taken by the County Council in year one of the EP Plan; the Chair will be appointed annually thereafter from among EP Forum members. Members will be invited to self-nominate or nominate other EP Forum members. Nominations may be made (to be received by the County Council by such deadline as the County Council publishes) by any participants within the EP Forum under an election procedure that will be administered by the County Council. The election of the Chair for the next year will take place at the EP Forum AGM with the elected Chair taking office immediately following the conclusion of the AGM.

- 8.7 Meetings will normally be held at County Hall, Glenfield or such other suitable venue as may be agreed at the previously held meeting of the Forum. Forum members may offer to host provided the venue is accessible by bus. Meeting length will vary according to agenda content but ordinarily expected to be one to two hours.
- 8.8 Agendas and meeting papers (including a copy of minutes and decisions resulting from previous recommendations put to the County Council by the EP Board) will be circulated by the County Council no less than one week in advance of each meeting; draft minutes will be circulated no more than two weeks after each meeting. Draft minutes will be approved at the next Leicestershire EP Forum meeting.

## Leicestershire Enhanced Partnership Board

- 8.9 The Leicestershire EP Board will be the key oversight body of the Leicestershire EP. The Board will make recommendations for consideration by the County Council on all matters relevant to the operation and continuing development of the [EP](#) including (as provided at paragraph 8.37) proposals for variations to existing EP Schemes and proposals for new EP Schemes.
- 8.10 Meetings of the EP Board shall be chaired by the chair for the time being of the EP Forum.
- 8.11 The Leicestershire [EP Board](#) will be the key oversight body of the Leicestershire [EP](#). The EP Board will have the following initial terms of reference being to:
- monitor the progress of the EP in delivering the EP Plan and BSIP;
  - monitor the effectiveness of implemented Schemes in achieving the EP Plan and BSIP objectives.
  - work with the County Council to respond to Government or other funding opportunities that may arise for delivery of bus service improvement interventions;
  - review, discuss and agree priorities for delivery of interventions to achieve the EP Plan and BSIP;
  - review, discuss and agree programmes of preparatory work (feasibility studies, business case preparation, design, public consultations, impact assessments etc) for interventions that may be taken forward as EP Scheme variations or new EP Schemes;
  - oversee the process of preparing and developing detailed requirements leading to a variation to an existing EP Scheme where this will be subject to the bespoke scheme voting procedure incorporated in any EP Scheme where that is applicable;

- consider fully detailed proposals for EP Scheme variations or new EP Schemes that are the responsibility of the County Council having regard to s.138L of the 2000 Act, once all relevant preparatory work has been completed, and make recommendations to the County Council for their adoption (or otherwise).
- 8.12 The Board shall be entitled to keep under review these terms of reference and further develop them being responsible for all decisions relating to administration of the affairs of the Board including frequency of meeting, requests for attendance at meetings of the Board by individuals and representatives of organisations that are capable of contributing to the work of the Board and the manner in which and methods by which reporting of the affairs of the Board are made to all Operators.
- 8.13 In relation to the EP Plan this will be reviewed by the EP Board in conjunction with the County Council on an annual basis with the review to be completed in each year within three months following the anniversary date of the making of the Plan. Reviews will take account of the outcome of the County Council's annual review of the Leicestershire BSIP. The EP Board will in its review take account of the outcome of comments provided by the EP Forum following their review referred to at paragraph 8.4 of this EP Plan.
- 8.14 Membership of the Leicestershire EP Board will comprise the following representatives:
- 2 x Large Operators representatives (voting)
  - 2 x Medium Operators representatives (voting)
  - 2 x Small Operators representatives (voting)
  - 2 x Leicestershire County Council officers (voting, with decision veto powers)
  - 2 x representatives of district or borough councils within Leicestershire (non-voting)
  - 1 x independent chair (non-voting)
- 8.15 Board meetings will require a quorum of four Operator representatives, with a minimum of one per category (Large/Medium/Small) and two County Council officers. Any Board member may, if necessary, arrange for an alternate or deputy from the same category to participate with voting rights. All representatives should have the authority to vote on behalf of their organisation at Board meetings. District or borough council representatives may rotate in relation to the relevance of agenda items but will not be entitled to EP Board voting rights.

- 8.16 The Leicestershire EP Plan will interface, so far as practicable, with the Leicester City Council EP Plan and the EP Plans of other neighbouring local authorities, particularly with regard to cross-boundary travel. The Leicestershire EP Board will work with the neighbouring EP Boards to ensure that EP Schemes with cross boundary implications are implemented in a complementary and collaborative manner.
- 8.17 The Leicestershire EP Board may establish from time to time committees comprised of members of the Board and other appropriate persons to undertake specific project assessment work on behalf of the Board such as to bring forward ticketing projects, zero emission bus opportunities, support for the County Council in pursuing funding bids and approaches to addressing congestion.

### *Operator representative selection*

- 8.18 Operators representing each of the categories of Operator membership above will be invited to self-nominate or nominate other willing Operators to serve on the EP Board by notice in writing to the County Council's nominated representatives two weeks prior to each Leicestershire EP Forum AGM. Where there are more than two nominees for any single category, all Bus Operators in the same category will be given the opportunity to vote by secret ballot undertaken among those present at the EP Board meeting for a preferred representative. Voting will be on the basis of one vote per Operator (where Operators are part of the same holding company, group, or share persons of significant control (as determined by the County Council having regard to the circumstances) they will only be entitled to one vote between them). Operator representatives will be reselected on an annual basis.
- 8.19 The voting procedure for Board membership selection will be a simple majority and be administered by the County Council. Where there is a tie, a run-off vote will take place between the leading tied Operators.
- 8.20 In the event that a Leicestershire EP Forum AGM ballot fails to select Operator representatives for one or more Operator category, the default Operator objection mechanism set out in The Enhanced Partnerships and Schemes (Objections) Regulations 2018 will be used to determine the views of Operators in that category for the purposes of Leicestershire EP Board votes (in terms of objection or otherwise to the proposals).
- 8.21 Operator representatives will be acting on behalf of all Operators in that category, not on behalf of their own company alone. Representatives will be responsible for ensuring attendance at all Leicestershire EP Board meetings in that year, and ensure they have:
- fully reviewed and understood all meeting papers in advance of attendance



- the required mandate from the Operators they represent.

8.22

### *Role of Leicestershire Enhanced Partnership Board*

- 8.23 The Leicestershire EP Board remit including the terms of reference shall be reviewed from time to time in consultation with the County Council.
- 8.24 The EP Board will observe the need for confidentiality; any information provided by local bus service operators relating to patronage and/or fare income on individual bus routes will be considered commercially confidential and will only be discussed by the EP Board on this basis.
- 8.25 Where any other matter should remain confidential and not for discussion outside the EP Board, the member raising the matter has the responsibility to make this clear in advance or at the time of discussion. It is the responsibility of the EP Board members to ensure appropriate steps are taken to maintain the confidentiality of the matter.
- 8.26 All meeting of the EP Board shall be held in private but with the rights of attendance referred to at paragraph 8.34 applying.
- 8.27 At the commencement of each meeting the Chair shall remind all participating in the meeting that in conducting the affairs of the EP Board and in taking any actions arising from the meeting of the EP Board each participant has responsibilities under competition law and must observe these.

### *Leicestershire Enhanced Partnership Board resolution-making*

- 8.28 Recommendations of the Leicestershire EP Board will normally be made by way of a vote through a show of hands of those present. However, if any voting parties request the vote is conducted by email after the meeting to allow further consideration, this may be agreed by the Board members present if a simple majority support such a proposal. Unless stated otherwise in this document, recommendations will be passed by way of a majority of all members of the EP Board entitled to vote as follows:
- 2 x Large Operators representatives (1 vote per operator representative)
  - 2 x Medium Operators representatives (1 vote per operator representative)
  - 2 x Small Operators representatives (1 vote per operator representative)
  - 2 x Leicestershire County Council officers (3 votes per County Council officer)

- 8.29 A resolution shall only be treated as carried where votes in favour include four Operator votes including a minimum of one from each category of Operators as referred to above.
- 8.30 For avoidance of doubt an elected Chair who is not otherwise entitled to voting rights under the above voting scheme shall not have a vote nor a casting vote should any vote be tied. Nor shall any Chair who is entitled to voting rights have a casting vote.

### *County Council approval*

- 8.31 The County Council will consider any resolutions of the Board containing recommendations made by the Board for the attention of the County Council. Recommendations will be referred to the Director of Environment and Transport for consideration as to the steps that ought to be taken by the County Council in order to consider the recommendation and establish the further steps to be taken with that recommendation.
- 8.32 The County Council reserves the right to reject recommendations made by the Board. The County Council will take forward recommendations that it is willing and able to support through such procedures of the Council and in compliance with the statutory requirements as necessary in the circumstances.
- 8.33 Operators will be entitled to make known their concerns in writing to the County Council's Director of Environment and Transport if they object to a particular vote of the Leicestershire EP Board. The Director will review the circumstances and consider whether these are such that a recommendation should be rejected.

### *Board meeting observers*

- 8.34 Any other Bus Operator, County Council and district and borough council representatives will be able to attend the Leicestershire EP Board meetings as observers but will not have the right to vote. Observers may be invited to make comments or ask questions of the EP Board at the Chair's discretion or invited to defer these until the next Leicestershire Enhanced Partnership Forum meeting.

### *Meeting arrangements*

- 8.35 Leicestershire EP Board meetings will take place not less than twice per year at regular intervals between each Leicestershire EP Forum meeting, with provision for additional meetings as required to make recommendations which in the opinion of the Chair cannot be deferred to a scheduled meeting, provided that a quorum can be achieved, with not less than one week's notice being given. Meetings will be arranged and

minutes taken by the County Council and will normally be held at County Hall, Glenfield. Meeting length will vary according to agenda content but ordinarily be one to two hours.

- 8.36 Agendas and meeting papers will be circulated to all Board members no less than one week in advance of each meeting date, and draft minutes circulated no more than two weeks after each meeting. Copies will also be distributed to all Leicestershire EP Forum members so any issues or concerns can be discussed with the relevant Operator representative, to be raised at the Leicestershire EP Board meeting. Draft minutes will be approved at the next EP Board meeting.

### *Variations to Enhanced Partnership Plan and any Scheme*

- 8.37 In addition to matters falling within the terms of reference set out above the EP Board will:

- receive and consider proposals from the County Council for variations to the EP Plan, proposed variations to any existing EP Scheme and proposals for further EP Schemes; and
- receive and consider proposals from its membership to be put to the County Council for variations to the EP Plan, proposed variations to any existing EP Scheme and proposals for further EP Schemes

- 8.38 Consideration will be given by the EP Board to potential EP Plan and EP Scheme variations put forward by Board members, including County Council officers, or by any Operator of Qualifying Bus Services or by any participant within the EP Forum. The proposer of a variation should demonstrate how this might contribute to achieving the objectives set out in the EP Plan and current local transport policies. Such requests should be set out in writing and submitted to the Chair of the Board with a copy to the following County Council email address [to be confirmed].

- 8.39 On receipt of a valid request for a variation, the Chair of the Board will include discussion of the proposed variation on the agenda at the next scheduled EP Board meeting or, at their discretion, convene an extra Board meeting, giving at least 14 days' notice for the meeting, to consider the proposed variation.

- 8.40 In order to limit any circumstances in which the County Council may oppose the progression of a proposed variation or a proposal for a further EP Scheme or the requirements arising from the proposal could result in any other material commitment required of the County Council that it may not be able to meet the County Council shall prepare and deliver to the EP Board a brief summary document setting out the

Council's opinion concerning the feasibility of the proposal should it be implemented. The summary document may refer to matters such as:

- 8.40.1 the availability or non-availability of funding to support implementation of the proposal including the Council's ability to provide for any future expenditure that the Council would be required to incur;
  - 8.40.2 the compatibility of the proposal with policies that the Council has committed to follow including in particular policies supporting the Council's equalities duties;
  - 8.40.3 should the proposal be implemented the Council would in consequence be in breach of any contracts or other legally binding obligations that it is subject to;
  - 8.40.4 the proposal requires the co-operation of third parties such as a District Council
  - 8.40.5 any governance related considerations that the Council requires to take into account.
- 8.41 For avoidance of doubt the existence of matters raised by the Council need not be taken as reason for the EP Board to decline to deal with the proposal and the Council shall indicate in the summary document or in any other manner at a subsequent date the extent to which it supports the proposal and is willing and able to work with the EP Board in order to progress the proposal on a basis that is not anticipated to lead to the Council exercising its veto.
- 8.42 If the proposed variation is a proposed variation to the EP Plan and is agreed by the Board for recommendation to the County Council (in line with the majority decision-making process outlined in this document), the County Council will take forward the proposal by initiating the procedures that the County Council are required to follow under s.138L and s.138M of the TA2000 and where the procedure followed then so permits make the EP Plan variation.
- 8.43 If the proposed variation is a proposed variation to an EP Scheme then in the event that the conditions set out to permit a bespoke voting mechanism to apply as set out in the relevant EP Scheme are met the variation shall be taken forward by the EP Board having regard to the provisions of s.138E of the TA 2000 applying the voting procedure provided for in the relevant EP Scheme.
- 8.44 If the proposed variation is a proposed variation to an EP Scheme and paragraph 8.43 does not apply the variation once resolved upon by the EP Board shall be taken forward by the County Council under the procedures provided for at s.138L and s.138M.
- 8.45 The County Council shall be entitled on its own initiative to progress variations to the EP Scheme in accordance with the provisions of s.138L and s.138M of the TA 2000 but

shall first consult with the EP Board as to the circumstances and the detail of the proposed variation.

- 8.46 In the event that a number of Operators which would trigger the default Operator objection mechanism (as set out in the Enhanced Partnerships and Schemes (Objections) Regulations 2018) raise concerns in writing to the chair of the EP Board meeting within 28 days of a Board Meeting about a variation recommendation made by the Board, the decision making process for EP Scheme Variations will revert to the default Operator objection mechanism contained in those regulations to review that decision and, as appropriate, for future decision making purposes in relation to the proposed variation.