

**North Yorkshire County Council Enhanced Partnership Scheme for
Local Bus services in the County**

**Supporting the development of bus services in the County of North
Yorkshire**

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Organisation Making the Enhanced Partnership Scheme for North Yorkshire

THE NORTH YORKSHIRE ENHANCED PARTNERSHIP SCHEME FOR BUSES IS

MADE IN ACCORDANCE WITH SECTION 138R(1) OF THE TRANSPORT ACT 2000 (as amended)

BY: North Yorkshire County Council having its principal administration offices at County Hall, Racecourse Lane, Northallerton DL7 8AD.

1. DEFINITIONS USED IN THE DOCUMENT

NB: Not all definitions are currently used but are incorporated to recognise the intention to further develop the Scheme by way of variation and/or cause further Schemes to be made at future dates with consistent terminology.

Authority – means North Yorkshire County Council.

EP Board – means the Enhanced Partnership Board established in the manner provided for and with the remit set out in the Enhanced Partnership Plan.

EP Plan – means the statutory plan made by North Yorkshire County Council on the same date as this Scheme pursuant to the provisions of section 138A of the Transport Act 2000 (as amended).

EP Scheme Area – means the area to which this EP Scheme document applies, namely the administrative County of North Yorkshire.

Excluded Services – means any service that is a Local Service or within a class of Local Services set out in Appendix 1 to this EP Scheme.

Facilities – means the physical assets that are provided at specific locations along particular routes (or parts of routes) within the EP scheme area or new and improved bus priority measures. This is deemed for such purposes of section 138D(1) of the Transport Act 2000.

Highway Works Permit – is a permit issued by local highway Authority to any organisation that wishes to undertake street works promoted by a public utility company or highway works promoted by the Local Highway Authority, with the aim of managing all works on the public highway. Local Authority have powers to operate permit schemes under Part 3 of the Traffic Management Act 2004 and The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015.

North Yorkshire Enhanced Partnership Plan – means the document made pursuant to section 138A of the Transport Act 2000 and which is required to be in place for an EP Scheme to be made and which was made by the Authority on the same date as but prior to the making of this Scheme.

Measures – means the improvements with the aim of:

- Increasing the use of local bus service serving the routes to which the measures relate or ending or reducing a decline in their use; or
- Improving the quality of local bus service.

Local Authority – as prescribed under section 23 of the Local Government Act 2003.

Local Highway Authority – for the purpose of this Scheme the Authority.

Local Qualifying Bus Services – means those Registered Local Bus Services operating within the EP Scheme area that must meet the requirements and obligations set out in this EP Scheme document with the exception of Excluded Services.

Registered Local Bus Service – has the meaning set out in Section 2 of the Transport Act 1985.

Standards of Service – means the requirements that are to be complied with in relation to Local Qualifying Bus Services as set out at Section 4.

TRO – means a Traffic Regulation Order, made under the Road Traffic Regulation Act 1984 or any other enactment regulating the use of roads or other places.

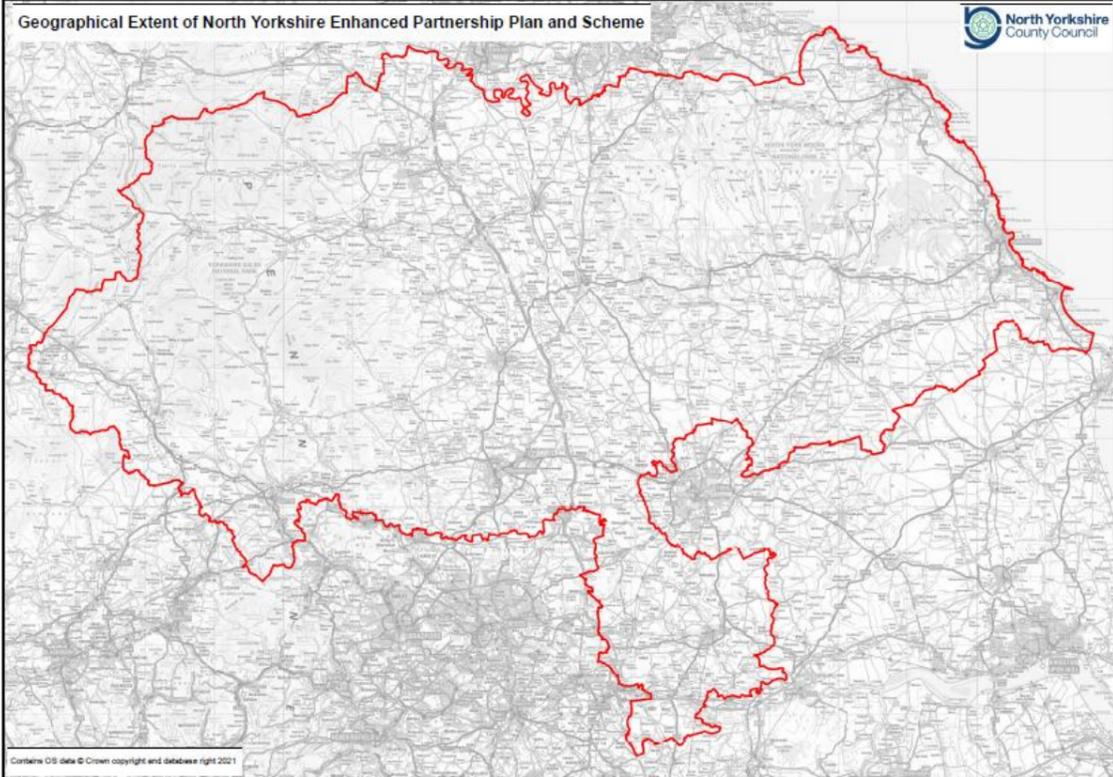
2. INTRODUCTION

- 2.1. This document fulfils the statutory requirements set out by in the Transport Act 2000 as amended by the Bus Services Act 2017 (“the Act”) when the Authority wishes to exercise its power to make an Enhanced Partnership Scheme. In accordance with statutory requirements in section 138 of the Act, this EP Scheme document sets out:
 - 2.1.1. the geographic area covered by the Scheme;
 - 2.1.2. when the Scheme is to commence and for how long it will be in place;
 - 2.1.3. the overall interventions to be made by the Authority under the Scheme – these comprise Facilities and Measures;
 - 2.1.4. requirements in the form of Standards of Services that services including vehicles operated to provide the services falling within the scope of what are described as Local Qualifying Bus Services must be in compliance with; and
 - 2.1.5. arrangements for the review and possible variation of the Scheme and its operation.
- 2.2. Certain types of public services (listed in paragraph 3.4) are exempt from the Standards of Services.
- 2.3. The EP Scheme is dependent upon their being in place an Enhanced Partnership Plan made by the Authority. The North Yorkshire Enhanced Partnership Plan was made by the Authority on the same date as this Scheme has been made.
- 2.4. The EP Scheme has been developed following various consultations provided for by the Act and various further consultations and discussions (particularly with neighbouring Authorities with transport functions and district and municipal Councils within the EP Plan Area. The Scheme has been prepared in conjunction with bus operators that provide Local Qualifying Bus Services in the EP Scheme Area. The EP Scheme aims to support improvements within the EP Area. It sets out obligations and requirements on both the Authority and operators in order to achieve the intended improvements, with the aim of passengers benefitting from attractive and convenient bus services.
- 2.5. The EP Scheme aims to contribute towards meeting the following objectives:
 - 2.5.1. A high quality, co-ordinated and integrated bus network;
 - 2.5.2. Simpler payment and ticketing options;
 - 2.5.3. Simple, clear and freely available information;
 - 2.5.4. Excellent Customer Service.
- 2.6. A number of objectives may only be achieved with investment the funding of which will in turn be dependent upon levels of grant funding provided by the Department from Transport and from other sources.

3. SCOPE OF THE EP SCHEME

- 3.1. The EP Scheme will support the improvement of Local Qualifying Bus Services operating in the EP Plan Area.
- 3.2. The EP Scheme does not include the areas of York City Council which is a promoter of its own EP Plan and EP Scheme. However the Authority is committed, in accordance with its duty under s138A(13) of the Act to co-operate with adjoining local transport authorities (including York) with a view to securing benefits for passengers travelling cross boundary.
- 3.3. The EP Scheme Commencement Date shall be 1st April 2022, The EP Scheme will have no specific end date but will be subject to a review by the Authority in conjunction with the Board at least annually (Section 5) and may in any event will cease to apply if revoked and in any event should the EP Plan expire.
- 3.4. This Scheme applies to Registered Local Bus Services with one or more stopping places within the EP with the exception of the following:
 - 3.4.1. registered local services that are excursions or tours;
 - 3.4.2. services operated under section 22 of the Transport Act 1985 (community bus services);
 - 3.4.3. services that have 10% or less of their overall distance registered as local bus services;
 - 3.4.4. services operated by vehicles that by law do not permit standing;
 - 3.4.5. services operating under contract to any local transport authority outside of the EP Plan Area;
 - 3.4.6. services operated under the Authority’s Demand Responsive Service schemes.

Figure 1 Map of the EP Plan and EP Scheme



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4. REQUIREMENTS TO BE FULFILLED BY THE AUTHORITY

Facilities

- 4.1. Commitments by the County Council to provide new and improved existing Facilities are dependent upon funding that will include funding from national transport funding initiatives. This Scheme document will be varied and if relevant new Scheme documents adopted to implement Facilities that are intended to contribute to meeting the objectives of the EP Plan for North Yorkshire.

Provision of Measures

- 4.2. Commitments by the County Council to implement Measures are dependent upon funding that may include funding from national transport funding initiatives. This Scheme document will be varied and if relevant new Scheme documents adopted to implement Measures that are intended to contribute to meeting the objectives of the EP Plan for North Yorkshire.

- 4.3. The initial Measure adopted under this Scheme are as follows:

4.3.1. The County Council [working with operators](#) will provide funding for consultant led feasibility studies [by no later than [31 May] 2022 to start the process of creating an infrastructure plan for buses in North Yorkshire with a view to:

- 4.3.1.1. increasing the use of local services serving the routes to which this Measures relates or ending or reducing a decline in the use of such services; and
- 4.3.1.2. improving the quality of local services serving the routes to which the measures relate.

5. REQUIREMENTS IN RESPECT OF LOCAL QUALIFYING BUS SERVICES

Vehicle standards

- 5.1. To be determined and implemented through variations to this Scheme and/or implementation of further corridor specific Schemes.

6. EP SCHEME MANAGEMENT AND GOVERNANCE

- 6.1. The EP Scheme has been made by the Authority having been developed in conjunction with stakeholders (in particular operators of local bus services operating within the County).
- 6.2. Going forward, the EP Board established under the North Yorkshire County Council Enhanced Partnership Plan will be responsible for oversight of the Scheme including considering future variations, in accordance with the processes detailed in section 13 of the EP Plan.

7. VARIATIONS TO THE EP SCHEME (INCLUDING BESPOKE VOTING PROCEDURE)

- 7.1. Variations to the Scheme shall be brought into effect through the formal making of a variation to the Scheme by the Authority:
- 7.2. The making of a variation under the following bespoke voting procedure shall be subject to the following conditions being satisfied:
 - 7.2.1. The internal procedures required to be pursued by the Authority having regard to all relevant governance arrangements that are relevant to any consequences that arise from the variation (such as requirements to undertake impact assessment, financial implications and any requirements to secure the assistance of other parties in order to deliver the proposed variation);and
 - 7.2.2. The Authority being satisfied that the Scheme as varied will improve the quality or attractiveness of bus services in the Scheme Area; and/or the Scheme as varied will contribute or continue to contribute to reducing or limiting congestion, noise or pollution.
- 7.3. The Authority may from time to time bring forward proposals for variations to this Scheme reflecting in particular investment opportunities that arise that will lead to enhanced and/or new Facilities intended to improve the quality of bus services

operating in the County to which the Scheme relates or which if implemented are calculated to increase patronage or meet other objectives within the EP Plan.

- 7.4. The Authority may from time to time bring forward proposals for variations to this Scheme reflecting in particular Measures that the County Council is able to commit to or, with co-operation from third parties, secure that will lead to enhanced and/or new Measures intended to facilitate the improvement of the quality of bus services operating in the County to which this Scheme relates or which if implemented is calculated to increase patronage or meet other objectives within the EP Plan.
- 7.5. The Authority may from time to time bring forward proposals for variations to this Scheme reflecting in particular variations to the Standards of Service relevant to this Scheme intended to facilitate the improvement of the quality of bus services operating in the County to which this Scheme relates or which if implemented is calculated to increase patronage or meet other objectives within the EP Plan.
- 7.6. Other variations to the EP Scheme may be brought forward where through the implementation of the variation any of the objectives of the EP Plan or of the EP Scheme itself will be more effectively achieved or for the purpose of varying any other matter that is the subject of this Scheme.
- 7.7. Variations considered for implementation may include variations to this variation procedure.
- 7.8. All proposals for Variations shall be set out in writing and submitted to EPconsultation@northyorks.gov.uk. The administrator responsible for the conduct of the affairs of the EP Board shall provide copies of the proposal to all members of the Board within ten working days of receipt of the proposal.
- 7.9. Variations to the EP Scheme may be made applying the provisions of this section 7 of the EP Scheme applying in turn the provisions of s.138E of the TA 2000 where the following conditions (required to be specified under that section of the TA 2000 exist) namely:
 - 7.9.1. if implemented it will result in the variation to or the addition of any further Facility, Measure or Standards of Service or the removal of any Facility, Measure or Standards of Service or a combination of the same; and

- 7.9.2. the variation is considered by the Authority in principle to be acceptable and appropriate to be developed into a formal variation for adoption by the Authority.
- 7.10. Where the conditions set out at paragraph 7.9 are not satisfied the variation may be taken forward by the Authority in full consultation and with the involvement of the EP Board in the development of the detail of the variation applying the procedures set out at s.138L and s.138M of the TA 2000.
- 7.11. The EP Board shall be entitled to comment on proposals for variations to and new Facilities and Measures (or variations to or the removal of existing Facilities and or Measures) to be implemented under this Scheme proposed under the variation in accordance with the foregoing procedures.
- 7.12. Any proposal brought forward may require to be taken through the internal procedures of the County Council in the manner envisaged by paragraph 7.2.
- 7.13. If there is agreement given on behalf of all Operators present in person or by proxy at the meeting at which the proposal is considered and put to a vote or if any category of Operator is not represented either by its nominated representative or any authorised substitute, then the proposed variation shall be put to the Operator objection mechanism, but (unless the Authority considers a longer period would be prudent) with a reduced objection period of 14 days replacing Part 2 of the Transport Act 2000 section 138L (2) (c). The proposed variation will be advertised on the Council website and emailed to operators of Local Qualifying Bus Services. If the proposed variation satisfies the requirements of the operator objection mechanism and the Council has approved the making of the variation the Authority will thereupon take all steps required to be taken by the Authority with a view to the making of the EP Scheme variation as soon as reasonably practicable.

8. REVIEW OF THE EP SCHEME

- 8.1. Once the EP Scheme is made, it will be reviewed by the EP Board at least annually, commencing no later than on the anniversary of the Scheme commencement date. The Authority will initiate each review and it will be anticipated to take no longer than 3 months to complete.

- 8.2. Any changes to the contact information contained in Schedule D, will be automatically updated, without the need to follow the variation process set out in this Scheme. This only applies to amendments to existing contact information or additional information with regard to the mechanism for reporting issues. Any proposal to remove a mechanism for reporting issues will be subject to the variation process.

9. REVOCATION OF THE EP SCHEME

- 9.1. An EP Scheme can only exist if an EP Plan is in place. If, for any reason, the EP Plan is revoked, it would automatically cease to have effect as a Statutory Scheme.
- 9.2. If, for some reason, it becomes necessary for the EP Scheme to be revoked, the EP Board will be reconvened and follow the same process as outlined in section 14 of the EP Plan (noting that the agreement will be for revocation and not variation).
- 9.3. If at any point in the future the EP Scheme area is included in a Bus Franchising Area, the relevant requirements set out in this EP Scheme document will cease to apply from the commencement date of the franchising scheme.

Schedules

To incorporate further details if necessary of interventions, descriptions of Standards of Service and maps.

Signatory page

THIS DEED is dated

PARTY SEALS

**(1) NORTH YORKSHIRE COUNTY COUNCIL of County Hall, Racecourse Lane,
North Yorkshire affixed hereto in the presence of its duly Authorised Officer**

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**Appendix 1
Excluded Services**

1. Services run under sections 89 to 91 of the Transport Act 1985 where the Authority retains all the revenue;
2. Registered Local Services that are excursions or tours;
3. Local Services operated under section 22 of the Transport Act 1985 (community bus services);
4. Services that have 10% or less of their overall distance registered as local bus services;
5. Services operated by vehicles that by law do not permit standing;
6. Services operating under contract to local transport authorities outside of the area of the Authority; and
7. Bus services where all journeys operate under contract to the Authority and operating on a demand responsive basis.