

Appendix C

Enhanced Bus

Partnership Scheme

April 2022

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Consultees

Internal	External
Cabinet	Bus Operators
	Wider Stakeholders

Distribution List

Internal	External
	Bus Operators
	Wider Stakeholders

Links to other documents

Document	Link
Bus Service Improvement Plan	Enhanced partnerships for buses North Northamptonshire Council (northnorthants.gov.uk)
Enhanced Partnership Scheme	Enhanced partnerships for buses North Northamptonshire Council (northnorthants.gov.uk)

Additional Comments to note

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Part 2 – EP Scheme

The North Northamptonshire Council Enhanced Partnership Plan for buses has been prepared in accordance with Section 138H of the Transport Act 2000 and is Made in accordance with Section 138G by North Northamptonshire Council

1.0 Enhanced Partnership Scheme Content

- 1.1 This document fulfils the statutory requirements for an Enhanced Partnership Scheme. In accordance with statutory requirements laid down in Section 138 of the Transport Act 2000, this Enhanced Partnership Scheme document sets out:
- Section 2** – Scope of the Enhanced Partnership Scheme and commencement date
 - Section 3** – obligations on North Northamptonshire Council
 - Section 4** – obligations on Bus Operators
 - Section 5** – Governance arrangements
- 1.2 The Enhanced Partnership Scheme can only be put in place if there is an associated Enhanced Partnership Plan. Therefore, this document should be considered alongside the associated Enhanced Partnership Plan for North Northamptonshire
- 1.3 This Enhanced Partnership Plan and Scheme shall come into effect from the 30 April 2022 and last for 3 years until 31 March 2025, with the option to extend for a further year at the discretion of the North Northamptonshire Council after consultation with Operators and agreed by the Variation process in Section 5.0. This is to allow the planning needed to be developed further and the Enhanced Partnership Plan and Scheme developed to meet the longer-term local needs. In part this is a response to the newness of the Unitary Authority.
- 1.4 The Enhanced Partnership Scheme has been jointly developed by North Northamptonshire Council, and those bus operators that provide local bus services in the Enhanced Partnership Scheme area. It sets out obligations and requirements on the Council as both Local Transport Authority and Local Highway Authority and operators of local services in order to achieve the intended improvements, with the aim of delivering the objectives of the associated Enhanced Partnership Plan.
- 1.5 The Enhanced Partnership Scheme aims to contribute towards meeting the six objectives set out in the Bus Service Improvement Plan and the Enhanced Partnership Plan, which in summary are:
- To deliver faster and more reliable journey times on the two corridors broadly to the east and west of Kettering;
 - Lock in the current bus fleet standards and progressively deliver improved quality of buses linked to infrastructure improvements, to reduce harmful emissions and improve passenger comfort and safety;
 - Introduce fairer fares, with more predictable and easier to use ticketing;
 - Provide common hours of operation and better serve larger visitor attractions in the area;
 - Improve the way the bus network is promoted to users and non-users, in particular communicate the whole bus offer and improve user and potential user access to information; and,
 - Put in place a passenger charter which gives passengers more influence over bus services and delivery.

2.0 Scope of the Scheme and Commencement Date

Map of the Enhanced Partnership Scheme area

2.1. This Enhanced Partnership Scheme will support the improvement of all local bus services operating throughout the North Northamptonshire Council area other than those exempt as set out in paragraph 2.5 below. The area of this Enhanced Partnership Scheme is illustrated in Figure 1 below:



Figure 1 - The North Northamptonshire Enhanced Partnership area (within grey Council Boundary line).

Commencement Date

2.2. The Enhanced Partnership Plan and Enhanced Partnership Scheme were made on 14 April 2022 and will start on 30 April 2022, with subsequent milestone dates by which certain facilities and measures (Section 3) and bus service operator obligations will be introduced (Section 4). The Enhanced Partnership Scheme will have no specific end date but will be subject to a review by North Northamptonshire Council at least annually (see Section 5).

2.3. North Northamptonshire Council confirm that they have provided the required notices under S138F and G providing the full details of the scheme to the parties directly affected by this Plan and Scheme.

Exempted Services

- 2.4. With the exceptions detailed in 2.5, below, this Enhanced Partnership Scheme covers all registered Local Bus Services with three or more stopping places (in each direction) operating within the Enhanced Partnership Scheme area, these are classed as “qualifying local services”.
- 2.5. This Enhanced Partnership Scheme will exclude from the “qualifying local services” obligations, the bus services falling within the following locally-agreed exemptions:
- Services run under sections 89 to 91 of the Transport Act 1985 where North Northamptonshire Council retains all the revenue;
 - Registered local services that are excursions or tours or operate for a limited period of up to 7 days to allow people to access a sporting, concert or similar event;
 - Services operated under section 22 of the Transport Act 1985 (community bus services);
 - Registered local bus services that have 10% or less of their overall distance within the Enhanced Partnership Scheme area;
 - Services which operate on 2 or less days per week (excluding Sundays and Bank Holidays), that is unless these services operate in coordination with one or more other services such that they offer substantially similarly routed services on more than 2 days per week;
 - Services operated by vehicles that by law do not permit standing;
 - Services operating under contract to local transport authorities outside of the area of the North Northamptonshire, where the adjoining authority supports the majority of journeys; and,
 - **Academic Services or Industrial Estate Services** operating a limited number of services timed at shift start/end times and not timetabled to operate throughout the day. The primary purpose of these services is to provide either home to school journeys, or home to work at defined shift times and they are typically funded by the Council or employers/developers. Workers services will be agreed between the Operator and Council, if not recorded as such in Schedule E.
- 2.6. Bus services procured under Sections 89-91 will not need to comply with the vehicle requirements set out in this document for the duration of the current contract period. Any services procured after the making of the Enhanced Partnership Scheme must comply with these requirements through the contract terms and conditions.

3.0 Requirements of Local Authorities

- 3.1 This section lists the specific interventions that North Northamptonshire Council will deliver as its part of this Enhanced Partnership Scheme. It details when it will be provided, for how long, mindful that the Enhanced Partnership lasts for 3 years until 31 March 2025, and what it will involve.
- 3.2 North Northamptonshire Council as the Local Authority, Local Transport Authority and Local Highway Authority are responsible for the delivery of the facilities and measures set out below.

Facilities and Measures

- 3.3 Through this Enhanced Partnership Scheme North Northamptonshire Council will continue to provide and maintain the facilities and undertake the measures as outlined in **Table 1**, for the duration of the Enhanced Partnership Scheme:

Facility/location	Measures	Responsibility
Market Street, Wellingborough bus gate	Enforcement through number-plate recognition cameras	North Northamptonshire Council
Eskdall Street, Kettering, bus-only street	Enforcement through number-plate recognition cameras	North Northamptonshire Council
Newland Street, Kettering, bus-only street	Enforcement through number-plate recognition cameras	North Northamptonshire Council
41 Realtime Information displays	Maintain at-stop Realtime information displays	North Northamptonshire Council
Street lighting	Maintain street lighting at current levels in the vicinity of bus stops	North Northamptonshire Council
Concessionary travel	This will be maintained in line with DfT Guidance and related legislation.	North Northamptonshire Council
Bus Interchanges: <ul style="list-style-type: none"> • George Street, Corby • Horsemarket, Kettering • Newland Street, Kettering • Church Street, Wellingborough 	Manage and maintain the site, including departure displays.	North Northamptonshire Council
Parking and traffic offence enforcement	The Council will use its powers and resources to enforce Traffic Regulation Orders, to improve compliance and make journey times for bus reliable.	North Northamptonshire Council
Bus timetable information	Website – timetable information for all registered local bus services will continue to be provided.	North Northamptonshire Council
Bus Service Mapping	Maps will continue to be made available on the Council's website, including summary information on service frequencies.	North Northamptonshire Council
Road work management	To report Road works see Schedule B	

Table 1 - Existing facilities and measures

3.4 Through this enhanced Partnership North Northamptonshire Council will work to provide new and upgraded facilities and additionally undertake the measures outlined in **Table 2**. These the new facilities and additional measures will form part of this Enhanced Partnership Scheme only when the funding has been confirmed, when they will be introduced into the Enhanced Partnership via the Variation process outlined in Section 5.0 below, at which point delivery dates shall be agreed:

Facility/location	Measures/interventions	Responsibility
<p>Measures to reduce delays and unreliability along the following corridors (see Schedule C for definitions)</p> <ul style="list-style-type: none"> • Kettering - Desborough • Kettering to Burton Latimer 	<p>Within funding limits, and as agreed with Operators a programme of works and measures to reduce delays in the listed corridors will be implemented, subject to advertisement and due process. Potential interventions include (but is not limited to):</p> <ul style="list-style-type: none"> • TRO's to address on-street parking • Pedestrian crossing detection • Traffic signal detection utilising Scoot to speed buses up and hurry call buses behind time. 	<p>North Northamptonshire Council in consultation with Operators</p>
<p>Concessionary fares and bus services will be funded in line with the DfT "Covid-19 Recovery Guidance"</p>	<p>Concessionary Travel and bus support will be funded at pre-covid levels, subject to the step down arrangement set out by DfT from 6 April 2022.</p>	<p>North Northamptonshire Council</p>
<p>A review will be undertaken of all bus stops</p>	<p>Within funding limits, and as agreed with Operators, the review will lead to an agreed rolling annual upgrade programme to install raised bus boarders and timetables cases at appropriate locations, along with new bus shelters at selected locations and CCTV at locations where safety is a concern.</p>	<p>North Northamptonshire Council in consultation with Operators</p>
<p>Improved Realtime Information displays will be provided and also improving access and awareness of the information.</p>	<p>Subject to funding limits, and at stops agreed with Operators and local representatives, the on-street Realtime information will be upgraded in line with the phasing plan summarised below.</p> <p>Older generation "Classic" in-shelter displays will be replaced with thin-film-transistor (Tft) liquid-crystal super-widescreen multimedia displays during years 1 and 2 of the Enhanced Partnership.</p>	<p>North Northamptonshire Council in consultation with Operators and others</p>

Facility/location	Measures/interventions	Responsibility
	<p>New displays will be installed at key stops where there are none at the moment. Concentrating on high usage stops, roll-out during years 1 and 2 of the Enhanced Partnership. These will use solar, or battery powered displays to attempt to make these more sustainable. Due to the additional survey and installation work likely to be required, roll-out of these would commence in years 2 and 3.</p> <p>All existing in-shelter displays that are not current TfT will be replaced with these displays and at key stops in smaller towns where there is no provision at the minute. Starting in year 3 of programme.</p>	
Reducing the Impact of Roadworks	Reduce the effect of road works on bus services by improving the disruptive impact of road works on bus services, and where this is not possible, then put in place better planning to minimise impacts on users. For further details see Schedule D.	North Northamptonshire Council
Undertake a review of bus stop safety.	Subject to funding limits, and at stops agreed with Operators and local representatives, stop locations, their position and layout will be reviewed to address accessibility barriers, actual and perceived safe risks and to make stops attractive to users. This review will bring forward a phased plan to address the more significant shortcomings.	North Northamptonshire Council in consultation with Operators
Promote bus use	Develop and implement a three-year marketing plan for local bus services.	North Northamptonshire Council in consultation with Operators
Develop a passenger charter	Working with operators and passenger advocacy groups we will develop a Bus Passenger Charter and require operators to abide by its commitments. This will set out for passengers how to use bus services and what passengers can expect and offer compensation where operators fail to deliver, or to reimburse taxi costs where the last bus fails to operate.	North Northamptonshire Council in consultation with Operators and bus user representatives

Facility/location	Measures/interventions	Responsibility
Planning for the future	Work with bus operators to develop a strategy for replacing diesel buses with electric (or alternative) bus with implementation to be agreed.	North Northamptonshire Council in consultation with operators

Table 2 - Additionally proposed facilities and measures

- 3.5 The measures in Table 2 will be provided subject to due process such as consultation, approvals, Traffic Regulation Orders being successfully Made, and funding being made available by the DfT.
- 3.6 Where the actions set out in Table 2 are first to agree what is to be provided, this will be followed up by using the bespoke variation process to embed the agreed actions into this Enhanced Partnership Scheme.

Monitoring of Bus Journey Times

- 3.7 North Northamptonshire Council will monitor bus journey times in the EP Scheme area by collecting and analysing Automatic Vehicle Location (AVL) data and reporting these on a quarterly basis. The following measures will be made and compared with a first quarter baseline (after the EP Scheme is made).
- 3.8 This data will be published on North Northamptonshire Council’s website and used to identify the need for further possible measures, facilities and influence on the management of roadworks in the EP Scheme area.

4.0 Requirements relating to Bus Operators

4.1 This section describes the standards of service that those operating registered local bus services in the EP Scheme area must meet. This section sets out what standards are to be met, by when and for how long. Where the actions are first to agree what is to be provided, this will be followed up by using the bespoke variation process to embed the agreed actions into this Enhanced Partnership Scheme.

Network and frequencies

4.2 The network offer for the passenger is currently not predictable. Urban Tier 1 and 2 “Qualifying Local Services” are required to operate core hours (arriving/departing the town centre between 0730 through to 1830hrs Monday to Friday except bank holidays) and retain normal daytime frequencies between these hours

4.3 Operators will work constructively with North Northamptonshire Council to:

- Enhance the bus network to better serve visitor attractions and work with operators on opportunities for network improvement.
- Undertake a joint network review by April 2023 and changes implemented as agreed.

Vehicle Standards

4.4 Operators and the Council will constructively work together to phase out Euro III and IV engine buses and bring forward plans to upgrade bus fleet linked to grant funding for new/improved buses, or defined corridor improvements, and agree deployment of the new buses and associated cascade. Such investment in corridors and buses will trigger a variation of this Enhanced Partnership.

- Notwithstanding the above, from 1 April 2025 80% of each operator’s bus fleet operating on “qualifying local services” shall have digital recording CCTV installed for safety and security. This will record images of all passenger areas inside the vehicle for safety and security and also facing forwards from the vehicle to help identify traffic issues.
- Notwithstanding the above, from 1 April 2023 Automatic Vehicle Location equipment installed that will feed into North Northamptonshire Council’s real time information system.
- All operators with fleets over 20 buses operating in North Northamptonshire Council area will be required to work with North Northamptonshire Council to develop investment plans to move to a non-fossil fuel fleet and agree a future implementation plan linked to a funding plan.

Ticketing Schemes

4.5 Regardless of fleet size from 1 April 2023, all buses will provide passengers the option to pay for the full ticket range offered for sale on board the bus through contactless payment.

4.6 For 1 April 2023 all operators will explore the introduction of common fare stage boundary points with the desire to align fare stages, this is to help communicate fares to passengers. For clarity an agreed fare stage does not mean an operator has to alter their fares at that location, fare stages shall not be more frequent than every 5 stops (regardless of whether a bus stops at every stop or not) and this fare charged will remain the operators own commercial decision. If the Enhanced Partnership is varied to adopt common fare stages, this will be binding as part of this Enhanced Partnership.

- 4.7 A multi-operator ticket shall be developed and provided across the full North Northamptonshire Council area commencing from year two onwards.
- 4.8 The Partnership will work to put in place fare capping to allow passengers to use their smart card or other contactless travel options and only be charged up to the maximum fare for day, week or month/4-week travel, with a date to be agreed aligned to technology roll-out.

Providing Information to the Public

- 4.9 Operators accepting multi-operator tickets will display the full range of such tickets and prices with equal prominence to their own products where these are communicated.
- 4.10 Operators will display details of relevant planned route changes and timetable changes on vehicles at least 2 weeks prior and 1 week following the change.
- 4.11 Operators must produce in both printed and on-line format either or both timetables or summary timetable(s) of all "qualifying local services" they operate or as otherwise agreed on a Partnership wide consistent basis.
- 4.12 Where operators provided publicity and information (at December 2021) they shall continue to maintain the production of the publicity and information, furthermore they shall work with the Management Forum to explore options to provide information on all other "qualifying local services" in the area shown on Figure 2.1 or of the map product produced. This is so that a more complete bus offer communicated in a way which is readily understood by the public. The Forum shall agree how best to do this and ensure reasonable currency of the information whilst not incurring excessive cost to those operators that produce such material. The option may be agreed to jointly pool funds and procure common mapping and summary timetable information at overall reduced cost.
- 4.13 Operators producing maps and timetables must prominently include details of the Realtime system and how to use it, using text shall be provided by North Northamptonshire Council and agreed at the Management Forum.
- 4.14 Operator producing maps and timetables/summary timetables must provide the North Northamptonshire Council with copies of the current maps and timetables for their "qualifying local services" at sites agreed between Council and operators, and adequate stock provided at all times.
- 4.15 Notwithstanding the above clause about promoting all operator services in an area, through this Enhanced Partnership Operators are encouraged to work with the Council to pool information and financial resources to produce shared information at lower overall cost, with any and all savings jointly reinvested in improved passenger information and marketing to promote bus, as jointly agreed between those parties pooling funding.

Customer Charter

- 4.14 In collaboration with North Northamptonshire Council and bus user representatives, operators will put in plans a Passenger Charter covering as a minimum "qualifying local services", this shall set out what passengers might expect from a good bus operator, who to contact if the service falls short of these standards along with a contact email address, and fair compensation for failure to deliver to the standards set out, including reimbursement of a taxi ride home in the event that the last bus home failed to run, as a result of operator failures. Exception examples: compensation might be avoided due to very include weather, emergency utility works, industrial action, and other cases where the changes have been pre-notified to customers in advance (road works, planned utility works etc.).

Exceptions

- 4.16 It is understood that from time to time temporary and short-term exceptions may be needed to the above standards, where it is better to operate a sub-standard service than not run a

service, examples include bus-factory recall, industrial action, ticket machine failure, passenger incident. In such circumstances the Operator shall agree with the Council the variation needed, duration and reason. The Operator will agree reasonable and proportionate customer communications with the Council, and these shall be funded by the Operator. The Council will also notify the Enhanced Partnership Board.

5.0 EP Scheme Management and Governance

- 5.1 The future governance arrangements after the Enhanced Partnership is 'made' are set out below.

Governance

- 5.2 The Enhanced Partnership will be overseen and managed by a Management Forum who will also review the Plan and Scheme in the light of any new Local Transport Plan for North Northamptonshire, as it moves away from the LTP inherited from the former Northamptonshire County Council. If required this may necessitate triggering the legal processes to vary or revoke this EPP and Scheme, replacing these with newer versions reflecting the new Policy.
- 5.3 The Management Forum, comprising the following group(s), have helped develop this Plan, along with the Wider Stakeholder Group who will be consulted as part of any review or future Enhanced Partnerships or variations to this one:

Management Forum

- North Northamptonshire Council (50% voting rights)
- Bus operators or their nominated representative(s) with services registered in this EPP area. One representative for each operator. (50% total voting rights)

Note: Operator voting rights are to be split in proportion to "qualifying local services" mileage of services falling within the EPP/EPs, measured on a typical weekday on or close to 1 April each year, and only varied mid-year where:

- An operator of "qualifying local services" joins or leave the market
- An operator of "qualifying local services" adjusts their network such that it would change their vote level by 2% or more, be it upwards or down.

Wider Stakeholder Group

- Local Transport Groups (one representative per User Group)
- Business improvement districts (one representative per BID)
- Major employers (one representative per employer, employers to be agreed between the Essential members)
- Neighbouring local transport authorities
- Traffic Commissioner
- Local Enterprise Partnerships
- Town and Parish Councils
- FE Colleges
- Transport Focus
- Confederation of Passenger Transport
- Bus Users UK

- 5.4 Bus performance data will be published every 6 months and the Management Forum shall not meet less than every six months, allowing it opportunity to consult with and consider the Wider Stakeholder Group's comments on published performance data. Meeting dates shall be set a minimum of month in advance, except for emergencies. The declaration of an emergency is determined by the majority vote of those eligible to do so by email. Chair of the Forum and Group shall be determined by the members.
- 5.5 Once considered by the Management Forum, the results of the reviews and the performance data will be made available to the public on the Council's website [Enhanced partnerships for buses | North Northamptonshire Council \(northnorthants.gov.uk\)](https://www.northnorthants.gov.uk/enhanced-partnerships-for-buses)

Future changes and Enhanced Partnerships

- 5.6 Under the powers at Section 138E of the Transport Act 2000, this Enhanced Partnership Scheme has chosen to include Bespoke Variation Arrangements. Variations discussed in this section are subject to the voting mechanism as set out below, and have been prepared in line with the statutory objection mechanism as set out in The Enhanced Partnership Plans and Schemes (Objections) Regulations 2018.
- 5.7 The powers to vary and future changes to the Enhanced Partnership are subject to operators own internal investment approvals processes, in the same way the Council will need to secure its own internal approvals, be they funding, planning consent, highway and traffic Orders and approvals etc. These Bespoke Variation processes will follow and not be used to circumvent these approvals.
- 5.8 The Management Forum will be responsible for considering requests for variations and revocation to the Enhanced Partnership Plan and Scheme and oversee the timely preparation of the Enhanced Partnership Plan and Scheme to replace this one, mindful of its initial 3-year timeline.
- 5.9 Consideration will be given to potential Enhanced Partnership Scheme variations put forward in writing, at least 1 week prior to a notified Management Forum meeting. This can be done by any one of the organisations represented on the Management Forum or an operator of qualifying local bus services. The proposer of a variation should demonstrate how this might contribute to achieving the objectives set out in the Enhanced Partnership Plan and current local transport policies. Such requests should be set out in writing and submitted to:
- chris.wragg@westnorthants.gov.uk
- 5.10 If there is not full agreement of all partners present, then the proposed variation will be put to the vote with a majority vote determining the outcome. Always provided that 2 or more operators having a combined voting right or at least 4% do not object. The Chairperson does not have a casting vote. In this case the Variation can be agreed under the bespoke arrangements allowed under Transport Act 2000 section 138E.
- 5.11 Whilst moving forward all partners are expected to use best endeavours to work together in a spirit of Partnership if an unresolvable difference is reached, it is noted that North Northamptonshire Council wish to trigger a variation and agreement cannot be reach under the above bespoke powers, it is always open to the Council to bring forward a formal Variation under the process set out in Part 2 of the Transport Act 2000 section 138L (2) (c). The proposed variation will be advertised on the NNC website and emailed to operators of qualifying local services in the Enhanced Partnership Scheme area. If the proposed variation passes the operator objection mechanism, North Northamptonshire Council will make the Enhanced Partnership Scheme variation, subject to the approval of Elected Members.

5.12 Variations might include:

- Exercising the option to extend the Enhanced Partnership by the additional year.
- Introducing measures set out in Table 3.2 and associated service enhancements in line with Table 4.1
- It can also include other variations as agreed, and be used to trigger the Revocation process as set out in S138 O

Review of the Enhanced Partnership Scheme

5.13 Once the Enhanced Partnership Scheme is made, it will be reviewed by the Enhanced Partnership Scheme Management Forum at least annually, commencing no later than on the anniversary of the scheme commencement date. North Northamptonshire Council will initiate each review and it will take no longer than 6 months to complete.

5.14 The review may suggest variations for adoption including:

- Definition of operators;
- Processes for variations;
- The Management Forum structure.

5.15 The Wider Stakeholder Group can also decide to review specific elements of the scheme on an ad-hoc basis. Wider Stakeholder Group members should contact North Northamptonshire Council using the following email address chris.wragg@westnorthants.gov.uk explaining what the issue is and its urgency. North Northamptonshire Council will then decide whether to table at the next scheduled meeting or make arrangements for all or the necessary Management Forum members to gather more quickly, using the Emergency Arrangements set out above.

Revocation of the Enhanced Partnership Scheme

5.16 An Enhanced Partnership Scheme can only exist if an Enhanced Partnership Plan is in place. If, for any reason, the Enhanced Partnership Plan is revoked, it would automatically mean that the Enhanced Partnership Scheme would cease. Equally, if all Enhanced Partnership Scheme(s) ceased, the Enhanced Partnership Plan would be revoked.

5.17 If, for some reason, it becomes necessary for the Enhanced Partnership Scheme to be revoked, the Enhanced Partnership Scheme Wider Stakeholder Group will be reconvened and follow the same process as outlined above.

5.18 If at any point in the future, any area covered by this Enhanced Partnership Scheme is included in a bus franchising scheme, the relevant requirements set out in this Enhanced Partnership Scheme document will cease to apply to areas covered by the franchising scheme, in line with the arrangements set out in the franchising scheme.

Dispute Resolution

5.19 If there is a dispute about the interpretation of the specification and application of any of the obligations set out in this EPS (as amended), and agreement cannot be reached at the Management Forum, then the matter under dispute will not be voted upon, until the matter has been discussed by the line managers of the most senior person representing each partner organisation that is eligible to vote (unless that person is the Managing Director or equivalent).

5.20 This senior group will discuss the matter in dispute, work to reach an agreed position, then refer their recommendation back to the Management Forum to implement as advised.

5.21 If this senior group cannot themselves reach agreement, then the matter shall be referred to arbitration, to a body or person agreed between the parties.

6.0 Consideration of Effect of the EPP

Neighbouring areas

- 5.1. As described the local bus network is largely self-contained, with some cross boundary serves providing links to adjacent towns. The impact of this EPP has been discussed with local operators and cross-boundary Councils consulted on these plans. Where services operate with material support from a cross-boundary authority we feel that it is for that authority to specify the services operated, although we would work with that authority to ensure that services followed the fares and ticketing arrangements set out in this Enhanced Partnership, where they operate in North Northamptonshire.
- 5.2. The EPP does not seek to alter service routes or tackle over bussing as this is not an issue locally. Therefore in terms of bus routes and service frequency there is no impact on adjoining areas.

Small and medium-sized operators

- 5.3. The needs of small and medium-sized operators (SMOs) have been considered in the development of the Enhanced Partnership, with opportunities for all bus operators to participate in its preparation. This has either been done through individual discussions or through consultation. The Plan seeks to support improvements in all aspects of bus provision, regardless of the size of operators providing services. With the Enhanced Partnership area, smaller operators have been given extended periods to comply with the improved bus quality standards.

Competition

- 5.4. The Enhanced Partnership has been subject to the Competition Test as set out in Part 1 of Schedule 10 of the Transport Act 2000. The assessment is included in Schedule F and, undertaken by Consultants SCP, supporting North Northamptonshire Council and shared with the Competition and Markets Authority, concluded that there will be no adverse impact on competition and that the EP Plan and Scheme is justified because:
- (a) it is with a view to achieving one or more of the following purposes:
- securing improvements in the quality of vehicles or facilities used for or in connection with the provision of local services;
 - securing other improvements in local services of benefit to users of local services; and
 - reducing or limiting traffic congestion, noise or air pollution.
- (b) its effect on competition is or is likely to be proportionate to the achievement of that purpose or any of those purposes. The Competition and Markets Authority has also been consulted on the proposals as required by section 138F of the Transport Act 2000

Consultation

- 5.5. The BSIP was itself the subject of public consultation, engagement with stakeholders, including operators, adjoining authorities. Use was also made of Transport Focus survey data for the whole of Northamptonshire to help develop our ambitious BSIP.
- 5.6. This Enhanced Partnership does not itself change routes, alter frequencies or fundamentally change buses, therefore the immediate impact on passengers is modest and positive. However, if BSIP funding is provided this will have a very material impact for example by improving bus corridors, hubs and rural service provision. However, public consultation on these changes would be more appropriate at the time the schemes are being planned when their impact can be more fully assessed and meaningful dialogue undertaken.
- 5.7. With this in mind the consultation undertaken on the Enhanced Partnership has been firstly focused around bus operators and statutory consultees.

- 5.8 Once in place this EPP, the Board and Wider Stakeholder Group, we want passengers and local employers to have the opportunity to influence the delivery of bus services across North Northamptonshire.
- 5.9 Also we will work with passenger advocacy groups and operators to agree a Passenger Charter, which once agreed means Operators will be obliged to operate in accordance with its commitments.

7.0 Glossary of terms

Term	Definition
Adopted highway	A highway maintainable at public expense. When new roads are constructed by developers, the council requires them to be brought up to a suitable standard before they are adopted.
National Bus Strategy - Bus Back Better (BBB)	This is the Governments Bus Strategy, published in 2021, setting out how the Government wish to see bus services improved and requiring Local Transport Authorities to either follow the bus Franchising Route or the Enhanced Partnership route to improve bus services. There is always the do-nothing option, but this has been discounted as it would result in the immediate loss of funding to support bus services in the area.
Bus Service Improvement Plan (BSIP)	A document setting out how buses are to be improved in North Northamptonshire over the next 5 years or so. This is prepared in line with Guidance published by the Council and is linked to the Councils declaration to pursue an Enhanced Partnership
Enhanced Partnership	A Partnership approach set out in the Transport Act 2000 and amended by the Bus Services Act 2017, where the Council can impose requirements on bus operators to be able to run services in the area.
Enhanced Partnership Plan (EPP)	EP plan - this is a high-level vision and objectives for bus services in the local area and closely follows or replicates relevant sections of the BSIP
Enhanced Partnership Scheme (EPS)	EP scheme - this sets out the precise detail of how the BSIP vision and objectives will be achieved, including any commitments made by the local authority or standards to be met by bus operators
Local highway authority	The local authority responsible for rights of way and adopted highways with an area, except trunk roads and motorways which are the responsibility of National Highways.
Local transport authority	The local authority responsible for transport planning and certain public transport functions within an area
Local Transport Plan	A statutory document prepared by a local transport authority setting out its policies for the encouragement of safe, integrated efficient and economic transport within its area and its proposals for implementation of those policies.
Section 106 developer funding	Funding secured by an obligation placed upon a developer under Section 106 of the Town & Country Planning Act 1990

Schedule A: List of qualifying bus services (as of 26/11/2021)

Schedule A1: Kettering to Desborough Corridor

Service	Description	Operator
2	Corby Business Academy – Kettering	Stagecoach
X4	Northampton – Corby	Stagecoach
10	Kettering – Northampton	Stagecoach
X10	Kettering – Northampton	Stagecoach
16	Kettering – Raunds	Stagecoach
17A	Desborough – Kettering	Stagecoach
18	Market Harborough – Kettering	Stagecoach
19	Kettering – Corby	Stagecoach

Schedule A2: Kettering to Burton Latimer Corridor

Service	Description	Operator
8	Corby – Kettering	Go-Whippet
X3	Corby – Huntingdon	Go-Whippet
X4 Gold	Northampton – Corby	Stagecoach
10	Kettering – Northampton	Stagecoach
16	Kettering – Raunds	Stagecoach
18	Market Harborough – Kettering	Stagecoach
19	Kettering – Corby	Stagecoach
47	Wellingborough – Kettering / Stamford Road	Stagecoach
48	Wellingborough – Kettering / Stamford Road	Stagecoach
49	Rushden – Kettering	Stagecoach
50	Rushden – Kettering	Stagecoach
276	Burton Latimer – Latimer School	Stagecoach
278	Spinney Road – Latimer School	Stagecoach

Schedule B: Reporting Mechanisms to North Northamptonshire Council

Highway Issues

All highway defects reported to North Northamptonshire Council will be dealt with in accordance with the Council's current highway maintenance and management service contract requirements. Highway defects should be reported through: <https://www.northnorthants.gov.uk/parking-roads-and-transport/report-highway-problem>

Issues are reported via Street Doctor. By using Street Doctor, reports are logged appropriately, go to the right team and updates are sent.

This includes:

- Potholes (or other road and pavement issues)
- Faulty or broken streetlighting;
- Abandoned vehicles;
- Flooding or drainage issues;
- Fly tipping;
- Litter and street cleaning (leaf litter, dead animals, graffiti or glass)

Issues reported will be looked at initially within 5 working days to determine what further action may be required.

Parking Issues

Information on how to request a new parking restriction can be found on our website <https://www.northnorthants.gov.uk/parking-roads-and-transport/request-new-parking-restrictions>

For abandoned vehicles call ELVIS on 08456 121 999 or email: elvis.recovery@northants.police.uk

Roadwork Notifications

Information about roadworks being planned in the coming weeks and months is available on the KierWSP website: <https://www.kierwsp.co.uk/news>

Live updates about roadworks in Northamptonshire via the national one network website is also available at: <https://one.network/uk/northamptonshire>

Schedule C: Corridor Boundaries and potential upgrade works

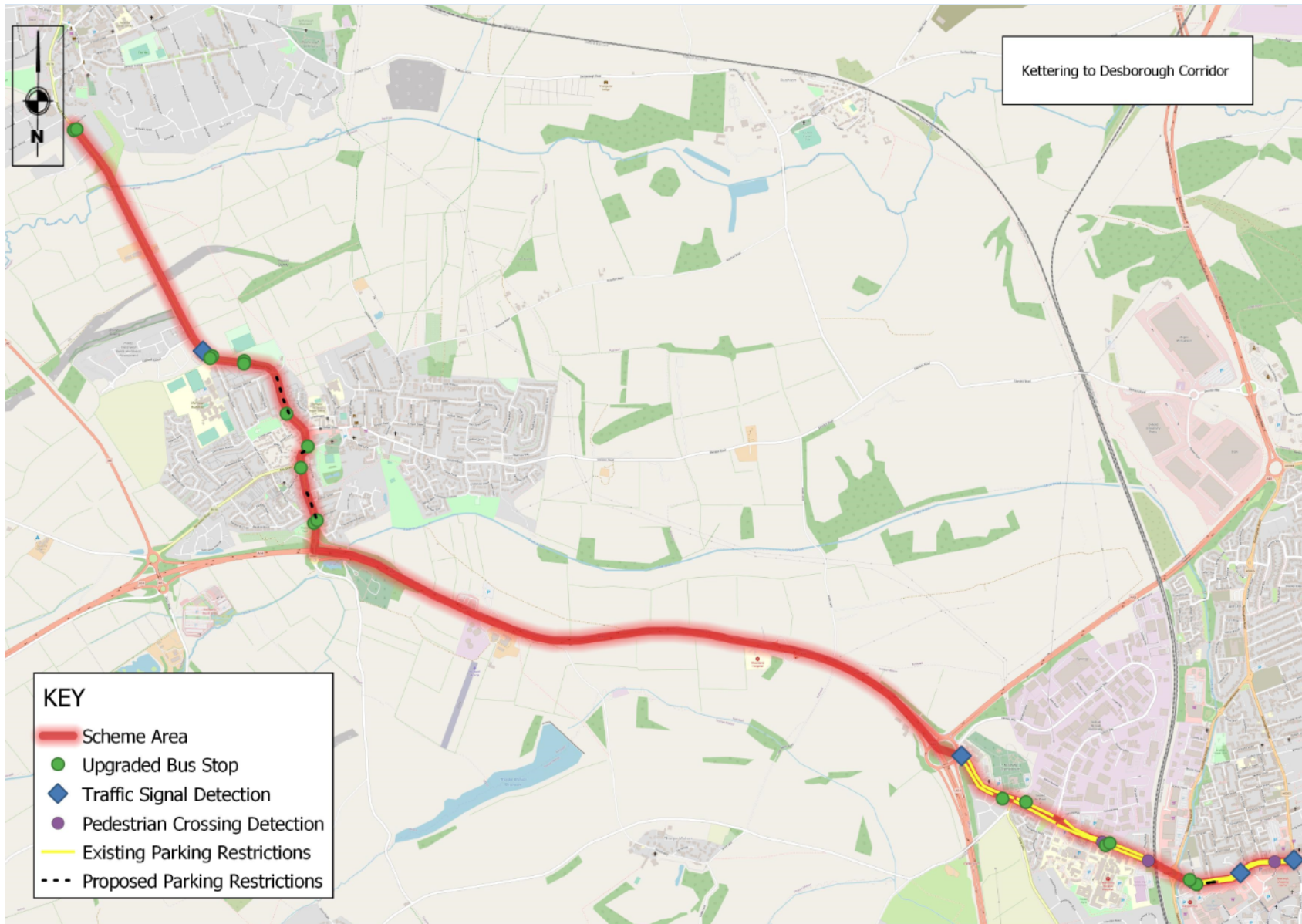


Figure 2 - Map of Kettering to Desborough corridor showing potential upgrade works.

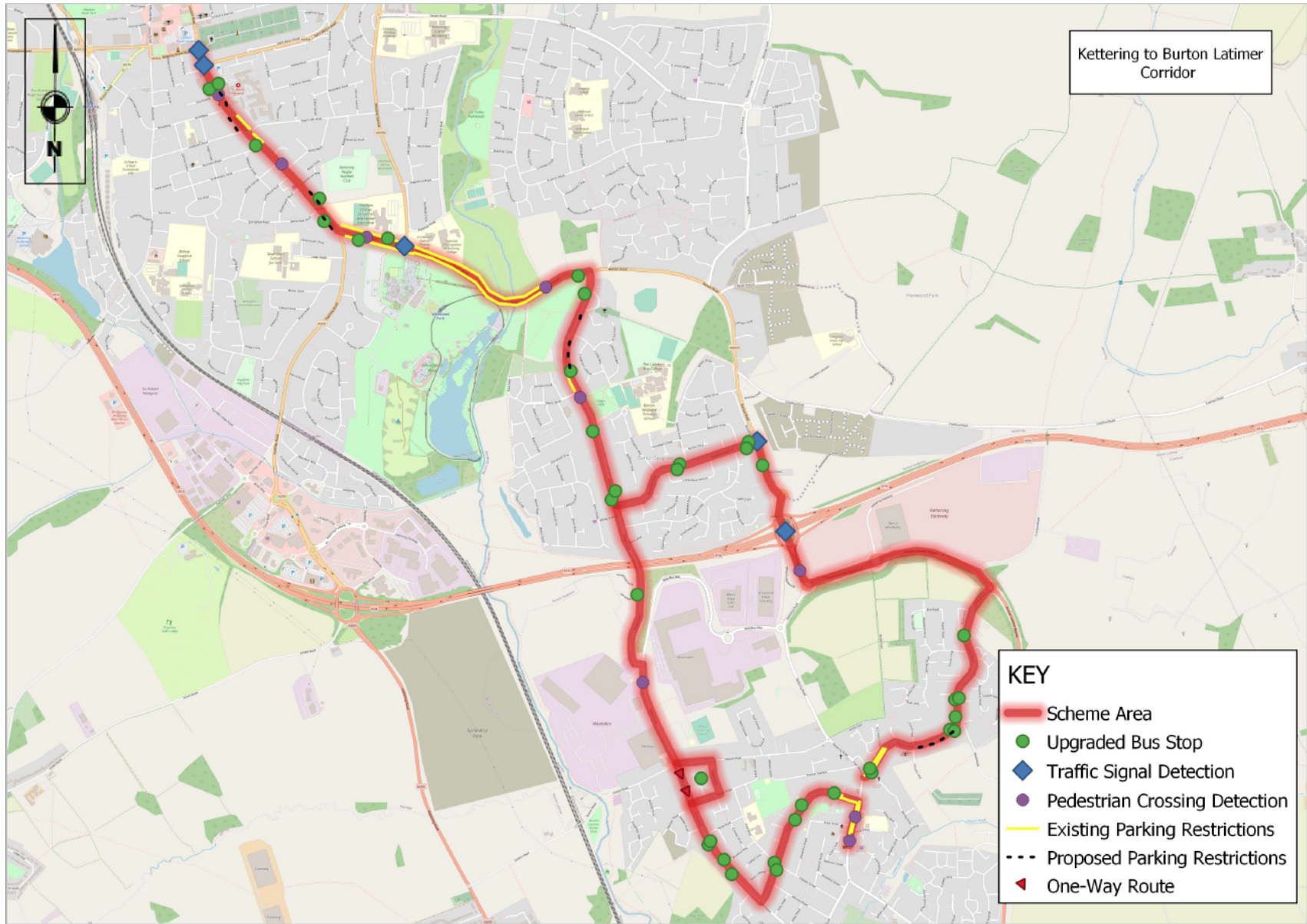


Figure 3 - Map of Kettering to Burton Latimer corridor showing potential upgrade works.

Schedule D: Reducing the impact of roadworks

Red Tier

These works will be extremely disruptive to buses. This could be because of the duration of the works, regularity of the buses or the unavailability of diversion routes, for example. As a rule of thumb, they would meet at least one of the following criteria:

- Have 10-or-more buses per hour operating on them
- Be of a duration of over one week
- Have a diversion route deemed unworkable or with the consequence of omitting a significant community or destination by the Bus & Rail team unilaterally or in discussion with bus companies
- Lane or bus stop closures or turning movement bans may also be considered "Red Tier" if they result in similar consequences.
- No alternative stop

When Red Works are identified they should:

- Have early proactive engagement with the Bus & Rail team to enable early proactive engagement with bus operators
- Be planned not to clash with other significant road closures or bus disruptions
- Be planned in conjunction with the weather forecast to make best endeavours not to have it disrupted by inclement weather
- Not to be scheduled or re-scheduled at less than 48-hours' notice
- Signage advising of the closure and disruption should be prepared and displayed by the contractor, giving clear advice on what disruption is taking place and what the intending passengers should do.

Yellow Tier

Whilst still very disruptive, there is a workable diversion for buses and it can be managed. Works in this category will still result in buses being diverted and passengers needing to be informed about what is being planned, but they are generally not as disruptive as the Red Works.

Generally, these would meet at least one of the following criteria:

- Be of duration up to 10 days
- Not have more than 9 buses per hour running on them
- Have a diversion route which is workable albeit with some planning
- Residents affected have an option to get to an alternative service or stop as long as they have the relevant information

Yellow Works would require the following:

- Have early proactive engagement with the Bus & Rail team to enable early proactive engagement with bus operators
- Be planned not to clash with other significant road closures or bus disruptions
- Signage advising of the closure and disruption should be prepared and displayed by the contractor, giving clear advice on what disruption is taking place and what the intending passengers should do

Green Tier

This road closure will generally not impact buses at all, or where the disruption is so minor it does not require significant advanced publicity.

Generally, these would meet at least one of the following criteria:

- Be of duration up to 10 days
- Not have more than 9 buses per hour running on them
- Have a diversion route which is workable and not in need of significant rescheduling
- Residents affected have an option to get to an alternative stop simply on the day

Green Works should require the following:

- Have early proactive engagement with the Bus & Rail team to enable early proactive engagement with bus operators
- Be planned not to clash with other significant road closures or bus disruptions
- Signage advising of the closure and disruption should be prepared and displayed by the contractor, giving clear advice on what disruption is taking place and what the intending passengers should do

Schedule E: Classification of commercial services by service level tier

Note: the services allocated to the tiers below are those operating at the required frequency and falling with the definitions, as at November 2021. New services or service changes may result in services moving between Tiers during the life of the Enhanced Partnership. The definitions of tiers define the service Tier.

Urban Tier 1 – defined as a higher frequency service substantially serving one town and for the majority of the route travels within the one urban area the typical frequency for buses along the main corridor is 15 minutes or better in the weekday daytime.

- 1 Welland Vale – Corby Town Centre – Taunton Avenue (Stagecoach Midlands)
- 3 Shire Lodge – Corby Town Centre – Danesholme (Stagecoach Midlands)

Urban Tier 2 - defined as a medium frequency service substantially serving one town and for the majority of the route travels within the one urban area the typical frequency for buses along the main corridor is 30 minutes or better in the weekday daytime.

- 2 Priors Hall – Corby Town Centre – Great Oakley – Kettering Town Centre – Venture Park (Stagecoach Midlands)
- 17/18/19 Kettering Town Centre – Ise Lodge (Stagecoach Midlands)
- 47/48 Kettering Town Centre – Burton Latimer (Stagecoach Midlands)
- W1 Wellingborough Town Centre – Queensway (Stagecoach Midlands)
- W2 Wellingborough Town Centre – Nest Farm Road (Stagecoach Midlands)

Urban Tier 3 – defined as less frequent than hourly throughout the weekday daytime

- RHL Rushden Higham Link

Inter-Urban Tier 1 – defined as travelling between towns and serves the rural community between – higher frequency (around 30 minutes on most parts of the route (daytime weekday)

- 17/18/19 Kettering – Rothwell – Desborough combined frequency (Stagecoach Midlands)
- 49/50 Kettering – Burton Latimer – Irthlingborough – Rushden combined frequency (Stagecoach Midlands)
- X4 Corby – Kettering – Wellingborough – Northampton (Stagecoach Midlands)
- X46/X47 Raunds – Rushden – Wellingborough – Northampton combined frequency (Stagecoach Midlands)

Inter-Urban Tier 2 - lower frequency (around hourly on most parts of the route (daytime weekday)

- 17 Kettering – Rothwell – Desborough (Stagecoach Midlands)
- 17A Kettering – Rothwell – Desborough (Stagecoach Midlands)
- 18 Kettering – Rothwell – Desborough – Market Harborough (Stagecoach Midlands)

- 19 Kettering – Rothwell – Desborough – Corby (Stagecoach Midlands)
- 47 Wellingborough - Finedon – Kettering (Stagecoach Midlands)
- 48 Wellingborough – Irthlingborough - Finedon – Kettering (Stagecoach Midlands)
- 49 Kettering – Rushden – Wellingborough (Stagecoach Midlands)
- 50 Kettering – Rushden – Bedford (Stagecoach Midlands)
- RF1 Corby – Uppingham – Oakham (Centrebus)
- X4 Peterborough – Oundle – Corby (Stagecoach Midlands)
- X10 Kettering – Northampton (Stagecoach Midlands)
- X46 Raunds – Rushden – Wellingborough – Northampton (Stagecoach Midlands)
- X47 Raunds – Rushden – Wellingborough – Northampton (Stagecoach Midlands)

Rural Tier 3 – predominately serves rural villages

- 25 Rushden – Sharnbrook – Bedford (Grant Palmer)

Industrial Estate Service

- 2A Weldon Industry – Priors Hall – Corby Town Centre (Stagecoach Midlands)
- 2B Kettering – Corby – Weldon Industry (Stagecoach Midlands)
- 2C Corby Estates – Town Centre – Weldon Industry (Stagecoach Midlands)
- 4 Corby Estates – Earls tree Industry (Stagecoach Midlands)
- X44 Wellingborough – Brackmills (Stagecoach Midlands)

Academic Service

- 276 Burton Latimer – Latimer School (Stagecoach Midlands)
- 278 Burton Latimer – Latimer School (Stagecoach Midlands)
- Stanion – Kettering Buccleuch Academy (Hamiltons & Buckbys)

Schedule F: Competition Test

Note - this is not part of the EPS, it is included for information. It is owned by the Council who will review and amend, as necessary, without recourse to the Bespoke Variation arrangements. However, every time the bespoke arrangements are proposed to be used this Competition Test will need to be reviewed to see if the changes proposed have any implications.

SCP on behalf of North Northamptonshire Council has undertaken an assessment of the impacts of the EP Plan and Scheme to be Made to come into effect on 30 April 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 Transport Act 2000.

The Competition and Markets Authority has also been consulted on the proposals as required.

The legislative test, as it applies to Enhanced Partnerships and Ticketing Schemes says (in Part 1 of Schedule 10 Clause 2):

- (1) For the purposes of this Part of this Schedule the exercise or proposed exercise of a function to which this Part of this Schedule applies meets the competition test unless it —
 - (a) has or is likely to have a significantly adverse effect on competition, and*
 - (b) is not justified by sub-paragraph (2).**
- (2) The exercise or proposed exercise of a function is justified if —
 - (a) it is with a view to achieving one or more of the purposes specified in sub-paragraph (3), and*
 - (b) its effect on competition is or is likely to be proportionate to the achievement of that purpose or any of those purposes.**
- (3) The purposes referred to in sub-paragraph (2) are —
 - (a) securing improvements in the quality of vehicles or facilities used for or in connection with the provision of local services,*
 - (b) securing other improvements in local services of benefit to users of local services, and*
 - (c) reducing or limiting traffic congestion, noise or air pollution.”**

The following sections break down the test into the above 3 component parts. Firstly exploring what is the impact on competition. Secondly is it justified by Step 2.

Stage 1 – Does the EPS have a potential impact on competition?

The Council considers that EPS has a potential influence on Competition in the following ways, in reaching these conclusions it has considered the effect on existing operators and potential new operators joining the market. The rationale for each intervention flow from the Bus Service Improvement Plan, and are being brought forward through the Enhanced Partnership Scheme (EPS):

- The EPS seeks to require Urban Tier 1 and 2 “Qualifying Local Services” to operate core hours (arriving/departing the town centre between 0730 through to 1830hrs Monday to Friday except bank holidays) and retain normal daytime frequencies between these hours.
The Council are seeking make the bus offer more predictable to users.
Does this have a potential impact on competition – **no**.
Why? These are the high frequency services and services in these tiers already operate across these times. Less frequent and longer distance services in other Tiers are not covered by this requirement so it is not a barrier to entry.
Without the EP, there would be no obligation on operators to run buses throughout the hours specified, however as already stated services in these tiers already comply with the specification and as such it is likely the higher frequency urban routes would continue to voluntarily comply.

- Vehicle standards this covers the provision of CCTV and the fitting of automatic vehicle location technology.

The Council considers that CCTV is required to reassure passengers about the safety of using the bus and reduce crime and incidents that might cause buses to be taken out of operation. AIL is discounted from this test as it is already a legal requirement for operators.

Does this have a potential impact on competition – **no**

Why might it impact on competition? – the specification of the bus to a high standard may be a barrier to entry to the market for new operators. Retrofitting CCTV on buses is not costly to the point of being a barrier to entry.

Without the EP automatic vehicle location technology is still required by law but emissions may not be reduced and North Northamptonshire might be vulnerable to larger operators swapping out newer buses for other areas. CCTV is already fitted on many buses in North Northamptonshire, and can be affordably making retrofitted, so is not seen as a barrier to entry.

- Common fare stage boundaries will enable journey cost information to be provided to bus users. Does this have a potential impact on competition – **no**

Why might it impact on competition? – the setting of common fares stages does not mean operators have to change fares at every fare stage, it also does not influence the fares charged.

In the absence of an EP it would continue to be up to operators to choose the locations at which fares change, this would make it hard to communicate fares information to customers in a simplified form.

- Fare capping and multi-operator ticketing could have an impact on competition. However at this stage the obligation is to work and deliver a scheme for fare capping and multi-operator ticketing. The details and the arrangements for reimbursement need to be developed and agreed. Multi-operator ticketing is permitted under the block-exemption, but needs to be set up in such a way that it does not favour one operator above another and that new operators can enter the market fairly. Fare capping is designed to make sure passengers travel on the most cost effective ticket for their trip making, this does not set fares, as such it does not impact on competition.

Fare capping and multi-operator ticketing will need to be subjected to their own competition test at the time they are being considered for introduction. Therefore there is no action for now, but this is one to note for the future.

Does this have a potential impact on competition – **potentially but the details of each will need to be developed and a further competition test undertaken on the details in line with legislation.**

Why might it impact on competition? – Fare capping and multi-operator ticketing can both undercut commercial fares making an operator unviable. If the allocation on multi-operator revenue is not apportioned fairly or excludes a new operator, then this can have a direct impact on competition and act as a barrier to entry.

Stage 2 – Does each intervention proposed contribute towards the specified purposes?

The interventions are justified if they support delivery of one or more of the objectives set out in paragraph 3 Part 1 of Schedule 10 Clause 2(3), above, but repeated below for clarity:

- a) securing improvements in the quality of vehicles or facilities used for or in connection with the provision of local services,
 - b) securing other improvements in local services of benefit to users of local services, and
 - c) reducing or limiting traffic congestion, noise or air pollution.
- The EPS seeks to set minimum hours of operation for high frequency Tier 1 and 2 services. This will allow users to enjoy a more consistent bus offer and plan journeys with greater predictability, **it achieves purpose #b**
 - Vehicle standards including the provision of CCTV and the fitting of automatic vehicle location technology. CCTV on board buses reassures bus users that buses are safe to use and will reduce incidents and issues which might delay or cause buses to be cancelled, **it achieves purposes #a and b**

- Common fare stages will allow improved fares information to be made available to users, **it achieves purpose #b**
- Fare capping and multi operator ticketing will both ensure that bus users are not over charged on parts of the network where there is limited or no competition. Multi operator tickets will allow bus users to travel on more than one operator's service at a fair cost, which may be less than purchasing multiple single tickets, **it achieves purpose #b**

The Council believes that in all areas the Stage 2 test is met, as each intervention addresses one or more of the specified purposes.

Stage 3 – Is the adverse effect on competition proportionate?

This stage considers whether the effect of each intervention (singularly and collectively) on competition is proportionate.

Only the fare capping and multi-operator ticketing proposals have a competition issue. However the EP first requires the schemes to be developed and then introduced. The effect on competition can only be assessed once the scheme has been developed. At that stage a further Competition Test will be required based on the scheme specifics. However in principle both are permitted in law.

Furthermore, the Competition Commission's report into local bus services in the UK found that carefully designed and implemented multi-operator ticketing products can help increase competition between bus operators – delivering further benefits for passenger.

Fare capping is permitted through the Bus Services Act 2017.