

Transport Focus: Enhanced Partnership consultations process – aims and outputs

We have set out below the questions about the Enhanced Partnership consultation which were posed in the chat bar. Some were read out by the chair and answered by Transport Focus during the session, and these answers are written up below, supplemented by some additional text in places. A number of comments were placed in the chat bar, but these are not included.

In the second part of the Q&A Transport Focus staff were joined by Steve Blackmore from the Department for Transport, who answered more general questions about Enhanced Partnerships, including funding and timing. These questions have been forwarded to the Department for Transport, who will add them to their 'Base Camp' FAQ where appropriate

Summary of key issues discussed in Q&A session:

My understanding of the guidance is that you can only use the bespoke variance mechanism to vary the "scheme", not the "plan"...? Happy to be corrected if that's wrong...

Section 138K of Transport Act 2000 makes provision for EP Plans and Schemes to be varied. Section 7 of the Guidance also explains how to do this. Bespoke variation arrangements for Schemes are covered by paragraphs 7.19 to 7.25 of the Guidance.

The guidance implies that the consultation can only begin after the initial 28 day operator objection process has concluded. Is this correct or can it run concurrently?

Consultation can only take place after the initial 28-day operator objection period as explained in section 138F of the Transport Act 2000.

What resource is being made available at the police, traffic commissioner and passenger focus to actually respond to these EP consultations?

We have not received any additional resources, but are gearing up to respond to all EPs received; we cannot speak for the other statutory consultees. We are happy to discuss further with any LTAs how we can play a constructive role.

Statutorily we need to consult bus users on the EP. If you haven't got a Bus User Group to consult with then is consulting publicly the only option?

Even if there is a user group, you may want to consult more broadly to seek the views of people with protected characteristics, elected members, rural areas, local businesses etc. – see Transport Focus website for our guidance on passenger representation on BSIPs.

Could the consultation be used to assist in helping to prioritise what are like to be limited Government funding allocations? In other words, which elements to definitely take forward 'subject to funding'?

Definitely. Future opportunities identified in your BSIP are important as well as the shorter-term opportunities which are funded, as highlighted in my presentation. Consultees can be invited to help you prioritise and thus influence EP variations and subsequent Schemes.

Accept need for open questions, but also concern as internal advice is that response exhaustion occurs after about 6 questions. How to balance usability of consultation?

Certainly, if you consulted on your BSIP, asking the same questions of the same people may be of limited value. However, statutory consultees such as CMA, Traffic Commissioners and Transport Focus are likely to want to explain their answers, rather than just tick a box that says they agree or disagree. Limit the number of questions but ask them in an open format, such as 'do you have any comments about...?'

Are standard contact details for groups such as CMA available so we know the consultation is going to the right place? The email for Transport Focus is really useful.

Details not held centrally - LTAs will have to research each organisation.

If we make our EP 'vanilla' as suggested to get it through the process in time, will we run the risk of Transport Focus criticising it through the consultation process for not being ambitious enough in meeting the needs of bus users?

Transport Focus will encourage LTAs to realise the opportunities to improve their bus services that were identified in their BSIPs. We recognise that contractual commitments cannot be entered into in the first instance if they are contingent on uncertain funding.

I'm planning to do a public consultation on the EP but with narrow questions, but then do a wider consultation with more questions etc and some market research to capture non bus users on the BSIP afterwards - is that ok? Just conscious of getting the EP over the line with no amendments

Obviously, you need to comply with the letter of the law in relation to the EP consultation and we hope you will also comply with the spirit. We accept that there may be different ways of doing the latter, as highlighted in my presentation.

Hi, Section 3.1 in the Guidance does state that the EP Plan and Scheme needs to go through a public consultation. Am I reading that wrongly and no problem if I am. Thanks

Section 138F (6) of the Transport Act 2000 specifies stakeholders who must be consulted. Section 2.7 of the Guidance refers to 'public' consultation, but does not elaborate. Steve Blackmore commented that whether the public are consulted depends on the scale of the changes proposed. This seems to be a grey area.

There is a real risk that commercial cuts to bus services will cut across the consultation period for the EP. How do we manage such a confused message?

With difficulty! We are happy to discuss with you in more detail.

Is it acceptable to reduce the stakeholder consultation, following the initial 28-day statutory consultation, to 14 days if we can evidence earlier engagement?

I think it would be hard to justify such a short consultation. You would need to show that ALL statutory consultees had had a FULL opportunity to comment on your EP, which I think most LTAs would find difficult.

