North Yorkshire County Council

Business and Environmental Services

Executive Member for Access

4 October 2021

Department for Transport Bus Recovery Grant Funding

Report of the Assistant Director – Travel, Environmental & Countryside Services

1.0 Purpose Of Report

- 1.1 To update the Corporate Director, Business and Environmental Services (BES) and BES Executive Members on the Department for Transport (DfT) Bus Recovery Grant Funding and proposals for the same.
- 1.2 Following consultation with the Corporate Director Business and Environmental Services and the Corporate Director Strategic Resources for the Executive Member to approve submission of the LTA BRG Declaration Form Appendix A and following consultation with the Corporate Director Business and Environmental Services and the Corporate Director Strategic Resources and the Assistant Chief Executive (Legal and Democratic Services) for the Executive Member to authorise the Corporate Director Strategic Resources to accept the funding.

2.0 Background

- 2.1 Since early in the pandemic the Department for Transport (DfT) has been providing financial support to the public transport sector to mitigate against the reduced patronage levels as a result of the pandemic and ensure adequate service levels can be maintained. This has been in the form of funding direct to local bus service operators and funding to local authorities to distribute to bus operators who are operating support bus services in the local authority area.
- 2.2 There has been a number of differing variations of funding including the Coronavirus Bus Services Support Grant (CBSSG) which has been a key element of support provided to the sector, for both commercial and tendered services and which is now being transitioned into recovery funding.

3.0 Bus Recovery Grant

- 3.1 In July 2021, the Government announced bus recovery funding of £226.5 million to support the bus sector across England (outside London). This funding will cover the period from 1 September 2021 to 5 April 2022
- 3.2 As part of the recovery funding package, commercial operators will be provided with funding to maintain service levels across their networks, which have been crucial over the past 18 months. In addition, an element of the recovery fund will be provided to us as a Local Transport Authority (LTA) to support tendered services (LTA BRG).

- 3.3 As with the LTA CBSSG provided previously, we have been allocated this funding to continue to support tendered services that serve communities for whom buses are vital in providing access to work, education and preventing isolation. This funding will enable us to continue our important work in identifying and providing socially necessary services which would otherwise not be provided.
- 3.4 On 27 September 2021 North Yorkshire County Council received the letter attached at Appendix B which shows that we have been allocated a grant of £292,720 to manage and administer to bus operators who qualify for the funding.
- 3.5 We must return the LTA BRG Declaration acceptance form attached at Appendix A, having regard to the Memorandum of Understanding, to accept the Councils funding allocation on 4 October 2021 with the necessary signatures attached.

4.0 Equalities

- 4.1 Consideration has been given to the potential for any adverse equality impacts arising from this decision (see Appendix C). The acceptance of the BRG will enable the release of £292,720 funding to the council. This in turn will enable financial support to the public transport sector, crucial in maintaining the bus service levels needed to help key workers get to work and allow the public to access essential services.
- 4.2 Maintaining bus service levels will avoid any adverse impact to groups of people with protected characteristics.

5.0 Finance

5.1 The Council will receive £292,720 to manage and allocate within the guidelines of the Memorandum of Understanding attached at Appendix A.

6.0 Legal

- 6.1 Consideration has been given to the potential for any legal implications arising from the recommendations of this report. It is the view of officers that the recommendations included in this report do not have any significant legal implications.
- 6.2 The recommendations contained in this Report will enable the County Council to continue to fulfil its statutory duty under Section 63 of the Transport Act 1985 and subsequent amendments.

7.0 Climate Change

7.1 The submission of the acceptance declaration will enable the release of £292,720 bus recovery funding to the council. This in turn will enable financial support to the public transport, crucial in maintaining the bus service levels needed to help key workers get to work and allowing the public to access essential services. Maintaining bus service levels will not have any positive or adverse impacts. Impacts will remain the same as existing, see Appendix D.

8.0 Recommendations

8.1 Following consultation with the Corporate Director Business and Environmental Services and the Corporate Director Strategic Resources for the Executive Member to approve submission of the LTA BRG Declaration Form Appendix A and following consultation with the Corporate Director Business and Environmental Services and the Corporate Director Strategic Resources and the Assistant Chief Executive (Legal and Democratic Services) for the Executive Member to authorise the Corporate Director Strategic Resources to accept the funding

MICHAEL LEAH Assistant Director – Travel, Environmental & Countryside Services

Author of Report: Catherine Price

Declaration from Chief Auditor or Section 151 officer in respect of Local Transport Authority Bus Recovery Grant funding (LTA BRG).

Local Authority Name	
Name of Local Authority Authorised signatory	
Position of Authorised person signatory	

We will endeavour to carry out appropriate investigations and checks to ensure that, in our opinion, in all significant respects, the Local Transport Authority Bus Recovery Grant is used in accordance with the Memorandum of Understanding attached to this declaration and all related Grant Determinations to be determined by the Department for Levelling Up Housing and Communities.

Signature

Name

Date

Memorandum of Understanding – Local Transport Authority Bus Recovery Funding

- The purpose of this memorandum of understanding ('MOU') is to formalise the working relationship and expectations relating to the payment of the Local Transport Authority Bus Recovery Grant ('LTA BRG') scheme funding from the Department of Transport ('the Department') to the recipient Local Transport Authorities ('LTAs').
- 2. This MOU is not intended to be legally binding, and no legal obligations or legal rights shall arise between the Parties from the provisions of the MOU. The Parties enter the MOU intending to honour all their obligations.
- 3. It is the Department's expectation that LTA BRG paid to each LTA under this determination will be used only for the purposes of supporting local bus services from 01 September 2021 to 05 April 2022 ('the Recovery period').
- 4. The Department expects that any LTA in receipt of LTA BRG will comply with the Department's ask of maintaining concessionary fares (ENCTS) funding to bus operators at pre-Covid levels, in accordance with DfT guidance.
- 5. LTAs are expected to repay any outstanding funding from LTA CBSSG and/or LTA CBSSG Restart prior to receiving Recovery Funding.
- 6. LTA BRG funding should be used in the following ways only:
 - a) For claims for tendered services procured by the LTA that are valued at £29, 999 or more, irrespective of the size of the LTA's supported bus services budget
 - b) To cover losses where an LTA, or lower Tier Authority, takes the revenue risk on a tendered service
 - c) To cover losses where an operator takes the revenue risk on a tendered service
 - d) To ensure the provision of a replacement service where a commercial service has been withdrawn, subject to prior agreement with the Department.
 - e) To provide additional tendered services or to alter existing tendered services
 - f) To support community transport services
- 7. The Chief Internal Auditor of each of the recipient LTAs, or a Section 151 Officer, are asked to sign and return to brg@dft.gov.uk a declaration, to be received no later than 4 October 2021, in the following terms:
 - "We will endeavour to carry out appropriate investigations and checks to ensure that, in our opinion, in all significant respects, the Local Transport Authority Bus Recovery Grant is used in accordance with the Local Transport Authority Bus Recovery Grant Memorandum of Understanding attached to this declaration and all related Grant Determinations to be determined by the Department for Levelling Up Housing and Communities."

- In addition, by 29 October 2021, using the accompanying pro-forma, LTAs are required to submit a list of all tendered bus services that LTAs have procured, including details such as route number, operator name, DVSA registration number and scheduled mileage over each relevant 28-day period during (a) 1 September 2019 – 15 February 2020 and (b) 1 September 2020 – 15 February 2021 as set out below:
 - a) For 2019/2020:
 - Period 1: 1 September 2019 28 September 2019
 - Period 2: 29 September 2019 26 October 2019
 - Period 3: 27 October 2019 23 November 2019
 - o **Period 4**: 24 November 2019 21 December 2019
 - Period 5: 22 December 2019 18 January 2020
 - Period 6: 19 January 2020 15 February 2020
 - b) For 2020/2021
 - Period 1: 1 September 2020– 28 September 2020
 - o **Period 2**: 29 September 2020 26 October 2020
 - Period 3: 27 October 2020 23 November 2020
 - Period 4: 24 November 2020 21 December 2020
 - Period 5: 22 December 2020 18 January 2021
 - Period 6: 19 January 2021 15 February 2021
- LTAs are further required to submit the percentage of pre-Covid concessionary fares (ENCTS) payments currently being made
- 8. LTAs will be asked, at the end of the scheme, to provide the Department information on the services that they have supported. This will include, but is not limited to:
 - a) Bus services supported
 - b) The financial contribution and date of payment made to each operator
 - c) Mileage (km) tendered bus services have operated
- LTAs are expected to have committed to entering Enhanced Partnerships or started the statutory process of franchising services, as set out in the Bus Services Act 2017 to deliver on the ambitions of the National Bus Strategy, working closely with operators.
- 10. The Department may amend the information being requested from local authorities.
- 11. The Department will use information to inform the broader Government approach to recovery funding.

12. Where the funding allocation has not been wholly used by the local authority in the Recovery period, we ask that any underspend be returned to the Department at the end of the LTA Bus Recovery Grant scheme.				



Department for Transport Great Minster House 33 Horseferry Road London SW1P 4DR Tel: 0300 330 3000 Web site: www.gov.uk/dft

27 September 2021

Dear Colleagues,

Local Transport Authority Bus Recovery Funding (LTA BRG)

I would like to open by thanking LTAs for their continued engagement and vital support throughout the Covid-19 pandemic. This close co-operation with the Department, as well as between bus operators and LTAs, has been crucial in maintaining the service levels needed to help key workers get to work and allowing the public to access essential services.

Emergency Government funding via the Coronavirus Bus Services Support Grant (CBSSG) has been a key element of support provided to the sector, for both commercial and tendered services and we are now transitioning to providing recovery funding. As you will be aware, in July the Government announced bus recovery funding of £226.5 million to support the bus sector across England (outside London). This funding will cover the period from 1 September 2021 to 5 April 2022.

As part of the recovery funding package, commercial operators will be provided with funding to maintain service levels across their networks, which have been crucial over the past 18 months. In addition, an element of the recovery fund will be provided to LTAs to support tendered services (LTA BRG).

As with the LTA CBSSG provided previously, we will ensure that LTAs have sufficient funding to continue to support tendered services that serve communities for whom buses are vital in providing access to work, education and preventing isolation. This funding will enable LTAs to continue their important work in identifying and providing socially necessary services which would otherwise not be provided.

LTAs will receive the same proportion of the funding they received from the total LTA CBSSG scheme. This funding is intended to be sufficient to enable them to run and maintain 100% service levels of their current tendered service network. If an LTA wishes to use LTA BRG funding towards continuing enhanced cleaning processes, this is acceptable, but not a direct requirement of DfT and is at the discretion of the LTA as whether this should continue.

In addition, in particular circumstances, LTAs may also be provided with supplementary funding. This may be in instances where a commercial operator has, in agreement with their LTA, decided to stop a service. This agreement must be communicated to the Department via the relevant consultation form provided to operators. Where this occurs, an LTA may be granted further funding to support the incumbent operator, or to tender for a new service.

However, the LTA must demonstrate the need for further funding to the Department and any further funding is subject to agreement with the Department.

Those LTAs affected by dropped commercial services may receive an adjustment to their funding for the following month to enable them to support, or tender for, those services. Any such funding will be from the unclaimed commercial BRG allocation where an operator will not receive 100% of their funding should they fall below the 100% mileage threshold and is dependent upon such surplus funding being available.

To formalise and agree the expectations of LTA BRG, we have issued with this letter a Memorandum of Understanding (MoU) which sets out the parameters for agreement. We have also provided indicative allocations for each LTA in Annex A. The next steps in the process for claiming the funding are set out below.

You are required to have your Chief Internal Auditor or S151 Officer sign and return the declaration form issued with this letter, by no later than 4 October 2021, the following statement:

- a) A declaration stating: "We will endeavour to carry out appropriate investigations and checks to ensure that, in our opinion, in all significant respects, the Local Transport Authority Bus Recovery Grant is used in accordance with the Local Transport Authority Bus Recovery Grant Memorandum of Understanding attached to this declaration and all related Grant Determinations to be determined by the Department for Levelling Up Housing and Communities."
- b) Confirmation that funding is required.

By no later than 29 October 2021, the following information should be provided:

- A list of all tendered bus services that LTAs have procured and their scheduled mileage between 1 September 2019 and 15 February 2020
- d) A list of all tendered bus services and their scheduled mileage between 1 September 2020 and 15 February 2021
- e) The percentage of pre-Covid concessionary fares (ENCTS) payments currently being made.

LTAs should consider working collaboratively with operators to collect this data before making payment.

A data return pro-forma has been provided with this letter to assist with data requirements set out in (c), (d) and (e) above. **Please return all the information to the Department at** <u>brg@dft.gov.uk</u> with 'LTA BRG [LTA NAME]' in the subject line.

Failure to return the declaration and required data may result in funding not being paid to the LTA. Where an LTA does not require the allocated funding, this unclaimed LTA allocation(s) will be redistributed amongst the participating LTAs. Furthermore, any LTA who has yet to return any unspent money from LTA CBSSG should do so before any LTA BRG funding is received.

We are aiming to make payments to LTAs on a 28-day period basis, in arrears and the first payment will be made in early November to cover September and October.

At the end of the scheme, the Department will require the return of any unused funding. At this point, the Department will conduct a detailed survey to collect data from LTAs as evidence of where the funding has been used and which services, operators and routes have been supported.

If you have any queries, please send them to the e-mail address provided above. Yours faithfully,

Matthew Crane Deputy Director, Bus Recovery and Reform Division

Annex A. LTA BRG Indicative allocations

Local Authority Name	LTA BRG Indicative allocations
	from 1 September 2021 - 5 April 2022
North Northamptonshire Council	£4,605
West Northamptonshire Council	£18,436
Luton Borough Council	£5,589
North East Lincolnshire Council	£8,921
Derby City Council	£12,694
Swindon Borough Council	£13,245
Thurrock Council	£14,965
Torbay Council	£16,852
Cumbria County Council	£19,101
Southend-on-Sea Borough Council	£26,674
Slough Borough Council	£27,836
Southampton City Council	£27,911
Royal Borough of Windsor and Maidenhead	£31,026
West Berkshire Council	£31,532
Blackburn with Darwen Borough Council	£34,108
North Lincolnshire Council	£34,341
North Somerset Council	£36,101
Portsmouth City Council	£38,208
Tees Valley Combined Authority	£40,402
Worcestershire County Council	£40,402
Bournemouth, Christchurch and Poole Council	£41,383
Brighton and Hove City Council	£41,571
Telford and Wrekin Council	£45,965
Warrington Borough Council	£47,282
Plymouth City Council	£51,434
City of Stoke-on-Trent Council	£55,502
Bedford Borough Council	£57,326
Oxfordshire County Council	£59,122
City of York Council	£60,267
Staffordshire County Council	£60,981
Herefordshire Council	£61,296
Rutland County Council	£62,656
Bracknell Forest Council	£68,667
Reading Borough Council	£68,898
Blackpool Council	£72,033
Central Bedfordshire Council	£73,561
East Riding of Yorkshire Council	£77,763
Medway Council	£81,233

Hertfordshire County Council	£90,
Lincolnshire County Council	£93,
Dorset Council	£100,
East Sussex County Council	£113,
Buckinghamshire Council	£118,
Cambridgeshire and Peterborough Combined	
Authority	£119,
Hull City Council	£133,
Wokingham Borough Council	£134,
Somerset County Council	£154,
Gloucestershire County Council	£160,
Nottingham City Council	£163,
West Sussex County Council	£170,
Isle of Wight	£184,
Nottinghamshire County Council	£196,
Cheshire East Council	£198,
Warwickshire County Council	£199,
Leicester City Council	£204,
Cheshire West and Chester Council	£212,
Leicestershire County Council	£216,
Milton Keynes Council	£235,
Lancashire County Council	£263,
Shropshire Council	£289,
Wiltshire Council	£291,
North Yorkshire County Council	£292,
Hampshire County Council	£410,
Derbyshire County Council	£422,
Devon County Council	£424,
Essex County Council	£511,8
Suffolk County Council	£566,2
Surrey County Council	£574,0
Liverpool City Region Combined Authority	£704,
Norfolk County Council	£775,
West Yorkshire Combined Authority	£809,0
West Midlands Combined Authority	£825,2
Cornwall Council (including Isles of Scilly)	£839,
Greater Manchester Combined Authority	£904,8
West of England Combined Authority	£908,
Kent County Council	£941,6
Sheffield City Region Combined Authority	£989,2
North East Joint Transport Committee	£1,251,

•

Initial equality impact assessment screening form

This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate	Business and Environmental Services
Service area	Integrated Passenger Transport
Proposal being screened	Department for Transport Bus Recovery Grant
	Funding
Officer(s) carrying out screening	Catherine Price
What are you proposing to do?	To agree the submission of the declaration of
	acceptance of LTA BRG
Why are you proposing this? What are the desired outcomes?	Secure bus related funding.
Does the proposal involve a significant commitment or removal of resources? Please give details.	No

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <u>Equality rep</u> for advice if you are in any doubt.

Protected characteristic	Potential f	or adverse impact	Don't know/No	
	Yes	No	info available	
Age		Х		
Disability		Х		
Sex		Х		
Race		Х		
Sexual orientation		Х		
Gender reassignment		Х		
Religion or belief		Х		
Pregnancy or maternity		Х		
Marriage or civil partnership		Х		
NYCC additional characteristics		<u>.</u>		
People in rural areas		Х		
People on a low income		Х		
Carer (unpaid family or friend)		Х		
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	Yes the pr	oposals relate to pu	blic transport.	
Will the proposal have a significant effect	No			
on how other organisations operate? (e.g.				
partners, funding criteria, etc.). Do any of these organisations support people with				

protected characteristics? Please explain why you have reached this conclusion.				
Decision (Please tick one option)	EIA not relevant or proportionate:	х	Continue to full EIA:	
Reason for decision	acceptance of £292,720 bus r in turn will enal transport, cruci levels needed allowing the pure Maintaining bu	LTS BRovery ble finantial in mate help kelon blue to a service to grou	the Declaration of G will enable the of funding to the co- cial support to the intaining the bus sintaining the bus sintended to cey workers get to ccess essential set e levels will avoid ps of people with	release of uncil. This e public service work and ervices.
Signed (Assistant Director or equivalent)	Michael Leah			
Date	1/10/2021			



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional gueries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission

Environmental Impact Assessment

Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Department for Transport Bus Recovery Grant Funding
Brief description of proposal	To agree the submission of the acceptance of the Bus Recovery Grant
Directorate	Business and Environmental Services
Service area	Integrated Passenger Transport
Lead officer	Catherine Price
Names and roles of other people involved in	None
carrying out the impact assessment	
Date impact assessment started	October 2021

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The other option consider is not to submit the acceptance declaration. However the council would not receive the grant funding available which in turn would have adverse impacts in maintaining the bus service levels needed to help key workers get to work and allowing the public to access essential services.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

1.1 The Council will receive £292,720 to manage and allocate within the guidelines of the Memorandum of Understanding.

How will this proposal in the environment? N.B. There may be shorn egative impact and lon positive impact. Please potential impacts over tof a project and provide explanation.	t term ger term include all he lifetime	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO ₂ e • Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy	Emissions from travel		Х		Maintain bus service levels needed to help key workers get to work and allowing the public to access essential services will result in no impact.		
efficiencies etc.	Emissions from constructio n		Х		No impact.		
	Emissions from running of buildings		Х		No impact.		
	Other		Χ		No impact		
Minimise waste: Reduce, recycle and compost e.g. use of single use plastic	•		Х		No impact.		
Reduce water consumpti	on		Х		No impact		

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO ₂ e Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise pollution (including air, land, water, light and noise)		Х		Maintain bus service levels needed to help key workers get to work and allowing the public to access essential services will result in no impact.		
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers		Х		No impact anticipated at this stage.		
Enhance conservation and wildlife		Х		No impact anticipated at this stage.		
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape		Х		No impact anticipated at this stage.		

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.	Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	what timescale? Where possible/relevant please include: Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Other (please state below)		Х		No impact anticipated at this stage.		

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

Not currently aware of any good practice environmental standards relating to this proposal.

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The submission of the acceptance declaration for LTA BRG will enable the release of £292720k bus recovery funding to the council. This in turn will enable financial support to the public transport, crucial in maintaining the bus service levels needed to help key workers get to work and allowing the public to access essential services. Maintaining bus service levels will not have any positive or adverse impacts. Impacts will remain the same as existing.

Sign off section

This climate change impact assessment was completed by:

Name	Catherine Price
Job title	Contract & Commissioning Manager
Service area	Integrated Passenger Transport
Directorate	Business and Environmental Services
Signature	C Price
Completion date	01/10/2021

Authorised by relevant Assistant Director (signature): Michael Leah

Date: 1/10/2021