

Bus Service Improvement Partnerships (BSIPs)

1. Introduction

BSIPs are designed to be collaborative partnerships which will have analysed the existing service provision in the area and the policies to be implemented, in order to make substantive improvements and achieve those policies.

The development of any BSIP proposal will be led by the Local Transport Authority (LTA). They must give notice of their intention to persons in their area and consult on their proposals¹.

The LTA must also invite local bus operators to participate and have the opportunity to help shape the proposal from the start.

2. Local Transport Authorities

2.1 *BSIP Partnership Plan*

An LTA may make a BSIP plan in relation to the whole or part of their area. A plan must:

- Specify the area covered and time period to which it relates
- Provide an analysis of local services
- Specify policies relating to local services
- Set out objectives on quality and effectiveness of local services
- Set out how the scheme will meet these objectives
- Describe the intended effect of any partnership scheme on adjacent areas
- Specify how the views of users are to be obtained on the effectiveness of plan and scheme
- Specify how to review the partnership plan.

2.2 *BSIP Partnership Scheme*

At the same time as making a BSIP Plan, an LTA **must** make one or more BSIP schemes relating to the whole or part of the area to which the Plan relates. A scheme:

- Will specify the area covered by the scheme and period of time
- Will impose one or more service standards (see below) for services having one or more stopping places in the area
- Will specify one or more facilities to be provided or measures to be taken by the LTA². A facility can be classed as infrastructure and a measure as another improvement, such as parking policy to incentivise bus use. Any specified facility must be provided at specific locations along routes (proposed to be) served by local services

¹ The procedure for making, varying, postponing and revoking plans and schemes is set out at Schedule A1 of the Transport (Scotland) Act 2001 as inserted by the Transport (Scotland) Act 2019.

² Section 3M(2)(c) of the Act makes provision for regulations to be made on what may constitute a facility or measure. However, it is likely that the difference between the two will be set out in guidance.

- Will specify how the scheme will be reviewed and when
- Will prepare and publish a report on the effectiveness of the scheme annually for each year the scheme is in effect. The report will consider all representations made to the LTA and the Traffic Commissioner must be consulted
- May provide for exemption of services and conditions in which such exemptions are to apply
- May specify actions to facilitate the operation of the scheme
- Can only be made:
 - If the LTA is satisfied it will contribute to implementation of the policies set out in the plan or relevant general policies **and**
 - It will bring benefits to users or reduce or limit congestion, noise or air pollution
- May provide for circumstances where the scheme can be varied or revoked.

2.3 Service Standards in a Partnership Scheme

In the partnership scheme, the LTA can set out service standards to be followed for local services having one or more stopping places in the area covered by the scheme. The following list gives an indication of what service standards may include, but is by no means exhaustive:

- Route service standards: requirements on the frequency or timing of a local service, by reference only to that service or by reference to that service and other local services, taken together.
- Operational service standards: any other matter relating to standard of service, including (but not limited to):
 - Vehicle quality specifications
 - Minimum frequency of services
 - Maximum frequency of services
 - Maximum fares
 - Ticketing requirements
 - Multi-operator travel card pricing
 - Provision of information for the public
 - Dates of registration changes.

Once a BSIP is in operation, the Traffic Commissioner may investigate the actions of a LTA in relation to compliance with the BSIP. If this happens, the Traffic Commissioner must then publish a report setting out whether they are satisfied with the LTA's compliance and, if not, make recommendations as to remedy.

2.4 Consultation on BSIPs

A LTA considering making a BSIP must consult widely on its proposals at various stages in the BSIP process, including representatives of users of local services.

- The first stage is where the LTA gives notice of its intention to prepare a plan or scheme or to vary or revoke a plan or scheme
- The second is where the LTA gives notice of a draft plan or scheme or draft variation or revocation of a plan or scheme to stakeholders, prior to consultation.
- Finally, following consultation, there is the 14-day notice given after the making, variation or revocation of a plan or scheme.

2.5 Annual Report on a BSIP

An LTA must prepare and publish a report on the effectiveness of the scheme annually for each year the scheme is in effect. In preparing this report, the LTA must consider all representations made to it in relation to the effectiveness or otherwise of the scheme. This enables the general public to provide valuable feedback on the success or otherwise of the BSIP to bus users and potential bus users and, ultimately, to help improve a scheme.

3. Bus Operators

3.1 Ability to Influence a BSIP

If a sufficient number of bus operators in the area object to a partnership proposal to make a plan and scheme, it cannot go ahead. What constitutes a sufficient number will be set out in regulations.

An LTA may require a bus operator to provide relevant information in support of preparing, making, reviewing, varying or revoking a BSIP plan or scheme. The operator must provide this information timeously and in any form they should reasonably be expected to provide.

Where there is an increase in the number of bus operators in an area of a scheme, such that the service cannot be provided in accordance with a specified route service standard, the LTA must modify that standard to continue to be able to provide the service agreed in the scheme.

3.2 Requirement to Meet BSIP Service Standards

Once a BSIP is in operation, a Traffic Commissioner must refuse an application for registration from a bus operator if it is unlikely to be able to comply with the service standards in that BSIP. Additionally, the Traffic Commissioner may cancel a registration where that service is not being provided in accordance with the service standard in an existing BSIP.

Accordingly, if a bus operator wishes to continue running services in an area covered by a BSIP, they run the risk of losing this ability if they do not meet the service standards in the BSIP.

4. Bus Users

The BSIP provisions in the Act offer increased transparency and accountability for bus users (and potential bus users), with consultation and reporting requirements included at various stages in the process as set out above.

4.1 Accessibility of Services in a BSIP

Scottish Ministers may make regulations on the standards and requirements a BSIP plan or scheme specifies in respect of accessibility for disabled and people with limited mobility of bus services operating under the BSIP.

5. BSIP – Outline Process

