

## ENHANCED PARTNERSHIP BOARD

4 October 2022

(circulated 15 September 2022 for approval in correspondence)

### Item 07 - Notice of Enhanced Partnership Scheme Variation

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#### Executive Summary

The South Yorkshire Enhanced Partnership Plan and Scheme was approved by the Mayoral Combined Authority in March 2022 and commenced on 1 April 2022. The Board agreed a variation of the Enhanced Partnership Scheme in June 2022, driven by further information about BSIP funding and delivery of some of the components of the Enhanced Partnership Scheme. This paper seeks to make a further variation, which are the consequence of a number of emerging developments.

Owing to the timing of the next Enhanced Partnership Board on 4 October 2022 and the variations here proposed have dates that sit prior to the Board meeting, it is requested that this approval is given in correspondence.

#### What does this mean for businesses, people and places in South Yorkshire?

SYMCA's Strategic Economic Plan and the Transport Strategy both underline the importance of the bus network to businesses, residents and visitors in South Yorkshire, whilst the independent Bus Review concluded in June 2020 indicated a number of issues with the current network. The Initial Bus Service Improvement Plan includes a range of short-, medium- and long-term actions aimed at supporting the recovery from the COVID-19 pandemic and providing the bus network that South Yorkshire needs to achieve its aims for a stronger, fairer and greener region. The Enhanced Partnership Plan and Scheme is a means of delivering the short-term actions within the Bus Service Improvement Plan.

#### Recommendations

It is recommended that the Board considers the contents of the proposed variation to the Enhanced Partnership Scheme and approves them in correspondence, no later than 30 September 2022.

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#### 1. Background

- 1.1 The National Bus Strategy, “Bus Back Better”, published in March 2021, required all Local Transport Authorities (LTAs) to produce a Bus Service Improvement Plan (BSIP) by the end of October 2021.
- 1.2 The Initial BSIP for South Yorkshire was submitted to Government on 29 October 2021. It contains a series of 40 prioritised activities, policies and interventions for implementation by the MCA, the constituent local authorities and bus operators that the work done to date suggests will influence and contribute to delivering the desired outcomes and impacts, locally, regionally and nationally. These prioritised activities, interventions and policies should be seen as the collective response to the South Yorkshire Bus Review (July 2020) and the impact of the COVID-19 pandemic, and the means by which the bus network that South Yorkshire wants, and needs can be delivered.
- 1.3 “Bus Back Better” also indicated that the Government’s preferred means of delivering the early outcomes of the Initial BSIP is through an Enhanced Partnership. As set out in the Bus Services Act 2017, an Enhanced Partnership requires an Enhanced Partnership Plan and one or more Enhanced Partnership Schemes (the latter being the detail of how elements of the former will be delivered).
- 1.4 In line with the timetable originally set out by Government, the South Yorkshire Enhanced Partnership Plan and Scheme was approved by the Mayoral Combined Authority in March 2022 and commenced on 1 April 2022. The Enhanced Partnership Scheme (EPS) included as an appendix a set of components and a series of dates for delivery of these components by the parties to the EPS. Within the EPS is a mechanism for a variation to it, and this report seeks approval to a small number of variations.

## **2. Key Issues**

- 2.1 It is necessary to seek a variation to the EPS as set out in paragraphs 5.4 to 5.8 of the EPS. The proposed changes are set out in track changes on Variation No 2 to the EPS that is included in Appendix A. The changes relate to the following:
  - The Board has stipulated that the Customer Charter should be developed by the EP Forum, representing South Yorkshire’s community. The EP Forum Terms of Reference has been developed and endorsed by the Board on 21 June 2022 and the detail of the format and the Forum membership was further refined at the Board of 9 August 2022. The Forum is to meet for the first time on 28 September 2022, starting the development of the Customer Charter. The chosen approach has necessitated a change in wording as shown in Appendix A.
  - The Government has recently announced that it seeks to introduce a temporary £2 flat single fare in 2023 nationally. The impact of this needs to be understood in more detail to enable the completion of a review of single operator products and the premium levels on multi-operator tickets. It is therefore proposed that the review is temporarily suspended with revised review completion dates to be confirmed.
- 2.2 The changes do not seek to remove components from the EPS. Therefore, the Board can be satisfied that the proposed changes will still contribute to achieving the

objectives set out in the Enhanced Partnership Plan and current local transport policies.

### **3. Options Considered and Recommended for Approval**

#### **3.1 Option 1**

The Board could decide to reject the proposed variation to the EPS.

#### **3.2 Option 1 Risks and Mitigations**

This option is not recommended as this would mean all parties pursuing a set of deliverables that could not be achieved, with the associated reputational risk.

#### **3.3 Option 2**

The Board could decide to agree to the proposed variation to the EPS.

#### **3.4 Option 2 Risks and Mitigations**

This option is recommended given the most up-to-date information the delivery of the Customer Charter in the EPS following the establishment of the Forum for passenger representation.

#### **3.5 Option 3**

The Board could decide to amend the proposed variation further before approval.

#### **3.6 Option 3 Risks and Mitigations**

Agreeing the variation to the EPS in a timely manner is important to starting to deliver the activities set out in the BSIP to improve the region's bus services, so any delay may have an adverse impact on this process.

#### **3.7 Recommended Option**

Option 2

### **4. Consultation on Proposal**

4.1 The Initial BSIP was developed following the Bus Review published in June 2020. The public consultation conducted as part of the Bus Review was used as evidence in the development of the BSIP and therefore builds on that initial evidence base. The drafting of the Enhanced Partnership was undertaken collaboratively with Local Authority partners, bus operators in South Yorkshire and with input received from bus user groups.

4.2 The Enhanced Partnership Plan and Scheme were subject to a statutory period of consultation with bus operators from mid-November 2021, followed by a period of public consultation during January and February 2022, leading to the production of the version approved by the MCA in March 2022.

### **5. Timetable and Accountability for Implementing this Decision**

5.1 The Enhanced Partnership runs for a five-year period from 1 April 2022.

## **6. Financial and Procurement Implications and Advice**

6.1 None as a result of this paper.

## **7. Legal Implications and Advice**

7.1 The agreed EPS includes a series of clauses covering a variation to the EPS that requires the proposer of a variation to set out such a request in writing and then for the MCA to reconvene the South Yorkshire Bus Partnership Board, giving at least 14 days' notice for the meeting, to consider the proposed variation. This process has been followed for the proposed variation. None as a result of this paper

7.2 Assuming the proposed variation is agreed by members of the Board present, SYMCA will make the EPS variation, subject to the approval of the relevant local highway authorities and SYMCA. Partners not represented at the meeting will be deemed to be abstaining from the decision.

## **8. Human Resources Implications and Advice**

8.1 None as a result of this paper.

## **9. Equality and Diversity Implications and Advice**

9.1 The EPP sets out the region's plans for improving accessibility across the bus network and on board our services and the EPS is the means by which these improvements will start to be delivered.

9.2 Under section 149 of the Equality Act 2010, in agreeing any actions relating to the EPP and the EPS, the Board should have due regard to the need to:

- i. Eliminate discrimination, harassment and victimisation;
- ii. Advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- iii. foster good relations between those who share a protected characteristic and persons who do not share it.

9.3 In having due regard to the need advance the equality of opportunity between persons who share a protected characteristic and persons who do not, Members should have due regard to the need to:

- a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low.

9.4 It is for Members to determine the weight to be given to the various factors that inform the decision, including the equality impacts and the legal duty under Section 149. However, it is considered that the proposed Enhanced Partnership Plan and

Enhanced Partnership Scheme have positive equality implications under the Equality Act 2010.

## **10. Climate Change Implications and Advice**

10.1 The EPP sets out the scale of change required to meet the region's net zero targets by 2035. At present the region does not have any zero emission buses and the EPP identifies the trajectory, costs and initial projects that could begin the transition from diesel to alternative fuels – some of these initial projects are included in the EPS.

## **11. Information and Communication Technology Implications and Advice**

11.1 None as a consequence of this paper

## **12. Communications and Marketing Implications and Advice**

12.1 Not applicable

### **List of Appendices Included**

A South Yorkshire Enhanced Partnership Scheme Variation No 2

### **Background Papers**

South Yorkshire Bus Service Improvement Plan (Initial Version) – October 2021

<https://southyorkshire-ca.gov.uk/explore/transport>

South Yorkshire Enhanced Partnership Scheme Variation No 1 – June 2022