

AGENDA SUPPLEMENT 2

Economy and Place Policy and Scrutiny Committee

To: Councillors K Taylor (Chair), Daubeney (Vice-Chair),
Cuthbertson, Hook, Kilbane, Pearson and D Taylor

Date: Tuesday, 21 March 2023

Time: 5.30 pm

Venue: The Snow Room - Ground Floor, West Offices (G035)

The Agenda for the above meeting was published on 13 March 2023. The attached additional documents are now available for the following agenda item:

- 3. York Bus Service Improvement Plan** (Pages 1 - 12)
This is the Equalities Impact Assessment (EIA) for the Officer Decision.

This agenda supplement was published on 20 March 2023.

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City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:		Place	
Service Area:		Transport	
Name of the proposal :		Approval for tender award - local bus services 12, 13 (Sat) and 412.	
Lead officer:		Sam Fryers	
Date assessment completed:		09/03/23	
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>Local bus services 12, 13 (Saturday) and 412, were withdrawn by their commercial operators during December 2022 and January 2023. Emergency contracts have been in place at a reduced frequency from the commercial service timetables. The proposal is to contract for the longer term operation of local bus services 12, 13 (Saturday) and 412 as per the emergency contracts making sure there is a bus service available for those communities who have got used to having one, the frequency may not suit everyone but once the funding position becomes clearer discussions can be had with operators to make the services as accessible as possible within the funding available.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>Commercial bus operations in the UK remain deregulated as per the Transport Act 1985. The council has recently been awarded £17.3m of funding from the Department of Transport (DfT) in respect of its Bus Service Improvement Plan (BSIP), which includes £1.5m of revenue funding for bus network support.</p>
1.3	<p>Who are the stakeholders and what are their interests?</p>
	<p>Service users and potential future users- anyone who uses local bus services for any purpose. DfT- the government department providing the BSIP funding. The York Enhanced Partnership- the statutory body consisting of local bus operators and the council, which is responsible for spending the BSIP funding. The Enhanced Partnership has a number of boards looking at a number of factors.</p>

1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.
	<p>The Council has adopted a Bus Service Improvement Plan, the vision for which is</p> <p>“Our vision for bus services in York Our vision is straightforward and builds on the policies in York’s Local Transport Plan, and our draft Local Plan. In short, we want York to have a bus network which is:</p> <ul style="list-style-type: none"> • Inclusive - minimizing social exclusion by offering easy, comprehensive and cheap transport around the city • accessible to all – easy to use by everyone in the city, including people with impaired mobility or senses • attractive – enough to mean driving is not the default option for many trips in York • welcoming – to our many visitors, whether they are coming to York for a day at the races or a four year degree course • A source of pride for the city and its residents • We also want York’s bus network to be just one of a number of excellent bus networks in the wider Yorkshire Region, and we want seamless travel between the buses in York and trains and buses outside the York administrative area <p>The EP has a stated objective to provide substantial growth in bus patronage across the city, helping to meet the Council Plan objectives ‘Getting around sustainably’ and ‘Good health and wellbeing’.</p> <p>The Executive in December 2022 also made clear that the Extent of the Network was more important than individual service frequencies.</p>

Step 2 – Gathering the information and feedback

EIA 02/2021

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
Source of data/supporting evidence	Reason for using
Patronage data from bus operators	To understand the pre-Covid passenger demand along with the scale of Covid impact and subsequent post-Covid recovery including concessionary usage.
Petition from service 12 users	A petition signed by approximately 800 residents was received in February, stating “We the undersigned back the campaign to retain the bus services for the communities currently served by the No 12 and call for the government’s needed to ensure the services long term viability.”
Survey submitted on behalf of service 412 users	An independent report submitted on behalf of residents of villages served by route 412 indicated that respondents, who were mostly older persons, consider the service important for shopping, leisure, medical appointments and connections to the rail network.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
Gaps in data or knowledge		Action to deal with this
Concessionary Fares eligibility includes a range of protected characteristics. Whilst concessionary fares are recorded for each service, the eligibility criteria for each user is not.		To be explored with the Enhanced Partnership

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Reduction in numbers of concessionary passholders since the start of the pandemic is one of the key reasons why bus services have become less commercially viable, so the EP will need to work to address this to ensure the services have a chance to become sustainable following the end of the BSIP funding period on 31/3/25. Officers will seek to mitigate the impact on school children by reviewing the timetable with the operator and once the funding situation is clearer after June the service frequency	-	L

	for the 12 can be reviewed. However, some school children will be may be affected by having to catch an earlier service.		
Disability	Reduction in numbers of concessionary passholders since the start of the pandemic is one of the key reasons why bus services have become less commercially viable, so the EP will need to work to address this to ensure the services have a chance to become sustainable following the end of the BSIP funding period on 31/3/25. Retaining all the bus service will have a positive impact.	+	H
Gender	No effect	0	
Gender Reassignment	No effect	0	
Marriage and civil partnership	No effect	0	
Pregnancy and maternity	No effect	0	
Race	No effect	0	
Religion and belief	No effect	0	
Sexual orientation	No effect	0	

Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?	0	
Carer	No effect	0	
Low income groups	Low income groups tend to be more reliant on an effective local bus network. Continuing to provide support for these routes will ensure these groups are not disadvantaged.	+	M
Veterans, Armed Forces Community	No effect	0	
Other	No effect	0	
Impact on human rights:			
List any human rights impacted.	None	0	

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a **POSITIVE** impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a **NEGATIVE** impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a **NEUTRAL** effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>By safeguarding the services there are positive impacts for some people with a protected characteristic. Positive impacts will be maximised by promoting the new services, alongside upcoming BSIP measures to improve bus priorities and provide new ticketing initiatives.</p> <p>By choosing to use the available budget to safeguard the services as well as safeguard frequency as per the prior commercial service minimises any impact on people with a protected characteristic.</p> <p>There maybe a need to review services in the future, in which case an EIA review will be required.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
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<ul style="list-style-type: none"> - No change to the proposal but keep under review– the EIA demonstrates the proposal is robust. 	
<ul style="list-style-type: none"> - Adjust the proposal – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations. - Continue with the proposal (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty - Stop and remove the proposal – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed. 	
<p>Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
<p>Option selected</p>	<p>Conclusions/justification</p>
<p>No major change to the proposal.</p>	<p>This continues the same service that was provided by the commercial services upto December 2022.</p> <p>The whole network will need to be kept under review and the contacts are written in such a way that this is possible.</p>

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Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The Enhanced Partnership will include a Forum for stakeholders and passenger groups to provide feedback and recommendations, along with a Passenger Liaison group with a brief to set up regular bus user engagement events. Feedback from these will be considered and acted on as appropriate by the EP's Operational Delivery Group.