

Notice to Chair/Vice-Chair of the Overview and Scrutiny Committee of a general exception to the publication of the intention to make a key decision

DATE: 29 November 2024

TO: Chair/Vice-Chair of the Overview and Scrutiny Committee, North East Combined Authority

SUBJECT: North East Bus Service Improvement Plan – Bus Fare Cap

NOTICE BY: John Softly, Monitoring Officer

Executive Summary:

This notice informs Chair/Vice-Chair of the Overview and Scrutiny Committee under Paragraph 12 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 that it is impracticable to include the above item on the Forward Plan for a period of 28 clear days before the decision is made.

In accordance with Paragraph 12 (1(b) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 a copy of this notice will be published on the North East CA website.

This notice ensures that at least 5 clear days have elapsed between the agenda for the meeting/notice of decision, which includes the matter, being made available and the day of the meeting/decision-making.

1. Background

- 1.1 Where a decision maker intends to make a key decision, that decision must not be made until at least 28 clear days public notice has been given.
- 1.2 Where the publication of the intention to make a key decision is impracticable, that decision may only be made where:
 - a) the Chair/Vice-Chair of the Overview and Scrutiny Committee (or Vice-Chair in the absence of Chair) has been informed of the matter about which the decision is to be made;
 - b) notice to the Chair/Vice-Chair has been made available for public inspection at the Combined Authority's Office and published on the Combined Authority's website; and
 - c) 5 clear days have elapsed from the day on which notice to the Chair/Vice-Chair was made publicly available.
- 1.3 This notice is to inform the Chair/Vice-Chair of the Overview and Scrutiny Committee that it has been impracticable to give 28 clear days public notice of the item(s) set out

below for the reasons set out below and that it is intended that the key decision(s) will be made on the date specified below.

- 1.4 Notice is also given to the public that the reasons why compliance with the requirements for publicity in connection with key decisions are impracticable are set out below.

2. Notice Details

2.1 Date of Decision required

10 December 2024

2.2 Matter in respect to which decision is to be made

North East Bus Service Improvement Plan – Bus Fare Cap

2.3 Description

In October 2024 the Government announced that single bus fares will be capped at £3 until the end of 2025. On 18 November 2024 the Authority received confirmation from the Department for Transport on the allocation of Bus Service Improvement Plan (BSIP) Phase 4 funding to the Authority.

In the light of these announcements the Cabinet will be asked to consider granting delegated authority to the Chief Executive, in consultation with the Monitoring Officer and Chief Finance Officer, to enter into reimbursement agreements with the bus operators and to approve and publish the updated Capped Fare Scheme. This will reflect a proposal to limit the impact of the changes to the national bus capped fare scheme.

(NB: The report to Cabinet on the matter will be exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.)

2.4 Decision Maker

Cabinet

2.5 Consultation Process

Consultation has taken place with the Mayor, Cabinet members, constituent councils and bus operators.

2.6 Background Documents

North East [Bus Service Improvement Plan](#)

[Previous decisions of the North East Joint Transport Committee to approve and vary the BSIP Capped Fare Scheme.](#)

[bus-service-improvement-plans-guidance-to-local-authorities-and-bus-operators-2024.pdf](#)

Capped Fare Scheme

2.7 Reasons why impracticable to give 28 days clear notice

The Authority was unable to commit to considering adult single fares until the Department for Transport had confirmed the allocation of Bus Service Improvement Plan (BSIP) Phase 4 funding to the Authority which was received on Monday 18 November 2024 and when the Authority was then able to finalise costs of its existing BSIP products and services that have been a priority for the funding.

The Monitoring Officer has examined the background and context of this decision and concurs that it is impracticable for this decision to be placed on the Forward Plan 28 days before it is made.

John Softly
Monitoring Officer

Date of Notice: 29 November 2024

The Chair/Vice-Chair of the Overview and Scrutiny Committee has been notified of this matter on the following date: 29 November 2024