

## Mayoral Combined Authority Board

15 November 2021

### South Yorkshire Enhanced Partnership

---

<b>Is the paper exempt from the press and public?</b>	No
<b>Purpose of this report:</b>	Discussion
<b>Is this a Key Decision?</b>	Yes
<b>Has it been included on the Forward Plan?</b>	Yes

---

**Director Approving Submission of the Report:**  
Stephen Edwards, Executive Director (SYPTTE)

**Report Author(s):**  
Chloe Shepherd  
Chloe.shepherd@sheffieldcityregion.org.uk

---

#### **Executive Summary**

This report sets out the necessary steps required to implement the MCA decision to enter into an Enhanced Partnership with Bus Operators across South Yorkshire. This report seeks approval to move to the next stage of the implementation of an Enhanced Partnership to support the required improvement in bus services, for approval of the Enhanced Partnership Plan' and 'Enhanced Partnership Scheme. The paper also seeks approval to give Notice to Operators of the proposal to make an Enhanced Partnership Plan and Scheme, and approval to give public notice and consult on them.

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

The proposals set out in the paper strengthen the MCAs ability to develop and secure investment in a more effective public transport system in South Yorkshire. The Enhanced Partnership between the MCA and bus operators is a means of delivering the short-term actions set out in the MCAs recently published Bus Services Improvement Plan.

## Recommendations

It is recommended that the Board:

- a) Approves the content of the Enhanced Partnership Plan (Appendix A)
- b) Approves the proposed inclusion of the activities outlined in the Enhanced Partnership Scheme Summary Table (Appendix B), for formal inclusion in the Scheme (Appendix B),
- c) Approves the content of the Enhanced Partnership Scheme (attached at Appendix C)
- d) Approves giving Notice to Operators of the proposal to make an Enhanced Partnership Plan and Scheme,
- e) Approves the intention to give public notice and consult on the Enhanced Partnership Plan and Scheme.

## Consideration by any other Board, Committee, Assurance or Advisory Panel

Mayoral Combined Authority Board  
Transport and the Environment Board

14 June 2021  
21 October 2021

---

## 1. Background

- 1.1 Click or tap here to enter text. The MCA submitted an ambitious Bus Services Improvement Plan (BSIP) to the Government on 29 October 2021. The BSIP is an integral part of the Enhanced Partnership Plan that the MCA and bus operators agreed in advance of implementing the MCA's decision to enter into a formal Enhanced Partnership model from April 2022 onwards.
- 1.2 To meet this April deadline the MCA must give Notice to Operators of the proposal to make an Enhanced Partnership Plan and Scheme and enter into a period of statutory consultation with operators of qualifying local bus services, followed by a period of public consultation.
- 1.3 The Enhanced Partnership Plan sets out our high-level ambition for the region's bus services. The Enhanced Partnership will formally include a specific set of interventions (facilities, measures and operator requirements) and where these interventions are included, there will be a legal obligation that these projects are delivered.
- 1.4 The proposed Enhanced Partnership Scheme includes a suggested variation mechanism that will allow further measures, facilities and operator requirements to be added as additional funding becomes available.

## 2. Key Issues

- 2.1 **Uncertainty over national funding for bus improvements.** The Government's Comprehensive Spending Review indicated that the MCA is expected to receive £570m of City Region Sustainable Transport Fund resources; of which a significant element is focused on bus improvement programmes, such as bus priority corridor projects on key routes. However, there remains considerable uncertainty on the levels of additional BSIP funding to be made available and the availability of transport focused Levelling Up Fund resources.

- 2.2 **BSIP provides a strong framework for the Enhanced Partnership Plan.** The national guidance deliberately aligns the BSIP with the requirements of the Enhanced Partnership Plan. On that basis the work done on the BSIP provides a strong framework for the plan. The 'Plan' is included at Appendix A.
- 2.3 **Current funding uncertainty precludes agreeing a substantive investment programme for inclusion in the Scheme.** At this stage of the process we are proposing a limited set of interventions as part of the Scheme. There remains the means to vary the scheme in the future as further funding becomes available or the outcome of 'live' bids becomes known. The Scheme does not represent the sum of our ambition for the Enhanced Partnership or for the delivery of the BSIP.
- 2.4 The interventions and operator requirements proposed are set out in Appendix B and have been drawn from existing MCA / Operator funding commitments. They are those identified schemes with early deliverability and that can be delivered using the funding we do have certainty over.
- 2.5 **Requirement to consult.** The proposed Enhanced Partnership Plan and Enhanced Partnership Scheme are required to be the subject of a 28 day consultation period with operators of qualifying local bus services and then, assuming that there are no fundamental objections during this time, to a period of public consultation in early 2022 thereafter, leading to the production of a final Enhanced Partnership Plan and Scheme in March 2022.

### 3. Options Considered and Recommended Proposal

#### 3.1 Option 1

The Board could decide to delay the next step in the Enhanced Partnership process until there is more detail around funding bids that will influence the content of the Enhanced Partnership Scheme.

#### 3.2 Option 1 Risks and Mitigations

This option is not recommended as the timetable for implementing an Enhanced Partnership is linked to bus transformation funding being provided and therefore delaying the process could impact the options available to improve bus services in South Yorkshire. There would also be an associated reputational risk.

#### 3.3 Option 2

The Board could decide to delay the next step in the Enhanced Partnership process, due to forthcoming Mayoral elections planned for Spring 2022.

#### 3.4 Option 2 Risks and Mitigations

This option is not recommended due to the links between the Enhanced Partnership and future funding and aspirations for the region's bus services. However, as the BSIP is a living document that requires annual updates, the risk of misalignment with a future Mayor's priorities for the region's buses can be mitigated.

#### 3.5 Option 3

The Board could decide to continue with the next stage of the Enhanced Partnership process.

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

The next step in the process aligns with the timescales set out by the DfT for implementing an Enhanced Partnership and would reduce the risk of the SYMCA receiving reduced funding in future years, due to the link between the Enhanced Partnership and accessing transformational funding. Agreeing the Enhanced Partnership in a timely manner is also important to starting to deliver the activities set out in the BSIP to improve the region's bus services.

## **3. Recommended Option**

3

## **4. Consultation on Proposal**

- 4.1 The 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. Bus operators and bus user groups have also been engaged in the BSIP development.

There is clear strategic alignment with the Strategic Economic Plan, the Mayor's Transport Strategy.

- 4.2 The recommendations set out in this paper are also driven by the Department for Transport's Enhanced Partnership guidance which sets out a clear timeline and set of decision points.

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

- 5.1 The deadline for implementation of the Enhanced Partnership is April 2022.

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

- 6.1 As set out in DfT guidance, only measures and facilities for which there is confirmed funding available has been included in the initial Enhanced Partnership Scheme. The delivery of all of the activities set out in the Initial BSIP/Enhanced Partnership Plan are highly dependent upon sufficient funding being secured and at the point of submission, the estimated funding gap was estimated to be between £ 430 - £ 474 million. By submitting a BSIP to Government and committing to the timely implementation of an Enhanced Partnership, the SYMCA will receive an amount of transformational funding from Government to support the delivery of our BSIP, the quantum of which is currently unknown.

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

- 7.1 Following SYMCA approval in June a Notice of Intention to Prepare an Enhanced Partnership and related Scheme was published. Submission of the Initial BSIP to the DfT on 29 October 2021 was the next key step required in accordance with DfT guidance in order to deliver bus service improvements. In accordance with the provisions of the Transport Act 2000 and DfT guidance the legal process for implementation for the Enhanced Partnership Plan and Scheme will continue enabling statutory consultation with operators from mid-November 2021 and then the public in early 2022.

The Transport Act 2000 also requires that a Competition Test as set out in Part 1 of Schedule 10 to the Act must also be applied to determine whether there is likely to be a significantly adverse effect on competition. It is concluded that, at this point, there will be no significantly adverse effect on competition arising from the proposed Enhanced Partnership Plan and Enhanced Partnership Scheme as currently proposed.

An Enhanced Partnership Scheme may not be made unless the MCA is satisfied that the scheme will contribute to the implementation of the policies set out in the related Enhanced Partnership Plan and their local transport policies, as well as bringing benefits to persons using local services in the whole or any part of the area to which the scheme relates by improving the quality or effectiveness of those services or reducing or limiting traffic congestion, noise or air pollution. The Enhanced Partnership Plan confirms that this is the case and outlines how the components of the Enhanced Partnership Scheme will achieve the objectives of improving bus services.

Prior to the EPP and EPS being made for commencement in April 2022, all the Authorities who are a party to the EPS and have legally binding obligations in terms of delivering facilities or measures (e.g. promoting a Traffic Regulation Order) will need to formally approve the EPS for it to be made.

- 7.2 Following consultation further approval of SYMCA will be required prior to any formal making of the Enhanced Partnership Plan and Enhanced Partnership Scheme.

## **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 Initial BSIP/Enhanced Partnership Plan sets out the region's plans for improving accessibility across the bus network and on board our services and the initial Enhanced Partnership Scheme is the means by which these improvements will start to be delivered.
- 9.2 In making the decisions contained in this report, Members are reminded of their legal **duty** under section 149 of the Equality Act 2010 to 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.

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.

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 Initial BSIP/Enhanced Partnership Plan 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 BSIP 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 initial Enhanced Partnership Scheme.

## **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 Should the Board approve the next stage of the Enhanced Partnership, there will be a period of public consultation in early 2022 following the period of statutory consultation with bus operators, which will require the support of the Communication and Marketing teams.

## **List of Appendices Included**

- A Framework of the Enhanced Partnership Plan
- B Proposed South Yorkshire Enhanced Partnership Scheme Components
- C Proposed South Yorkshire Scheme

## **Background Papers**

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

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