

DECISION RECORD

Decision Title:	Approval of Bus Service Improvement Plans
Decision Maker:	David Skaith, Mayor of York and North Yorkshire Combined Authority
Date of Decision:	23 July 2024
Status:	Recommendation Approved
Key Decision:	Yes
Subject to Call-In:	Yes

1. The following decision has been taken:

Approval of the Bus Service Improvement Plans of North Yorkshire Council and City of York Council for the year 2024/25.

2. Reasons for decision:

The York and North Yorkshire Combined Authority Order 2023 transferred certain local transport functions from each constituent authority (City of York Council and North Yorkshire Council) to the Combined Authority. These functions include approval of the Bus Service Improvement Plans for each Authority. Approval of Bus Service Improvement Plans is a Mayoral function that cannot be delegated to Officers or Members of the Combined authority.

3. Details of any alternative options considered and rejected:

There are no alternative available options at the point that this decision needs to be made. The Order is clear that approval of the Bus Service Improvement Plans rests with the Mayor and that whilst support can be provided to aid the Mayor in making this decision, it is solely a Mayoral decision.

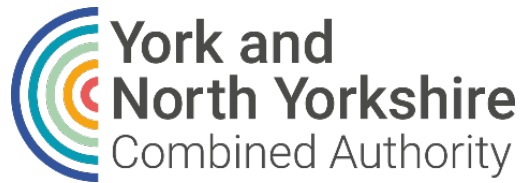
4. Conflicts of Interest and Dispensations:

There are no conflicts of interest, nor any dispensations.

5. Accompanying Documents:

- *Appendices – Combined Authority Report – 22 July 2024
Report of Interim Deputy Monitoring Officer – 23 July 2024*
- *Background Documents – York and North Yorkshire Combined Authority Order 2023*

Contact(s):	governance@yorknorthyorks-ca.gov.uk
Publication Date:	25 July 2024



York and North Yorkshire Combined Authority

MAYOR DECISION

23 JULY 2024

TITLE OF DECISION: BUS SERVICE IMPROVEMENT PLANS – MAYORAL DECISION

**OFFICER REQUESTING: RACHEL ANTONELLI,
INTERIM DEPUTY MONITORING OFFICER**

1.0 PURPOSE OF REPORT

1.1 This reports seeks a decision of the York and North Yorkshire Combined Authority Mayor to approve the Bus Service Improvement Plans, agreed in principle by the constituent Councils (City of York Council and North Yorkshire Council)

2.0 BACKGROUND

2.1 Prior to the inception of the Combined Authority, local transport powers, in particular the approval of the Bus Service Improvement Plans would rest with City of York Council and North Yorkshire Council. This power has now transferred to the Combined Authority with specific reference within the York and North Yorkshire Combined Authority Order 2023 (the Order) providing that the power is a Mayoral power, which cannot be delegated.

2.2 A BSIP is a public document published on the Local Transport Authority's (LTA) website, intended to set out clearly the vision and plan for improving bus services and growing bus patronage in the local area, in line with the National Bus Strategy.

2.3 Department for Transport guidance sets out the key themes for the 2024 BSIP which includes an update of the current situation and reflection of developments including post-pandemic evolution of the local bus market, reflection on each

phase of funding and other funding sources and a refresh of the pipeline of ambition of high quality and flexible prioritised proposals for future years.

- 2.4 The purpose of the document is to describe the bus network as it currently is, and the vision for the improved bus service that the LTA (in consultation with operators and others) wants to see in the area. It also sets out how the LTA will achieve the objectives of the national Bus Strategy including the key objective of growing bus patronage, in a specific local context. The document also sets out a detailed plan for delivery that is aligned with the rest of the LTA's Local Transport Plan.
- 2.5 Each Constituent Authority has approved in principle their respective Bus Service Improvement Plans, subject to the consent of the Mayor and links to each Plan can be found below:

North Yorkshire Council BSIP - [NYC BSIP Refresh 2024.pdf](#)

City of York Council BSIP - [York's Bus Service Improvement Plan \(itravel.york.info\)](#)

3.0 FINANCIAL IMPLICATIONS

There are no additional financial implications for 2024/25 arising from this decision, the Department for Transport having already allocated all funding to each constituent Council already.

4.0 LEGAL IMPLICATIONS

- 4.1 The York and North Yorkshire Combined Authority Order 2023 has made provision for certain local transport functions to be exercised by the Combined Authority, rather than by each constituent Council. Certain local transport functions, including the function of approving the Bus Service Improvement Plans of each Council is, by virtue of the Order a Mayoral function. The exercise of this function cannot be delegated, however, there is provision for support to be provided to the Mayor in decision making in this regard by both Officers and Members of the Combined Authority.

5.0 EQUALITIES IMPLICATIONS

- 5.1 There are no additional direct implications arising from the making of this decision.

6.0 COMBINED AUTHORITY AREA IMPACTED

- 6.1 York and North Yorkshire.

7.0 RECOMMENDATIONS

- 7.1 That the Mayor approves the Bus Service Improvement Plans agreed in principle by City of York Council and North Yorkshire Council.

8.0 REASONS FOR RECOMMENDATIONS

8.1 In order that the constituent Councils can deliver against their respective plans and utilise the Department for Transport funding allocated to them for 2024/25.

9.0 CONSULTATION RECORD

9.1 There is no legal requirement for the Mayor to consult on this decision.

10.0 DECISION

Decision of Mayor	The recommendation is approved.
Date	23 July 2024

COMBINED AUTHORITY MEETING

22 JULY 2024

**LOCAL TRANSPORT FUNCTIONS AND FUNDING ALLOCATIONS – YORK AND
NORTH YORKSHIRE**

Report of the Head of Strategy

1.0 Purpose of the Report

- 1.1 This report updates Members on funding allocations made to City of York Council and North Yorkshire Council for 2024/25 by the Department for Transport and highlights recent changes to Local Transport Functions in the region in light of the creation of the York and North Yorkshire Combined Authority.
- 1.2 This report also seeks the approval of the Combined Authority to delegate Local Transport Functions for 2024/25 to each of the Constituent Councils with immediate effect, in order that they can update their Bus Service Improvement Plans and distribute the funds received by the end of this financial year.
- 1.3 Finally, the report also outlines to the Combined Authority the transport functions by Virtue of the York and North Yorkshire Combined Authority Order 2023, which can only be exercised by the Mayor.

2.0 Recommendations

- 2.1 That the Combined Authority:
- 2.2 Notes that the Department for Transport has already provided North Yorkshire Council and City of York Council with the Bus Service Improvement Plans funding, in the sum of £3.5million to North Yorkshire Council and £1.53million to City of York Council, which will remain with each Authority for 2024/25 in order for them to deliver their Bus Service Improvement Plans.
- 2.3 Approves the delegation of specific Local Transport Functions which are now Functions of the Combined Authority to North Yorkshire Council and City of York Council respectively in order that they can finalise their Bus Service Improvement Plans utilising the funding received from the Department for Transport. Such delegations to remain in place until 31 March 2025.
- 2.4 Delegates authority to the Chief Executive to sign the agreements delegating specific Local Transport Functions to each Constituent Authority for the year 2024/25.

2.5 Notes that each Constituent Authority will approve their Bus Service Improvement Plans in principle before submission to the Mayor for final ratification by the Mayor, with assistance being provided to the Mayor by way of consultation with the Combined Authority.

3.0 Background

3.1 In October 2023, the Government launched the Network North plan, providing investment into towns, cities and rural areas as part of a new approach to transport across the Country. Bus Service Improvement Plan (BSIP) funding was provided by the Department for Transport as part of this plan, with an invitation for all Local Transport Authorities to refresh and update their BSIPs. This funding allocation happened when North Yorkshire Council and City of York Council were the Local Transport Authorities for the region, however, the formal creation of the Combined Authority with the York and North Yorkshire Combined Authority Order 2023 brought about a change in relation to Local Transport Functions, moving them from being Functions of each Constituent Authority to Functions exercised by the Combined Authority.

3.2 The funding provided by the Department for Transport to each Constituent Authority was:

- £3.5million to North Yorkshire Council;
- £1.53 million to City of York Council.

3.3 Work has commenced with each Constituent Authority reviewing their BSIPs as time is of the essence in relation to delivery against the plans within the financial year 2024/25. Discussions have been held with each Constituent Authority around available options to ensure the funding received can be distributed across the region as swiftly as possible.

3.4 Subject to the Combined Authority's views, it is proposed that the most efficient way to deal with this round of funding would be for the Combined Authority to provide delegations to each Constituent Authority to exercise the Local Transport Functions for this current financial year. The Combined Authority would remain the Local Transport Authority, however, the day-to-day functionality would be conducted by each Constituent Authority. Oversight would be in place for the Combined Authority, including reporting into Combined Authority Meetings throughout this period.

3.5 The York and North Yorkshire Combined Authority Order 2023 has separate provision in relation to Section 108 (local transport plans), Section 109 (further provisions regarding plans) and Section 112 (plans and strategies: supplementary) of the Transport Act 2000, whereby these functions of the Combined Authority can only be exercised by the Mayor. The final approval of the BSIPs would fall under this provision of the Order.

3.6 Planning has already started for the Combined Authority to pick up these functions in their own right from April 2025 and an update on progress will be given to the Combined Authority at regular intervals. This planning work will cover all legal, financial and practical implications to ensure the successful long-term transition of these functions.

4.0 The 2024 BSIP - Overview

4.1 A BSIP is a public document published on the Local Transport Authority's (LTA) website, intended to set out clearly the vision and plan for improving bus services and growing bus patronage in the local area, in line with the National Bus Strategy.

4.2 Department for Transport guidance sets out the key themes for the 2024 BSIP which includes an update of the current situation and reflection of developments including post-pandemic evolution of the local bus market, reflection on each phase of funding and other funding sources and a refresh of the pipeline of ambition of high quality and flexible prioritised proposals for future years.

4.3 The purpose of the document is to describe the bus network as it currently is, and the vision for the improved bus service that the LTA (in consultation with operators and others) wants to see in the area. It also sets out how the LTA will achieve the objectives of the national Bus Strategy including the key objective of growing bus patronage, in a specific local context. The document also sets out a detailed plan for delivery that is aligned with the rest of the LTA's Local Transport Plan.

5.0 Financial Implications

5.1 The BSIP funding has been allocated from the Department for Transport direct to each Constituent Authority for the year 2024/25, with the direction that any future funding would be allocated direct to the Combined Authority. As each Constituent Authority is already in receipt of the funds for this year, there are no additional financial implications for the Combined Authority.

6.0 Legal Implications

6.1 By virtue of Article 13(3) the York and North Yorkshire Combined Authority Order 2023, the functions specified in Parts 4 (local transport services) and 5 (financial provisions) of the Transport Act 1985 and Part 2 of the Transport Act 2000 are exercisable by the Combined Authority (Local Transport Functions).

6.2 Article 27 of the Order provides that some of these Combined Authority functions are exercisable only by the Mayor. These include local transport plans in accordance with Section 108 and further provisions about plans within Section 109, supplementary provisions around plans and strategies within Section 112 and grants to bus service operators in accordance with Section 154(1) of the Transport Act 2000.

6.3 Pursuant to Section 101 of the Local Government Act 1972 and the Local Authorities (Arrangements for the Discharge of Functions)(England) Regulations 2012, a Local Authority and/or a Combined Authority may make arrangements, subject as provided therein, for the discharge of any of their functions by (inter alia) any other Local Authority. This means that the Combined Authority can delegate the discharge of the Local Transport Functions (with the exception of those functions at 6.2 above, which are decisions for the Mayor) within the administrative area of North Yorkshire to North Yorkshire Council and for the administrative area of the City of York to City of York Council, subject to the terms and conditions of a Section 101 Agreement. This would be a tri-partite agreement between North Yorkshire Council, City of York Council and the Combined Authority.

6.4 Article 27(3) of the Order provides that for the purposes of the exercise of the functions of the Mayor, the Members and Officers of the Combined Authority may assist the Mayor in the exercise of the function. This assistance could include the Combined Authority Members providing assistance by the way of providing their views on the respective BSIPs, prior to the Mayor deciding whether to formally adopt them.

7.0 Equalities Implications

7.1 There are no direct equalities implications arising from this report, however, the BSIPs should include measures to address inequalities and support equality and diversity.

8.0 Environmental Implications

8.1 There are no direct environmental implications arising from this report, however, the BSIPs will have to address any environmental implications.

9.0 Combined Authority Areas Impacted (Council Areas/Wards/Divisions)

9.1 York and North Yorkshire.

10.0 Recommendations

10.1 That the Combined Authority:

10.2 Notes that the Department for Transport has already provided North Yorkshire Council and City of York Council with the Bus Service Improvement Plans funding, in the sum of £3.5million to North Yorkshire Council and £1.53million to City of York Council, which will remain with each Authority for 2024/25 in order for them to deliver their Bus Service Improvement Plans.

10.3 Approves the delegation of specific Local Transport Functions which are now Functions of the Combined Authority to North Yorkshire Council and City of York Council respectively in order that they can finalise their Bus Service Improvement Plans utilising the funding received from the Department for Transport. Such delegations to remain in place until 31 March 2025.

- 10.4 Delegates authority to the Chief Executive to sign the agreements delegating specific Local Transport Functions to each Constituent Authority for the year 2024/25.
- 10.5 Notes that each Constituent Authority will approve their Bus Service Improvement Plans in principle before submission to the Mayor for final ratification by the Mayor, with assistance being provided to the Mayor by way of consultation with the Combined Authority.

11.0 Reasons For Recommendations

- 11.1 For the year 2024/25, due to the infancy and recent creation of the Combined Authority, funding allocations being made direct to each Constituent Authority for the delivery of their respective Bus Service Improvement Plans will allow for better buses and aid more frequent, more reliable and easier to use bus services across the York and North Yorkshire region. The time critical nature of the funding means that each Constituent Authority dealing with the allocations for this year need to swiftly deliver their plans for improvements for bus users and enhance partnerships with local bus service operators in the York and North Yorkshire area.
- 11.2 Formal agreement in relation to delegating the specific local transport functions for 2024/25 allows for each Constituent Authority to lawfully deliver their Bus Service Improvement Plans.
- 11.3 Mayoral approval of the final BSIPs for each Local Authority provides the necessary oversight on behalf of the Combined Authority in relation to their obligations as Local Transport Authority.

12.0 Contact Details

For further information please contact the authors of this Report.

Author

Name:	Andrew Leeming
Job Title:	Head of Strategy
Service Area:	Strategy
Email:	Andrew.leeming@yorknorthyorks-ca.gov.uk
Report approved:	James Farrar
Date:	17/07/2024

Co-Author

Name:	Rachel Antonelli
Job Title:	Interim Deputy Monitoring Officer
Service Area:	Legal and Governance
Email:	Rachel.antonelli@yorknorthyorks-ca.gov.uk

Background papers

- Department for Transport Network North Briefing Document – October 2023 - [Network North: Transforming British Transport \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- Department for Transport National Bus Strategy: 2024 BSIP Guidance - [bus-service-improvement-plans-guidance-to-local-authorities-and-bus-operators-2024.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- North Yorkshire Council BSIP - [NYC BSIP Refresh 2024.pdf](#)
- City of York Council BSIP - [York's Bus Service Improvement Plan \(itravel.york.info\)](https://itravel.york.info)

Appendices – None