



## Report to Policy Committee

**Author/Lead Officer of Report:** Cate Jockel,  
Transport Policy and Strategy Manager  
**Tel:** 07980 153850

**Report of:** Kate Martin, City Futures  
**Report to:** Strategy and Resources  
**Date of Decision:** 12<sup>th</sup> October 2022  
**Subject:** Grant of planning obligation contribution to SYMCA for bus services

Has an Equality Impact Assessment (EIA) been undertaken? If YES, what EIA reference number has it been given? <i>(Insert reference number)</i> <i>Agreed that a full EIA is not required: see para.4.1</i>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken? <i>Agreed that a full CIA is not required: see para.4.4</i>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information? If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:- <i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

**Purpose of Report:**  
To approve a grant payment to South Yorkshire Mayoral Combined Authority (SYMCA) in relation to Section 106 obligation for planning application 13/01682/FUL.

When the planning application to the IKEA retail store was granted planning permission, the developer entered into an agreement (known as a Section 106 Agreement) with Sheffield City Council as Local Planning Authority, to provide conditions to mitigate the material impacts of this development. Amongst other provisions, the Section 106 Agreement secured a payment of £395,000 for upgrades to bus services in the Tinsley area.

This report seeks approval to remit this funding to SYMCA in order to increase the number of bus services on the relevant routes than would otherwise be available.

**Recommendations:**

To remit this funding by way of grant to SYMCA in order to increase the number of services on the relevant routes than would otherwise be available.

**Background Papers:**

*(Insert details of any background papers used in the compilation of the report.)*

None

<b>Lead Officer to complete:-</b>	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: James Lyon, Assistant Finance Manager
	Legal: Victoria Clayton, Planning and Highways Lawyer
	Equalities & Consultation: Louise Nunn, Equality and Inclusion Officer
	Climate: Jessica Rick, Sustainability Programme Officer
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>
2	<b>EMT member who approved submission:</b> Kate Martin
3	<b>Committee Chair consulted:</b> Councillor Terry Fox
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	<b>Lead Officer Name:</b> Cate Jockel
	<b>Job Title:</b> Transport Policy and Strategy Manager
	<b>Date:</b> 30/09/22

## 1. PROPOSAL

- 1.1 When Ikea was granted planning permission, they entered into a Section 106 Agreement with the planning authority regarding a number of different matters. These included a provision of £395,000 for upgrades to bus services in the Tinsley area. The wording is detailed below;

*“within 5 years of receipt use the Bus Upgrade Contribution towards the upgrading of the bus services 31, 69, A1 and 87 (or alternative services that pass through the Tinsley area) or enhancing the Bus Rapid Transit Fleet and for no other purpose”.*

- 1.2 The date for the contribution to be committed is 15/10/22. The Section 106 Agreement provided a number of different contributions towards improving public transport provision in the local area. The rationale being is that improved public transport can encourage additional and sustained patronage which in turn assist with the reduction in emissions from private cars and can have a positive impact on air quality.
- 1.3 Over the last few years, there have been significant changes to bus services, including alternative funding for retrofitting of buses to Euro VI standard and, of course, the covid-19 pandemic - which has resulted in public transport patronage levels dropping, with ongoing impact on levels of service. This period has also witnessed the bus services 31, 69 and 87 cease/merge with the X1/X10 Bus Rapid Transit services. Current services are the X1/X10, X17 and the A1.
- 1.4 As a result, following discussion with SYMCA, the most reasonable way to use this funding is to increase the number of services on the timetable that would otherwise be available.
- 1.5 What is proposed, therefore, is to remit this funding to SYMCA with a grant agreement which ties it to being used to support bus services that run through the Tinsley area, specifically early morning, evening, and Sunday services on the X1/X10 BRT services between central Sheffield and Rotherham Interchange. This will be for a 3-year period from October 2022 until October 2025.
- 1.6 The trips that will be covered include:
- Monday to Friday after 2100 between Sheffield and Rotherham, both directions.
  - Monday to Friday mornings between 0527 and 0600, Rotherham to Sheffield.
  - Saturday, before 0600 and after 2000, Sheffield to Rotherham; and before 0700 and after 2100 Rotherham to Sheffield.
  - All Sunday services between Sheffield and Rotherham, both directions.
- 1.7 The grant agreement commits SYMCA to review this in April and September 2023, 2024, and 2025, which aligns with the South Yorkshire Enhanced Partnership service change dates. If any change is proposed to

vary the services/trips funded, because of this review, SYMCA will notify the Council.

1.8 These services would otherwise not be continued due to the limited budget for tendered services. It is therefore an improvement to services compared to what would happen and so is regarded as an upgrade to bus services for customers, as required by the Agreement.

1.9 All these bus services enter the Clean Air Zone Charge Zone and so will be operated with Euro 6 compliant vehicles from April 2023.

## **2. HOW DOES THIS DECISION CONTRIBUTE?**

2.1. This proposal means that these bus services will continue to operate. These services would otherwise not be continued due to the limited budget for tendered services

## **3. HAS THERE BEEN ANY CONSULTATION?**

3.1. The Council is not required to consult on this proposal. It is required to commit this funding before 15/10/22 in line with the S106 Agreement. The proposal has been discussed between the Strategic Transport, Sustainability and Infrastructure Service, the Planning Service and Legal colleagues, as well as with SYMCA officers.

## **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

### 4.1. Equality Implications

4.1.1. Equality Implications are positive as compared to the situation if the services ceased to operate.

### 4.2. Financial and Commercial Implications

4.2.1 The proposal has no direct revenue implications. The monies are held as grants / contributions received in advance until required as per the S.106 agreement. Sheffield City Council is required to commit these funds by 15/10/2022. If the funds are not committed by this date, they would need to be returned to IKEA.

4.2.2 The S.106 monies are to be remitted and cover the proposed service improvements for a 3-year period. There are no planned additional costs beyond this.

4.2.3 The service will incur an internal recharge for legal fees connected to the commuted sum agreement, however, this is an expected and budgeted cost.

### 4.3 Legal Implications

4.3.1 Planning obligations, such as this Section 106 Agreement assist in mitigating the impact of unacceptable development, to make it acceptable in planning terms. This contribution was provided for the purpose stated in paragraph 1.1 above: this proposal is considered to provide an upgraded bus service to public transport users within the Tinsley area.

4.3.2 The Transport Act 2000 ('the 2000 Act') places a duty on local authorities to develop policies which will create a safe, efficient, integrated, and economic transport system that meets the needs of persons living or working within the city. The 2000 Act also imposes a duty on local authorities to carry out their functions to implement those policies and, in doing so, secure a more efficient use of their road network, or to avoid, eliminate or reduce road congestion (or other disruption to the movement of traffic) on their road network.

4.3.3 The proposed grant is permitted by s111 Local Government Act 1972 which permits us to do anything (including incurring expenditure) as it is facilitates, or is conducive to, the discharge of the above functions

#### 4.4 Climate Implications

4.4.1 Climate Implications are positive as compared to the situation if the services ceased to operate.

### **5 ALTERNATIVE OPTIONS CONSIDERED**

5.1 Other options have been considered and discounted such as upgrading infrastructure like bus stops in the area or upgrading the buses themselves, but this has largely already been completed using other monies, so the current proposal best improves the services in the area that would otherwise be available to customers etc.

### **6 REASONS FOR RECOMMENDATIONS**

6.1 There is no other available option.

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