

Subject:	Sub National Transport Body		
Date of Meeting:	29th November 2016		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Mark Prior	Tel: 29- 2095
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Ward(s) affected:	All		

FOR GENERAL RELEASE.**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Cities and Local Government Devolution Act 2016 makes provision for the establishment and constitution of a Sub National Transport Body (SNTB) for any area in England (outside of Greater London). The establishment of an SNTB provides an opportunity to develop a strong strategic partnership and a Transport Strategy for a region. The Transport Strategy would set out the SNTB's proposals for the promotion and encouragement of safe, sustainable, integrated, efficient and economic transport facilities to and from the area of the SNTB.
- 1.2 The South East 7 authorities, including Brighton & Hove City Council, have been working together to develop the proposition that would see Government, South East Transport Authorities and / or Combined Authorities and Local Enterprise Partnerships (LEPs) working together with Highways England, Network Rail and port, airport and bus operators in one body. Under the Cities and Local Govt Devolution Act SNTBs may expect strategic transport providers to take account of its priorities.
- 1.3 The SNTB would be the main mechanism to influence and prioritise investment by the major national transport agencies including Highways England and Network Rail in a way that has not been available to the City Council before. The specific focus would be for the delivery of major strategic transport infrastructure.
- 1.4 The report seeks approval to establish a shadow body and to develop the Transport Strategy. Establishing the SNTB in shadow form would demonstrate commitment by the constituent Authorities to working collaboratively and provide reassurance to Government about the strength of the partnership.

2. RECOMMENDATIONS:

- 2.1 That Committee agrees Brighton & Hove City Council should join a shadow Sub National Transport Body for the South East, known as Transport for the South East (TfSE);
- 2.2 That Committee delegates authority to the Executive Director for Economy, Environment & Culture to agree a shadow constitution for TfSE, following consultation with the Leader of the Council, on behalf of Brighton & Hove City Council;

- 2.3 That Committee notes that a further report will be brought back to Committee within the next 12 months to report on the shadow arrangements and update the Committee on the proposed detailed constitutional arrangements including membership, voting and emerging priorities.

3. CONTEXT/ BACKGROUND INFORMATION

Proposal for a Sub national Transport Body for the South East

- 3.1 The South East Seven (SE7) Councils (East Sussex, West Sussex, Hampshire, Kent and Surrey County Councils and Brighton & Hove City Council and Medway Council) and the Local Enterprise Partnerships (LEPs) that represent the area have been in officer level discussion about the establishment of an SNTB for the South East, to be called Transport for the South East (TfSE). Discussions will commence with the Hampshire Unitary Councils and the Solent LEP about joining TfSE.
- 3.2 The proposed area would fulfil the Department for Transport's requirements that SNTBs need to be large enough to allow the genuine strategic consideration and planning of transport infrastructure and do not create "white space" where Authorities are excluded from participation in sub-national arrangements.
- 3.3 The proposed TfSE would aid authorities in securing influence over national and regional infrastructure providers, helping to ensure the infrastructure required to support continuing economic growth. A TfSE would see Government, South East Transport Authorities and/or Combined Authorities and LEPs working together with Highways England, Network Rail and port, airport and bus operators. TfSE would require strategic transport providers to take account of its priorities.
- 3.4 TfSE would provide a mechanism for the area to speak with a strong, common voice on transport infrastructure and provide a single platform for strategic transport and infrastructure issues, giving partners greater, and potentially direct, influence over decisions that are currently made elsewhere. Its key outcome will be the development of a single, strategic transport infrastructure framework which would align the investment programmes and priorities from key agencies, such as Highways England and Network Rail, and also the LEPs.
- 3.5 TfSE presents the opportunity to support and deliver growth plans across the area through the development of a long-term strategic programme which identifies a comprehensive package of transport measures to make the South East more competitive. It would complement the work of the LEPs in the delivery of their Strategic Economic Plans and support the delivery of Local Plans.

Development of a Shadow Sub National Transport Body for the South East

- 3.6 Prior to the establishment of TfSE, it would be helpful to establish the Body in shadow form to help develop a strong strategic partnership. Establishing TfSE in shadow form would demonstrate commitment from the constituent Authorities to working collaboratively and provide reassurance to Government about the strength of the partnership. It would also carry out two main roles during this period:-

- Work on developing an overarching Transport Strategy for the area.
- Develop responsibilities and accountabilities for the TfSE, including governance and assurance arrangements. These arrangements will be developed if the principle of establishing TfSE is agreed.

3.7 If partners agree to establish TfSE in shadow form, it is proposed to establish an SNTB Leaders' Board to determine and agree the constitutional arrangements ensuring the governance reflects the aspirations of the Local Authorities. The SNTB Leaders' Board would consist of, subject to discussions with partners in Hampshire, the SE7 Councils, Portsmouth City Council, Southampton City Council and the Isle of Wight Council and the LEPs. The Board will agree the terms of reference, including governance and voting arrangements for consultation with wider partners.

The Transport Strategy

3.8 The cornerstone of TfSE is the Transport Strategy. It will build upon existing Local Transport Plans and evidence already in place amongst the constituent Authorities, including the LEP's Strategic Economic Plans and growth and infrastructure frameworks/studies being undertaken by a number of upper-tier Authorities. The Transport Strategy would outline the ambition of TfSE and describe the vision for the South East in relation to the transport function of the area, including the effectiveness, efficiency and resilience of the existing network. It would include freight, ports, airports and other public transport modes.

3.9 The draft Transport Strategy, which will also outline the proposals to establish a full SNTB, would be subject to consultation, including where appropriate, engagement with Borough and District Councils.

Membership of the Shadow Sub-National Transport Body

3.10 The constituent local authorities of the shadow body set out below will form the initial membership (subject to any future establishment of Combined Authorities):

Brighton & Hove City Council	Kent County Council	West Sussex County Council
East Sussex County Council	Medway Council	
Hampshire County Council	Surrey County Council	

3.11 Whilst these will be the initial member authorities it is desirable to broaden the membership to include all Transport/Highway authorities in the area and we will therefore be seeking the agreement of the Isle of Wight, Southampton and Portsmouth Councils to become members. In addition dialogue will be opened with

the Berkshire Authorities to consider whether it is desirable for them to become members, particularly in light of the recent airport expansion decision.

- 3.12 It will also be essential to ensure that, as with the SNTB proposals elsewhere, business is suitably represented in the Board and we will work with the LEPs to determine how best that can be achieved. The report therefore recommends that authority is delegated to the Leader to determine who the other members of the shadow board should be. This will be agreed through a Leader Board. As we progress towards a more formal body and develop the necessary governance arrangements we will also have to consider how we can take on board the voice of the Districts and Borough colleagues most effectively.
- 3.13 TfL represents the most significant transport hub in the South and has significant economic impact resulting from their investment decisions. It is for that reason they are included as part of the membership of TfSE. TfSE will also seek reciprocal arrangements to become a member of the TfL Board.
- 3.14 Additional members of the shadow TfSE SNTB may be considered, as appropriate, on a case by case basis but as a minimum should include:

Department for Transport
Highways England
Network Rail
Airport, Sea port, Bus and train operating companies.

The Coast To Capital Local Enterprise Partnership (C2C LEP)

The City Council has a strong relationship with the C2C LEP and intends to work closely with LEP officers, Board Members and partners to develop emerging SNTB proposals that support parallel ambitions set out within the Strategic Economic Plan (SEP) as well as existing Greater Brighton City Region and any subsequent Devolution plans. It is recognised that TfSE could support some of the GBCR objectives as set out within the SEP.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 TfSE provides an opportunity to support and deliver growth plans across the region through the development of a long-term strategic programme to identify a comprehensive package of transport measures to make the South East more competitive. It would complement the work of the LEPs and support delivery of Local Plans.
- 4.2 It would specifically enable the City Council to influence the prioritisation of investment by the major national transport agencies such as Highways England and Network Rail in a way that has not been possible in the past.
- 4.3 The SNTB would address some of the barriers to growth of the economy that have been held back by transport infrastructure shortcomings, notably strategic infrastructure, that is the responsibility of Network Rail and Highways England. The SNTB would enable the City Council to more directly influence the priorities

and programmes of these agencies, so helping to secure delivery of longstanding transport infrastructure ambitions.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Before progressing a proposal for an SNTB, the constituent Authorities must undertake a consultation on the boundary proposals and it is proposed that the shadow SNTB leads on this for the constituent authorities.
- 5.2 Public consultation is also required on the SNTB's Transport Strategy prior to publication

6. CONCLUSION

- 6.1 The proposal to develop a shadow SNTB for the South East, that will be known as TfSE, provides the opportunity to create a mechanism for the area that will become a stronger voice and influence on strategic transport policy and infrastructure provision, including the ability to secure significant funding and influence decisions that would otherwise be made by other strategic bodies or elsewhere.
- 6.2 Being a participant in the early development of the proposal will enable the City Council to influence the development and outcome of the shadow and eventual SNTB on important matters including priorities within the regional Transport Strategy, Membership and Voting arrangements.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Key purposes of the Sub National Transport Body (SNTB) will be to assist authorities in securing influence over national and regional infrastructure powers, and deliver strategic growth plans to support economic growth. It is anticipated that a SNTB will provide opportunities for external funding applications and the development of joint funding bids to deliver strategic priorities.
- 7.2 A £0.020m contribution to develop the constitutional arrangements and Transport Strategy will be funded from existing revenue budgets within the City Transport service. Any future costs to the council associated to the SNTB will be considered as part of the budget setting process and could be incorporated in future budgets once they can be accurately forecast.

Finance Officer Consulted: Steven Bedford

Date: 16/11/16

Legal Implications:

- 7.3 The Cities and Local Government Devolution Act 2016 allows the Secretary of State to make Regulations to establish a SNTB as a corporate body for any area in England outside Greater London.

- 7.4 Regulations can only be made if the Secretary of State considers that establishing an SNTB would facilitate the development and implementation of transport strategies for the area and that the effect of those strategies would be to promote economic growth in that area. The constituent authorities of the proposed SNTB are required to submit a proposal to the Secretary of State and to consent to the Regulations being made.
- 7.5 Before making a proposal the constituent authorities must undertake consultation. The membership, voting, executive arrangements and the functions of the executive body of the SNTB would be set out in the Regulations made by the Secretary of State.
- 7.6 At this stage, the report is proposing establishing a shadow SNTB. Further Committee authority would be required to proceed with consultation and a formal submission to the Secretary of State.

Lawyer Consulted: Elizabeth Culbert

Date: 13.11.16

Equalities Implications:

- 7.7 There are no specific Equalities issues in the formation of a Shadow SNTB.

Sustainability Implications:

- 7.8 The creation of a SNTB would enable greater consideration of more sustainable strategic journeys across the TfSE region utilising public transport by road or rail through more effective engagement and partnership arrangements with bus and rail operators and legislative bodies. The preparation of a common Transport Strategy for TfSE would allow sustainability issues to feature and be raised at a regional level.
- 7.9 Better collaboration between adjacent local authorities on Transport and highways issues could lead to further benefits with materials recycling and energy savings associated with construction and maintenance costs.

Any Other Significant Implications:

- 7.10 None

SUPPORTING DOCUMENTATION

Appendices:

1. Other Implications

Documents in Members' Rooms

1. None

Background Documents

1. None

Crime & Disorder Implications:

- 1.1 There are no specific implications arising from the formation of a Shadow SNTB.

Risk and Opportunity Management Implications:

- 1.2 There are no specific implications in the formation of a Shadow SNTB.

Corporate / Citywide Implications:

- 1.3 The agreement to take forward this proposal supports the City Council's membership on an important Regional Body that has the potential to draw in significant funding and influence for strategic transport issues that support regeneration and growth for the South East.