

<b>Subject:</b>	<b>Transport for the South East Proposals</b>		
<b>Date of Meeting:</b>	<b>31<sup>st</sup> January 2017</b>		
<b>Report of:</b>	<b>Chair, Greater Brighton Officer Programme Board</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Prior</b>	<b>Tel: 29-2095</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**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 a 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 Government Devolution Act 2016, SNTBs may expect strategic transport providers to take account of its priorities.
- 1.3 Following reports being taken at respective Cabinet and Committee meetings in November and December 2016, all South East 7 authorities have agreed to join a shadow body to enable Leaders to work up early proposals for the new arrangements.
- 1.4 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.
- 1.5 The report seeks to update the Greater Brighton Economic Board ('the Board') on the emerging shadow body arrangements and commitment made by the constituent Authorities to working up a SNTB proposal.
- 1.6 The Greater Brighton City Region has greater significance for Brighton & Hove City Council, who will ensure its interests are upheld in terms of how the shadow body arrangements are taken forward and also ensure its Devolution plans and strategic transport issues are aligned with those of the shadow body. It is

proposed that regular reports are taken to the Board to ensure Members are content with any emerging proposals.

## **2. RECOMMENDATIONS:**

- 2.1 That the Board notes the proposals and requests an update report be brought back to the Board on the emerging shadow body arrangements and any potential impact on the Greater Brighton City Region within the next 12 months.

## **3. 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 a 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 including the Greater Brighton City Region 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.
- 3.6 The new body would also provide an opportunity for Greater Brighton Economic Board Members to engage with strategic transport providers and agencies at both formal and informal levels through more frequent meeting and networking

opportunities arising from participation at both Member decision- making board level as well as officer shaping- meeting level.

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

3.7 Prior to the establishment of TfSE, constituent SE7 authorities have agreed, via respective Cabinets and Committees in November and December 2016, to establish the Body in shadow form to help develop a strong strategic partnership. Establishing TfSE in shadow form will demonstrate commitment from the constituent Authorities to working collaboratively and provide reassurance to Government about the strength of the partnership. It will 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.

3.8 Having agreed to create TfSE in shadow form, it is proposed to establish a SNTB Leaders' Board to determine and agree the constitutional arrangements, ensuring that 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. It is anticipated to take up to 18 months in shadow form for the SNTB to prepare governance arrangements, development and consultation on a Transport Strategy as well as preparation and submission of a proposal for formal status to the Secretary of State for Transport. An outline draft timetable is included below.

#### 2017

- Finalise Geography
- Discussions with DfT and other STBs (ongoing)
- Workstreams defined and resourced and working groups established
- Development of the shadow Transport Strategy
- Develop Governance arrangements and draft proposals to Government

#### 2018

- Finalise Governance arrangements, constitution and proposal to Government
- Publish shadow Transport Strategy; and
- Shadow Transport Strategy consultation

#### 2019

- Agreement to the proposal by Government
- Preparation of the Order establishing the STB; and
- Parliamentary process and sign-off of the order

## **The Transport Strategy**

- 3.9 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.
- 3.10 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**

- 3.11 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	

- 3.12 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 the agreement of the Isle of Wight, Southampton and Portsmouth Councils to become members will therefore be sought. 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.
- 3.13 It will also be essential to ensure that, as with the SNTB proposals elsewhere, business is suitably represented on the Body and whilst it is well represented within the Greater Brighton Economic Board, work will also be undertaken with the LEPs to determine how best to achieve this. The report therefore recommends that authority is delegated to the Leaders to determine who the other members of the shadow body should be. This will be agreed through the Leaders' Board. As the shadow body progresses towards a more formal body and develops the necessary governance arrangements, it will also have to consider how to on board the voice of the Districts and Borough colleagues most effectively.
- 3.14 The Greater Brighton City Region has greater significance for Brighton & Hove City Council, who will ensure its interests are upheld in terms of how the shadow body arrangements are taken forward and also ensure its Devolution plans and strategic transport issues are aligned with those of the shadow body. It is proposed

that regular reports are taken to the Board to ensure Members are content with any emerging proposals.

- 3.15 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.
- 3.16 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) and Greater Brighton City Region**

- 3.17 The City Council has a strong relationship with the C2C LEP and Greater Brighton City Region and intends to work closely with LEP and GBEB 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.
- 3.18 The geography of the TfSE SNTB is co-terminus across the SE7 local authority and highway authority boundaries but is also overlaying or overlapping existing and different district, LEP, Greater Brighton devolution and City Region boundaries that creates a new level of complexity in engaging partners in the formation of an SNTB proposal. However, the potential advantages of creating a single body able to better engage with strategic partners that speaks with a single voice on significant transport issues for the South East should outweigh the dis-benefits created by the additional levels of complexity.

## **4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.2 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.
- 4.3 It would specifically enable the City Council and Greater Brighton City Region 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.
- 4.4 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 and Greater Brighton City Region 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 Greater Brighton City Region and Board members 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. A further advantage for the Greater Brighton Economic Board will be provided by the ability of the SNTB to secure significant additional funding for the South East region when competing for funds nationally.
- 7.2 A £0.020m contribution to develop the constitutional arrangements and Transport Strategy will be funded from existing Brighton and Hove City Council revenue budget.  
There may be officer time and other costs for the each of the constituent local authorities to be represented on the SNTB.

*Finance Officer Consulted: Steven Bedford*

*Date: 22/12/16*

#### 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.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 13.11.16*

#### Equalities Implications:

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

#### Sustainability Implications:

- 7.7 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.
- 7.8 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.

#### Citywide and City Region Implications

- 7.9 The agreement to take forward this proposal supports the Greater Brighton Economic Board's influence on an important Regional body that has the potential to draw in significant funding and further influence strategic transport issues that support regeneration and growth for the South East. The significance of the City Region and its position within the South East will need to play an important part in the development of the new body and influence on any emerging regional Transport Strategy.

#### Any Other Significant Implications:

- 7.10 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Background Documents**

1. None