

## **BERKSHIRE LOCAL TRANSPORT BODY (BLTB)**

**REPORT TO:** BLTB

**DATE:** 20 July 2017

**CONTACT OFFICER:** Roger Parkin, Interim Chief Executive Slough Borough Council, lead Chief Executive to the BLTB

### **PART I**

#### **Item 8: Transport for the South East – Progress Report**

##### ***Purpose of Report***

1. This report sets out the progress that has been made since your meeting on 16 March, including the main decisions of the inaugural meeting of the Shadow Board held on 26 June 2017.
2. To appoint one of the Councillor members of the BLTB as alternate delegate to Transport for the South East should Cllr Page be unable to attend.

##### ***Recommendation***

3. You are recommended to
  - 3.1. Note the key decisions of the Shadow Board of Transport for the South East, including the appointment of Cllr Page as Vice-Chair
  - 3.2. Nominate a councillor member of the BLTB as an alternate representative should Cllr Page be unable to attend Shadow Board meetings of Transport for the South East
  - 3.3. Ask for further reports on the details of the governance, financing and proposed strategy for Transport for the South East in due course

##### ***Other Implications***

##### **Financial**

4. The operating costs of the proposed sub-national transport body will be shared between the participating members. The detail of the proposed budget and its allocated shares is one of the details that will be discussed at the next meeting of the shadow board. There are ongoing discussions with the Department for Transport about obtaining match funding for the contributions that are raised locally. Once the extent of the contribution expected from BLTB is known, there will have to be a further determination of how the costs will be apportioned in Berkshire.

### Risk Management

5. In November 2015, the DfT published [proposals as part of its devolution agenda](#)<sup>1</sup> to establish sub-national transport bodies on a statutory basis. It gave [Transport for the North](#)<sup>2</sup> and [Midlands Connect](#)<sup>3</sup> as examples.
6. The risk for the Thames Valley Berkshire area is that by not engaging with the government's policy to promote sub-national transport bodies, it will harder to fund infrastructure proposals that are significant at the sub-national scale.
7. The risk associated with participating in these arrangements is that time, resources and energy will be devoted to the new arrangements which fail to deliver any tangible benefits.
8. At the March 2017 meeting you agreed that the BLTB should join the new arrangements, as opposed to the six individual unitary authorities, as response to these risks. The logic of the proposal is that the six unitary councils have a shared interest at the sub-national scale, and that our participation can be safely streamlined through joint participation.

### Human Rights Act and Other Legal Implications

9. [Section 21\(1\) of the Cities and Local Government Devolution Act 2016](#)<sup>4</sup> amended Part 5 of the Local Transport Act 2008 as follows,  
*"The Secretary of State may by regulations establish a sub-national transport body for any area in England outside Greater London."*  
The Act goes on to describe further the regulations for a sub-national transport body should be made.
10. Slough Borough Council will provide legal support for the BLTB should any questions arise on the application of this enabling legislation to the arrangements for the proposed Transport for the South East.

### **Supporting Information**

1. At the March 2017 meeting of the BLTB, you received a presentation from Mark Valleley of East Sussex County Council, currently working in the programme office of TfSE.
2. The inaugural meeting of the shadow board of TfSE was held on 26 June 2017, and, with a few amendments and changes, the proposals outlined by Mark Valleley were adopted by the meeting. A list of delegates present at the meeting is given at Appendix 1.

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<sup>1</sup> <https://www.gov.uk/government/news/regions-to-be-offered-legal-powers-to-transform-transport>

<sup>2</sup> <http://www.transportforthenorth.com/>

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/482247/midlands-engine-for-growth.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/482247/midlands-engine-for-growth.pdf)

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2016/1/section/21/enacted>

3. It is the intention to operate the Shadow Board with the same level of transparency and accountability that applies to bodies regulated by the Local Government (Access to Information) Act. The agenda, papers and minutes are available from East Sussex County Council acting as the accountable body and will also be available on the TfSE website [www.transportforthesoutheast.org.uk](http://www.transportforthesoutheast.org.uk)
4. The key decisions of the meeting were:
  - 4.1. To adopt the proposed constitution for TfSE and to operate as a “shadow” partnership until such time as the Secretary of State confirms the formal creation of Transport for the South East
  - 4.2. To appoint Cllr Glazier (Leader, East Sussex CC) as Chair and Cllr Page (Reading, Berkshire Local Transport Body) as Vice-Chair
  - 4.3. To appoint East Sussex County Council as Accountable Body
  - 4.4. To co-opt two LEP Board Members (Dave Lees, Solent and Steve Allen, Coast to Capital), with votes, on behalf of the 5 LEPs in the TfSE area
  - 4.5. To co-opt the chair of the Transport Forum, with a vote, and to appoint Geoff French as Interim Chair, pending a full recruitment
  - 4.6. To co-opt someone representing the National Parks and other designated landscape areas, without a vote. Person to be identified in due course
  - 4.7. To co-opt someone representing the Boroughs and Districts in two-tier areas, without a vote. Person to be identified in due course
  - 4.8. To invite DfT, Highways England, Network Rail and Transport for London to attend as observers
  - 4.9. To develop the work on a Transport Strategy for the South East as set out in the report
  - 4.10. To agree the proposed communications and engagement plan as set out in the report
  - 4.11. To agree the priorities for submission to DfT as part of RIS2 as recommended in the report.
  - 4.12. To ask for a report on proposed budget and subscriptions to the next meeting of the Shadow Board.
5. The geographical coverage of Transport for the South East is:

Upper Tier Local Authorities

- Kent
- Medway
- East Sussex
- West Sussex
- Brighton and Hove
- Surrey
- Hampshire
- Portsmouth and Southampton (working together)
- Isle of Wight
- Berkshire Local Transport Body on behalf of Bracknell Forest, Reading, Slough, West Berkshire, Windsor and Maidenhead and Wokingham.

#### Local Enterprise Partnerships

- South East (part)
- Coast to Capital (part)
- Solent
- Enterprise M3
- Thames Valley Berkshire

#### ***Conclusion***

6. The Shadow Board for 'Transport for the South East' is now established and a programme of activity has been set out with aim of converting to properly designated sub-national transport body during 2019.

#### ***Background Papers***

7. Correspondence between LEPs and briefing notes supplied by the TfSE shadow project team.

## Appendix 1

### List of Delegates present at the inaugural meeting of the Shadow Board for Transport for the South East

Cllr Keith Glazier	Leader	East Sussex County Council	Present
Cllr Paul Carter CBE	Leader	Kent County Council	Apologies sent
Cllr Michael Payne	Deputy Cabinet Member for Planning, Highways , Transport and Waste	Kent County Council	On behalf of Cllr Carter
Cllr Tony Page	Cabinet Member for Strategic Environment, Planning and Transport and Deputy Leader, Reading Borough Council	representing Berkshire Local Transport Body	Present
Cllr David Hodge CBE	Leader	Surrey County Council	Present
Cllr Warren Morgan	Leader	Brighton and Hove City Council	Present
Cllr Alan Jarrett	Leader	Medway Council	Present
Cllr Louise Goldsmith	Leader	West Sussex County Council	Apologies sent
Cllr Bob Lanzer	Cabinet Member for Infrastructure and Highways	West Sussex County Council	On behalf of Cllr Goldsmith
Cllr Rob Humby	Executive Member for Environment and Transport	Hampshire County Council	Present
Cllr David Stewart	Leader	Isle of Wight Council	Apologies sent
Cllr Ian Ward	Cabinet Member for Infrastructure and Transport	Isle of Wight Council	On behalf of Cllr Stewart
Cllr Jacqui Rayment	Cabinet Member for Environment and Transport and Deputy Leader, Southampton City Council	(representing Southampton and Portsmouth City Councils)	Present
Steve Allen	Board Member, Coast to Capital LEP	Jointly representing 5 LEPs	Present
Dave Lees	Board Member, Solent LEP		Present
Geoff French	Interim Chair, TfSE Transport Forum		Apologies sent
<b>Observers:</b>			
Andy Rhind	Deputy Director, Regional Strategies: London and South Division	Department for Transport	Present