

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT PLANNING AND TRANSPORT COMMITTEE		
DATE:	20 NOVEMBER 2019	AGENDA ITEM:	14
TITLE:	TRANSPORT FOR THE SOUTH EAST - STATUTORY STATUS		
LEAD COUNCILLOR:	TONY PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	TRANSPORTATION AND STREETCARE	WARDS:	BOROUGHWIDE
LEAD OFFICERS:	CHRIS MADDOCKS	TEL:	0118 937 4950
JOB TITLE:	ACTING STRATEGIC TRANSPORTATION PROGRAMME MANAGER	E-MAIL:	chris.maddocks@reading.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report provides an overview of the process being undertaken by Transport for the South East (TfSE) to seek statutory status, and the benefits this would bring to Reading. TfSE has been established as a Sub-national Transport Body to represent the south east region, similar to Transport for the North (part of the Northern Powerhouse initiative).
- 1.2 TfSE requires approval from all of its constituent authorities, including Reading Borough Council, for its proposal for statutory status which will be submitted to Government by the end of the year.

2. RECOMMENDED ACTION

- 2.1 That the Committee notes the progress made by Transport for the South East in developing proposals for statutory status and approves the inclusion of Reading Borough Council as a constituent member of the Sub-national Transport Body.

3. BACKGROUND

- 3.1 Transport for the South East (TfSE) was established as a Sub-national Transport Body to represent the south east region in June 2017. Since then, it has emerged as an effective partnership bringing together 16 local transport authorities, five local enterprise partnerships and other stakeholders including transport operators, district and borough authorities and national agencies to speak with one voice on the region's strategic transport needs.
- 3.2 TfSE's vision is to deliver a high-quality, sustainable and integrated transport system that:
- Supports increased productivity to grow the South East and UK economy and compete in the global marketplace;
 - Improves safety, quality of life and access to opportunities for all; and
 - Protects and enhances the South East's unique natural and historic environment.
- 3.3 In order to deliver this vision, TfSE is seeking to formalise its role as the South East's voice for strategic transport issues by becoming a statutory body. Statutory status will give TfSE the ability to directly influence the development of national investment programmes, provide the powers and responsibilities needed to deliver tangible benefits for people and businesses, and develop joined-up solutions to issues which are best tackled at a regional scale. In addition, it will enable TfSE to help accelerate the delivery of schemes and initiatives which cross local authority boundaries, ensuring the benefits of investment are realised as soon as possible.
- 3.4 TfSE has prepared a draft Proposal to Government seeking statutory status and undertook a 12-week statutory consultation on this proposal between 3rd May and 31st July 2019. The next step is for TfSE to submit the proposal to Government, for which approval is required from all of its constituent authorities including Reading Borough Council.
- 3.5 TfSE currently operates as a Shadow Board prior to achieving statutory status. Reading is represented on this Board alongside all the Berkshire Local Authorities through the Berkshire Local Transport Body (BLTB). Councillor Tony Page, as Chair of BLTB, represents all Berkshire Authorities at Shadow Board meetings and also holds the position of Deputy Chair of TfSE.

4. THE PROPOSAL

Proposal to Government

- 4.1 To achieve statutory status, TfSE is required to prepare a Proposal to Government to demonstrate the strategic case for the creation of a Sub-national Transport Body and set out how TfSE will fulfil the statutory requirements for such a body as outlined in the enabling legislation.

- 4.2 TfSE has worked with its member authorities, including Reading, to prepare the proposal to make the case for a statutory Sub-national Transport Body in the south east region. This sets out the specific powers and responsibilities TfSE wants to help deliver economic growth, improve quality of life and protect and enhance the environment, alongside its proposed governance arrangements.
- 4.3 The legislation requires that a new Sub-national Transport Body will be promoted by, and have the consent of, its constituent authorities, and that the proposal has been the subject of consultation within the area and with neighbouring authorities.
- 4.4 The specific functions that TfSE is seeking as part of its Proposal to Government are set out below:
- General Sub-national Transport Body functions relating to the preparation of a Transport Strategy, advising the Secretary of State and co-ordinating transport functions across the TfSE area (with the consent of the constituent authorities).
 - Being consulted on rail franchising and setting the overall objectives for the rail network in the TfSE areas.
 - Jointly setting the Road Investment Strategy RIS for the TfSE area.
 - Obtaining certain highways powers which would operate concurrently and with the consent of the current highways authority to enable regionally significant highways schemes to be expedited.
 - Securing the provision of bus services, entering into quality bus partnership and bus franchising arrangements.
 - Introducing integrated ticketing schemes.
 - Establish Clean Air Zones with the power to charge high polluting vehicles for using the highway.
 - Power to promote or opposes Bills in Parliament.
 - Additional incidental powers to enable TfSE to act as a type of local authority.
- 4.5 Importantly, TfSE is clear in its proposal that the proposed powers as set out above will operate concurrently and with the consent of the constituent authorities, rather than taking on responsibilities which currently sit with local authorities and LEPS.

Benefits to Reading

- 4.6 TfSE provides an opportunity to support and deliver growth plans across the region through the development of a long-term strategic programme of transport measures to facilitate economic growth and make the south east

more competitive. It will complement the work of the LEPs and support the delivery of Local Plans and Local Transport Plans.

- 4.7 TfSE will address some of the barriers to growth of the economy that have been held back by transport infrastructure shortcomings, notably strategic infrastructure which is the responsibility of Network Rail and Highways England. Statutory status would enable the Council to more directly influence the priorities and programmes of these agencies through representation on TfSE's Board, so helping to secure delivery of longstanding transport infrastructure ambitions.
- 4.8 TfSE aims to promote a more joined up approach to the delivery of cross boundary schemes within the region which cross local authority boundaries, which is a particularly important issue for a unitary authority such as Reading.

Next Steps

- 4.9 Based on the consultation results, TfSE's Shadow Partnership Board has approved the final proposal which will be submitted to Government by the end of the year. TfSE is therefore seeking approval from all of its constituent members to submit the proposal to Government.
- 4.10 After the Government has received the proposal from TfSE, there will be a period of three to six months while the Secretary of State considers the request from TfSE. The Secretary of State will then formally respond to the TfSE proposal setting out the powers and responsibilities that have been granted to TfSE. Work will then begin on drafting the Statutory Instrument which will be laid before Parliament.
- 4.11 In parallel with seeking statutory status, TfSE has been awarded funding from Government to develop a transport strategy for the region. A public consultation on the draft Transport Strategy was launched on 7th October 2019, which sets out ambitious plans to grow the economy of the region by an additional 50% to £500bn and create almost 3m additional jobs by 2050, in the context of achieving sustainable transport-led growth. TfSE held a consultation event at Reading Town Hall on 16th October and the consultation is open until 10th January 2020.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The delivery of the projects outlined in this report help to deliver the following service priorities in the Council's Corporate Plan 'Shaping Reading's Future: 2018 -2021':
- Securing the economic success of Reading.
 - Keeping Reading's environment clean, green and safe.
 - Promoting health, education, culture & wellbeing.

6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 TfSE undertook a twelve week public consultation on its proposal for statutory status between 3rd May and 31st July 2019. The consultation materials were made available on the TfSE website and circulated to relevant stakeholders, alongside consultation events being undertaken.

7. LEGAL IMPLICATIONS

- 7.1 The statutory basis for a Sub-national Transport Body is set out in Part 5A of the Local Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016, which says that “the Secretary of State may by regulations establish a sub-national transport body for any area in England outside Greater London” (s102E(1)) and it goes on to set the conditions and limits for such arrangements.
- 7.2 The legislation requires a new Sub-national Transport Body to be promoted by, and have the consent of, its constituent authorities, and that its Proposal to Government has been the subject of consultation within the area and with neighbouring authorities.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 In addition to the Human Rights Act 1998 the Council is required to comply with the Equalities Act 2010. Section 149 of the Equalities Act 2010 requires the Council to have due regard to the need to:-
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 Consideration has been given to the potential for any adverse equalities impacts arising from the recommendations of this report. It is the view of TfSE officers that the recommendations included in this report do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010.

9. FINANCIAL IMPLICATIONS

- 9.1 TfSE has established an annual subscription rate of approximately £60k per county and £30k per unitary authority. Reading is represented alongside all of the Berkshire unitary authorities through the Berkshire Local Transport Body (BLTB), therefore effectively the BLTB has joined as a county and each authority pays £10k. This annual subscription is funded through the Council’s existing transport revenue budget.

9.2 DfT has provided a one-off grant of £1m towards the cost of the development of the Transport Strategy. There is a reasonable expectation that DfT will allocate some core revenue funding for TfSE once it has achieved statutory status, on the basis that the constituent authorities will continue to make contributions. TfSE will also seek further capital funding from the DfT to take forward its technical work programme.

10. BACKGROUND PAPERS

10.1 TfSE Draft Proposal to Government for Statutory Status, Public Consultation Website - <https://transportforthesoutheast.org.uk/about/becoming-a-statutory-body/>

10.2 TfSE Draft Transport Strategy, public consultation website - <https://transportforthesoutheast.org.uk/transport-strategy/>