

Report to: **Partnership Board - Transport for the South East**

Date of meeting: **13 May 2024**

By: **Chief Officer, Transport for the South East**

Title of report: **Responses to consultations**

Purpose of report: **To agree the draft responses submitted in response to various consultations**

RECOMMENDATIONS:

The members of the Partnership Board are recommended to agree the draft responses to the following consultations:

- (1) Peninsula Transport Sub-National Transport Body – Peninsula Transport Strategy**
 - (2) East Sussex County Council – Local Transport Plan 4**
 - (3) Transport Select Committee – Call for Evidence: Scrutiny of the Draft Rail Reform Bill**
 - (4) Canterbury District Council – Draft Canterbury District Transport Strategy**
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1. Introduction

1.1 Transport for the South East (TfSE) has prepared responses to a number of recent consultations. This paper provides an overview of the responses to the following consultations:

- Peninsula Transport Sub-National Transport Body – Peninsula Transport Strategy**
- East Sussex County Council – Local Transport Plan 4**
- Transport Select Committee – Call for Evidence: Scrutiny of the Draft Rail Reform Bill**
- Canterbury District Council – Draft Canterbury District Transport Strategy**

2. Peninsula Transport Sub-National Transport Body – Peninsula Transport Strategy

2.1 Peninsula Transport Sub-National Transport Body (STB) held a period of engagement on their draft Peninsula Transport Strategy detailing strategic transport priorities for Cornwall, Devon and Somerset to 2050.

2.2 This consultation closed on 05 February 2024 and the officer level response that was submitted is contained in Appendix 1.

2.3 Overall, the transport strategy is well evidenced and aligns well with TfSE's strategic priorities, especially in basing transport policy around the needs of the user and tackling user pain points.

2.4 However, TfSE did note that in a few points of the strategy, we would recommend they amend their text to acknowledge nearby regions, cross-border transport issues and improving connectivity between regions, which would add significant value in making the case for funding for strategic transport connectivity improvements.

3. East Sussex County Council – Local Transport Plan 4

3.1 East Sussex County Council held a period of consultation on their draft Local Transport Plan 4 (LTP4) 2024-2050.

3.2 This consultation closed on 25 February 2024 and the officer level response that was submitted is contained in Appendix 2.

3.3 Overall TfSE had many positive comments on this local transport plan as it was felt it aligned well with TfSE's vision and objectives.

3.4 In addition, the challenges and opportunities outlined within the LTP4 were well-founded, based on sound evidence and a clear understanding of both local and regional priorities. The use of TfSE's South East Economy and Land Use Model (SEELUM) for East Sussex's scenario planning was further evidence of LTP4's alignment with the TfSE Transport Strategy.

3.5 We praised the inclusion of geography types within the LTP4 as they provide nuance to the different needs and movements of people both within East Sussex and those who travel in and out of East Sussex. In particular, Geography Type 1 – Regional Long Distance recognises movements not only within the East Sussex area, but across the TfSE region.

4. Transport Select Committee - Call for Evidence: Scrutiny of the Draft Rail Reform Bill

4.1 As part of the Transport Select Committee's pre-legislative scrutiny of the draft Rail Reform Bill, they invited comments from organisations and the public on the scope of the draft Bill.

4.2 This consultation closed on 27 March 2024 and the officer level response that was submitted is contained in Appendix 3.

4.3 TfSE's response confirmed that we welcome the draft Bill to implement the necessary legislative changes to enable the creation of the Integrated Rail Body (IRB), to confer its network operating licence and to provide its franchising functions.

4.4 However, we identified a number of amendments that would be necessary to reflect the intention of the Government relating to STBs as set out in the Local Transport Act 2008 (as amended). As some of the Secretary of State's functions are being transferred to the IRB, so should the requirement to seek advice from and consult with STBs. The draft Bill provides the opportunity to enable this in relation to the IRB when exercising its functions both as a network operator and a franchising authority. The draft Bill also provides an opportunity to extend this requirement to the Office of Rail and Road (ORR) to ensure that the IRB fulfils its requirements as proposed by the STBs.

5. Canterbury District – Draft Canterbury District Transport Strategy

5.1 Canterbury District Council is holding a period of engagement on their draft Transport Strategy. The transport strategy sets out the short, medium and long term proposals to accompany the policies for planned growth in their Local Plan.

5.2 This consultation will close on 03 June 2024 and the officer level response that will be submitted is contained in Appendix 4.

5.3 TfSE welcomed the vision and approach to this transport strategy and found that it aligned well with TfSE's transport strategy. The only recommendation was that the strategy could be enhanced by strengthening some of the strategic objectives.

6. Conclusion and recommendations

6.1 The members of the Partnership Board are recommended to agree the draft responses to consultations that are detailed in this report.

RUPERT CLUBB

Chief Officer

Transport for the South East

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Peninsula Transport Strategy Consultation Draft Response from Transport for the South East

1. Introduction

1.1 Transport for the South East (TfSE) welcomes the opportunity to respond to the consultation on Peninsula Transport Strategy – Strategic Transport Priorities to 2050. This is an officer level response which will be presented to our Partnership Board in April 2024. A further iteration of it may therefore follow.

1.2 TfSE is a sub-national transport body (STB) for the South East of England, bringing together leaders from across the local government, business and transport sectors to speak with one voice on our region's strategic transport needs. Since its inception in 2017, TfSE has quickly emerged as a powerful and effective partnership for our region. We have a [30-year transport strategy](#) in place which carries real weight and influence and will shape government decisions about where, when and how to invest in our region to 2050. The Secretary of State has confirmed that they will have regard to our strategy in developing new policy. We work closely with the Department for Transport (DfT) DfT to provide advice to the Secretary of State and our ambition is to become a statutory body with devolved powers over key strategic transport issues.

1.3 Our principal decision-making body, the [Partnership Board](#), brings together representatives from our 16 constituent local transport authorities, five Local Enterprise Partnerships, district and borough authorities, protected landscapes, Highways England, Network Rail and Transport for London.

1.4 Our [Strategic Investment Plan \(SIP\) for South East England](#) provides a framework for investment in strategic transport infrastructure, services, and regulatory interventions in the coming three decades. The plan presents a compelling case for action for investors, including government departments – notably the Treasury and Department for Transport (DfT) – as well as private sector investors. It is written for and on behalf of the South East's residents, communities, businesses, and political representatives. The plan provides a framework for delivering our Transport Strategy, which:

- is a blueprint for investment in the South East;
- shows how we will achieve our ambitions for the South East;
- is owned and delivered in partnership;
- is a regional plan with evidenced support, to which partners can link their own local strategies and plans – a golden thread that connects policy at all levels;
- provides a sequenced plan of multi-modal investment packages that are place based and outcome focused; and
- examines carbon emissions impacts as well as funding and financing options.

1.5 TfSE welcome this opportunity to respond to the Peninsula Transport Strategy – Strategic Transport Priorities to 2050. We trust that our response will provide value to the work of Peninsula Transport in this area, but also form the basis for further engagement, especially as TfSE is undertaking a refresh of its own transport strategy throughout 2024/5. Specifically, we are keen to establish policy consistency on cross-boundary matters with other STBs. While we do not have a direct boundary with the Peninsula, transport heading to and from the peninsula does influence our networks.

2. Unique Challenges

2.1 TfSE notes that many of the strategic transport challenges faced on the peninsula closely align with those of our own challenges. Of note are the challenges around Achieving Net Zero and Rural Accessibility. For the former, our area is also characterised by high levels of car ownership and the dominance of the private car. For the latter, while our rural population is, on average, of higher income, issues around a less accessible rural public transport network – specifically for buses that have been subject to significant reductions – are common to our area as much as they are with the Peninsula.

2.2 With regards to cross-boundary movements, the evidence base to your Transport Strategy makes mention of a key international gateway for freight transport being the port at Portsmouth. Much of the traffic using this port uses either the A35 – A31 – M27 corridor, or the A303 – A36 – M27 corridor. These are corridors that we have identified as having poor connectivity, poor reliability, and frequent congestion along often single carriageway routes. This also reflects a wider issue within the TfSE area of poor east-west connectivity.

2.3 Tackling such connectivity issues, we would argue, should be a joint priority for TfSE, Peninsula Transport, and Western Gateway STBs. On this, we would like to see support being given in the transport strategy for initiatives to improve connectivity across this whole corridor, such the West of England Service Enhancements and M27 / M271 Smart Motorway as set out in our own [Strategic Investment Plan](#). This would bring benefits to all users across the corridor, including those from the South West.

2.4 More immediately, we would recommend providing additional text on the page setting out the Unique Challenges in your transport strategy. This would simply be the addition of “including on strategic transport links to nearby regions” in the Network Resilience and Freight Transport boxes.

3. A strategy for the user

3.1 TfSE supports the approach of basing a transport policy around the needs of the user and tackling user pain points. We particularly commend the clear vision that is set in the strategy for a cleaner, greener, and safer network from 2035 onwards, with articulated and deliverable goals under easier journeys, going electric, a connected peninsula, and completing the transport network.

3.2 All aspects of this future vision broadly align with our own strategic priorities. However, there is an area that we feel would add significant weight to the strategy is specifically in the “A Connected Peninsula” section Under Resilient, Safe, and Reliable Road and Rail links, we would like to see a change to the second part of the final sentence from “including to ports and airports” to “including to ports, airports, and key economic centres in nearby regions.” This would stress the importance of cross-border travel to many elements of the South West economy, and the need for good, reliable access to significant nearby markets, including those in the Solent. This would be a minor amendment to the document that would add significant value in making the case for funding for strategic transport connectivity improvements.

4. Our Immediate Priorities

4.1 TfSE is supportive of the immediate priorities for Peninsula Transport as set out in the transport strategy. These appear to be well-evidenced and supported in policy terms at a local authority level

within the peninsula. They consist of what will be most easy to deliver, or interventions that support regional action.

4.2 Under “A connected peninsula” we would recommend an additional action on improving connectivity between regions. Specifically we would recommend the following text: “Develop the case for enhancement of strategic transport connections to nearby regions.” This would place an emphasis on what the region can gain from such improvements, notably enhanced connections to other regional economic markets, and model shift for strategic transport (especially in the case of rail connections).

East Sussex Local Transport Plan 4 Response from Transport for the South East

1. Introduction

1.1 Transport for the South East (TfSE) welcomes the opportunity to respond to the consultation on East Sussex County Council's Local Transport Plan 4 (LTP4). This is a draft officer response that be presented to our Partnership Board in April 2024 for their approval. A further iteration may therefore follow.

1.2 TfSE is a sub-national transport body (STB) for the South East of England, bringing together leaders from across the local government, business and transport sectors to speak with one voice on our region's strategic transport needs. Since its inception in 2017, TfSE has quickly emerged as a powerful and effective partnership for our region. We have a [30-year transport strategy](#) in place which carries real weight and influence and will shape government decisions about where, when and how to invest in our region to 2050. The Secretary of State has confirmed that they will have regard to our strategy in developing new policy. We work closely with the Department for Transport (DfT) DfT to provide advice to the Secretary of State and our ambition is to become a statutory body with devolved powers over key strategic transport issues.

1.3 Our principal decision-making body, the [Partnership Board](#), brings together representatives from our 16 constituent local transport authorities, five Local Enterprise Partnerships, district and borough authorities, protected landscapes, Highways England, Network Rail and Transport for London.

1.4 Our [Strategic Investment Plan \(SIP\) for South East England](#) provides a framework for investment in strategic transport infrastructure, services, and regulatory interventions in the coming three decades. The plan presents a compelling case for action for investors, including government departments – notably the Treasury and Department for Transport (DfT) – as well as private sector investors. It is written for and on behalf of the South East's residents, communities, businesses and political representatives. The plan provides a framework for delivering our Transport Strategy, which:

- is a blueprint for investment in the South East;
- shows how we will achieve our ambitions for the South East;
- is owned and delivered in partnership;
- is a regional plan with evidenced support, to which partners can link their own local strategies and plans – a golden thread that connects policy at all levels;
- provides a sequenced plan of multi-modal investment packages that are place based and outcome focused; and
- examines carbon emissions impacts as well as funding and financing options.

1.5 TfSE welcome this opportunity to respond to the East Sussex Local Transport Plan 4 (LTP4). We trust that our response will provide value to the work of East Sussex County Council in this area, but also form the basis for further engagement, especially as TfSE is undertaking a refresh of its own transport strategy throughout 2024/5. Specifically, we are keen to establish a 'golden thread' in policy terms so that East Sussex – as well as other Local Transport Authorities (LTAs) – is able to achieve its own goals whilst playing a significant role in achieving a wider vision for the South East.

2. Vision and Objectives

2.1 The East Sussex LTP4 vision exhibits a good translation of TfSE’s vision for the South East to the local context in East Sussex. We have highlighted some of the areas where there is close alignment between TfSE’s vision and that of East Sussex’s in the table below:

East Sussex LTP4 Vision	TfSE Transport Strategy Vision
<p>Our vision is for an inclusive transport system that connects people and places, is decarbonised, safer, resilient, and support our natural environment, communities, and businesses to be healthy, thrive, and prosper.</p>	<p>By 2050, the South East of England will be a leading global region for net-zero carbon, sustainable economic growth where integrated transport, digital and energy networks have delivered a step-change in connectivity and environmental quality. A high-quality, reliable, safe and accessible transport network will offer seamless door-to-door journeys enabling our businesses to compete and trade more effectively in the global marketplace and giving our residents and visitors the highest quality of life.</p>

2.2 The objectives of the LTP4 also broadly align with nearly all of the Strategic Priorities included in the TfSE Transport Strategy and goes one step further in highlighting local applications of our Strategic Priorities, as shown in the table below:

NOTE: Some Strategic Priorities are referenced more than once due to their applicability across multiple objectives.

East Sussex LTP4 Objectives	TfSE Transport Strategy - Strategic Priorities
<p>Objective 1: Deliver safer and accessible journeys</p> <ul style="list-style-type: none"> • Outcome 1.1: Create enhanced and inclusive transport networks for all users • Outcome 1.2: Contribute to reducing the number of casualties and collisions on our transport networks • Outcome 1.3: Contribute to improving personal safety for all journeys • Outcome 1.4: Improve interchange between travel modes • Outcome 1.5: Improve access to key local services by all modes 	<ul style="list-style-type: none"> • An affordable, accessible transport network for all that promotes social inclusion and reduces barriers to employment, learning, social, leisure, physical and cultural activity. • A seamless, integrated transport network with passengers at its heart, making it simpler and easier to plan and pay for journeys and to use and interchange between different forms of transport. • A safely planned, delivered and operated transport network with no fatalities or serious injuries among transport users, workforce or the wider public.
<p>Objective 2: Support healthier lifestyles and communities</p> <ul style="list-style-type: none"> • Outcome 2.1: Increase the proportion of walking, wheeling, and cycling journeys • Outcome 2.2: Increase active travel and public transport journeys through education, training, travel behaviour change initiatives and information 	<ul style="list-style-type: none"> • A network that promotes active travel and active lifestyles to improve our health and wellbeing. • Improved air quality supported by initiatives to reduce congestion and encourage further shifts to public transport. • A ‘smart’ transport network that uses digital technology to manage transport

<ul style="list-style-type: none"> • Outcome 2.3: Re-design road space to balance the needs of different road users, including encouraging people to walk, wheel, cycle and use the bus • Outcome 2.4: Support reduction of emissions to improve air quality • Outcome 2.5: Mitigate noise pollution through technology and design • Outcome 2.6: Improve access to green spaces, public rights of way and leisure and health facilities 	<p>demand, encourage shared transport and make more efficient use of our roads and railways.</p>
<p>Objective 3: Decarbonise transport and travel</p> <ul style="list-style-type: none"> • Outcome 3.1: Increase the proportion of people travelling by walking, wheeling, cycling, public and shared transport • Outcome 3.2: Facilitate the uptake of ultra-low and zero-emission vehicles for journeys, through the delivery of supporting infrastructure • Outcome 3.3: Work with partners to decarbonise transport and tackle climate change • Outcome 3.4: Support clean technologies and fuels that contribute towards the decarbonisation of transport 	<ul style="list-style-type: none"> • A network that promotes active travel and active lifestyles to improve our health and wellbeing. • Improved air quality supported by initiatives to reduce congestion and encourage further shifts to public transport. • A reduction in carbon emissions to net zero by 2050, at the latest, and minimise the contribution of transport and travel to climate change
<p>Objective 4: Conserve and enhance our local environment</p> <ul style="list-style-type: none"> • Outcome 4.1: Conserve and enhance our local and natural environment by mitigating negative impacts of transport design and delivery • Outcome 4.2: Enhance and create attractive connected communities and public spaces • Outcome 4.3: Support habitat connectivity and increase in biodiversity through the delivery of enhanced and new transport infrastructure and public spaces 	<ul style="list-style-type: none"> • A transport network that protects and enhances our natural, built and historic environments. • Use of the principle of 'biodiversity net gain' (i.e. development that leaves biodiversity in a better state than before) in all transport initiatives • A more integrated approach to land use and transport planning that helps our partners across the South East meet future housing, employment and regeneration needs sustainably.
<p>Objective 5: Support sustainable economic growth</p> <ul style="list-style-type: none"> • Outcome 5.1: Facilitate the efficient movement of goods and people • Outcome 5.2: Contribute to reducing deprivation and inequality through improved accessibility for all to employment, education, and training • Outcome 5.3: Attract and retain businesses and a skilled workforce in the county 	<ul style="list-style-type: none"> • Better connectivity between our major economic hubs, international gateways (ports, airports and rail terminals) and their markets. • A more integrated approach to land use and transport planning that helps our partners across the South East meet future housing, employment and regeneration needs sustainably. • An affordable, accessible transport network for all that promotes social inclusion and reduces barriers to

<ul style="list-style-type: none"> • Outcome 5.4: Enhance sustainable access to key visitor and cultural destinations • Outcome 5.5: As a Local Highway Authority engage with our Local Planning Authorities to deliver sustainable and well-connected housing and employment growth identified in their Local Plans 	<p>employment, learning, social, leisure, physical and cultural activity.</p>
<p>Objective 6: Strengthen the resilience of our transport networks</p> <ul style="list-style-type: none"> • Outcome 6.1: Improve journey time reliability for people and businesses • Outcome 6.2: Enable transport journeys to be resilient, flexible, and adaptable and recover quickly from emergencies and events • Outcome 6.3: Improve the condition of highway and other transport infrastructure and assets 	<ul style="list-style-type: none"> • A transport network that is more resilient to incidents, extreme weather and the impacts of a changing climate. • More reliable journeys for people and goods travelling between the South East's major economic hubs and to and from international gateways.

3 **Policies and Implementation**

3.1 The policies and implementation plan for East Sussex's LTP4 are extensive and thorough. We recognise the supporting role that TfSE has in realising the policies within your LTP4, which are listed below:

- Local Road Pricing
- National Road Pricing
- Review of carriageway and cycleway asset plans
- Integrated public transport timetables, fares, and ticketing
- Public transport integration and mobility-as-a-service initiatives
- Freight consolidation centres
- Upgrading freight facilities at Newhaven
- Digital – technology to manage and optimise rail and highway operations

3.2 We note that several of the topics listed above are of wider interest and benefit to the South East, therefore we suggest including text to highlight their wider benefits and role in the South East region.

4. **Other Comments**

4.1 The challenges and opportunities outlined within the LTP4 are well-founded, based on sound evidence and a clear understanding of both local and regional priorities. The use of our South East Economy and Land Use Model (SEELUM) for East Sussex's scenario planning is further evidence of LTP4's alignment with the TfSE Transport Strategy.

4.2 We applaud the inclusion of geography types within the LTP4 as they provide nuance to the different needs and movements of people both within East Sussex and those who travel in and out of East Sussex. In particular, Geography Type 1 – Regional Long Distance recognises movements not only within the East Sussex area, but across the TfSE region.

26th March 2024

House of Commons Transport Select Committee Call for Evidence on Scrutiny of the draft Rail Reform Bill

Response from Transport for the South East

Introduction

Transport for the South East (TfSE) is writing to you in response to the Call for Evidence by the Transport Select Committee for its pre-legislative scrutiny of the draft Rail Reform Bill.

This is a draft officer response that will be presented to the TfSE Partnership Board on 13th May 2024 for them to agree. A further iteration may therefore follow.

TfSE is a sub-national transport body (STB) that represents sixteen local transport authorities in the South East of England, including Brighton and Hove, East Sussex, Hampshire, Kent, Medway, Surrey, West Sussex, the Isle of Wight, Portsmouth and Southampton, and the six Berkshire unitary authorities. We also represent five local enterprise partnerships, district & borough authorities and protected landscapes organisations.

TfSE provides a mechanism for its constituent authorities and other partners to speak with one voice on the transport interventions needed to support sustainable economic growth across its geography. High-quality transport infrastructure is critical to making the South East more competitive, contributing to national prosperity and improving the lives of our residents.

TfSE published its first 30-year Transport Strategy in 2020 and we are currently refreshing this to take account of the Government's Net Zero target date of 2050, the changes to the travel behaviour since Covid and the changes in freight and passenger movement through the international gateways in our region following the UK's departure from the European Union.

We have also published a 30-year Strategic Investment Plan (SIP) in 2023. The packages detailed in the SIP address eight investment priorities aligned with the vision and strategic goals of the TfSE Transport Strategy and the wider national policy context. This includes eight packages of rail interventions, containing 79 schemes accounting for an estimated capital cost of £24bn out of a total £45bn SIP cost.

Our SIP provides a framework for investment in strategic transport infrastructure, services, and regulatory interventions over the coming three decades. It is underpinned by a credible, evidence based technical programme that has enabled TfSE and our partners to:

- Understand the current and future challenges and opportunities in the south east.
- Identify stakeholder priorities for their respective areas of interest.
- Evaluate the impacts of a wide range of plausible scenarios on the south east's economy, society, and environment.
- Develop multi-modal, cross-boundary interventions.

- Assess the impact of proposed interventions on transport and socio-economic outcomes; and
- Prioritise the interventions that best address the south east's most pressing challenges and unlock the south east's most promising opportunities.

When we set up TfSE, we formed ourselves on the basis of the intent in the Cities and Local Government Devolution Act 2016 when it created STBs. We think that when this new legislation is being introduced to create the IRB, it needs to acknowledge the Transport Act 2008 as amended and take into account the role and functions of STBs.

STBs were created through the amendments to the Local Transport Act 2008 made by section 21 of the Cities and Local Government Devolution Act 2016. The general functions of STBs (as set out in s102H of the 2008 Act) include:

- Develop, maintain and support the implementation of a transport strategy for your region.
- Provide advice to Secretary of State about the exercise of transport functions in relation to the area (whether exercisable by the Secretary of State or others), in particular on prioritising transport investment.
- Support Local Transport Authorities' carrying out of transport functions in your area, with a view to improving the effectiveness and efficiency in the carrying out of those functions.
- Make proposals to the Secretary of State for the transfer functions to the STB, if the STB considers that a transport function in relation to the area would more effectively and efficiently be carried out by the STB.
- Make other proposals to the Secretary of State about the role and functions of the STB.

Under the Act the Secretary of State must also have regard to STBs' transport strategies and the proposals within them in determining national policies relating to transport and how such policies are to be implemented in relation to the area of the STB.

The William-Shapps Plan for Rail (published by DfT in May 2021) highlights the important role of partnering in the transformed railway. It states that Great British Railways (GBR) should "work openly and transparently with local, devolved and commercial partners" (Williams-Shapps Plan for Rail, p30). GBR will "work with and be responsive to the needs of local and regional partners" (p40 text box). "In England, new partnerships with Great British Railways' regional divisions will give towns, cities and regions greater control over local ticketing, services and stations (heading, p41).

Summary

TfSE welcomes the creation of the Integrated Rail Body (IRB) to deliver better outcomes for passengers and freight customers. However, the creation of the IRB should respect and recognise the existing devolved arrangements at the sub-national level. The draft Rail Reform Bill needs to reflect the intention set out in the Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016 and the rail white paper as set out above, to ensure that the STB transport policies and proposals are properly accounted for by the IRB in determining their policies and implementation plans.

To address this issue, the Bill needs to include further amendments requiring the IRB to consult and seek and respond to advice from STBs. This would be consistent with the Transport Select Committee's recommendation in respect of the operating licence for National Highways. The Select Committee identified that STBs have a better understanding and knowledge of local priorities and the schemes needed in the areas to deliver them. Similarly, the Office of Rail and Road (ORR) should also be required to formally seek and respond to advice from STBs when discharging its duties in relation to the rail operating system. The latter has not been included in the draft thus far.

The following clauses of the draft Bill would need amendment to address these issues:

- Clause 1 and Schedule 1 - the requirements for the IRB's network licence and its requirement to publish a business plan in Clause 1;
- Clause 2 and Schedule 2 - the transfer of the franchising authority functions and related matters from the Secretary of State to the Integrated Rail Body (IRB); and
- Clause 7 - enabling the IRB to become an infrastructure manager in Clause 7.

[Responses to the Transport Select Committee Questions](#)

The Integrated Rail Body

If enacted, would the draft Bill provide the necessary legislative foundations for an integrated rail body with franchising powers (Great British Railways), as envisioned in the Plan for Rail?

TfSE believes that the draft Bill provides the necessary legislative foundations for the IRB as envisioned by the William-Shapps Plan for Rail.

Will the integrated rail body (IRB), as proposed in the draft Bill, achieve the Government's aim of a 'guiding mind', providing: (i) better accountability, (ii) more reliable services, (iii) greater efficiency, and (iv) coordinated growth, across both passenger and freight sectors?

While the draft Bill allows for the creation of the IRB, it does not guarantee the achievement of the outcomes envisaged in the question. An explicit operating model is the only way in which we would be able to judge if the IRB will deliver these outcomes, although this is not within the scope of this current legislation.

However, providing that the draft Bill is amended to ensure that the IRB takes account of the STBs strategies and plans, consults with, and responds to advice from the STBs, then the IRB would be in a stronger position to deliver the objectives as set out above. The existing rail arrangements for Transport for the North (TfN) provides a reasonable basis for an operating model of how the IRB and STBs should work together. TfN has devolved rail powers through a contractual agreement which provides for the joint oversight of the delivery of rail services provided by the train operating companies (TOCs) in their area between TfN and the Secretary of State. TfN also acts as a statutory partner to the Secretary of State with respect to rail investment. With the exception of the specific contract with the TOCs in the

TfN area, STBs should have similar joint oversight with the IRB of the delivery of rail services in their own areas and act as a partner to the IRB regarding rail investment decisions. This would ensure that IRB decisions related to service provision and rail investment take full account of the STBs' priorities as set out in their strategies and plans.

Draft Bill reference: Clause 1 Schedule 1 para. 4 – amendment to the Railways Act 1993 section 9.

Would the provisions of the draft Bill establish an IRB with the independence and accountability to achieve its aims? If not, what amendments would be needed?

While the IRB will be accountable to the Secretary of State, the Bill should also recognise the role of STBs as set out in the Local Transport Act 2008 (as amended) as the focus for sub-national accountability. As the bodies who provide advice and evidence to the Secretary of State in relation to the need for investment in the transport infrastructure in their areas, the IRB should also seek the advice of the STBs and take account of them when formulating their own plans and proposals. This would apply in the areas of franchising decisions and the IRB business plan. In addition and as stated previously, the ORR in their capacity of holding the IRB to account, should also ensure that the IRB adequately reflects the comments of any STB in their business plan.

This is particularly important for the operation of the newly established strategic Wider South East Rail Partnership. This has been set up as envisaged in the Plan for Rail and is tasked with the aim of supporting housing, economic growth and the environment across the highly interconnected transport network in the South East. The Plan also sets out that the partnership will co-ordinate timetabling and investments to provide a consistent passenger experience in areas such as accessibility, ticketing and communications. TfSE, England's Economic Heartland and Transport East, all STBs, are major partners in this partnership, with Transport for London and the GBR transition team, and this amendment would ensure that the STBs are recognised as full partners, in the same way as Transport for London by the IRB.

Draft Bill reference: Clause 1 4B The IRB Business Plan.

Are the arrangements set out for the granting and amendment of the IRB's licence and the inclusion of specific conditions within that licence appropriate?

No. The Bill as drafted fails to take account of the role of STBs in the railway's future operating arrangements. As set out previously, a condition of the IRB's network licence should be that the IRB is required to formally seek and respond to advice from STBs. Such a requirement would be consistent with the Transport Select Committee's recommendation in respect of the National Highways operating licence.

That said, TfSE welcomes the requirement of the network licence to include specific conditions in relation to freight, accessibility, the environment, and social and economic benefit.

Draft Bill reference: Clause 1 Schedule 1 para. 4 – amendment to the Railways Act 1993 section 9.

What will be the effect of the requirement on the IRB to prepare an annual report setting out what it has done to increase private sector involvement in the running of railway services?

While it is important to attract investment from the private sector, there is a risk that it could overly focus the IRB's attention on meeting the private rather than the public sector's objectives.

In fulfilling its network licence to make appropriate provisions for freight, have regard to the accessibility needs of disabled persons, take account of the effect of its proposals on the environment, and maximise social and economic benefits, the IRB's annual report should set out the extent to which it has delivered these objectives and how it has taken into account the proposals put forward by the STBs and other public sectors bodies with a role in the identification and delivery of railway improvements. This could be achieved by extending the requirement in the amendment. Again, to deliver this requirement the IRB should take and respond to advice provided by STBs.

We also consider that the determining factor in attracting and increasing private sector investment will be the IRB's business plan rather than the proposed annual report.

Draft Bill reference: Clause 1 4C The IRB Annual Report.

What arrangements should be put in place for scrutiny of the IRB's business plan?

Given that the Office of Rail and Road's (ORR) current role is to scrutinise Network Rail's plans and activities as part of the periodic review process, we agree that the ORR should lead on the scrutiny of the IRB's business plan. The ORR must assess the IRB's activities against its outputs, ensuring that the outputs agreed are affordable and deliverable.

TfSE also has a close working relationship with Network Rail to ensure that we work in partnership to deliver our respective proposals, plans and priorities and that relationship should be allowed to continue with the IRB once it is in place. The evidence provided by STBs in their transport strategies, proposals and plans is a key driver of strategic economic outcomes and investment in their areas. Their strategies and plans cover periods of up to 30 years into the future and include proposals to optimise and renew transport networks and improve services in their areas, including those in relation to rail. Therefore, the Bill should be amended to require the IRB to formally seek and respond to advice from STBs. The IRB should therefore be required to reflect any advice from STBs in its business plan. Again, the ORR, in their capacity of holding the IRB to account, should also ensure that the IRB's final business plan sufficiently reflects the comments of any STB on their draft.

Draft Bill reference: Clause 1 4B The IRB Business Plan.

Are there further elements of the Government's aims for the IRB that should be given a statutory footing?

TfSE has no comments to make in response to this question.

Other provisions

Are the interests of passengers and freight users sufficiently promoted by the provisions of the draft Bill?

TfSE supports the conditions set by the Secretary of State for the IRB's proposed network licence including those in relation to freight, accessibility, the environment and social and economic benefit. However, the interests of passengers and freight users would be better promoted if the IRB's licence also required the IRB to take advice from and respond to the STBs because the proposals and plans contained in STBs strategies already directly reflect the interest and needs of passenger and freight users in their areas.

For the same reason, STBs should also be included in other proposed amendments in the draft Bill which deal with the requirements for the IRB to consult with or take advice from Passenger Transport Executives (PTEs) and others, including:

- The requirement to consult before issuing an ITT for a franchise agreement that includes services in which an STB for an area in England has an interest;
- The requirement to consult about proposals to discontinue certain railway passenger services, or the closure of passenger networks or stations in STB areas. Currently Schedule 7 of the Transport Act 2005 sets out the required consultees for these purposes and states that consultation needs to be carried out with "every local authority in whose area there are persons living, working or studying who appear to the person carrying out the consultation to be persons affected by the proposal". The STBs should be consulted as they are made up of the local transport authorities in each of their areas;
- The requirement that the IRB must consult the Secretary of State prior to designating a service as experimental should also include STBs as a consultee. Again, this will ensure that the IRB has regard to the STB's existing plans and proposals and the passenger and freight operator needs in their areas when designating or closing an experimental passenger service; and
- TfSE proposes that the amendment relating to the duty of PTEs to provide advice to the Secretary of State should be extended to include the STBs. This will mean that STBs can provide advice to the IRB on a range of issues including for example, how changes in the local rail network can be made to best reflect local priorities. As stated above, STB's existing strategies already reflect regional and local priorities and the needs of passenger and freight operators so this could only improve proposals prepared by the IRB for local rail improvements.

Draft Bill reference: Clause 1 Schedule 1 para. 4 – amendment to the Railways Act 1993 section 9.

Draft Bill reference: Clause 2, Schedule 2 – amendments to the Railway Act 2005, section 12, Schedule 7 attached to sections 21 – 33, section 36 and section 52

Does the draft Bill make effective provision for the role of the Office of Rail and Road?

The draft Bill does not address the need for the Office of Rail and Road (ORR) to formally seek and respond to advice from STBs when discharging its duties in relation to the rail system. This would be of particular relevance in relation to its role in monitoring the performance of passenger train operators and ensuring that the IRB properly reflects its consultation with and the advice of STBs in its business plan.

What assessment should be made of the draft Bill's provision that the Scottish and Welsh governments may arrange for the IRB to exercise their devolved franchising powers?

TfSE has no comments to make in response to this question.

What will be the effect of the implementation in UK law of the Luxembourg Rail Protocol? Is the range of powers granted to the Secretary of State in clause 15 necessary to achieve the aims of the Protocol?

TfSE has no comments to make in response to this question.

General

Are the delegated powers envisaged by the draft Bill necessary and sufficient to meet its aims?

TfSE has no comments to make in response to this question.

What lessons should be learned from previous legislative changes to the institutional architecture of the rail sector?

TfSE has no comments to make in response to this question.

Are there further provisions within the draft Bill that the Committee should focus its scrutiny on?

TfSE has no comments to make in response to this question.

Conclusion

In conclusion, TfSE welcomes the draft Bill to implement the necessary legislative to enable the creation of the IRB, to confer its network operating licence and to provide its franchising functions. However, a number of amendments would be necessary to reflect the intention of the Government relating to STBs as set out in the Local Transport Act 2008 (as amended). As some of the Secretary of State's functions are being transferred to the IRB, so should the requirement to seek advice from and consult with STBs. The draft Bill provides the opportunity to enable this in relation to the IRB when exercising its functions both as a network operator and a franchising authority. The draft Bill also provides an opportunity to extend this requirement to the ORR to ensure that the IRB fulfils its requirements as proposed by the STBs.

To deliver this, the draft Bill should include amendments relating to the role STBs in following clauses: :

- Draft Bill reference: Clause 1 Schedule 1 para. 4 – amendment to the Railways Act 1993 section 9.
- Draft Bill reference: Clause 1 4B The IRB Business Plan.
- Draft Bill reference: Clause 1 4C The IRB Annual Report.
- Draft Bill reference: Clause 1 Schedule 1 para. 4 – amendment to the Railways Act 1993 section 9.
- Draft Bill reference: Clause 2, Schedule 2 – amendments to the Railway Act 2005, section 12, Schedule 7 attached to sections 21 – 33, section 36 and section 52.

[Ends]

Transport for the South East draft response to the consultation on Canterbury City Council's draft transport strategy

Introduction

Transport for the South East (TfSE) welcomes the opportunity to respond to the public consultation on Canterbury City Council's draft district transport strategy that has been produced to support their draft Local Plan.

This is an officer response. The TfSE Partnership Board next meets on 13 May 2024 when it will consider this response. A further iteration of the response may therefore follow.

TfSE is a sub-national transport body (STB) for the South East of England, bringing together leaders from across the local government, business and transport sectors to speak with one voice on our region's strategic transport needs. Since its inception in 2017, TfSE has quickly emerged as a powerful and effective partnership for our region. We have a 30-year transport strategy in place which carries real weight and influence and will shape government decisions about where, when and how to invest in our region to 2050. The Secretary of State has confirmed that they will have regard to our strategy in developing new policy. We work closely with the Department for Transport (DfT) to provide advice to the Secretary of State and our ambition is to become a statutory body with devolved powers over key strategic transport issues.

Our principal decision-making body, the Partnership Board, brings together representatives from our 16 constituent local transport authorities, district and borough authorities, protected landscapes, Highways England, Network Rail and Transport for London and businesses.

Our Strategic Investment Plan (SIP) provides a framework for investment in strategic transport infrastructure, services, and regulatory interventions in the coming three decades. The plan presents a compelling case for action for investors, including government departments – notably the Treasury and Department for Transport (DfT) – as well as private sector investors. It is written for and on behalf of the South East's residents, communities, businesses and political representatives.

TfSE welcome this opportunity to respond to the Canterbury City Council's draft district transport strategy that has been produced to support their draft Local Plan. We trust that our response will provide value to the work of Canterbury City Council in this area, but also form the basis for further engagement, especially as TfSE is undertaking a refresh of its own transport strategy throughout 2024/5. Specifically, we are keen to establish a 'golden thread' in policy terms so that Canterbury City Council is able to

achieve its own goals whilst playing a significant role in achieving a wider vision for the South East.

Vision and Objectives

TfSE notes with interest the influence of the vision for your draft district transport strategy in developing the overall vision for transport in Canterbury. We welcome this, in that it provides an opportunity to ensure that the impacts of transport are seen from a wider place-based and user perspective, and not simply a transport system view.

TfSE is pleased to see that the overarching vision and themes in your district transport strategy exhibit a good general alignment at the local level with TfSE’s own plan for the south east region. The two vision statements are shown alongside one another in the table below. .

Whilst the draft transport strategy doesn’t contain any strategic objectives for the district of Canterbury, we have reviewed the objectives set out in your draft Local Plan. Again, it is apparent that these objectives broadly align with the Strategic Priorities in our own transport strategy, as shown in the table below.

Canterbury Local Plan 2040 Strategic Objectives	TfSE Transport Strategy Strategic Priorities
Create a transport network with a focus on district-wide public transport and low-carbon travel to improve air quality and people’s health while ensuring excellent access to city and town centres on foot, cycle and by public transport.	A network that promotes active travel and active lifestyles to improve our health and wellbeing.
Reduce the causes of climate change and adapt to ensure all district developments enable the carbon emissions reduction and increased resilience as quickly as possible.	A reduction in carbon emissions to net zero by 2050, at the latest, and minimise the contribution of transport and travel to climate change.
Take advantage of and improve our links to and from London and the Continent, while creating a transport network which enables most residents, particularly those in the urban areas, to access their day-to-day needs locally through healthy, environmentally-friendly journeys.	Better connectivity between our major economic hubs, international gateways (ports, airports and rail terminals) and their markets.

<p>Capitalise on our rich and distinctive heritage and culture, enhancing character, sense of place and quality of life, supporting sustainable tourism and the local economy for our residents, visitors and businesses.</p>	<p>A transport network that protects and enhances our natural, built and historic environments.</p>
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Not all of TfSE’s Strategic Priorities are covered explicitly by the strategic objectives set out in the Canterbury draft district local plan. Specifically, we would recommend changes, either through additional objectives or expanded text covering the following Strategic Priorities in TfSE’s own strategy:

- A seamless, integrated transport network with passengers at its heart, making it simpler and easier to plan and pay for journeys and to use and interchange between different forms of transport.
- A more integrated approach to land use and transport planning that helps our partners across the South East meet future housing, employment and regeneration needs sustainably.

These changes would further enhance the alignment between our two strategy documents, and assist in making the case for investment in the transport network across the district of Canterbury.

Policy and Implementation

Similar to the above, we haven’t identified any fundamental issues with the policies and implementation process set out in your draft district transport strategy. We welcome the focus on the need to facilitate a significant shift in modes of transport, moving away from a reliance on private vehicles to sustainable transport options, in order to reduce to reduce impacts on air quality and carbon emissions associated with transport.

We welcome the attention has been given in the draft transport strategy to improving sustainable transport improvements across the district as a priority, and only building new roads when specifically required for new developments across the area. We endorse the priority placed on active travel, public transport interventions and mass transit enhancements over other modes of private transport. This aligns very closely with the improvements for the area that have been identified within TfSE’s strategic investment plan.

We also welcome the inclusion of the Herne Relief Road improvements highlighted in the proposed infrastructure policies within your district transport strategy. This highway infrastructure scheme has also been identified in TfSE’s strategic investment plan, and this proposal will help

improve the resilience the network by increasing capacity and improve connectivity between Thanet and the rest of the South East via the A299.

Conclusion

In conclusion, TfSE endorses the vision and the approach to its implementation set out in the draft Canterbury district transport strategy. We look forward to hearing about its implementation and would be happy to discuss ways in which we could support its implementation.