

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

**Date of meeting:** 19 March 2026

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

**Title of report:** Amendments to Constitution - Update

**Purpose of report:** To provide an update on proposed amendments to the TfSE Constitution

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***RECOMMENDATION:***

**The Members of the Partnership Board are recommended to agree for the Chief Officer to present a further paper to the July AGM Partnership Board.**

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**1. Purpose of the report**

1.1 This report sets out the governance issues arising from devolution, the creation of Combined County Authorities (CCAs), and Local Government Reorganisation (LGR) across the South East, and the implications these changes may have for Transport for the South East's (TfSE's) Constitution (adopted 26 September 2023) and Inter-Authority Agreement (IAA).

1.2 The paper does not seek decisions or recommendations at this stage. Instead, it highlights emerging risks and pressures within the current governance framework and explains why elements of the Constitution and IAA may require future review.

1.3 Subject to the Board's views, the Chief Officer, will bring a further paper to the Annual General Meeting (AGM) in July, which will consider these issues in detail and propose recommendations reflecting the changing administrative landscape across the South East.

**2. Matters for the Board to note**

2.1 The Board is invited to note the pace and scale of devolution and LGR activity across the South East, the potential impact on TfSE's membership and decision making arrangements, and the increasing likelihood that the current governance framework will require review.

2.2 The Board is also invited to indicate whether it is content for the Chief Officer to prepare a further paper for the July AGM which would bring forward recommendations at that point.

**3. Background: TfSE's current governance framework**

3.1 TfSE's governance is established through its Constitution and Inter-Authority Agreement, which together set out membership, representation, powers and decision-making arrangements. These documents were designed around the existing pattern of local transport authorities at the time of their adoption.

#### **4. Why this issue is emerging now**

4.1 Government policy is driving the creation of Combined County Authorities and Local Government Reorganisation across the South East. These changes may significantly alter the number, size and identity of local transport authorities participating in TfSE.

4.2 As a result, arrangements that currently function effectively may, over time, produce unintended consequences or lack sufficient clarity in a future governance landscape.

#### **5. Key governance issues for consideration**

5.1 Key issues include membership and representation, decision-making and voting arrangements, and the need to ensure continuity and legal certainty during periods of administrative transition.

5.2 The current constitution has the mechanism for constituent authorities to appoint coopted members. This is not proposed to change.

#### **6. Inter-Authority Agreement considerations**

6.1 Any future changes to governance arrangements will need to be reflected consistently in the Inter-Authority Agreement, with careful attention to process, sequencing and legal assurance.

#### **7. Next steps**

7.1 This paper is intended as a framing discussion only. Subject to the Board's direction, a further paper will be brought to the July AGM considering options and presenting recommendations for formal decision.

**RUPERT CLUBB**

**Chief Officer**

**Transport for the South East**

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