

**Transport for the South East (TfSE)
Shadow Partnership Board**

**Please Note:
New venue location is
The Arora Hotel, Crawley**

Agenda

Thursday, 19 September 2019, 10.00 am – 13:00

Arora Hotel, Southgate Avenue, Crawley RH10 6LW – map attached as Appendix 1

Shadow Partnership Board Members

Cllr Keith Glazier, Leader, East Sussex County Council	Cllr Paul Carter CBE, Leader, Kent County Council	Cllr Tony Page, Deputy Leader, Reading Borough Council (representing Berkshire Local Transport Body)
Cllr Rob Humby, Executive Member for Environment and Transport, Hampshire County Council	Cllr Anne Pissaridou, Chair of the Environment, Transport & Sustainability Committee, Brighton & Hove City Council	Cllr Ian Ward, Cabinet Member for Infrastructure and Transport, Isle of Wight Council
Cllr Jacqui Rayment, Cabinet Member for Environment and Transport and Deputy Leader, Southampton City Council	Cllr Lynne Stagg, Cabinet Member for Traffic & Transportation, Portsmouth City Council	Cllr Colin Kemp, Deputy Leader, Surrey County Council
Cllr Roger Elkins, Cabinet Member for Highways and Infrastructure, West Sussex County Council	Cllr Alan Jarrett, Leader, Medway Council	Geoff French, Interim Chair, TfSE Transport Forum
Martin Harris, Coast to Capital LEP	Margaret Paren, Chair, South Downs National Park (representing protected landscapes)	Ross McNally, Enterprise M3 LEP
Cllr David Monk, Leader, Folkestone & Hythe District Council	Cllr Daniel Humphreys, Leader of Worthing Council, Adur & Worthing Councils	Network Rail (Representative TBC)
Highways England (Representative TBC)	Transport for London (Representative TBC)	

Apologies

Liz Garlinge, Network Planning director, Highways England

Observers

Peter Duggan, Area Lead for south East, Department for Transport
Alice Darley, Regional Network Strategy (South), Highways England

Item		Who
1	Welcome and Apologies	Cllr Keith Glazier
2	Notes of previous meeting [pages 5-12]	Cllr Keith Glazier
3	Developing the Proposal to Government - see Paper 1 [pages 13-96]	Cllr Tony Page
4	Transport Strategy Development - see Paper 2 [pages 97-110]	Rob Dickin
5	Large Local Major Scheme Priorities - see Paper 3 [pages 111-140]	Sarah Valentine
6	Finance - see Paper 4 [pages 141-146]	Rachel Ford
7	Communications and Stakeholder engagement - see Paper 5 [pages 147-150]	Russell Spink/ Lucy Dixon-Thompson
8	Transport forum update - see Paper 6 [pages 151-156]	Geoff French
9	Responses to Consultations - see Paper 7 [pages 157-164] <ul style="list-style-type: none"> • England's Economic Heartland outline business case • Heathrow Airport expansion 	Rupert Clubb
10	AOB	All
11	Date of Next Meeting Wednesday 11 December 2019, 10.00 – 13.00	

Officers in Attendance

Secretariat

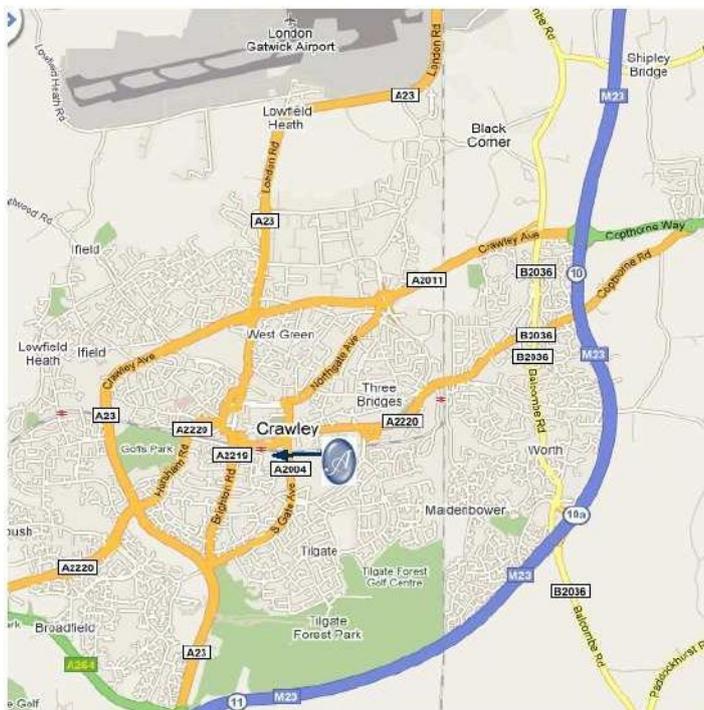
Rupert Clubb	Lead Officer	Transport for the South East
Mark Valleley	Technical Manager	Transport for the South East
Rachel Ford	Programme Manager	Transport for the South East
Rob Dickin	Transport Strategy Manager	Transport for the South East
Sarah Valentine	Transport Strategy Manager	Transport for the South East
Benn White	Project Officer	Transport for the South East
Russell Spink	Communications Manager	Transport for the South East
Lucy Dixon-Thompson	Stakeholder & Engagement Manager	Transport for the South East
Jasmin Barnicoat	Executive Officer	Transport for the South East

Additional Attendees

Barbara Cooper	Corporate Director Growth, Environment and Transport	Kent County Council
Ruth Du-Lieu	Assistant Director Frontline Services	Medway Council
Mark Prior	Assistant Director, City Transport	Brighton & Hove City Council
Matt Davey	Director of Highways and Transport	West Sussex County Council
Tristan Samuels	Director of Regeneration	Portsmouth City Council
Wendy Perera	Assistant Chief Executive and Director of Strategy	Isle of Wight Council
Keith Willcox	Assistant Director – Transport	Hampshire County Council
Bill Hicks	Head of Infrastructure	Berkshire Local Transport Body / Berkshire Thames Valley LEP
Jonathan Sharrock	Chief Executive	Coast to Capital LEP
Pete Boustred	Strategic Transport Manager	Southampton City Council

Map & Directions to the Arora Hotel

Arora Gatwick/Crawley is situated in the heart of Crawley town centre and is only a short journey from Gatwick Airport through rapid connections from Crawley's main line train station from which the hotel has direct access.



Arora Hotel Gatwick/Crawley

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Hotel Geographical Coordinates:

Latitude: + 51.111279
Longitude: - 0.183334

By Car

The hotel offers on-site underground secured car parking facilities for 200 cars at a cost from £10.00 per day. From the M23, exit at junction 10 taking the A2011 to Crawley. At the first roundabout take the second exit towards the town centre. At the second roundabout take the first exit towards the County Mall. At the both sets of traffic lights proceed straight over; the County Mall should be on your right. Go straight under the Railway Bridge, and the hotel is on your right.

By Bus

The nearest bus stop to the hotel is Southgate Avenue North, near the hotel entrance.

By Rail

Crawley mainline station is adjacent to the hotel with frequent train services to London Victoria, Brighton and the region. There is private direct access from platform 2 into the hotel grounds. To use this access, follow the signs to the end of the platform and press the intercom button at the gate.

TfSE Shadow Partnership Board
14 June 2019
Minutes

Shadow Partnership Board Members

Cllr Keith Glazier, Leader, East Sussex County Council	Cllr Michael Payne, Deputy Cabinet Member for Planning, Highways, Transport and Waste, Kent County Council (Representing Cllr Paul Carter CBE)	Cllr Roger Elkins, Cabinet Member for Highways and Infrastructure West Sussex County Council
Cllr Ian Ward, Cabinet Member for Infrastructure and Transport Isle of Wight Council	Cllr Alan Jarrett, Leader, Medway Council	Cllr Tony Page, Deputy Leader Reading Borough Council (representing Berkshire Local Transport Body)
Martin Harris (representing LEPs) Coast 2 Capital LEP	Cllr Colin Kemp, Deputy Leader, Surrey County Council	Geoff French CBE, Interim Chair, Transport Forum
Cllr Rob Humby, Deputy Leader, Hampshire County Council	Margaret Paren, Chair, South Downs National Park (Representing protected landscapes)	Cllr Lynne Stagg, Cabinet Member for Environment and Transport, Portsmouth City Council
Ross McNally, (representing LEPs), Enterprise M3 LEP		

Apologies:

Cllr Anne Pissaridou, Brighton & Hove City Council
 Cllr Jacqui Rayment, Southampton City Council
 Cllr Paul Carter, Kent County Council

Observers:

Ben Smith, Director, Regions, Cities and Devolution, DfT
 Keith Williams, Independent Chair of the Rail Review
 Joshua Monahan, Devolutions and Regions Lead, Williams Rail Review

Item	Action
<p>1. Welcome and Apologies</p> <p>1.1 Cllr Keith Glazier welcomed Shadow Partnership Board members to the meeting and noted apologies.</p> <p>1.2 Cllr Glazier also welcomed Keith Williams, Independent Chair of the Rail Review and Ben Smith, Director of Regions, Cities and Devolution, Department for Transport to the Shadow Partnership Board meeting.</p>	
<p>2. Notes from Previous Meeting</p> <p>2.1 The notes of the previous meeting were agreed.</p>	
<p>3. Williams Rail Review</p> <p>3.1 RC thanked Keith Williams for attending the TfSE Shadow Partnership Board meeting and welcomed the opportunity for the Board to input to the review.</p> <p>3.2 KW thanked TfSE for inviting himself and Josh Monahan (DfT) to the meeting.</p> <p>3.3 KW informed members that the rail review is a government review of which he is the independent chair. The Rail Review began in September 2018 and has passed the halfway stage of the review process. In this time 600 responses to the call for evidence have been submitted. The Government is expected to publish a white paper on the review in November 2019.</p> <p>3.4 KW explained that there is a sense of realism and a desire for change within rail industry. The most common topics raised in feedback included the need to put the passengers back at the heart of the rail industry and the need for greater alignment between track and train.</p> <p>3.5 The structure of the rail industry is also being considered as part of the review. The current franchising arrangements are not in scope but the review is likely to consider the future of rail franchising.</p> <p>3.6 KW stated that the key messages that he wants to address from the rail review is the need to rebuild trust with passengers and also to point to the future of an improved rail industry.</p> <p>3.7 Cllr Glazier thanked KW for the introduction to the agenda item.</p> <p>3.8 Members had the opportunity to ask KW questions in relation to the Williams Rail Review. Topics included issues around train capacity in peak time, improving rail access to international gateways and future technology. The Board also discussed the strategic input and local knowledge that STBs can bring to the process and this was recognised by Keith Williams.</p>	

<p>3.9 Cllr Glazier highlighted that the TfSE team are keen to continue conversations on this matter and requested that the Rail Review Team take the opportunity to work with TfSE in whatever way is necessary going forward.</p>	
<p>4. Update from the Department for Transport (DfT) – Agenda Item 4</p>	
<p>4.1 Cllr Glazier thanked Ben Smith (DfT) for attending the TfSE Shadow Partnership Board meeting.</p> <p>4.2 Cllr Glazier stated he was pleased to have received the recent letters of direction from the DfT and thanked the department for their continued support.</p> <p>4.3 Ben Smith informed members that the Secretary of State views TfSE in a highly positive way and has already acknowledged that TfSE is pulling together very important work. The Secretary of State strongly supports the direction in which TfSE is going but he is not minded to consider further applications for statutory status at this current time.</p> <p>4.4 It was recognised that there is some disappointment around the initial funding allocation of grant funding from DfT to TfSE of £500,000 for the current financial year. However, DfT want to work closely with STBs to put together a multiyear spending proposal for inclusion in the forthcoming spending review.</p> <p>4.5 The Board highlighted that TfSE not having statutory status will mean that TfSE will need to slightly change the way in which the team operates going forward. BS understood that there are currently concerns around this matter and reiterated that DfT would like to continue working closely with TfSE on this matter.</p> <p>4.6 KG took the opportunity to thank BS for attending the Board meeting and also thanked the Secretary of State for the latest funding contribution. KG reiterated the importance of continuing the collaborative approach that TfSE and DfT have successfully adopted to date.</p>	
<p>5. Governance - Agenda Item 5</p>	
<p>5.1 Rupert Clubb introduced this item and guided the Shadow Partnership Board members through the key parts of the paper.</p> <p>5.2 RC invited nominations for the role of Chair of . Cllr Michael Payne nominated Cllr Glazier as Chair of the Board and this was seconded by a number of members, including Cllr Humby, Cllr Kemp and Cllr Ward, and was agreed by the Board.</p> <p>5.3 KG thanked members for their continued support for him in this role. KG highlighted the need for TfSE need to continue to speak with one voice going forward.</p>	

<p>5.4 Nominations for the role of vice-chair were sought, with Cllr Glazier proposing Cllr Page. This was seconded by Cllr Jarret and agreed by the Board. Geoff French was re-elected to continue his role as Interim Chair for the Transport Forum. Margaret Paren will continue to represent protected landscapes. The LEPs will continue to be represented by Ross McNally of Enterprise M3 LEP, and Martin Harris of Coast to Capital LEP.</p> <p>5.5 A Board member will need to be selected to represent the Boroughs and Districts within the TfSE area. The five Borough and District representatives would be consulted and a new representative will be selected before the Shadow Partnership Board meeting in September 2019.</p> <p>5.6 KG suggested that representatives from Highways England, Network Rail and Transport for London should be present on the Board. Members agreed that invites should be issued to the three organisations.</p> <p>5.7 The Board also discussed the need for TfSE to review its Governance procedures. RC added that this would be an important role for audit, transparency and scrutiny reasons. It was agreed by Board members that the existing member sub-group, with the addition of Geoff French, would form this governance review group.</p> <p>5.8 The recommendations in the Paper were agreed.</p>	TfSE
6. Finance - Agenda Item 6	
<p>6.1 Rachel Ford introduced this item and shared a revised version of the appendices for this paper following on from the letter from the Secretary of State confirming grant funding of £500,000 for 2019/20.</p> <p>6.2 The grant funding allocation will impact on the ability to deliver the corridor studies that are due to follow on from the Transport Strategy to the expected level. The revised budget has been updated to reflect this. It is recognised that it will be important that TfSE produce a study that will be useful as a standalone report in the scenario where further government funding is not forthcoming.</p> <p>6.3 The Board questioned the figures provided around the staff costs doubling in the mid-term financial plan. RF explained that this is a very rough estimate and reflects the need for additional technical staff to deliver the technical programme of work to meet the ambitions set out in the transport strategy. Any changes to staffing costs will be brought back to the Shadow Partnership Board before decisions are made. RC emphasised that TfSE want to be different to TfN and Midlands Connect with a lean and efficient way of working.</p> <p>6.4 RMcN stated that there needs to be a deadline for a final decision on statutory status. KG explained that the consultation for statutory status should continue and that there was currently no reason to stop it.</p>	

6.5	The recommendations in the Paper were agreed .
7. Transport Strategy Development – Agenda Item 7	
7.1	<p>Rob Dickin introduced this item and guided the Shadow Partnership Board members through the key parts of the paper.</p> <p><u>Lot B – Freight, Logistics and International Gateways</u></p> <p>Good progress is being made with this study. Profiles have been developed of each of the key gateways in the TfSE area. For each gateway this considers both the current and future scale of activity, market drivers, access arrangements along with issues and opportunities. This will be displayed as an easy to read dashboard for each gateway.</p> <p>The draft report has been received and is currently being reviewed.</p> <p><u>Lot C – Smart and Integrated Ticketing</u></p> <p>A stakeholder workshop was held on 6 June 2019, where the findings of the policy audit and individual interviews were presented to stakeholders for their further input and to enable a discussion on the emerging thinking.</p> <p>The outputs from the workshop will feed into the final report which is expected in draft form on 20th June 2019.</p> <p><u>Lot D – Future Transport Technology</u></p> <p>An assessment of potential new mobility elements on demand has been completed. This assessment looked at how these new mobility elements such as connected and autonomous vehicles and ‘pay as you go’ mobility will supplement existing private and public transport, which themselves will be influenced by wider changes. This was then followed by a review of existing initiatives to consider how each new mobility component could be influenced by TfSE’s future characteristics, initiatives and planned interventions.</p> <p>This will be followed by a review of potential government roles and an assessment of new mobility business models.</p> <p>7.2 RD explained that two rounds of the planned Transport Strategy stakeholder workshops have now taken place. The third and final round of workshops will be taking place on week commencing Monday 15 July.</p> <p>7.3 The recommendations in the Paper were agreed.</p>
8. Major Road Network – Item 8	
8.1	Sarah Valentine introduced this item and guided the Shadow Partnership Board members through the key parts of the paper.

<p>8.2 Constituent authorities were invited to submit their business cases for potential schemes to TfSE by 17 May 2019. Applications were received for 18 MRN schemes and 9 LLM schemes.</p> <p>8.3 The potential schemes had been assessed in line with the process that was approved at the Shadow Partnership Board meeting on Monday 18 March 2019 and the top ten schemes for potential submission to the DfT identified.</p> <p>8.4 Schemes which are not included in the top ten MRN schemes will form a potential pipeline of schemes and could either brought forward in the event that one of the priority schemes fails to proceed, or will be rolled forward for potential inclusion in the second MRN funding period between 2025 and 2030.</p> <p>8.5 GF praised TfSE for delivering a very good and impartial assessment of the MRN and LLM submissions. GF went on to comment on how the assessment process was well tested and he fully supported the process that TfSE had put in place for this work.</p> <p>8.6 The submission dates for MRN schemes were discussed. SV explained that the final deadline for submitting MRN schemes to DfT is 31 July 2019. TfSE have set an internal deadline for submissions from the constituent authorities of 20 July 2019. This will allow TfSE to collate all the relevant documentation for each scheme submission.</p> <p>8.7 CK questioned why TfSE are considering potential inclusion of RIS 2 priority schemes in the submission of MRN schemes (A249 / M2 J5 in Kent). SV explained that RIS 2 schemes will not be announced before the MRN deadline. Including the schemes within the MRN submission will further emphasise the importance of these schemes to DfT.</p> <p>8.8 Members of the SPB agreed that it would be beneficial for them to receive a high level description of all schemes from TfSE.</p> <p>8.9 The recommendations in the Paper were agreed.</p>	SV
9. Communications and Engagement – Item 9	
<p>9.1 Russell Spink introduced this item and guided the Shadow Partnership Board members through the key parts of the paper.</p> <p>9.2 A large amount of communications and engagement activity has been undertaken in the three months to June 2019, including targeted engagement with partners and stakeholders around the launch of our draft proposal consultation, which went live on 3 May 2019.</p> <p>9.3 The first meeting of the Communications & Stakeholder Engagement Working Group was held in May 2019, providing a forum for discussion and planning joint activity with constituent members and partners.</p>	

<p>9.4 The Chartered Institution of Highways and Transportation (CIHT) hosted an event on 21 March for TfSE to present our transport strategy development. This was well attended by 60 sector representatives and feedback was very positive.</p> <p>9.5 A communications and stakeholder engagement strategy has been drafted for approval to support TfSE staff and Board members in their communications and engagement activities. Going forward this document will be reviewed on a quarterly or six monthly basis.</p> <p>9.6 RE asked about what links TfSE teams have with local authority communications teams. RS informed members that a communications working group has now been formed to ensure a coordinated approach to communication relating to TfSE.</p> <p>9.7 The recommendations in the Paper were agreed.</p>	
10. Transport Forum Update – Item 10	
<p>10.1 Geoff French introduced this item and guided the Shadow Partnership Board members through the key parts of the paper, including the results from the recent survey of Forum members.</p> <p>10.2 A survey has recently been sent to Transport Forum attendees asking for their views and opinions on the sessions. Overall, the feedback was positive and stakeholders do appreciate the opportunity to engage with TfSE. Attendees felt that the Transport Forum workshops could be improved by including more presentation from Forum attendees to understand their expectations, priorities and needs. It was also suggested that the Transport Forum could be used as a platform to test and discuss TfSE’s emerging thinking.</p> <p>10.3 KG thanked GF for his hard work with progressing the TfSE Transport Forum.</p> <p>10.4 The recommendations in the Paper were agreed.</p>	
11. Response to Consultations – Item 11	
<p>11.1 Rupert Clubb introduced this item and guided the Shadow Partnership Board members through the key parts of the paper. The Paper included response Williams Rail Review Assessment Criteria Call for Evidence, Light Rail and Other Rapid Transit Solutions Call for Evidence and Pay-as-you-go on Rail consultations.</p> <p>11.2 A revised draft response to the Berkshire Local Industrial Strategy framework document will be circulated to members in due course.</p> <p>11.3 The recommendations in the Paper were agreed.</p>	

12. AOB – Item 12	
12.1 Cllr Glazier thanked members for attending the Shadow Partnership Board meeting.	
13. Date of Next Meeting	
13.1 The next Shadow Partnership Board meeting will take place on Thursday 19 September 2019.	

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

Date of meeting: **19 September 2019**

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

Title: **Developing a Proposal to Government**

Purpose: **To provide feedback on the recent consultation on the draft proposal and make recommendations**

RECOMMENDATIONS:

The members of the Shadow Partnership Board are recommended to:

- (1) Note the summary of the responses (Appendices 2 and 3) received during the consultation which was conducted from May to July 2019;**
 - (2) Agree the revised Proposal to Government, including the powers and responsibilities requested by TfSE and the proposed governance arrangements; and**
 - (3) Consider the options for next steps and make a decision based on the evidence from the consultation responses.**
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1. Introduction

1.1 At the Shadow Partnership Board on 18 March 2019 the Board approved a draft version of the Proposal to Government and agreed a period of formal consultation with constituent authorities, statutory consultees and other stakeholders. This followed a period of informal engagement with members of the Shadow Partnership Board, which ran from December 2018 to March 2019. Details of the informal engagement exercise can be found in Paper 1 of the Shadow Partnership Board papers for the meeting of 18 March 2019.

1.2 The twelve week consultation period started on 7 May 2019 and concluded on 31 July 2019. A total of 96 consultation responses were received from a wide range of stakeholders, including national agencies, district and borough authorities, constituent authorities, Local Enterprise Partnerships (LEPs), neighbouring authorities, user groups and operators.

1.3 In July 2018, the Shadow Partnership Board agreed that a small member sub-group should be formed to lead the development of the Proposal to Government. The member sub-group has met regularly since September 2018 and has guided the process for identifying possible powers and responsibilities, as well as informing the development of governance proposals, such as voting mechanisms. The members of the sub-group have considered the feedback from the consultation and have used it to shape the revised proposal presented as Appendix 4.

1.4 This report provides a summary of the responses from the consultation exercise and presents a revised proposal to aid the Shadow Partnership Board in reaching a decision on next steps. Copies of the consultation responses are available upon request to the TfSE secretariat.

2. Seeking Statutory Status

2.1 TfSE was formed as a shadow sub-national transport body (STB) in June 2017 with the aim of becoming the second statutory STB alongside Transport for the North, which was confirmed in April 2018.

2.2 In June 2019, Chris Grayling, the former Secretary of State for Transport, wrote to all shadow STBs stating that at that current time he was not minded to create any further statutory bodies. The letter confirmed that all shadow STBs would be treated as though they had statutory status and that STBs would be considered in the forthcoming spending review.

2.3 TfSE's consultation on the draft proposal was already underway when this letter was received. The Shadow Partnership Board considered the contents of the letter at their meeting on 14 June 2019 and agreed to conclude the consultation exercise and to receive an update on the response at the Board meeting on 19 September 2019.

2.4 The statutory basis for STBs is set out in Part 5A of the Local Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016, which states that "the Secretary of State may by regulations establish a sub-national transport body for any area in England outside Greater London" (s102E(1)).

2.5 If it obtains statutory status, TfSE will have powers and responsibilities that are required to deliver the Transport Strategy and support the work of its constituent authorities and partners. It will have twin purposes to facilitate the development of the Transport Strategy for the region and to promote economic growth.

2.6 To achieve statutory status, TfSE is required to develop a Proposal to Government which will need 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.

2.7 The draft Proposal would also need to identify the types of powers and responsibilities that the STB will be seeking, as well as identifying the proposed governance structures.

2.8 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.

3. Consultation on the Draft Proposal to Government

3.1 The consultation draft of the Proposal to Government was agreed by the Shadow Partnership Board in March 2019. This incorporated the feedback received from constituent authorities, LEPs and district and borough authorities as part of the informal engagement in early 2019.

3.2 During the twelve week consultation, TfSE was required to engage with all constituent authorities, LEPs, neighbouring authorities and other appropriate stakeholders.

3.3 In addition to the 16 constituent authorities and five LEPs, there are 16 neighbouring Transport Authorities that TfSE included in the formal consultation:

Neighbouring Transport Authorities	
1	Thurrock (via the Dartford Crossing)
2	Transport for London
3	Bexley
4	Bromley
5	Croydon
6	Sutton
7	Kingston upon Thames
8	Richmond upon Thames
9	Hounslow
10	Hillingdon
11	Buckinghamshire
12	Oxfordshire
13	Wiltshire
14	Dorset
15	Essex
16	Bournemouth, Christchurch and Poole

3.4 TfSE also consulted with a number of other stakeholders, including:

Other Stakeholders
Neighbouring Local Enterprise Partnerships
Boroughs and Districts in East Sussex, Hampshire, Kent, Surrey and West Sussex
Members of Parliament
South Downs and New Forest National Park Authorities
Areas of Outstanding Natural Beauty
Shadow STBs
Greater London Authority (GLA) and Transport for London (TfL)
Ebbsfleet Development Corporation
Network Rail
Highways England
Rail
Freight
Airports
Ports
Cross Channel
Ferry Services
Bus Operators
Passenger Organisations

Transport Forum: any other members of the Forum not included in the above categories
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3.5 The consultation document was made available on the TfSE website and was promoted in the regular e-newsletter. A simple consultation questionnaire was shared with all consultees, along with an offer for the TfSE secretariat to attend appropriate meetings.

4. Findings of the consultation

4.1 The consultation resulted in 96 responses from a wide range of stakeholders, including a number of local interest groups and member of the public. 70 respondents completed the questionnaire template provided by TfSE, with a further 26 submitting letters or emails. Copies of the consultation responses are available upon request to the TfSE secretariat.

4.2 A breakdown of the number of responses received by respondent group is shown below:

Respondent Group	Number of responses
Constituent authorities	14 (including BLTB) ¹
District and Borough authorities	22
LEPs within the TfSE area	3 (not including Berkshire Thames Valley LEP)
Neighbouring authorities	7 (including TfL)
National agencies	3
User Groups	8
Other STBs	2
Operators	8
International Gateway Operators	1
Private Sector Organisations	5
MPs	3
Protected landscape bodies	4
Residents	11
Others	5

4.3 The overall findings of the consultation exercise are positive, with 92 respondents offering support for the principle of establishing a sub-national transport body for the south east. However, some of this support is conditional upon TfSE addressing concerns with the proposal and overall vision for the organisation.

¹ Berkshire Local Transport Body (BLTB) has provided a joint response on behalf of the Thames Valley Berkshire LEP and the six unitary transport authorities. Five of the transport authorities also submitted a separate response to the consultation.

5. Thematic responses

5.1 A number of respondents raised similar issues which will need to be considered in the final proposal. The analysis below provides an overview of these themes. Additional analysis of the consultation responses is available in Appendices 2 (by section of the draft proposal) and 3 (by respondent group). Appendix 2 also provides suggested changes to the draft proposal to take account of the comments received.

Rationale for Transport for the South East

5.2 An overwhelming number of respondents offered support for the creation of a statutory sub-national transport body in the south east. There were many, varied reasons for this support including:

- Opportunity for TfSE to speak with 'one-voice' to identify regional priorities and influence the investment decisions of central government and national agencies;
- Greater focus on integrated transport solutions, developing multi-modal solutions that improve the end user experience;
- Offering a greater level of democratic accountability; and
- The ability to accelerate delivery of long-term, strategic infrastructure schemes.

5.3 The respondents who did not support the creation of a statutory body were mainly concerned about democratic accountability and the need for a greater focus on climate change and sustainable transport solutions.

Protecting the environment and social inclusion

5.4 The need to tackle climate change, reduce emissions and improve air quality was an important element of the responses from various groups of respondents. It is clear that the draft proposal will need to expressly identify this as a priority for TfSE, particularly in the opening narrative. An additional element of this relates to the need for TfSE to work closely with planning authorities to ensure that transport planning and land use planning are better integrated.

5.5 Since the draft proposal was published for consultation in May 2019, further work has been undertaken on the development of the draft Transport Strategy. Through engagement with stakeholders and partners, TfSE has identified that environmental sustainability should form a central part of the strategy and that there is a need to be ambitious on targets for reducing carbon emissions. The forthcoming draft strategy will include a revised vision, which places an equal emphasis on economic growth, environmental protection and enhancement and social inclusion. This vision has been reflected in the revised proposal.

5.6 TfSE is seeking powers that relate to the provision of public transport, including rail and bus, as well as smart and integrated ticketing. The air quality power has not been sought by any other STB, but air quality issues arising from transport can extend across local authority boundaries which means they need to be tackled at a larger scale.

5.7 At this time, it will not be possible for TfSE to seek any powers relating to environmental issues as they fall outside the remit of a sub-national transport body. However, the Transport Strategy will consider a wide range of measures that will help to ensure that TfSE maintains and protects the natural environment in the south east, as well as reducing emissions from transport.

5.8 A number of respondents highlighted the need to ensure that social inclusion was given equal weight to environmental protection and that health and well-being, with clear links to sustainable transport, should be a consideration of the STB.

Principle of subsidiarity and consent

5.9 A number of local authority respondents, both constituent authorities and district and boroughs, raised the issue of the need to be clearer that TfSE can only exercise the functions and powers that it holds concurrently with the relevant local transport authority with their consent. This is a core principle of the draft and has been strengthened in the latest iteration of the document.

5.10 In addition to the stronger focus on the concurrent and consensual nature of the powers, two constituent authorities have suggested that the proposal should clearly be based on the principle of subsidiarity. In the context of TfSE the two authorities have set out different, but related applications of the principle. One authority has suggested that implementation of the powers would only be agreed by the most appropriate local authority, i.e. the local transport authority of the particular area affected. Another respondent suggested that the principle of subsidiarity should be applied to mean that TfSE should focus on drawing down powers from central government rather than applying to share concurrent powers with the local transport authorities.

5.11 It has also been suggested by some of the constituent authorities that it should be a constitutional consideration that the consent of the relevant local transport authority should be sought in advance of the Partnership Board decision on any scheme.

5.12 Additionally, a constituent authority has suggested that a 'political declaration' should be agreed between members of the Partnership Board. This would ensure that the principle of consent in the operation of concurrent powers and the principle of subsidiarity to inform the operations and future aspirations are written into the proposal and constitution. The TfSE secretariat has given consideration to this suggestion but would recommend that the revised proposal and the full constitution will provide adequate coverage to ensure these principles are embedded within TfSE operations and future developments.

Governance

5.13 A range of respondents requested that greater levels of stakeholder engagement are needed as part of the constitutional arrangements. The Transport Forum has been established to act as the main route to engage a wide range of audiences, including operators, user groups and businesses.

5.14 The Forum has been in operation since September 2017 and has recently commenced a review into its operations and membership. Through this review a number of other stakeholder groups will be invited to join the Forum, including environmental groups. This will help to ensure that the Forum remains strongly placed to provide expert advice and guidance to the Partnership Board as TfSE evolves.

5.15 Neighbouring authorities were a statutory consultee in the draft proposal consultation. Although they had few comments on the proposed powers and functions, a number of neighbouring authorities and STBs expressed an interest in becoming a Board member or an associate member of TfSE.

5.16 It is important that TfSE works closely with its neighbouring authorities, particularly as a number of schemes will cross administrative boundaries. It is not proposed that full membership of TfSE is extended to neighbouring authorities, but it is suggested that the relevant neighbouring authorities be invited to attend Board meetings, as observers, where a cross boundary scheme is to be discussed. Additionally, it is proposed that neighbouring STBs are invited to attend the Transport Forum meeting.

5.17 Additional requests for greater representation at the Partnership Board were received from a number of district and borough authorities. The current arrangements ensure that district and boroughs are represented at the Transport Forum and at the Partnership Board. It is not proposed to change these arrangements, but they will be monitored closely to ensure that they meet the needs of all parties.

5.18 A number of co-opted Board members highlighted concerns that the weighted voting mechanism does not reflect the important contribution that they make to the Board.

5.19 The legislation identifies that the relevant transport authorities form the sub-national transport body. In the case of TfSE, this is the 16 local transport authorities within the geography. The constituent authorities can then choose to co-opt other organisations to the Board and, if agreed, they can be granted voting rights. Under the shadow arrangements, TfSE has co-opted a number of Board members, including LEPs, protected landscapes, district and boroughs and the chair of the Transport Forum.

5.20 It is anticipated that these arrangements would continue once TfSE secures statutory status. This recognises the important contribution that these organisations offer in the delivery of the Transport Strategy and its core goals of economic growth, environmental protection and social inclusion.

5.21 The proposal document will make reference to the current arrangements and highlight that they are considered to work well, and would strongly recommend that the Statutory Body would continue with them. However, the weighted voting mechanism will continue to be based upon the 16 constituent authorities as this is a requirement of the submission to Government. Once TfSE has secured statutory status, the voting mechanism would be updated to reflect any decision by the Partnership Board to co-opted members and allocate votes.

Bus and rail powers

5.22 The Shadow Partnership Board was keen to include a number of powers relating to bus services in the consultation draft of the proposal. This included powers relating to the establishment of quality bus partnerships and bus franchising powers. Early feedback from the informal engagement exercise suggested that views on the franchising powers were mixed, with some authorities clear that they would not apply these powers in their local area. It was also clear, through the Transport Forum, that the bus operators would be unsupportive of TfSE seeking these powers. However, it was agreed by the Board that they should be tested with the wider stakeholder group through the formal consultation.

5.23 The response to the formal consultation has also been mixed with regard to these powers. There was some support from environmental groups, some local authorities and other respondents and some neutral responses from constituent authorities who did not object to the power but were clear they would not want to apply bus franchising powers in their area.

5.24 There was a very strong response from the bus operators who were vehemently against the bus franchising power being sought. A number of operators felt that the proposed powers go beyond the remit for an STB and take powers away from the local transport authority, who should be responsible for setting local transport policy. All the bus operators responded that they have a positive relationship with the relevant transport authority and are best placed to work with the local authority to deliver services that meet the needs of the customer. This is based on the local understanding and existing strong relationships with local authorities, that enables the best value and customer experience. The bus operators feel that this approach can also bring the greatest levels of innovation.

5.25 It is proposed in the revised proposal that the bus franchising power is removed from the submission to Government. However, it is proposed that the quality bus partnerships power should remain as a function that TfSE should be seeking as this will support the introduction of partnership schemes that might cover more than one local authority area. The powers would only be introduced if agreed by the relevant authority and would run on a concurrent basis.

5.26 It is proposed that TfSE should seek to form closer partnerships with the bus operators and work with them on sub-regional and national issues, such as smart ticketing. The need to seek further powers relating to bus services will be reviewed as TfSE matures.

5.27 With regard to rail powers, a number of respondents have highlighted that as TfSE matures it should give consideration to seeking greater rail powers, subject to the outcome of the William's Rail Review. This would enable TfSE to have a greater role in defining the future structure of rail services in the region. This would require TfSE to have sufficient capacity and capability to deliver against these powers.

6. Recommended changes to the Proposal

6.1 Appendix 2 sets out the proposed changes to the draft proposal in detail. These can be summarised:

- Strengthening the opening narrative and strategic case to ensure that social inclusion and environmental protection, including reducing emissions, are clearly recognised as a priority for TfSE. This will reflect the recent work on the development of the Transport Strategy, including the revised vision, goals and objectives. Further information will be included in the proposal on issues such as future transport technology, mobility as a service and smart and integrated ticketing, all of which will help to demonstrate that TfSE is not pursuing economic growth at the expense of the environment.
- Representations have been made that the co-opted members of the Board should retain their voting rights as part of the constitutional arrangements and weighted voting system. The legislation is clear that the relevant authorities, i.e. the local transport authorities, have to form the basis for the sub-national transport body. As such, the constitutional arrangements for the statutory body are based solely on the constituent bodies. However, the proposal document can make reference to the current arrangements and highlight that they are considered to work well, and would strongly recommend that the Statutory Body would continue with them.
- The proposed powers and functions remain broadly unchanged (with the exception of bus franchising) although there will be some points of clarification around the principle of consent and the concurrent nature of the powers. Additionally, the principle of subsidiarity will be incorporated into the document to demonstrate that any decisions relating to the powers is made at the most relevant level and that, where possible, future aspirations will focus on drawing down powers from central government.
- It is proposed that the bus franchising power is not sought as a power at this time. TfSE should build stronger relationships with the bus operators and work with local authorities to ensure that services are operating in a way that supports the delivery of the Transport Strategy, e.g. smart and integrated ticketing at a regional (or wider) level. It is proposed that the duty to secure the provision of bus services is replaced by the power to perform this function. The function for quality bus partnerships will remain unchanged from the draft proposal.
- The powers relating to rail have remained unchanged. However, TfSE is closely monitoring the outcomes of the William's Rail Review and will consider whether it should include provision to assume a role in contracting for rail services as it matures as an organisation.

6.2 In addition to changes to the proposal, there is ongoing work in relation to the Transport Forum which will help to ensure that a wide range of stakeholders are engaged in TfSE activities and play an active role in shaping future work. The membership of the Forum will be expanded to include groups that are currently not represented fully, e.g. environmental groups, and the details of the Forum will be included on the TfSE website for greater levels of transparency.

7. Next steps, Formal Consent and outline Cabinet/Committee reports

7.1 There has been a strong response to the consultation on the draft proposal, with overwhelming support for the creation of a statutory sub-national transport body for the south east. The Board will need to consider the options available for next steps and agree the most appropriate way forward based on the evidence from the analysis of the responses.

7.2 The Board will also wish to consider the implications of the recent letter from the previous Secretary of State on the future status of STBs.

7.3 The three options that the Board will wish to consider are:

- a) To submit the proposal to Government as per the original timescales, with a formal submission to the Department for Transport at the end of the calendar year;
- b) Await an agreed date for a meeting between the Chair of TfSE and the new Secretary of State and assess the position on submitting the proposal following advice from the new ministerial team; and
- c) To delay the submission of the proposal until there is sufficient parliamentary time available and there is a clearer national position on STBs.

7.4 The Board will need to consider that options (b) and (c) have a risk that the proposal could be outdated by the time a submission date is agreed, which would require a further consultation on a revised proposal.

7.5 If the Shadow Partnership Board agrees to pursue option (a), the constituent authorities will be required to offer formal consent for the submission of the proposal to Government.

7.6 Part 5A of the Local Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016 includes the following requirement at section 102(F)(3),

“an STB for an area may be made only if—

“(a) the constituent authorities have together made a proposal to the Secretary of State for there to be an STB for the area, and

“(b) those authorities consent to the making of the regulations.”

7.7 Although other partners, such as LEPs, district and boroughs and national parks will not be required to offer formal consent for the creation of a statutory body, they may wish to submit letters of support for TfSE.

8. Conclusion

8.1 The draft Proposal to Government has been widely supported during the consultation exercise and the feedback received has enabled the TfSE secretariat to produce an analysis of the results and update TfSE’s Proposal to Government.

8.2 The Shadow Partnership Board is recommended to note the consultation responses and review and agree the revised Proposal to Government.

8.3 The Shadow Partnership Board is also recommended to consider the three options proposed above in point 7.3 and agree the most appropriate next steps based on the evidence available from the consultation responses.

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Proposal to Government
Draft for consultation

May 2019

1. Executive summary

- 1.1 Transport for the South East is a sub-national transport body (STB) established to speak with one voice on the strategic transport priorities for the South East region.
- 1.2 Our aim is to support and grow the economy through the delivery of our transport strategy - a programme of integrated transport projects and programmes to unlock growth, boost connectivity and speed up journeys while improving access to opportunities for all and protecting and enhancing our region's unique environment.
- 1.3 By operating strategically across the South East on transport infrastructure - a role that no other organisation currently undertakes on this scale - we will directly influence how and where money is invested and drive improvements for the travelling public and for businesses in a region which is the UK's major international gateway.
- 1.4 Already we are commanding the attention of government, facilitating greater collaboration between South East local authorities, local enterprise partnerships (LEPs) and government to shape our region's future.
- 1.5 Our next step is to become a statutory body. This draft proposal will be subject to a public consultation from May to July 2019 before being submitted to Government by the end of 2019 for consideration.
- 1.6 Our draft proposal has been developed in partnership with TfSE's members and stakeholders and represents a broad consensus on the key issues facing the region and the powers required to implement our transport strategy.
- 1.7 The constituent authorities and LEPs have steered the development of the proposal, with input from members of our Transport Forum, which brings together representatives of transport operators, transport users and other interest groups.
- 1.8 Our members and stakeholders are clear that a statutory sub-national transport body for the South East is vital if we are to successfully:
 - Increase our influence with Government and key stakeholders;
 - Invest in pan-regional strategic transport corridors;
 - Enable genuinely long-term planning; and
 - Support the delivery of jobs, housing and growth.
- 1.9 We have only proposed those powers for TfSE which are proportionate and will be effective in helping us achieve our strategic aims and objectives, complementing and building on the existing powers of local authorities.
- 1.10 These powers would enable us to deliver significant additional value at regional level through efficient and effective operational delivery, better coordination of pan-regional schemes and the

ability to directly influence and inform national investment programmes.

2. The Ambition

"The South East is crucial to the UK economy and is the nation's major international gateway for people and businesses.

"We will grow the South East's economy by facilitating the development of a high quality, integrated transport system that makes the region more productive and competitive, improves access to opportunities for all and protects the environment."

Transport for the South East vision statement

- 2.1 Transport for the South East (TfSE) was established in shadow form in June 2017. In the short period since, we have emerged as a powerful and effective partnership, bringing together 16 local transport authorities, five local enterprise partnerships and other key stakeholders including protected landscapes, transport operators, district and borough authorities and national agencies to speak with one voice on the region's strategic transport needs.
- 2.2 Our shared vision is to ensure the delivery of 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;
 - Works to improve safety, quality of life and access to opportunities for all; and
 - Protects and enhances the South East's unique natural and historic environment.
- 2.3 Our transport strategy, which covers the period to 2050, will form the basis for achieving that vision. It will be supported by a targeted investment plan which will identify how we can grow the GVA of the South East to £500 billion by 2050 and create almost three million additional jobs.
- 2.4 TfSE has already, in shadow form, added considerable value in bringing together partners and stakeholders to work with Government on key strategic issues, securing positive outcomes for the region in the Roads Investment Strategy 2 and Major Road Network consultation, influencing rail franchising discussions and providing collective views on schemes such as southern and western rail access to Heathrow.
- 2.5 The requirements within our draft proposal seek to provide TfSE with the initial functions and powers to move to the next stage of our development - to begin delivering the transport strategy and realising the benefits that a high quality, sustainable and

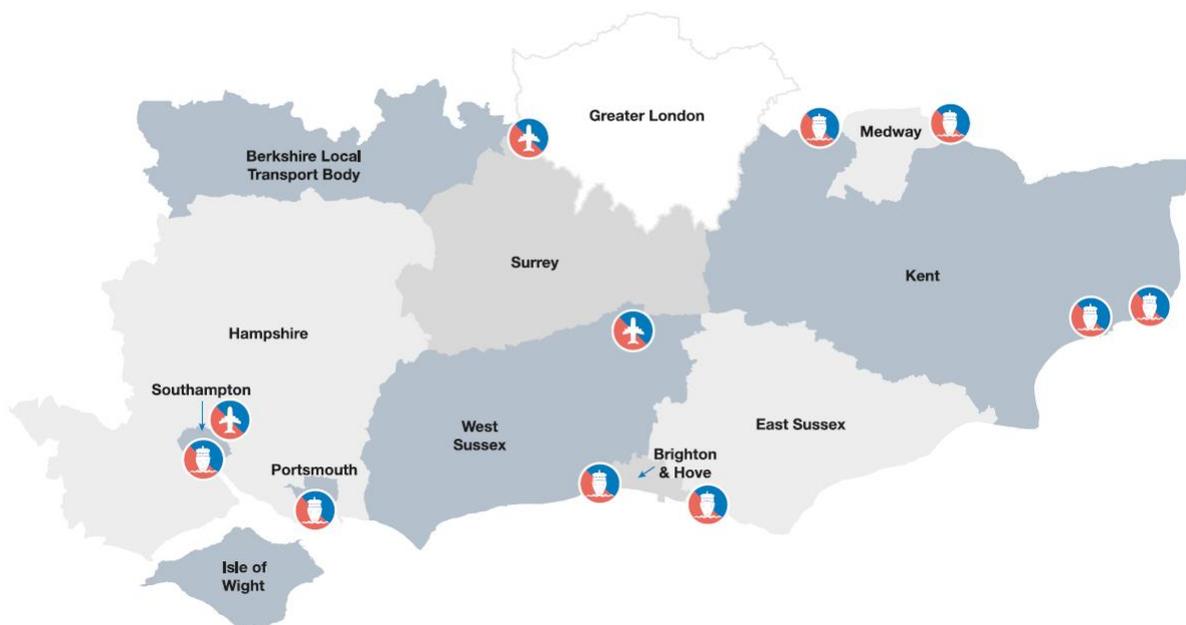
integrated transport system can unlock for people, businesses and the environment.

- 2.6 We are clear that we only seek those powers and functions which are necessary to deliver our strategy and achieve our vision. Our requirements differ from those of other STBs and reflect the different geographic, economic, political, social and environmental characteristics of our region and the strategic objectives of TfSE and its partners.

3. The Strategic and Economic Case

The Transport for the South East area

- 3.1 The South East is already a powerful motor for the UK economy, adding more than £200 billion to the economy in 2015 – second only to the contribution made by London and more than Scotland, Wales and Northern Ireland combined.
- 3.2 It is home to 7.5m people and 329,000 businesses including some of the world’s biggest multinationals as well as a large number of thriving, innovative SMEs. It is a world leader in knowledge intensive, high value industries including advanced engineering, biosciences, financial services and transport and logistics.
- 3.3 The South East area includes both of the nation’s busiest airports in Heathrow and Gatwick, a string of major ports including Southampton, Dover and Portsmouth, many of the country’s most vital motorways and trunk roads and crucial railway links to London, the rest of Britain and mainland Europe.



- 3.4 The South East’s international gateways support the economic wellbeing of the whole of the UK. As we withdraw from the European Union, they will be integral to supporting a thriving, internationally facing economy.

3.5 Half of all freight passing through Dover going on to other parts of the country. Southampton sees £71 billion of international trade each year and Portsmouth handles two million passengers a year. More than 120 million air passenger a year use Gatwick, Southampton and Heathrow airports.

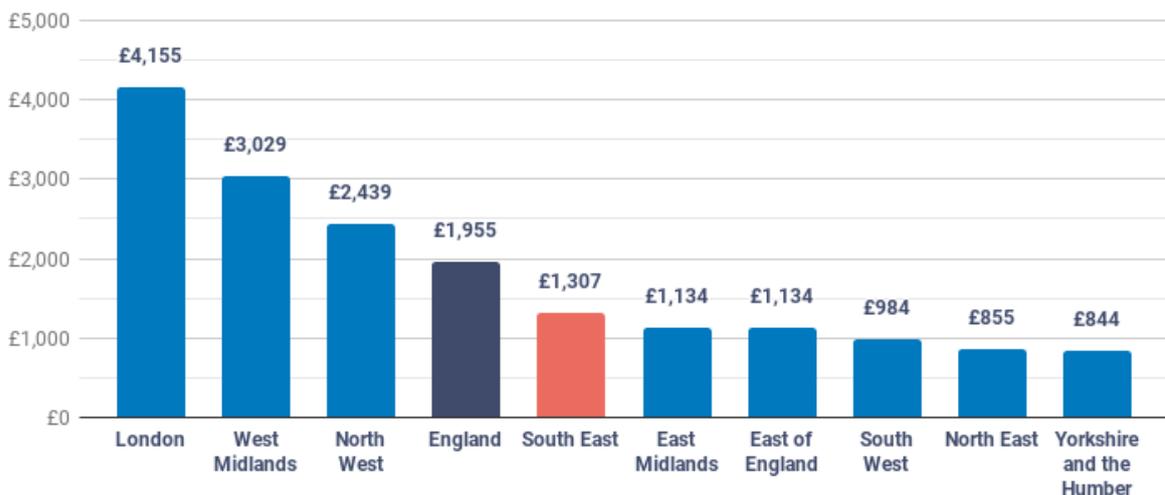
3.6 Our people and infrastructure are not our only assets. With two national parks, numerous areas of outstanding natural beauty and much of the region allocated as green belt, the South East draws heavily on its unique and varied natural environment for its success. It offers outstanding beaches, historic towns, dynamic cities and unparalleled links to London, the UK, Europe and the rest of the world. It is, in short, an amazing place to live, work and visit.

The scale of the challenge and why change is needed

3.7 But we face a real challenge. Despite these enviable foundations – and in some cases because of them – our infrastructure is operating beyond capacity and unable to sustain ongoing growth.

3.8 Despite the economic importance of the region to the UK economy, contributing almost 15% of UK GVA (2015), the South East has seen continued underinvestment in transport infrastructure with a per capita spend that is significantly below the England average and a third of that in London.

Planned transport infrastructure spending per head



Source: IPPR North analysis of planned central and local public/private transport infrastructure spending per capita 2017/19 onwards (real terms 2016/17 prices)

3.9 So while transport links to and from the capital are broadly good, elsewhere connectivity can be poor – even between some of our region’s major towns and cities. Train journey times between Southampton and Brighton (a distance of around 70 miles) are only marginally less than the fastest train journeys between London and Manchester. The corresponding journey on the A27 includes some of the most congested parts of the South East’s road network.

- 3.10 Underinvestment in road and rail infrastructure is making life harder for our residents and businesses. New housing provision is being hampered by the lack of adequate transport infrastructure. In our coastal communities, lack of access to areas of employment and further education and higher education are major contributors to high unemployment and poor productivity.
- 3.11 These are challenges that extend beyond administrative and political boundaries. They require TfSE to have the powers to effectively join up transport policy, regulation and investment and provide clear, strategic investment priorities which will improve connectivity into and across the region, boost the economy and improve the lives of millions.

The powers to achieve our vision

- 3.12 To enable us to achieve our vision through the efficient and effective delivery of the transport strategy, we propose that a range of functions exercisable by a local transport authority, passenger transport executive or mayoral combined authority are included in the regulations to establish TfSE on a statutory footing.
- 3.13 We have only sought those powers which we believe are proportionate and will be effective in helping us achieve our strategic aims and objectives, complementing and building on the existing powers of local authorities. The powers will be sought in a way which means they will operate concurrently with – and only with the consent of – the constituent authorities.
- 3.14 These powers would enable us to deliver significant additional value at regional level in three key areas:
- **Strategic influence:** Speaking with one voice and with the benefit of regional scale and insight to influence the development of national investment programmes; a trusted partner for government, Network Rail and Highways England.
 - **Coordination:** Developing solutions which offer most benefit delivered on a regional scale; working with partners and the market to shape the development of future transport technology in line with regional aspirations.
 - **Operational:** Accelerating the delivery of schemes and initiatives which cross local authority boundaries, ensuring strategic investment happens efficiently and that the benefits for residents and businesses are realised as soon as possible.

The benefits of establishing TfSE as a statutory body

- 3.15 One voice for strategic transport in the South East TfSE will provide a clear, prioritised view of the region's strategic transport investment needs. We already offer an effective mechanism for Government to engage with local authorities and LEAs in the region; statutory status would take that a step further, enabling us to directly inform and influence critical spending

decisions by Government and key stakeholders including Highways England and Network Rail.

3.16 Facilitating economic growth

The transport strategy will facilitate the delivery of jobs, housing and growth across the South East and further build on our contribution to UK GVA. Implementation of strategic, cross-boundary schemes, particularly investment in the orbital routes, will connect economic centres and international gateways for the benefit of people and businesses, regionally and nationally. TfSE also offers a route to engage with other sub-national transport bodies and Transport for London on wider cross-regional issues.

3.17 Delivering benefits for the travelling public

TfSE can support the efficient delivery of pan-regional programmes that will offer considerable benefits to the end user - for example, integrated travel solutions combined with smart ticketing will operate more effectively at a regional scale and can best be facilitated by a regional body than by individual organisations.

3.18 Local democratic accountability

Our transport strategy will be subject to public consultation and will, in its final form, provide a clear, prioritised view of investments agreed by all the South East's local transport authorities and with input from passengers, businesses and the general public. Delivery of the strategy will be led by the Partnership Board, comprising elected members and business leaders with a direct line of accountability to the people and organisations they represent.

3.19 Achieving the longer term vision

Securing statutory status offers TfSE the permanence and security to deliver the transport strategy to 2050, providing a governance structure that matches the lifecycle of major infrastructure projects. It will provide confidence to funders, enable us to work with the market to ensure the deliverability of priority schemes and support development of the skills needed to design, build, operate and maintain an improved transport network.

4. Constitutional arrangements

Requirements from legislation

Name

- 4.1 The name of the sub-national transport body would be 'Transport for the South East ("TfSE")' and the area would be the effective boundaries of our 'constituent members'.

Members

- 4.2 The membership of the STB is listed below:

Bracknell Forest Borough Council
Brighton and Hove City Council
East Sussex County Council
Hampshire County Council
Isle of Wight Council
Kent County Council
Medway Council
Portsmouth City Council
Reading Borough Council
Royal Borough of Windsor and Maidenhead Council
Slough Borough Council
Southampton City Council
Surrey County Council
West Berkshire Council
West Sussex County Council
Wokingham Borough Council

Partnership Board

- 4.3 The current Shadow Partnership Board is the only place where all 'constituent members' are represented at an elected member level¹. Therefore this Board will need to have a more formal role, including in ratifying key decisions. This would effectively become the new 'Partnership Board' and meet at least twice per annum. The Partnership Board could agree through Standing Orders if it prefers to meet more regularly.
- 4.4 Each constituent authority will appoint one of their councillors / members or their elected mayor as a member of TfSE on the Partnership Board. Each constituent authority will also appoint another one of their councillors / members or their elected mayor as a substitute member (this includes directly elected mayors as under the Local Government Act 2000). The person appointed would be that authority's elected mayor or leader, provided that, if responsibility for transport has been formally delegated to another member of the authority, that member may be appointed as the member of the Partnership Board, if so desired.
- 4.5 The Partnership Board may delegate the discharge of agreed functions to its officers or a committee of its members in accordance with a scheme of delegation or on an ad hoc basis.

¹ The six constituent members of the Berkshire Local Transport Body (BLTB) will have one representative between them on the Partnership Board.

Further detail of officer groups and a list of delegations will be developed through a full constitution.

Co-opted members

- 4.6 TfSE proposes that governance arrangements for a statutory STB should maintain the strong input from our business leadership, including LEPs and other business representatives. The regulations should provide for the appointment of persons who are not elected members of the constituent authorities but provide highly relevant expertise to be co-opted members of the Partnership Board.
- 4.7 A number of potential co-opted members are also set out in the draft legal proposal. Co-opted members would not automatically have voting rights but the Partnership Board can resolve to grant voting rights to them on such issues as the Board considers appropriate, for example on matters that directly relate to co-opted members' areas of interest.

Chair and vice-chair

- 4.8 The Partnership Board will agree to a chair and vice-chair of the Partnership Board. The Partnership Board may also appoint a single or multiple vice-chairs from the constituent members. Where the chair or vice-chair is the representative member from a constituent authority they will have a vote.

Proceedings

- 4.9 It is expected that the Partnership Board will continue to work by consensus but to have an agreed approach to voting where consensus cannot be reached and for certain specific decisions.
- 4.10 A number of voting options were considered to find a preferred option that represents a straightforward mechanism, reflects the characteristics of the partnership and does not provide any single authority with an effective veto. We also considered how the voting metrics provide a balance between county and other authorities, urban and rural areas and is resilient to any future changes in local government structures.
- 4.11 The steering group considered these options and preferred the population weighted option based on the population of the constituent authority with the smallest population (the Isle of Wight with 140,000 residents).
- 4.12 This option requires that the starting point for decisions will be consensus; if that cannot be achieved then decisions will require a simple majority of those constituent authorities who are present and voting. The decisions below will however require both a super-majority, consisting of three quarters of the weighted vote in favour of the decision, and a simple majority of the constituent authorities appointed present and attending at the meeting:
- (i) The approval and revision of TfSE's transport strategy;
 - (ii) The approval of the TfSE annual budget;
 - (iii) Changes to the TfSE constitution.

The population weighted vote would provide a total of 54 weighted votes, with no single veto. A table showing the distribution of votes across the constituent authorities is set out in Appendix 1. This option reflects the particular circumstances of TfSE, being based on the population of the smallest individually represented constituent member who will have one vote, and only a marginally smaller proportionate vote. It is considered that this option is equitable to all constituent authority members, ensures that the aim of decision making consensus remains and that smaller authorities have a meaningful voice, whilst recognising the size of the larger authorities in relation to certain critical issues.

4.13 The population basis for the weighted vote will be based on ONS statistics from 2016 and reviewed every ten years.

4.14 The Partnership Board is expected to meet twice per year. Where full attendance cannot be achieved, the Partnership Board will be quorate where 50% of constituent members are present.

Scrutiny committee

4.15 TfSE will appoint a scrutiny committee to review decisions made or actions taken in connection with the implementation of the proposed powers and responsibilities. The committee could also make reports or recommendations to TfSE with respect to the discharge of its functions or on matters relating to transport to, from or within TfSE's area.

4.16 Each constituent authority will be entitled to appoint a member to the committee and a substitute nominee. Such appointees cannot be otherwise members of TfSE including the Partnership Board.

Standing orders

4.17 TfSE will need to be able to make, vary and revoke standing orders for the regulation of proceedings and business, including that of the scrutiny committee. This will ensure that the governance structures can remain appropriate to the effective running of the organisation.

4.18 In regards to changing boundaries and therefore adding or removing members, TfSE would have to make a new proposal to Government under Section 102Q of the Local Transport Act 2008 and require formal consents from each constituent authority.

Miscellaneous

4.19 It may be necessary that certain additional local authority enactments are applied to TfSE as if TfSE were a local authority, including matters relating to staffing arrangements, pensions, ethical standards and provision of services etc. These are set out in the draft legal proposal.

4.20 TfSE also proposes to seek the functional power of competence as set out in section 102M of the Local Transport Act 2008.

4.21 TfSE will consider options for appointing to the roles of a Head of Paid Service, a Monitoring Officer and a Chief Finance Officer whilst considering possible interim arrangements.

Funding

4.22 TfSE will work with partners and the Department for Transport to consider a sustainable approach to establishing the formal STB and effectively and expeditiously as possible, bearing in mind the considerable support among regional stakeholders for TfSE's attainment of statutory status.

Governance: Transport Forum and Senior Officer Group

4.23 The Partnership Board will appoint a Transport Forum. This will be an advisory body to the Senior Officer Group and Partnership Board, comprising a wider group of representatives from user groups, operators, District and Borough Councils as well as Government and National Agency representatives.

4.24 The Transport Forum will meet quarterly and be chaired by an independent person appointed by the Partnership Board. The Transport Forum may also appoint a vice-chair for the Transport Forum, who will chair the Transport Forum when the chair is not present.

4.25 The Transport Forum's terms of reference will be agreed by the Partnership Board. It is envisaged that the Transport Forum will provide technical expertise, intelligence and information to the Senior Officer Group and the Partnership Board.

4.26 The Partnership Board and Transport Forum will be complemented by a Senior Officer Group representing members at official level providing expertise and co-ordination to the TfSE programme. The Senior Officer Group will meet monthly.

5. Functions

TfSE's proposal is to become a statutory sub-national transport body as set out in section part 5A of the Local Transport Act 2008.

General functions

- 5.1 Transport for the South East proposes to have the 'general functions' as set out in Section 102H (1) including:
- a. to prepare a transport strategy for the area;
 - b. to provide advice to the Secretary of State about the exercise of transport functions in relation to the area (whether exercisable by the Secretary of State or others);
 - c. to co-ordinate the carrying out of transport functions in relation to the area that are exercisable by different constituent authorities, with a view to improving the effectiveness and efficiency in the carrying out of those functions;
 - d. if the STB considers that a transport function in relation to the area would more effectively and efficiently be carried out by the STB, to make proposals to the Secretary of State for the transfer of that function to the STB; and
 - e. to make other proposals to the Secretary of State about the role and functions of the STB. (2016, 102H (1))5.
- 5.2 The general functions are regarded as the core functions of a sub-national transport body and will build on the initial work of TfSE in its shadow form. To make further proposals to the Secretary of State regarding constitution or functions, Transport for the South East will need formal consents from each 'constituent member'.
- 5.3 Transport for the South East recognises that under current proposals the Secretary of State will remain the final decision-maker on national transport strategies, but critically that the Secretary of State must have regard to a sub-national transport body's statutory transport strategy. This sets an important expectation of the strong relationship Transport for the South East aims to demonstrate with Government on major programmes like the Major Road Network and Railway Upgrade Plan.

Local transport functions

- 5.4 Initial work has identified a number of additional powers that Transport for the South East may require that will support the delivery of the transport strategy. The table below provides an assessment of these functions.
- 5.5 The powers which are additional to the general functions relating to STBs will be requested in a way that means they will operate concurrently and with the consent of the constituent authorities.

Table 1: Proposed powers and responsibilities

POWER	RATIONALE
General functions	
<p>Section 102 H of the Local Transport Act 2008</p> <p>Prepare a transport strategy, advise the Secretary of State, co-ordinate the carrying out of transport functions, make proposals for the transfer of functions, make other proposals about the role and functions of the STB.</p>	<p>This legislation provides the general powers required for TfSE to operate as a statutory sub-national transport body, meeting the requirements of the enabling legislation to facilitate the development and implementation of a transport strategy to deliver regional economic growth.</p> <p>Government at both national and local level recognises that the solutions required to deliver regional economic growth are best identified and planned for on a regional scale by those who best understand the people and businesses who live and work there.</p>
Rail	
<p>Right to be consulted about new rail franchises</p> <p><i>Section 13 of the Railways Act 2005 – Railway Functions of Passenger Transport Executives</i></p>	<p>We are seeking the extension of the right of a Passenger Transport Executive to be consulted before the Secretary of State issues an invitation to tender for a franchise agreement.</p> <p>The right of consultation is significant to TfSE as it confirms our role as a strategic partner, enabling us to influence future rail franchises to ensure the potential need for changes to the scope of current services and potential new markets identified by TfSE are considered.</p> <p>TfSE is uniquely placed to provide a regional perspective and consensus on the priorities for rail in its area. This would benefit central government as a result of the vastly reduced need for consultation with individual authorities.</p> <p>We recognise that changes to the current franchising model are likely following the Williams Review; regardless of these changes, TfSE is clear that it should have a role in shaping future rail service provision.</p>
<p>Set High Level Output Specification (HLOS) for Rail</p> <p><i>Schedule 4A, paragraph 1D, of the Railways Act 1993</i></p>	<p>TfSE requires a strong, formal role in rail investment decision making over and above that which is available to individual constituent authorities. We act as the collective voice of our constituent authorities, providing an evidence-based regional perspective and consensus on the priorities for investment in our rail network.</p> <p>This power would enable TfSE to act jointly with the Secretary of State to set and vary</p>

	<p>the HLOS in our area, ensuring TfSE's aspirations for transformational investment in rail infrastructure are reflected in the HLOS and enabling an integrated approach across road and rail investment for the first time.</p>
Highways	
<p>Set Road Investment Strategy (RIS) for the Strategic Road Network (SRN)</p> <p><i>Section 3 and Schedule 2 of the Infrastructure Act 2015</i></p>	<p>TfSE requires a strong, formal role in roads investment decision making over and above that which is available to individual constituent authorities. We act as the collective voice of our constituent authorities, providing an evidence-based regional perspective and consensus on the priorities for roads investment.</p> <p>This power would enable TfSE to act jointly with the Secretary of State to set and vary the RIS in our area, ensuring TfSE's aspirations for transformational investment in road infrastructure are reflected in the RIS and enabling an integrated approach across road and rail investment for the first time.</p>
<p>Enter into agreements to undertake certain works on Strategic Road Network, Major Road Network or local roads</p> <p><i>Section 6(5) of the Highways Act 1980, (trunk roads) & Section 8 of the Highways Act 1980 (local roads)</i></p>	<p>We are seeking the power that local highway authorities currently have to enter into an agreement with other highway authorities to construct, reconstruct, alter, improve or maintain roads.</p> <p>These powers, operated concurrently with the local authorities, will enable TfSE to promote and expedite the delivery of regionally significant cross-boundary schemes that otherwise might not be progressed. They would overcome the need for complex 'back-to-back' legal and funding agreements between neighbouring authorities and enable us to reduce scheme development time and overall costs.</p>
<p>Acquire land to enable construction, improvement, or mitigate adverse effects of highway construction</p> <p><i>Sections 239,240,246 and 250 of the Highways Act 1980</i></p>	<p>This power, exercisable concurrently and only with the consent of the relevant highway authority, would allow preparations for the construction of a highways scheme to be expedited where highway authorities are not in a position to acquire land.</p> <p>Land acquisition by TfSE could facilitate quicker, more efficient scheme delivery, bringing forward the economic and broader social and environmental benefits.</p>
<p>Construct highways, footpaths, bridleways</p> <p><i>Sections 24,25 & 26 of the Highways Act 1980</i></p>	<p>The concurrent powers required to effectively promote, coordinate and fund road schemes are vital to TfSE. Without them, we would not be able to enter into any contractual arrangement in relation to procuring the construction, improvement or maintenance of a highway or the</p>

	<p>construction or improvement of a trunk road.</p> <p>Granting of these powers would enable TfSE directly to expedite the delivery of regionally significant road schemes that cross constituent authority boundaries that otherwise might not be progressed.</p>
Make capital grants for public transport facilities	
<p>Make capital grants for the provision of public transport facilities</p> <p><i>Section 56(2) of the Transport Act 1968</i></p>	<p>This concurrent power would enable TfSE to support the funding and delivery of joint projects with constituent local authorities, improving deliverability and efficiency.</p> <p>Constituent authorities would benefit from the granting of this concurrent power as they may, in future, be recipients of funding from TfSE to partly or wholly fund a transport enhancement within their local authority area.</p>
Bus service provision	
<p>Duty to secure the provision of bus services</p> <p><i>Section 63(1) Transport Act 1985</i></p>	<p>Local transport authorities and integrated transport authorities have a duty to secure the provision of such public passenger transport services as it considers appropriate and which would not otherwise be provided.</p> <p>Travel-to-work areas do not respect local authority boundaries. TfSE is seeking to have this duty concurrently with the local transport authorities in our area, enabling us to fill in identified gaps in bus service provision within our geography or secure the provision of regionally important bus services covering one or more constituent authority areas which would not otherwise be provided.</p>
<p>Quality Bus Partnerships</p> <p><i>The Bus services Act 2017 Sections 113C - 113O & Sections 138A - 138S</i></p>	<p>TfSE is seeking powers, currently available to local transport authorities and integrated transport authorities, to enter into Advanced Quality Partnerships and Enhanced Partnership Plans and Schemes to improve the quality of bus services and facilities within an identified area. These powers would be concurrent with the local transport authority in the area.</p> <p>This would allow us to expedite the introduction of partnership schemes covering more than one local transport authority area which otherwise might not be introduced.</p>
<p>Bus service franchising</p> <p><i>The Bus Services Act 2017</i></p>	<p>This power, currently available to Mayoral Combined Authorities, would enable TfSE to implement bus service franchising in its area with the consent of the affected local transport authorities.</p>

	<p>We believe extending this power to STBs is consistent with the intention of the legislation in terms of delivering passenger benefit across travel-to-work areas and could enable a level of bus provision which otherwise would not exist. It would only be implemented with the consent of the local transport authority.</p>
Smart ticketing	
<p>Introduce integrated ticketing schemes</p> <p><i>Sections 134C- 134G & Sections 135-138 Transport Act 2000</i></p>	<p>We are seeking powers concurrently with local transport authorities to enable TfSE to procure relevant services, goods, equipment and/or infrastructure; enter into contracts to deliver smart ticketing and receive or give payments.</p> <p>This would enable us to expedite the introduction of a cost effective smart and integrated ticketing system on a regional scale which would dramatically enhance the journey experience and increase access to transport to support jobs and education.</p>
Air quality	
<p>Establish Clean Air Zones</p> <p><i>Sections 163-177A of the Transport Act 2000 - Road User Charging</i></p>	<p>Local transport authorities and integrated transport authorities have the power under the Transport Act 2000 to implement road charging schemes.</p> <p>TfSE is seeking this general charging power as a mechanism for the introduction of Clean Air Zones, enabling reduced implementation and operating costs across constituent authority boundaries. This will be subject to the consent of the local transport authority.</p> <p>Transport is a major contributor to CO2 emissions and poor air quality; these are increasingly critical issues which our transport strategy will seek to address.</p>
Other powers	
<p>Promote or oppose Bills in Parliament</p> <p><i>Section 239 Local Government Act 1972</i></p>	<p>Local authorities have the power to promote or oppose Bills in Parliament; granting the power concurrently to TfSE reflects the devolution agenda of which STBs are a key part.</p> <p>Under the Transport and Works Act 1992, a body that has power to promote or oppose bills also has the power to apply for an order to construct or operate certain types of infrastructure including railways and tramways.</p> <p>Granting of this power would enable TfSE to promote, coordinate and fund regionally significant infrastructure schemes,</p>

	accelerating delivery of cross-boundary schemes which might otherwise not be progressed.
Incidental amendments <i>Local Government Act 1972, Localism Act 2011, Local Government Pension Scheme Regulations 2013</i>	A statutory STB requires certain incidental amendments to enable it to operate as a type of local authority, with duties in respect of staffing, pensions, monitoring and the provision of information about TfSE. The incidental amendments sought are listed below in Appendix 2.

Powers and responsibilities not being sought

5.6 Transport for the South East does not propose seeking the following functions/powers:

POWER	RATIONALE
Set priorities for local authorities for roads that are not part of the Major Road Network (MRN)	TfSE will only be responsible for identifying priorities on the MRN
Being responsible for any highway maintenance responsibilities	There is no intention of TfSE becoming involved in routine maintenance of MRN or local roads
Carry passengers by rail	There are no aspirations for TfSE to become a train operating company
Take on any consultation function instead of an existing local authority	Local authorities are best placed to seek the views of their residents and businesses
Give directions to a constituent authority about the exercise of transport functions by the authority in their area	Constituent authorities understand how best to deliver their transport functions to meet the needs of their residents and businesses

5.7 The Williams Review, to which TfSE have submitted a response, could recommend significant changes to the structure of the rail industry, including the role of STBs in both operations and infrastructure enhancement. As a result, we will keep the following functions under review pending the Williams recommendations and subsequent White Paper.

POWER	RATIONALE
Act as co-signatories to rail franchises	There are no current aspirations for TfSE to become involved in this area.
Be responsible for rail franchising	

6. Summary of support and engagement

- 6.1 This draft Proposal was shaped and endorsed by the TfSE Shadow Partnership Board in March 2019 prior to the launch of the consultation.
- 6.2 During the consultation process, the draft Proposal will be made available on the TfSE website and feedback sought via social media and other promotional activity. Meetings will be held with key stakeholders such as Network Rail, Highways England, Transport for London, England's Economic Heartlands and the Transport Forum.
- 6.3 Following the consultation period, TfSE will update the draft Proposal and publish a summary of the comments received.
- 6.4 TfSE will seek consent from its constituent authorities and the final draft Proposal will be endorsed by the Shadow Partnership Board in autumn 2019.
- 6.5 The final Proposal will include a summary of engagement activities, including a list of the organisations engaged in the process and an appendix with a number of letters of support from key organisations and businesses.

Appendix 1: Distribution of votes

TfSE constituent authorities	Population ²	Number of votes ³
Brighton and Hove City Council	287,173	2
East Sussex County Council	549,557	4
Hampshire County Council	1,365,103	10
Isle of Wight Council	140,264	1
Kent County Council	1,540,438	11
Medway Council	276,957	2
Portsmouth City Council	213,335	2
Southampton City Council	250,377	2
Surrey County Council	1,180,956	8
West Sussex County Council	846,888	6
<i>Bracknell Forest Council</i>	<i>119,730</i>	
<i>Reading Borough Council</i>	<i>162,701</i>	
<i>Royal Borough of Windsor & Maidenhead</i>	<i>149,689</i>	
<i>Slough Borough Council</i>	<i>147,736</i>	
<i>West Berkshire Council</i>	<i>158,576</i>	
<i>Wokingham Borough Council</i>	<i>163,087</i>	
Berkshire Local Transport Body (total)	901,519	6
Total	7,552,567	54

Appendix 2: List of incidental powers sought

² Population as per ONS 2016 estimates

³ Number of votes = population/140,000 (the population of constituent authority with the smallest population, this being the Isle of Wight)

This appendix sets out the incidental amendments that will be needed to existing legislation. They include areas relating to the operation of TfSE as a type of local authority with duties in respect of staffing, pensions, transparency, monitoring and the provision of information about TfSE.

(1) Section 1 of the Local Authorities (Goods and Services) Act 1970 has effect as if TfSE were a local authority for the purposes of that section.

(2) The following provisions of the Local Government Act 1972 have effect as if TfSE were a local authority for the purposes of those provisions—

- (a) section 101 Arrangements for discharge of functions by local authorities
- (b) section 111 (subsidiary power of local authorities);
- (c) section 113 (secondment of staff)
- (d) section 116 (member of TfSE not to be appointed as officer);
- (e) section 117 (disclosure by officers of interests in contracts);
- (f) section 135 (standing orders for contracts);
- (g) section 142(2) (provision of information);
- (h) section 222 (power to investigate and defend legal proceedings);
- (i) section 239 (power to promote or oppose a local or personal Bill).

(4) Sections 120, 121 and 123 of that Act (acquisition and disposal of land) have effect as if—

- (a) TfSE were a principal council;
- (b) section 120(1)(b) were omitted;
- (c) section 121(2)(a) were omitted.

(5) Section 29 of the Localism Act 2011 (registers of interests) has effect as if—

- (a) TfSE were a relevant authority, and
- (b) references to “the monitoring officer” were references to an officer appointed by TfSE for the purposes of that section.

(6) In the Local Government Pension Scheme Regulations 2013—

- (a) in Schedule 2 (scheme employers), in Part 2 (employers able to designate employees to be in scheme), after paragraph 14 insert—
“15. Transport for the South East.”;
- (b) in Schedule 3 (administering authorities), in the table in Part 2 (appropriate administering authorities for categories of scheme members), at the end insert—

“An employee of Transport for the South East	East Sussex County Council”
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(7) The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 have effect as if TfSE is a local authority within the meaning of s 101 Local Government Act 1972.

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Appendix 2: Feedback and proposed changes

Section of draft proposal	Feedback	Proposed response and changes
<p>The Ambition – page 2</p> <p>The TfSE vision, goals and strategic objectives for TfSE.</p>	<p>The section does not adequately capture the shared focus on economic growth, environmental protection and social inclusion.</p> <p>The focus in the draft document is placed too strongly on economic growth.</p> <p>The vision needs to be updated to reflect the need to reduce emissions and tackle climate change.</p>	<p>Although some respondents are keen that TfSE removes the focus on economic growth, it is important to remember that the legislation for STBs states that they must promote economic growth.</p> <p>TfSE is keen to ensure that economic growth is not achieved at the expense of the environmental sustainability or social inclusion.</p> <p>This section needs updating to reflect the recent work on the Transport Strategy. The vision statement in the consultation draft of the Transport Strategy is more balanced across economic growth, social inclusion and environmental protection and enhancement. The Transport Strategy will be subject to an Integrated Sustainability Appraisal, which will be published alongside the consultation document.</p>
<p>The Strategic and Economic Case – pages 3-6</p> <p>This section identifies the strong case for TfSE seeking statutory status. It needs to make the economic case for the region, but should also identify other factors that</p>	<p>The section does not sufficiently focus on environmental and social issues facing the region.</p> <p>Particular emphasis could be given to the contribution made to the economy in the south east by protected landscapes. This</p>	<p>The section needs to be updated to reflect the latest position on the draft Transport Strategy. The revised vision places a stronger emphasis on social inclusion and environmental protection. This needs to form part of the case for the establishment of a statutory STB.</p>

<p>support the need for a sub-national body in the south east.</p>	<p>relates to ecosystem services (clean water, food, mitigation of air quality and carbon storage) which underpin the wider economy; and the extensive network of small businesses in these locations.</p> <p>The reference to ‘numerous AONBs’ should explicitly refer to five AONBs in the TfSE area. The document needs to give recognition to the need for infrastructure projects to deliver net gains in biodiversity.</p> <p>There is a need to focus on the importance of the international gateways to the South East economy.</p> <p>There needs to be a balance between urban and rural areas, with recognition given to the importance of both as places to live and work.</p>	<p>The economic value of protected landscapes should be referenced in this section and the reference to AONBs should be updated.</p> <p>The Transport Strategy sets environmental principles, including:</p> <ul style="list-style-type: none"> • A reduction in carbon emissions to net zero by 2050 to minimise the contribution of transport and travel to climate change; and • Use of the principle of ‘biodiversity net gain’ in all transport initiatives. <p>The proposal will support the delivery of these ambitions.</p>
<p>Constitutional Arrangements – pages 7-10</p> <p>This section sets out the proposed constitutional arrangements for TfSE, including governance structures, membership, co-opted members and voting mechanisms.</p> <p>The outline constitutional arrangements in the draft proposal will be supported by a</p>	<p>Membership and Partnership Board</p> <p>The majority of respondents were content with the proposed membership of TfSE.</p> <p>However, some neighbouring authorities were keen to have membership or associated membership of the STB.</p>	<p>The legislation is clear that the relevant authorities form the membership of the sub-national transport body.</p> <p>It is important that TfSE develops a strong working relationship with its neighbouring authorities and STBs and it is therefore proposed that the neighbouring STBs are invited to join the Transport Forum. This will ensure they are able to provide input to the TfSE work programme and</p>

<p>more detailed draft constitution.</p>		<p>priorities. Additionally, neighbouring authorities should be invited to attend the Board meetings as observers when cross-boundary schemes are being discussed.</p> <p>There are no changes proposed to this section.</p>
	<p>Co-opted members</p> <p>A number of district and borough authorities made representations for greater level of district and borough involvement in the Partnership Board.</p> <p>There were also calls for additional representation from environmental groups, including Local Nature Partnerships.</p>	<p>There has been a considerable amount of additional engagement with the district and borough representatives on the Transport Forum to ensure that all district and borough colleagues are informed of TfSE activities. It is proposed that the current arrangements for district and borough representation are monitored to ensure that they are functioning in the best possible way.</p> <p>The protected landscapes Board member should have a wider remit to include Local Nature Partnerships.</p> <p>The proposal does not need to stipulate the co-opted Board members. This remains a decision for the Partnership Board once TfSE secure statutory status. Therefore there are no changes proposed to the document.</p>
	<p>Chair and Vice-Chair</p> <p>No comments received</p>	<p>No changes proposed</p>

<p>Proceedings</p> <p>The proposed voting mechanism does not recognise the important contribution offered by the co-opted members of the Shadow Partnership Board and should be updated to include co-opted membership.</p>	<p>The principle of co-opting Board members, such as LEPs and protected landscapes, has been embedded in the TfSE shadow governance structures.</p> <p>This principle will continue once TfSE has obtained statutory status. However, the proposal document and the voting mechanism have to be based upon the 16 constituent authorities forming the STB.</p> <p>The proposal document can make reference to the current arrangements and highlight that they are considered to work well, and would strongly recommend that the Statutory Body would continue with them.</p>
<p>Scrutiny Committee</p> <p>A small number of district and borough respondents highlighted that the scrutiny proposals do not contain sufficient detail. They suggest that the scrutiny function should be operated by elected members from the district and borough councils to offer an independent view of TfSE's operations.</p>	<p>The TfSE governance and audit committee sub-group will be giving further consideration to the operation of the scrutiny committee and its composition.</p> <p>There are no regulations on a model that TfSE needs to follow for the scrutiny committee, but members have agreed that it will be proportionate to the TfSE work programme and resources.</p> <p>It is proposed that there are no changes to this section of the document. In due course, the full constitution will be updated to reflect the agreed scrutiny</p>

	arrangements.
Standing Orders	No changes proposed
No comments received	
Miscellaneous	No changes proposed
No comments received	
Funding	TfSE is currently supported by a funding model that attracts grant funding from the Department for Transport to support the development of the Transport Strategy. Discussions are underway with the DfT about the potential to secure longer term, multi-year funding to support the ongoing work of TfSE.
One relevant comment from a district and borough authority querying where the financial resource will come from to support a statutory body.	This is supplemented by valuable contributions from the 16 constituent authorities. The £500k local contributions enable TfSE to employ a small staffing complement.
	It is not proposed to change the funding model once TfSE obtains statutory status.
	The draft proposal should be updated to include reference to the local contributions from constituent authorities.
Governance: Transport Forum and Senior Officer Group	A review of the Transport Forum, including its membership is currently underway. This review has recommended that the membership of the Forum is
A number of comments were received in	

	<p>relation to the need for wider engagement with stakeholders across the region. This specifically relates to the Transport Forum and the need for engagement with environmental groups, health organisations and user groups.</p>	<p>expanded to include a wider range of stakeholder groups. The TfSE website will include information on the Forum, including membership.</p> <p>The proposal does not need to include a list of stakeholders; therefore it is not proposed to make any changes to the draft proposal document.</p>
<p>Functions – Pages 11-16</p> <p>This section sets out the powers and responsibilities that TfSE will be seeking as a statutory body.</p> <p>There are some restrictions on the types of powers that an STB can request, for example, the powers must already exist in legislation and they must relate to the aim of an STB (i.e. transport related).</p>	<p>There is need to reiterate the point in paragraph 5.5 that powers that are additional to the general STB functions will only operate concurrently with, and with the consent of, the local highway authority.</p> <p>It is requested that the constitution is amended to state that the consent of the relevant local authority in relation to a scheme or policy is sought in advance of any discussion at the Partnership Board.</p> <p>Additionally, two constituent authorities have suggested that the proposal should be based on the principle of subsidiarity. They have set out different, but related applications of the principle:</p> <ul style="list-style-type: none"> • That future operations of TfSE should seek to draw down powers from central government, rather than seek concurrent powers with the local transport authorities; and 	<p>The concurrent nature of the proposed powers and functions that are held jointly with local transport authorities will be highlighted in the revised document. This will be supported by further clarification that the powers will only be operated with the consent of the relevant local authority.</p> <p>It will be included in the full constitution that the consent of an authority in relation to a particular scheme will be sought in advance of any discussion or decision by the Partnership Board.</p> <p>The two interpretations of the principle of subsidiarity will be included in the revised proposal at section 5.5. This will outline that where TfSE holds a power concurrently with a constituent authority the power will be exercised by the constituent authority in the first instance and TfSE will only exercise that power with the consent of the constituent</p>

	<ul style="list-style-type: none"> • That implementation of the powers would only be agreed by the most appropriate local authority, i.e. the local transport authority of the particular area affected. <p>Some concerns that TfSE should not be seeking concurrent powers with local transport authorities as this risks duplication and TfSE should not take powers away from the relevant authorities.</p> <p>TfSE needs to ensure that the Partnership Board retains full control of activities to ensure that there is no ‘mission creep’ and additional bureaucracy is avoided.</p>	<p>authority, where it is accepted that this will be a more effective way of achieving the outcome that is being sought. It will also set the principle, that where possible, TfSE will base its future aspirations upon drawing down additional powers from central government.</p> <p>Although some respondents expressed concern that the concurrent nature of the powers could lead to duplication, it is not proposed to remove these powers from the proposal. TfSE will need these concurrent powers to enable it to deliver schemes and projects that cross local authority boundaries where it is agreed by the constituent authorities that this is the most effective course of action to achieve the outcome being sought. TfSE will require the consent of the relevant authorities before it can apply these powers, which will ensure there is no duplication.</p>
	<p>General functions</p> <p>A high degree of support for these functions, recognising that they offer TfSE a clear route to influence investment decisions by the Secretary of State and national agencies.</p>	<p>No changes proposed.</p>

<p>Right to be consulted about new rail franchises</p> <p>Broad support for this power, but a number of respondents highlight that this is dependent upon the outcome of the William's Rail Review.</p> <p>Some respondents suggested TfSE should seek additional rail powers, including franchising powers.</p>	<p>No changes to the proposed power. However, the TfSE secretariat will report to the Board on any changes arising from the forthcoming William's Rail Review.</p>
<p>Set HLOS for rail</p> <p>Considerable support for this power</p>	<p>No changes to the proposed power.</p>
<p>Set RIS for the SRN</p> <p>Considerable support for this power</p>	<p>No changes to the proposed power</p>
<p>Enter into agreements to undertake certain works on the SRN, MRN or local roads</p> <p>Conditional support for the power, on the basis that it is operated with the consent of, and concurrently with, the relevant local authority.</p>	<p>No changes to the power. Although LTAs can enter into agreements with other highways authorities for cross-boundary schemes, this power would remove the need for complex legal and funding arrangements and reduce scheme development time and costs. However, in practice there will need to be some agreed governance and protocols to ensure legal issues are appropriately covered.</p>
<p>Acquire land to enable construction, improvement or mitigate adverse effects of highways construction</p>	<p>No changes to the proposed power. Land acquisition by TfSE could facilitate more efficient scheme delivery and ensure that</p>

	<p>Conditional support for the power as long as it is subject to the consent of the affected local transport authority. Should only be applied on cross-border projects.</p> <p>Concern around whether TfSE should be seeking highways powers in light of the need to reduce emissions.</p> <p>Acquisition should also be available to compensate for impacts when mitigation is not possible, as mitigation for some impacts is not always possible.</p>	<p>economic, social and environmental benefits are delivered.</p> <p>Although it is recognised that emphasis should not be placed on road building, a point which is central to the draft Transport Strategy, is that in the short term there is considerable investment through RIS and MRN funds. This power enables TfSE to support this delivery of cross boundary schemes in a way that supports the principles of the Strategy.</p>
	<p>Construct highways, footpaths and bridleways</p> <p>Conditional support for the power, on the basis that it is operated with the consent of, and concurrently with, the relevant local authority. Additionally the principle of subsidiarity should apply.</p> <p>Concern around whether TfSE should be seeking highways powers in light of the need to reduce emissions.</p> <p>To ensure that decisions are to the benefit of the rights of way users, this power should be prefaced with 'where they add significantly to the local access network offer, providing meaningful enhanced</p>	<p>Although a number of respondents highlighted concerns around whether TfSE should be seeking this power, it is considered that it should be pursued as it will enable TfSE to directly expedite the delivery of regionally significant road schemes that cross constituent authority boundaries. The narrative will be amended to include the reference to the need to benefit the rights of way users.</p> <p>Although it is recognised that emphasis should not be placed on road building, a point which is central to the draft Transport Strategy, is in the short term there is considerable investment through RIS and MRN funds. This power enables TfSE to support this delivery of cross</p>

<p>connections and are available for legitimate users’.</p> <p>Consideration should be given to the adoption of maintenance arrangements of highways constructed under this power.</p>	<p>boundary schemes in a way that supports the principles of the Strategy.</p> <p>TfSE will not be a maintenance authority. Maintenance arrangements will be considered on a case by case basis with the relevant local transport authorities and agreed prior to the scheme proceeding.</p>
<p>Make capital grants for the provision of public transport facilities</p> <p>Considerable support for the power, subject to the decision being made in conjunction with the relevant local transport authority.</p>	<p>No changes to proposed power.</p>
<p>Duty to secure the provision of bus services</p> <p>Unclear why this is being sought as a ‘duty’ which will be more difficult to resolve on the basis of consent. Suggested that this should be sought as an acquisition of powers.</p> <p>Support from a range of stakeholder groups, including user groups and environmental groups.</p> <p>Concern from the bus operators about the package of proposed bus powers which are considered to be outside the remit of an STB. Existing relationships with local</p>	<p>Although there is some concern from bus operators about this power, it is considered that TfSE will require the power to deliver against the Transport Strategy and to ensure that there is an integrated transport system that meets the needs of the end user. The power will also help to ensure that TfSE places an emphasis on sustainable transport solutions and will help to reduce reliance on private vehicle use.</p> <p>Propose that the duty is changed to a power: Paragraph 4 of Section 63 :</p> <p><i>The power to secure the provision of such</i></p>

<p>transport authorities are considered to be strong and ensure that the service benefits the end user.</p>	<p><i>public passenger transport services as they consider it appropriate to secure to meet any public transport requirements within their area which would not in their view be met apart from any action taken by them for that purpose.</i></p>
<p>Quality bus partnerships</p> <p>Concern from the bus operators about the package of proposed bus powers which are considered to be outside the remit of an STB. Existing relationships with local transport authorities are considered to be strong and ensure that the service benefits the end user.</p> <p>Support from a range of stakeholder groups, including user groups and environmental groups. Some constituent authorities have identified that this could potentially provide a more consistent and joined-up approach to the provision of bus services in the wider area.</p>	<p>No changes proposed to the power.</p> <p>Although there is some concern from bus operators about this power, it is considered that TfSE will require the power to deliver against the Transport Strategy and to ensure that there is an integrated transport system that meets the needs of the end user. The power will also help to ensure that TfSE places an emphasis on sustainable transport solutions and will help to reduce reliance on private vehicle use.</p>
<p>Bus service franchising</p> <p>Support from the constituent authorities, although a number are clear they would not implement it in their area.</p> <p>Support from a range of stakeholder groups, including user groups and</p>	<p>Although there is some broad support for the power, the considerable opposition from the bus operators will make it difficult to implement and it will damage TfSE relationships with an important stakeholder group. Additionally, a number of constituent authorities have stated they would not want the power to be utilised in</p>

<p>environmental groups.</p> <p>Strong opposition from bus operators on the basis that they are concerned that a franchising model would be costly, not focused on the customer and would reduce innovation in bus provision.</p>	<p>their area.</p> <p>It is proposed that the bus franchising power is removed in the submission to Government. This decision will be reviewed by the Board as necessary. This would not preclude TfSE coming forward with an application for Bus Franchising Powers in the future where there were area wide proposals to improve bus services and that the local transport authorities in whose areas these services would operate were in agreement that such an application should be submitted.</p> <p>Closer partnerships should be sought with the bus companies to ensure that TfSE is able to work with them on key sub-regional issues, such as smart and integrated ticketing.</p>
<p>Introduce smart ticketing schemes</p> <p>Strong support for this power.</p>	<p>No changes to the proposed power</p>
<p>Establish clean air zones</p> <p>Some concern from constituent authorities over how the power would be applied on a regional basis. However, the constituent authorities did not oppose TfSE seeking this power on the basis that it is only used with the consent of, and concurrently with, the relevant authority.</p>	<p>No changes to proposed power.</p> <p>Although there is some concern that this power is outside the remit of an STB, it is clear that air quality is not constrained by local authority boundaries. Additionally, TfSE is clear that reducing emissions is a key priority of the transport strategy. As such, it is proposed that TfSE retains the</p>

<p>Strong support for the power from environmental groups and some residents.</p> <p>Some concern from operators that the power is outside the remit of an STB and should remain as an issue for local transport authorities.</p>	<p>power in the proposal.</p>
<p>Promote or oppose bills in parliament</p> <p>Strong support for this power. Constituent authorities will continue to make use of this power as necessary.</p>	<p>No changes to proposed power</p>
<p>Incidental amendments</p> <p>No comments received</p>	<p>No changes to proposed powers</p>
<p>Additional powers suggested</p> <p>A number of additional powers were suggested in relation to climate change and emissions targets, specifically that TfSE should have a power to 'deliver emissions reductions in line with the amended Climate Change Act'.</p> <p>It has been suggested that TfSE may wish to seek greater powers in relation to assuming a role for the contracting of rail services. This power would not be applied immediately but would be used as TfSE matures as an organisation and in</p>	<p>TfSE will include targets for emissions within the draft Transport Strategy and will set out how it will implement a number of measures that encourage greater protection of the natural environment.</p> <p>The additional rail powers have not been included in the revised draft. They may be a useful addition for TfSE at a future date, when the organisation has sufficiently matured.</p> <p>It is agreed that TfSE should have a formal say in the Rail Enhancements programme and discussions are</p>

<p>response to the outcome of the William’s Rail Review. However, some respondents (including constituent authorities) considered that TfSE should not be seeking these powers.</p> <p>With regard to rail powers, it has also been suggested that TfSE should seek equivalent status in relation to the DfT’s new Rail Networks Enhancement Pipeline and Market-Led Proposals for enhancements to the rail network.</p> <p>Powers to call in planning applications judged to be significant in their impact on transport networks and as appropriate recommend to local planning authorities the conditions and agreements, which they should consider imposing in order to ensure that such developments make proportionate contributions, physical and financial, both to mitigating those impacts and adding reasonable net benefits to those transport networks.</p>	<p>underway with DfT. However, there is no ‘formal’ power attached to this. It is proposed that TfSE would need to implement a MOU with DfT and NR once it secures statutory status to formalise this.</p> <p>As part of the general power, TfSE will be able to comment on planning applications and Local Plans. TfSE will consider whether to seek powers for the ability to call in planning applications as it matures as an organisation.</p>
<p>Powers and responsibilities not being sought</p> <p>It should be clear that the final power in this table, i.e. give directions to a constituent authority about the exercise of transport functions by the authority in their area, specifically relates to the General</p>	<p>Amend the table in paragraph 5.6 to include explicit reference to General Power s102P of Part 5A of the Transport Act 2008.</p>

	Power s102P of Part 5A Transport Act 2008 (power of direction)	
	<p>Other comments</p> <p>Any future powers that TfSE wishes to seek should be subject to discussion and agreement by the Shadow Partnership Board.</p>	<p>Following the award of statutory status, TfSE may wish to give consideration to seeking further powers. It is agreed any further powers would require the full agreement of the Board.</p>
<p>Summary of Support and Engagement – page 17</p> <p>This section will accompany the final submission to Government. It will include a summary of the informal and formal consultation process, along with confirmation that the 16 local transport authorities have provided their formal consent for the submission of the proposal.</p> <p>The section will also include any letters of support obtained from organisations such as the LEPs, businesses and other stakeholders.</p>	<p>No comments received.</p>	<p>Although there are no comments to consider in this section, it will be updated to include reference to the consultation process.</p>

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Appendix 3: Analysis of responses by audience group

The following provides a high level summary of the responses received by audience group.

A full list of consultation responses can be made available to Shadow Partnership Board members on request.

Constituent authorities

1.1 The 14 responses from constituent authorities (including the Berkshire Local Transport Body) were all supportive of the principle of creating a sub-national transport body for the south east and reiterated their strong commitment to remaining active members of the partnership.

1.2 The constituent authorities collectively identified a number of significant benefits that would arise from the creation of the sub-national body, including improved prospects for economic growth, greater influence over national decisions and greater cooperation across local authority and LEP boundaries in the region. It was also recognised that TfSE will act with a single voice on key issues and that the Transport Strategy will provide a regional response to large scale infrastructure projects, such as airport expansion.

1.3 A number of constituent authorities highlighted the important role that TfSE will play in maintaining and enhancing the natural environment in the south east and identified that the STB will need to consider measures to mitigate against climate change, reduce carbon emissions and improve air quality.

1.4 The constituent authorities are supportive of the proposed powers and responsibilities, with many responses noting that the authorities have been central to the drafting process, but there are some caveats that the Shadow Partnership Board are asked to consider:

- The consultation document highlighted that the powers and responsibilities can only be implemented with the consent of the relevant local transport authority and will be concurrent powers. This should be strengthened, specifically in relation to any franchising powers that are requested.
- In addition to this reiteration of the concurrent nature of the powers, it has been requested that the proposal document should incorporate the principle of subsidiarity. This has been implemented in two different, but related ways:
 - That the future aspirations of TfSE will be based on the principle of drawing down further devolved powers from central government, rather than requesting concurrent powers with local transport authorities; and
 - That decisions about the application of the powers sought by TfSE should be taken at the most relevant local level. This supports the principle of consent, which is already strongly embedded within the proposal document.
- Powers that are to be implemented concurrently with the relevant local transport authorities should only be implemented where the decision about the use of those powers is made at the most immediate or local level.

1.5 The constituent authority responses are also supportive of the proposed voting mechanisms. The consent of the relevant local transport authority should be agreed prior to any vote by the Board on a scheme or project.

Local Enterprise Partnerships

1.6 The LEPs are supportive of Transport for the South East and recognise that statutory status will offer greater levels of accountability and greater robustness than the shadow operation. Additionally the LEPs recognise that TfSE will support economic growth and help to secure investment in infrastructure.

1.7 One LEP expressed concern about the proposed powers, particularly the bus franchising power. This is due to the focus on power and ownership rather than the customer needs. The LEP also expresses concern that this power does not align to the overall aim for TfSE. However, other LEPs are supportive of the powers, with one highlighting the need to be ambitious and the need to ensure that innovation and links to productivity growth are not restricted by a lack of powers.

1.8 The LEPs have collectively expressed concern at the proposed voting mechanism and have asked that consideration is given to the role of LEPs and other co-opted member as voting members.

District and Borough Authorities

1.10 The 22 responses from district and borough councils were all strongly supportive of the principle of an STB for the region. They identified many significant benefits, including economic growth, influencing funding decisions for strategic infrastructure projects and the single voice that will lead to better coordination across boundaries. However, they also identified the strong linkages that are needed with planning policy and highlight the need for TfSE to work closely with planning authorities to help support the delivery of Local Plans. The district and borough authorities all clearly support their relevant local transport authority and highlighted that they are keen to work with county councils to ensure alignment on key issues.

1.11 The majority of district and borough authorities supported the functions and powers that are included in the consultation document. However, a small number (2 outright 'no' and two blank responses) did express some concerns about whether the STB should seek powers that are concurrent with local transport authorities. These respondents feel that TfSE should focus on drawing down powers from national government and national agencies rather than duplicating local authorities.

1.12 The need to tackle climate change, reduce emissions and improve air quality was an important element of the responses from the district and borough authorities. It is suggested that TfSE should focus on zero-carbon/sustainable transport, consider rail franchising as a future power and should be a statutory consultee on strategic developments.

1.13 A number of district and borough authorities mentioned specific schemes and projects. The strategic schemes that have been identified will form an important consideration for the draft Transport Strategy, but it is not appropriate for the Proposal to Government to include details on individual priority schemes.

- 1.14 Further issues identified by the district and borough authorities include:
- Potential costs associated with the creation of the statutory body and how this would be funded;
 - More engagement with district and borough authorities and ensuring that their level of representation is appropriate within the TfSE structures. It was suggested that a separate group representing district and boroughs could be formed to input to the Board;
 - More clarity on the scrutiny function, including a suggestion that this should be the role for the district and borough authorities;
 - Voting rights should not be allocated to co-opted members;
 - The need to engage with London and other neighbouring authorities.

Members of Parliament

1.15 Three MPs responded to the consultation exercise, two of which were supportive of the proposal for the creation of an STB. However, it was highlighted that TfSE needs to focus less on economic growth and ensure that it taking measures to tackle climate change and reduce emissions.

1.16 The unsupportive MP highlighted concerns that TfSE would create an additional layer of bureaucracy and that funding would be better directed into transport schemes rather than an additional governance structure.

Operators and International Gateways

1.17 The one response from an international gateway was incredibly supportive of TfSE and the proposed functions. The response from Gatwick Airport recognised that TfSE can support the airport in the delivery of its master plan through proposed functions on rail, road, bus and smart ticketing. The airport is keen to be recognised as a member of TfSE, where it already plays an active role in the Transport Forum.

1.18 Bus operators provided a strong response to the consultation. The responses were broadly supportive of the principle of creating an STB for the region, but there is a strong view that some of the proposed powers go beyond the remit for an STB and take powers away from the local transport authority, who should be responsible for setting local transport policy.

1.19 This is especially true in relation to bus powers, with the greatest levels of concern relating to bus franchising. All the bus operators responded that they have a positive relationship with the relevant transport authority and are best placed to work with the local authority to deliver services that meet the needs of the customer. The bus operators feel that this approach can also bring the greatest levels of innovation.

1.20 The respondents also expressed concern about the other powers that TfSE is seeking on a concurrent basis with the local authorities, including construction of highways and air quality. It is considered that the requested powers have duplicated the TfN proposal, rather than considering the distinct qualities of the south east.

1.21 Some of the respondents in this category are keen that TfSE remains as a partnership body, rather than becoming a statutory function. It is identified that the bus operators have made these observations through the Transport Forum and are keen

to ensure that the feedback from the Forum is fully considered when making decisions.

Protected landscapes and environmental groups

1.22 A number of groups representing the environment and protected landscapes have responded to the consultation on the proposal. There is conditional support for the creation of a statutory STB in the region, but there are a number of concerns and caveats that have been identified with the remit of the body.

1.23 It is recognised that a regional body provides the best level of governance to address cross-boundary transport schemes and to ensure there is a focus on integrated transport solutions. There is a need for assurances that protected landscapes will continue to have a voice on the Partnership Board and that environmental groups, including Local Nature Partnerships, should have more of a role in the governance structures for TfSE.

1.24 It is considered that the focus of TfSE is too strongly directed to the economy rather than a balanced approach to economy, environment and social inclusion. In some cases, the respondents feel that the focus on economy should be dramatically scaled back, with a much stronger message on climate change and environmental protection measures. The vision for TfSE needs to be updated to reflect this and that targets should be set in the strategy for environment and social inclusion. It is also suggested that there should be a statutory remit for decisions that benefit the environment.

1.25 Additionally, it is considered that the document does not recognise the important contribution made to the economy of the south east by protected landscapes. This should specifically recognise the extensive networks of small businesses operating in rural and protected landscapes and the ecosystem services (carbon storage, mitigation of air quality, etc). These examples can be used to demonstrate that economic growth does not need to be at the expense of the environment.

1.26 The need for measures to address climate change and reduce emissions is considered by a number of respondents to be a shortcoming in the document. It is considered that TfSE should demonstrate commitment to a net zero emissions target by 2050 and should also adopt an approach that will lead to net gains to biodiversity. This should also be reflected in the Transport Strategy, which should not follow the traditional 'predict and provide' model, but should adopt a 'vision and validate' approach.

1.27 The powers sought by TfSE are broadly supported, especially general functions, air quality, bus services and grants for public transport facilities. With regard to rail franchising, it is suggested that TfSE needs to be aware of the ongoing William's Rail Review and should as a minimum seek powers to influence the specifications of future rail franchises. There are concerns that TfSE does not include any reference to aviation and the need to reduce emissions from air travel.

1.28 More specific comments relate to drafting issues, such as the need to refer specifically to five areas of outstanding natural beauty (AONBs), and clarification on the wording of some of the powers.

Residents

1.29 There was support in this group for the creation of a statutory body. However, this is largely conditional upon TfSE meeting certain requirements:

- Focus on sustainable economic prosperity, rather than growth at any cost;
- The body should consider strategic needs at a regional level and demonstrate how it will support better integration with national agencies and across various modes;
- It needs to show democratic accountability;
- Sustainable transport solutions need to form a priority for TfSE with a clear focus on reducing emissions;
- Demonstrate best practice in the delivery of net biodiversity gain in all infrastructure delivery;
- It should represent a wider range of stakeholders and be transparent across all meetings and fora; and
- It needs to work closely with neighbouring STBs.

1.30 There was concern relating to the powers requested by TfSE, with additional powers suggested:

- Should be a statutory consultee on major land use and infrastructure proposals;
- Powers to reduce emissions and tackle climate change to ensure net zero emissions by 2050;
- More focus on integrated and sustainable transport solutions
- Address the challenges of freight, i.e. move freight to rail; and
- Have a duty to protect and enhance environmental and historic assets.

1.31 It was suggested that a forum should be formed to take account of stakeholder views. Other respondents suggested that the Transport Forum should have greater representation. This has been addressed through the recent review of the Transport Forum, which recognised the need to engage more widely with environmental and community interest groups.

Private sector

1.32 Although a relatively small group, the private sector respondents were very supportive of the proposal for a statutory STB. They recognised the benefits that TfSE can bring in influencing government investment decisions, in aligning transport planning and land-use planning and in representing the needs of south east residents and businesses to the Government.

1.33 Respondents stressed the need for TfSE to be a responsive and efficient authority, which makes decisions in a timely manner. This is needed to provide the regional business community with certainty and clarity over transport and investment matters. Additionally, it was highlighted that TfSE needs to pay due regard to environmental issues and reduce carbon emissions and the governance structure should reflect this.

- 1.34 Specific comments relating to the requested powers include:
- Functions should be distinctive and separate from existing local authorities and Government Agencies and should focus on policy, coordination and addressing cross-boundary opportunities and issues;
 - TfSE should avoid an exclusive focus on radial and strategic transport corridors and should also consider investment in sub regional schemes to facilitate growth whilst protecting the environment;
 - Concerns from one respondent that smart ticketing would not add value;
 - Suggestions that the air quality power does not go far enough and should include a firm target on reductions in emissions;
 - The proposal should identify and respond to innovation and technological advances that require investment in transport services and infrastructure at a regional level;
 - Need to include a mechanism that will improve the links between land-use planning, new development and transport, including opposing unsuitable developments; and
 - Identify how the Government's Industrial Strategy should be applied in the South East, with a focus on potential transport measures.

1.35 A number of these points, particularly around the sub-regional transport schemes, future transport technology and links to the Industrial Strategy (and Local Industrial Strategies) will be considered as part of the draft Transport Strategy.

1.36 One respondent expressed concern about the population based voting mechanism due to the mismatch across the region. One other respondent requested that the protected landscape board member should have an allocated vote.

Neighbouring Authorities and STBs

1.37 A number of neighbouring authorities (statutory consultees) and other STBs responded to the consultation exercise. They all offered support for the creation of TfSE and expressed willingness to work with TfSE on cross-boundary issues.

1.38 It was recognised that TfSE will need to work closely with neighbouring authorities on connectivity issues that cross boundaries. It is requested that the TfSE governance arrangements reflect the need for early engagement on policies and schemes that have implications for neighbouring areas. Oxfordshire Councils have expressed a desire for closer working relationships, with a seat at the TfSE Partnership Board for the neighbouring authorities and a forward plan of meetings to aid liaison on cross-border projects.

1.38 Some comments were received on the proposed powers. One respondent queried the rationale behind the powers and how they align to the emerging Transport Strategy and how they would work alongside the key issues identified by their STB (e.g. freight and logistics policies, etc). It was also highlighted that there is a need to ensure that there is no duplication in the application of concurrent powers.

1.39 The Transport for London (TfL) response highlights their willingness to continue to engage with the TfSE Transport Forum. In relation to the powers, it highlights that TfSE should have a role in rail and road investment decision making, but that this

should be within the existing processes with the HLOS and RIS set by the appropriate agencies on behalf of the Secretary of State, with TfSE feeding into this in the same manner as TfL currently does. The response also highlights that powers implemented by TfSE should not impact on services within the GLA area without prior agreement and that processes will need to be established to ensure that there is early engagement with neighbouring authorities on issues such as cross boundary schemes, smart ticketing, air quality, etc.

1.40 Neighbouring STBs have identified the need for TfSE to work with them as the proposed powers are adopted, particularly in relation to bus powers and the emerging findings of the William's Rail Review.

User Groups

1.41 A number of cycling and rail user groups responded to the consultation. The majority supported the principle of establishing a sub-national transport for the south east, but there were a number of caveats associated with this. One respondent did not support the creation of an STB as the basis for the organisation is considered to be flawed and focused entirely on roads. One further respondent did not respond to the question regarding support for the statutory proposal.

1.42 The primary concerns arising from the user groups relates to the need for further focus on sustainability measures within the proposal. It was recognised that TfSE can help to improve transport links, but it needs to place a greater emphasis on sustainable modes of transport, particularly cycling, walking and public transport. There was considerable concern that the proposal and current activities of TfSE have focused heavily on roads and it is suggested that TfSE should not take up any further road building.

1.43 The role of the green economy has been missed from the document and this can demonstrate that economic growth does not have to be at the detriment of the environment. There is support for an integrated approach to transport planning and ensuring that schemes do not just offer value for money in financial terms, but also in regard to environmental and social benefits. It is highlighted that any scheme decisions should be evidence based.

1.44 There is concern that the document does not go far enough to align transport planning and land use planning. It is considered that TfSE should have a role to ensure that new housing developments are designed to be supported by public transport, as well as encouraging walking and cycling. The proposed bus powers are supported as a way of reducing the reliance on car based transport, and it is suggested that TfSE may want to consider rail franchising powers. It was also suggested that TfSE should have the power to 'give directions to a constituent authority about the exercise of transport functions by the authority in their area' as this would allow TfSE to challenge constituent authorities in cases where evidence suggests a planning decision might not be sufficiently robust.

1.45 It was also highlighted that whilst TfSE is focused on strategic rail issues, it is important that local services are not forgotten, for example the Island Line on the Isle of Wight.

1.46 One respondent was concerned that the weighted voting mechanism does not give sufficient emphasis on the smaller authorities. It was also highlighted that there needs to be greater representation from environment and public health groups within the TfSE governance structures and regard should be given to ensuring a gender balance on the decision making body.

National Agencies

1.47 Responses were received from Network Rail, Highways England and the Rail Delivery Group. All respondents supported the principle of establishing an STB in the South East.

1.48 Although they have not provided detailed comments at this time, Highways England noted the close working relationship that has been established with TfSE and looked forward to building on that as TfSE evolves.

1.49 Network Rail recognised a number of benefits from the creation of a statutory body for the south east. This includes the ability for the STB to input to future Control Periods and to become the regional liaison point for strategic rail issues. The response also recognises the role that rail can play in helping TfSE to achieve its economic, social and environmental aims and highlights that TfSE is well placed to encourage multi-modal, integrated transport solutions. It highlights that TfSE can play an important role in maintaining an evidence-driven, multi-modal and regional perspective on transport priorities for the region.

1.50 Network Rail also recognised that the proposed rail powers do not impact on its services and will not compromise its existing relationships. It is also noted that they would be neutral on TfSE seeking further rail powers, but notes that TfSE would need to ensure that it has sufficient capacity and capabilities to deliver against any additional powers.

1.51 Rail Delivery Group (RDG) believes that customers would benefit from STBs having greater powers to design and specify local rail services and as such putting the user at the centre of the rail system. RDG has provided a detailed response to the William's Review which would create a new system of customer focused public service contracts. Under these proposed arrangement, there could be a role for STBs to work with an independent organising body to define future structure and rail franchising in the south east.

1.52 To enable this, the RDG response suggests that the proposal should seek a broader remit for transport, including the provision to assume a role in contracting for rail services as TfSE matures as an organisation. This would help to ensure that passenger service contracts are customer focused and have clear local democratic accountability. TfSE should also consider its role in working with rail freight operators and with international gateways. The response highlights that TfSE would need to have the capacity and capabilities prior to utilising any of these suggested functions. Additionally, due to the pan-regional nature of rail services, TfSE will need to work with TfL and neighbouring STBs on these issues.

1.53 It is suggested that TfSE and the SE region would benefit from a short to medium term transport delivery plan, which supports the implementation of the long-term transport strategy.

Other Respondents

1.54 This category includes a range of interest groups, with varied responses on all subjects. Again, there was overall support for the principle of establishing an STB for the South East, but there were a number of caveats. The benefits of establishing an STB primarily relate to the ability to speak with one voice on key issues and to understand the unique nature of the south east as the UK's international gateway. One respondent in this group opposed the proposal for a statutory STB in the region on the basis that it does not help to address the climate emergency.

1.55 A number of these conditions relate to environmental concerns and ensuring that TfSE is able to operate in a way that reduces emissions and does not pursue economic growth at any cost. This reiterates the points included above within the user group section and environmental groups.

1.56 It is considered that the proposal does not place enough emphasis on future transport technology and innovation. TfSE should have the ability to influence rail and bus operators around issues such as electrification, better luggage provision and ensuring coverage of services between stations. There is a need for integrated funding, i.e. road and rail considered collectively, and TfSE should influence the DfT on this issue.

1.57 TfSE should approve local transport authority plans for highways, but should not hold the powers. Additional powers are suggested around climate change targets and the ability to borrow money from central government or the EU to implement initiatives on sustainable travel. One respondent conditionally supported a number of the concurrent powers on the basis that the principle of subsidiarity will be applied and decisions on the use of the powers will be made at the most appropriate level.

1.58 There were some concerns about the governance structures, with one respondent querying the composition of the Board. It was considered that there was too much emphasis given to Local Transport Authorities and LEPs, with insufficient involvement from public health, rail and bus operators, ports and parish councils. Additionally, the Transport Forum should have a greater level of influence and should involve a wider cross sector of interested groups, including end users and environmental groups.

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Proposal to Government

Final Draft

September 2019

1. Executive summary

- 1.1 Transport for the South East is a sub-national transport body (STB) established to speak with one voice on the strategic transport priorities for the South East region.
- 1.2 Our aim is to grow the South East's economy by delivering a safe, sustainable, and integrated transport system that makes the South East area more productive and competitive, improves the quality of life for all residents, and protects and enhances its natural and built environment.
- 1.3 By operating strategically across the South East on transport infrastructure – a role that no other organisation currently undertakes on this scale – we will directly influence how and where money is invested and drive improvements for the travelling public and for businesses in a region which is the UK's major international gateway.
- 1.4 Already we are commanding the attention of government, facilitating greater collaboration between South East local authorities, local enterprise partnerships (LEPs) and government to shape our region's future.
- 1.5 Our proposal has been developed in partnership with TfSE's members and stakeholders and represents a broad consensus on the key issues facing the region and the powers required to implement our transport strategy.
- 1.6 Our members and stakeholders are clear that a statutory sub-national transport body for the South East is vital if we are to successfully:
 - Increase our influence with Government and key stakeholders;
 - Invest in pan-regional strategic transport corridors;
 - Deliver sustainable economic growth, while protecting and enhancing the environment, reducing emissions and promoting social inclusion; and
 - Enable genuinely long-term planning.
- 1.7 We have only proposed those powers for TfSE which are proportionate and will be effective in helping us achieve our strategic aims and objectives, complementing and building on the existing powers of local authorities.
- 1.8 These powers would enable us to deliver significant additional value at regional level through efficient and effective operational delivery, better coordination of pan-regional schemes and the ability to directly influence and inform national investment programmes.

2. The Ambition

“By 2050, the South East 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 give our residents and visitors the highest quality of life.”

Transport for the South East **2050** vision statement

- 2.1 Transport for the South East (TfSE) was established in shadow form in June 2017. In the short period since, we have emerged as a powerful and effective partnership, bringing together 16 local transport authorities, five local enterprise partnerships and other key stakeholders including protected landscapes, transport operators, district and borough authorities and national agencies to speak with one voice on the region’s strategic transport needs.
- 2.2 Our vision is underpinned by three strategic goals, which align to the three pillars of sustainable development:
 - improve productivity and attract investment to grow our economy and better compete in the global marketplace;
 - improve health, safety, wellbeing, quality of life, and access to opportunities for everyone; and
 - protect and enhance the South East’s unique natural and historic environment.
- 2.3 Our transport strategy, which covers the period to 2050, will form the basis for achieving that vision. *It will deliver sustainable economic growth across the South East, whilst taking account of the social and environmental impacts of the proposals outlined in the strategy.*
- 2.4 TfSE has already, in shadow form, added considerable value in bringing together partners and stakeholders to work with Government on key strategic issues, securing positive outcomes for the region in the Roads Investment Strategy 2 and Major Road Network, influencing rail franchising discussions and providing collective views on schemes such as southern and western rail access to Heathrow.
- 2.5 The requirements within our proposal seek to provide TfSE with the initial functions and powers to move to the next stage of our development – to begin delivering the transport strategy and realising the benefits that a high quality, sustainable and integrated transport system can unlock for people, businesses and the environment.

- 2.6 We are clear that we only seek those powers and functions which are necessary to deliver our strategy and achieve our vision. Our requirements differ from those of other STBs and reflect the different geographic, economic, political, social and environmental characteristics of our region and the strategic objectives of TfSE and its partners.
- 2.7 We are only seeking powers that are applicable to a sub-national transport body as outlined by the legislation. There are many other bodies that have environmental and economic remits beyond those held by an STB and it will be essential that we work with these partners to deliver sustainable economic growth across the south east.

3. The Strategic and Economic Case

The Transport for the South East area

- 3.1 The South East is already a powerful motor for the UK economy, adding more than £200 billion to the economy in 2015 – second only to the contribution made by London and more than Scotland, Wales and Northern Ireland combined.
- 3.2 It is home to 7.5m people and 329,000 businesses including some of the world's biggest multinationals as well as a large number of thriving, innovative SMEs. It is a world leader in knowledge intensive, high value industries including advanced engineering, biosciences, financial services and transport and logistics.
- 3.3 The South East area includes both of the nation's busiest airports in Heathrow and Gatwick, a string of major ports including Southampton, Dover and Portsmouth, many of the country's most vital motorways and trunk roads and crucial railway links to London, the rest of Britain and mainland Europe.



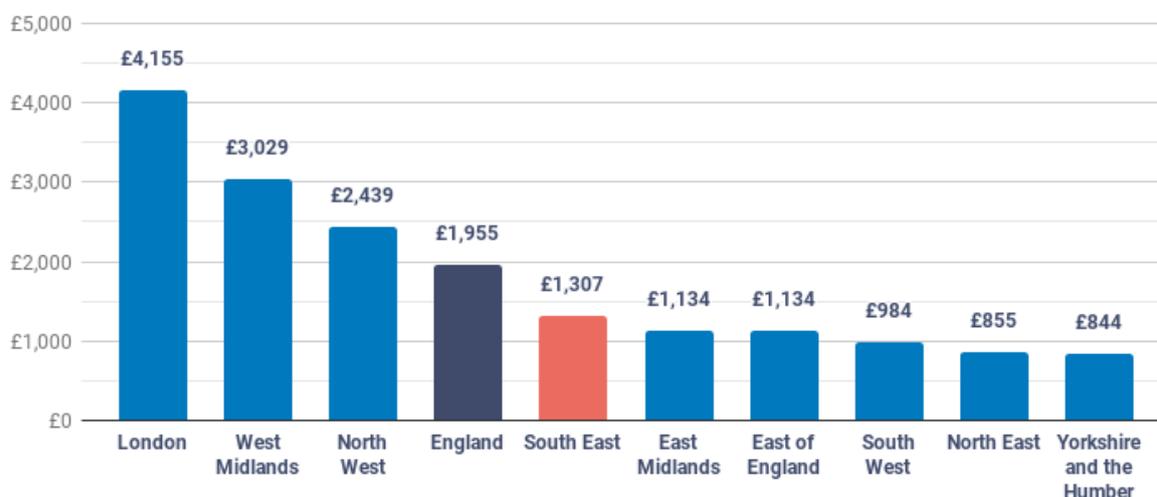
- 3.4 The South East's international gateways support the economic wellbeing of the whole of the UK. As we withdraw from the European Union, they will be integral to supporting a thriving, internationally facing economy.
- 3.5 Half of all freight passing through Dover going on to other parts of the country. Southampton sees £71 billion of international trade each year and Portsmouth handles two million passengers a year. More than 120 million air passenger a year use Gatwick, Southampton and Heathrow airports.
- 3.6 Our people and infrastructure are not our only assets. With two national parks, **five** areas of outstanding natural beauty and much of the region allocated as green belt, the South East draws heavily on its unique and varied natural environment for its success. It offers outstanding beaches, historic towns,

dynamic cities and unparalleled links to London, the UK, Europe and the rest of the world. It is, in short, an amazing place to live, work and visit.

The scale of the challenge and why change is needed

- 3.7 But we face a real challenge. Despite these enviable foundations – and in some cases because of them – our infrastructure is operating beyond capacity and unable to sustain ongoing growth.
- 3.8 Despite the economic importance of the region to the UK economy, contributing almost 15% of UK GVA (2015), the South East has seen continued underinvestment in transport infrastructure with a per capita spend that is significantly below the England average and a third of that in London.

Planned transport infrastructure spending per head



Source: IPPR North analysis of planned central and local public/private transport infrastructure spending per capita 2017/19 onwards (real terms 2016/17 prices)

- 3.9 So while transport links to and from the capital are broadly good, elsewhere connectivity can be poor – even between some of our region’s major towns and cities. Train journey times between Southampton and Brighton (a distance of around 70 miles) are only marginally less than the fastest train journeys between London and Manchester. The corresponding journey on the A27 includes some of the most congested parts of the South East’s road network.
- 3.10 Underinvestment in road and rail infrastructure is making life harder for our residents and businesses. New housing provision is being hampered by the lack of adequate transport infrastructure. In our coastal communities, lack of access to areas of employment and further education and higher education are major contributors to high unemployment and poor productivity.
- 3.11 The social geography of the South East is varied. The South East area is home to some of the most prosperous and productive areas of the country, but also contains significant areas of deprivation. Improving transport connectivity can help reduce the likelihood of deprivation, but this cannot be considered in

isolation and needs to work alongside other important factors, such as improving skills levels.

- 3.12 The South East has a varied and highly valued natural environment. Significant parts of the South East area are designated as National Parks, Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest. The environmental assets of the South East help make the South East area an attractive place to live, work and visit, as well as providing an important contribution to the economy. The future development of the South East area and its transport network will need to be managed to minimise any potential adverse impact and where possible enhance these natural assets.
- 3.13 The South East area faces several significant environmental challenges in the future. There are a significant number of Air Quality Management Areas in place across the South East area. These areas have been established to improve air quality and reduce the harmful impact of Nitrogen Oxides (NOx), Sulphur Oxides (SOx), and particulates on human health and the natural environment. Transport – particularly road transport – is one of the largest contributors to poor air quality in the South East area. Transport therefore has a significant role to play in improving air quality. Noise pollution is also a significant issue, particularly for communities located close to the Strategic Road Network.
- 3.14 The South East also has a significant role to play in tackling climate change. The South East accounts for 12% of the United Kingdom’s greenhouse gas emissions. In 2018, transport accounted for a third of the United Kingdom’s greenhouse gas emissions.
- 3.15 These are challenges that extend beyond administrative and political boundaries. They require TfSE to have the powers to effectively join up transport policy, regulation and investment and provide clear, strategic investment priorities which will improve connectivity into and across the region, boost the economy and improve the lives of millions.

The powers to achieve our vision

- 3.16 To enable us to achieve our vision through the efficient and effective delivery of the transport strategy, we propose that a range of functions exercisable by a local transport authority, passenger transport executive or mayoral combined authority are included in the regulations to establish TfSE on a statutory footing.
- 3.17 We have only sought those powers which we believe are proportionate and will be effective in helping us achieve our strategic aims and objectives, complementing and building on the existing powers of local authorities. The powers will be sought in a way which means they will operate concurrently with – and only with the consent of – the constituent authorities.
- 3.18 These powers would enable us to deliver significant additional value at regional level in three key areas:
- **Strategic influence:** Speaking with one voice and with the benefit of regional scale and insight to influence the development of national

investment programmes; a trusted partner for government, Network Rail and Highways England.

- **Coordination:** Developing solutions which offer most benefit delivered on a regional scale; working with partners and the market to shape the development of future transport technology in line with regional aspirations.
- **Operational:** Accelerating the delivery of schemes and initiatives which cross local authority boundaries, ensuring strategic investment happens efficiently and that the benefits for residents and businesses are realised as soon as possible.

The benefits of establishing TfSE as a statutory body

3.19 One voice for strategic transport in the South East

TfSE will provide a clear, prioritised view of the region's strategic transport investment needs. We already offer an effective mechanism for Government to engage with local authorities and LEPs in the region; statutory status would take that a step further, enabling us to directly inform and influence critical spending decisions by Government and key stakeholders including Highways England and Network Rail.

3.20 Facilitating sustainable economic growth

The transport strategy will facilitate the delivery of jobs, housing and growth across the South East and further build on our contribution to UK GVA. Implementation of strategic, cross-boundary schemes, particularly investment in the orbital routes, will connect economic centres and international gateways for the benefit of people and businesses, regionally and nationally. TfSE also offers a route to engage with other sub-national transport bodies and Transport for London on wider cross-regional issues.

However, this cannot be growth at any cost. The implementation of the transport strategy must ensure that the region's high quality environmental assets are protected and, where possible, enhanced, as well as improving health, safety, wellbeing, quality of life, and access to opportunities for everyone.

3.21 Delivering benefits for the travelling public

TfSE can support the efficient delivery of pan-regional programmes that will offer considerable benefits to the end user – for example, integrated travel solutions combined with smart ticketing will operate more effectively at a regional scale and can best be facilitated by a regional body than by individual organisations.

3.22 Local democratic accountability

Our transport strategy will be subject to public consultation and will, in its final form, provide a clear, prioritised view of investments agreed by all the South East's local transport authorities and with input from passengers, businesses and the general public. Delivery of the strategy will be led by the Partnership Board, comprising elected members and business leaders with a direct line of accountability to the people and organisations they represent.

3.23 Achieving the longer term vision

Securing statutory status offers TfSE the permanence and security to deliver the transport strategy to 2050, providing a governance structure that matches the lifecycle of major infrastructure projects. It will provide confidence to funders, enable us to work with the market to ensure the deliverability of priority schemes and support development of the skills needed to design, build, operate and maintain an improved transport network.

4. Constitutional arrangements

Requirements from legislation

Name

- 4.1 The name of the sub-national transport body would be 'Transport for the South East ("TfSE")' and the area would be the effective boundaries of our 'constituent members'.

Members

- 4.2 The membership of the STB is listed below:

Bracknell Forest Borough Council
Brighton and Hove City Council
East Sussex County Council
Hampshire County Council
Isle of Wight Council
Kent County Council
Medway Council
Portsmouth City Council
Reading Borough Council
Royal Borough of Windsor and Maidenhead Council
Slough Borough Council
Southampton City Council
Surrey County Council
West Berkshire Council
West Sussex County Council
Wokingham Borough Council

Partnership Board

- 4.3 The current Shadow Partnership Board is the only place where all 'constituent members' are represented at an elected member level¹. Therefore this Board will need to have a more formal role, including in ratifying key decisions. This would effectively become the new 'Partnership Board' and meet at least twice per annum. The Partnership Board could agree through Standing Orders if it prefers to meet more regularly.
- 4.4 Each constituent authority will appoint one of their councillors / members or their elected mayor as a member of TfSE on the Partnership Board. Each constituent authority will also appoint another one of their councillors / members or their elected mayor as a substitute member (this includes directly elected mayors as under the Local Government Act 2000). The person appointed would be that authority's elected mayor or leader, provided that, if responsibility for transport has been formally delegated to another member of the authority, that member may be appointed as the member of the Partnership Board, if so desired.

¹ The six constituent members of the Berkshire Local Transport Body (BLTB) will have one representative between them on the Partnership Board.

- 4.5 The Partnership Board may delegate the discharge of agreed functions to its officers or a committee of its members in accordance with a scheme of delegation or on an ad hoc basis. Further detail of officer groups and a list of delegations will be developed through a full constitution.

Co-opted members

- 4.6 TfSE proposes that governance arrangements for a statutory STB should maintain the strong input from our business leadership, including LEPs, **district and borough authorities and protected landscapes**. The regulations should provide for the appointment of persons who are not elected members of the constituent authorities but provide highly relevant expertise to be co-opted members of the Partnership Board.
- 4.7 A number of potential co-opted members are also set out in the draft legal proposal. Co-opted members would not automatically have voting rights but the Partnership Board can resolve to grant voting rights to them on such issues as the Board considers appropriate, for example on matters that directly relate to co-opted members' areas of interest.

Chair and vice-chair

- 4.8 The Partnership Board will agree to a chair and vice-chair of the Partnership Board. The Partnership Board may also appoint a single or multiple vice-chairs from the constituent members. Where the chair or vice-chair is the representative member from a constituent authority they will have a vote.

Proceedings

- 4.9 It is expected that the Partnership Board will continue to work by consensus but to have an agreed approach to voting where consensus cannot be reached and for certain specific decisions.
- 4.10 A number of voting options were considered to find a preferred option that represents a straightforward mechanism, reflects the characteristics of the partnership and does not provide any single authority with an effective veto. We also considered how the voting metrics provide a balance between county and other authorities, urban and rural areas and is resilient to any future changes in local government structures.
- 4.11 The steering group considered these options and preferred the population weighted option based on the population of the constituent authority with the smallest population (the Isle of Wight with 140,000 residents).
- 4.12 This option requires that the starting point for decisions will be consensus; if that cannot be achieved then decisions will require a simple majority of those constituent authorities who are present and voting. The decisions below will however require both a super-majority, consisting of three quarters of the weighted vote in favour of the decision, and a simple majority of the constituent authorities appointed present and attending at the meeting:
- (i) The approval and revision of TfSE's transport strategy;
 - (ii) The approval of the TfSE annual budget;
 - (iii) Changes to the TfSE constitution.

The population weighted vote would provide a total of 54 weighted votes, with no single veto. A table showing the distribution of votes across the constituent authorities is set out in Appendix 1. This option reflects the particular circumstances of TfSE, being based on the population of the smallest individually represented constituent member who will have one vote, and only a marginally smaller proportionate vote. It is considered that this option is equitable to all constituent authority members, ensures that the aim of decision making consensus remains and that smaller authorities have a meaningful voice, whilst recognising the size of the larger authorities in relation to certain critical issues.

4.13 The population basis for the weighted vote will be based on ONS statistics from 2016 and reviewed every ten years.

4.14 As outlined in paragraph 4.7, co-opted members would not automatically have voting rights but the Partnership Board can resolve to grant voting rights to them on such issues as the Board considers appropriate, for example on matters that directly relate to co-opted members' areas of interest. The current shadow arrangements to allocate votes to co-opted Board members are working well, recognising the important contribution that these members bring on environmental, economic and social issues. It would be strongly recommended that the Statutory Body would continue with these arrangements.

4.15 The Partnership Board is expected to meet twice per year. Where full attendance cannot be achieved, the Partnership Board will be quorate where 50% of constituent members are present.

Scrutiny committee

4.16 TfSE will appoint a scrutiny committee to review decisions made or actions taken in connection with the implementation of the proposed powers and responsibilities. The committee could also make reports or recommendations to TfSE with respect to the discharge of its functions or on matters relating to transport to, from or within TfSE's area.

4.17 Each constituent authority will be entitled to appoint a member to the committee and a substitute nominee. Such appointees cannot be otherwise members of TfSE including the Partnership Board.

Standing orders

4.18 TfSE will need to be able to make, vary and revoke standing orders for the regulation of proceedings and business, including that of the scrutiny committee. This will ensure that the governance structures can remain appropriate to the effective running of the organisation.

4.19 In regards to changing boundaries and therefore adding or removing members, TfSE would have to make a new proposal to Government under Section 102Q of the Local Transport Act 2008 and require formal consents from each constituent authority.

Miscellaneous

- 4.20 It may be necessary that certain additional local authority enactments are applied to TfSE as if TfSE were a local authority, including matters relating to staffing arrangements, pensions, ethical standards and provision of services etc. These are set out in the draft legal proposal.
- 4.21 TfSE also proposes to seek the functional power of competence as set out in section 102M of the Local Transport Act 2008.
- 4.22 TfSE will consider options for appointing to the roles of a Head of Paid Service, a Monitoring Officer and a Chief Finance Officer whilst considering possible interim arrangements.

Funding

- 4.23 TfSE has raised local contributions from the constituent authorities and has secured grant funding from the Department for Transport to support the development of the Transport Strategy.
- 4.24 TfSE will work with partners and the Department for Transport to consider a sustainable approach to establishing the formal STB and effectively and expeditiously as possible, bearing in mind the considerable support among regional stakeholders for TfSE's attainment of statutory status.

Governance: Transport Forum and Senior Officer Group

- 4.23 The Partnership Board will appoint a Transport Forum. This will be an advisory body to the Senior Officer Group and Partnership Board, comprising a wider group of representatives from user groups, operators, District and Borough Councils as well as Government and National Agency representatives.
- 4.24 The Transport Forum will meet quarterly and be chaired by an independent person appointed by the Partnership Board. The Transport Forum may also appoint a vice-chair for the Transport Forum, who will chair the Transport Forum when the chair is not present.
- 4.25 The Transport Forum's terms of reference will be agreed by the Partnership Board. It is envisaged that the Transport Forum will provide technical expertise, intelligence and information to the Senior Officer Group and the Partnership Board.
- 4.26 The Partnership Board and Transport Forum will be complemented by a Senior Officer Group representing members at officer level providing expertise and co-ordination to the TfSE programme. The Senior Officer Group will meet monthly.

5. Functions

TfSE's proposal is to become a statutory sub-national transport body as set out in section part 5A of the Local Transport Act 2008.

General functions

- 5.1 Transport for the South East proposes to have the 'general functions' as set out in Section 102H (1) including:
- a. to prepare a transport strategy for the area;
 - b. to provide advice to the Secretary of State about the exercise of transport functions in relation to the area (whether exercisable by the Secretary of State or others);
 - c. to co-ordinate the carrying out of transport functions in relation to the area that are exercisable by different constituent authorities, with a view to improving the effectiveness and efficiency in the carrying out of those functions;
 - d. if the STB considers that a transport function in relation to the area would more effectively and efficiently be carried out by the STB, to make proposals to the Secretary of State for the transfer of that function to the STB; and
 - e. to make other proposals to the Secretary of State about the role and functions of the STB. (2016, 102H (1))5.
- 5.2 The general functions are regarded as the core functions of a sub-national transport body and will build on the initial work of TfSE in its shadow form. To make further proposals to the Secretary of State regarding constitution or functions, Transport for the South East will need formal consents from each 'constituent member'.
- 5.3 Transport for the South East recognises that under current proposals the Secretary of State will remain the final decision-maker on national transport strategies, but critically that the Secretary of State must have regard to a sub-national transport body's statutory transport strategy. This sets an important expectation of the strong relationship Transport for the South East aims to demonstrate with Government on major programmes like the Major Road Network and Railway Upgrade Plan.

Local transport functions

- 5.4 Initial work has identified a number of additional powers that Transport for the South East may require that will support the delivery of the transport strategy. The table below provides an assessment of these functions.
- 5.5 **The powers which are additional to the general functions relating to STBs will be requested in a way that means they will operate concurrently and with the consent of the constituent authorities.**
- 5.6 To support the principle of consent, TfSE will adopt three further principles:
- That future operations of TfSE should, where possible, seek to draw down powers from central government, rather than seek concurrent powers with the local transport authorities;

- That decisions on the implementation of the powers are made at the most immediate (or local) level, i.e. by constituent authorities in the particular area affected; and
- Consent from the relevant constituent authorities will be obtained in advance of any Partnership Board decision on a particular scheme or project.

5.7 This approach will help to ensure that TfSE complements and supports the work of the constituent authorities and enables TfSE to promote and expedite the delivery of regionally significant cross-boundary schemes

Table 1: Proposed powers and responsibilities

POWER	RATIONALE
General functions	
<p>Section 102 H of the Local Transport Act 2008</p> <p>Prepare a transport strategy, advise the Secretary of State, co-ordinate the carrying out of transport functions, make proposals for the transfer of functions, make other proposals about the role and functions of the STB.</p>	<p>This legislation provides the general powers required for TfSE to operate as a statutory sub-national transport body, meeting the requirements of the enabling legislation to facilitate the development and implementation of a transport strategy to deliver regional economic growth.</p> <p>Government at both national and local level recognises that the solutions required to deliver regional economic growth are best identified and planned for on a regional scale by those who best understand the people and businesses who live and work there.</p>
Rail	
<p>Right to be consulted about new rail franchises</p> <p><i>Section 13 of the Railways Act 2005 – Railway Functions of Passenger Transport Executives</i></p>	<p>We are seeking the extension of the right of a Passenger Transport Executive to be consulted before the Secretary of State issues an invitation to tender for a franchise agreement.</p> <p>The right of consultation is significant to TfSE as it confirms our role as a strategic partner, enabling us to influence future rail franchises to ensure the potential need for changes to the scope of current services and potential new markets identified by TfSE are considered.</p> <p>TfSE is uniquely placed to provide a regional perspective and consensus on the priorities for rail in its area. This would benefit central government as a result of the vastly reduced need for consultation with individual authorities.</p> <p>We recognise that changes to the current franchising model are likely following the Williams Review; regardless of these changes, TfSE is clear that it should have a role in shaping future rail service provision.</p>
<p>Set High Level Output Specification (HLOS) for Rail</p> <p><i>Schedule 4A, paragraph 1D, of the Railways Act 1993</i></p>	<p>TfSE requires a strong, formal role in rail investment decision making over and above that which is available to individual constituent authorities. We act as the collective voice of our constituent authorities, providing an evidence-based regional perspective and consensus on the priorities for investment in our rail network.</p> <p>This power would enable TfSE to act jointly with the Secretary of State to set and vary the HLOS in our area, ensuring TfSE's aspirations for transformational investment in rail infrastructure are reflected in the HLOS and enabling an integrated approach across road and rail investment for the first time.</p>

Highways	
<p>Set Road Investment Strategy (RIS) for the Strategic Road Network (SRN)</p> <p><i>Section 3 and Schedule 2 of the Infrastructure Act 2015</i></p>	<p>TfSE requires a strong, formal role in roads investment decision making over and above that which is available to individual constituent authorities. We act as the collective voice of our constituent authorities, providing an evidence-based regional perspective and consensus on the priorities for roads investment.</p> <p>This power would enable TfSE to act jointly with the Secretary of State to set and vary the RIS in our area, ensuring TfSE's aspirations for transformational investment in road infrastructure are reflected in the RIS and enabling an integrated approach across road and rail investment for the first time.</p>
<p>Enter into agreements to undertake certain works on Strategic Road Network, Major Road Network or local roads</p> <p><i>Section 6(5) of the Highways Act 1980, (trunk roads) & Section 8 of the Highways Act 1980 (local roads)</i></p>	<p>We are seeking the power that local highway authorities currently have to enter into an agreement with other highway authorities to construct, reconstruct, alter, improve or maintain roads.</p> <p>These powers, operated concurrently with the local authorities, will enable TfSE to promote and expedite the delivery of regionally significant cross-boundary schemes that otherwise might not be progressed. They would overcome the need for complex 'back-to-back' legal and funding agreements between neighbouring authorities and enable us to reduce scheme development time and overall costs.</p>
<p>Acquire land to enable construction, improvement, or mitigate adverse effects of highway construction</p> <p><i>Sections 239,240,246 and 250 of the Highways Act 1980</i></p>	<p>This power, exercisable concurrently and only with the consent of the relevant highway authority, would allow preparations for the construction of a highways scheme to be expedited where highway authorities are not in a position to acquire land.</p> <p>Land acquisition by TfSE could facilitate quicker, more efficient scheme delivery, bringing forward the economic and broader social and environmental benefits. In the event that it is not possible to prevent environmental impact on the site of the scheme or project, consideration will be given to appropriate compensation/mitigation measures.</p>
<p>Construct highways, footpaths, bridleways</p> <p><i>Sections 24,25 & 26 of the Highways Act 1980</i></p>	<p>The concurrent powers required to effectively promote, coordinate and fund road schemes are vital to TfSE. Without them, we would not be able to enter into any contractual arrangement in relation to procuring the construction, improvement or maintenance of a highway or the construction or improvement of a trunk road.</p> <p>Granting of these powers would enable TfSE directly to expedite the delivery of regionally significant road schemes that cross constituent authority boundaries</p>

	that otherwise might not be progressed.
Make capital grants for public transport facilities	
<p>Make capital grants for the provision of public transport facilities</p> <p><i>Section 56(2) of the Transport Act 1968</i></p>	<p>This concurrent power would enable TfSE to support the funding and delivery of joint projects with constituent local authorities, improving deliverability and efficiency.</p> <p>Constituent authorities would benefit from the granting of this concurrent power as they may, in future, be recipients of funding from TfSE to partly or wholly fund a transport enhancement within their local authority area.</p>
Bus service provision	
<p>The power to secure the provision of such public passenger transport services as they consider it appropriate to secure to meet any public transport requirements within their area which would not in their view be met apart from any action taken by them for that purpose.</p> <p><i>Paragraph 4 of Section 63 Transport Act 1985</i></p>	<p>Local transport authorities and integrated transport authorities have the power to secure the provision of such public passenger transport services as it considers appropriate and which would not otherwise be provided.</p> <p>Travel-to-work areas do not respect local authority boundaries. TfSE is seeking to have this power concurrently with the local transport authorities in our area, enabling us to fill in identified gaps in bus service provision within our geography or secure the provision of regionally important bus services covering one or more constituent authority areas which would not otherwise be provided.</p>
<p>Quality Bus Partnerships</p> <p><i>The Bus services Act 2017 Sections 113C – 113O & Sections 138A – 138S</i></p>	<p>TfSE is seeking powers, currently available to local transport authorities and integrated transport authorities, to enter into Advanced Quality Partnerships and Enhanced Partnership Plans and Schemes to improve the quality of bus services and facilities within an identified area. These powers would be concurrent with the local transport authority in the area.</p> <p>This would allow us to expedite the introduction of partnership schemes covering more than one local transport authority area which otherwise might not be introduced.</p>
Smart ticketing	
<p>Introduce integrated ticketing schemes</p> <p><i>Sections 134C- 134G & Sections 135-138 Transport Act 2000</i></p>	<p>We are seeking powers concurrently with local transport authorities to enable TfSE to procure relevant services, goods, equipment and/or infrastructure; enter into contracts to deliver smart ticketing and receive or give payments.</p> <p>This would enable us to expedite the introduction of a cost effective smart and integrated ticketing system on a regional scale which would dramatically enhance the</p>

	<p>journey experience and increase access to transport to support jobs and education.</p>
<p>Air quality</p>	
<p>Establish Clean Air Zones</p> <p><i>Sections 163-177A of the Transport Act 2000 – Road User Charging</i></p>	<p>Local transport authorities and integrated transport authorities have the power under the Transport Act 2000 to implement road charging schemes.</p> <p>TfSE is seeking this general charging power as a mechanism for the introduction of Clean Air Zones, enabling reduced implementation and operating costs across constituent authority boundaries. This will be subject to the consent of the local transport authority.</p> <p>Transport is a major contributor to CO2 emissions and poor air quality; these are increasingly critical issues which our transport strategy will seek to address.</p>
<p>Other powers</p>	
<p>Promote or oppose Bills in Parliament</p> <p><i>Section 239 Local Government Act 1972</i></p>	<p>Local authorities have the power to promote or oppose Bills in Parliament; granting the power concurrently to TfSE reflects the devolution agenda of which STBs are a key part.</p> <p>Under the Transport and Works Act 1992, a body that has power to promote or oppose bills also has the power to apply for an order to construct or operate certain types of infrastructure including railways and tramways.</p> <p>Granting of this power would enable TfSE to promote, coordinate and fund regionally significant infrastructure schemes, accelerating delivery of cross-boundary schemes which might otherwise not be progressed.</p>
<p>Incidental amendments</p> <p><i>Local Government Act 1972, Localism Act 2011, Local Government Pension Scheme Regulations 2013</i></p>	<p>A statutory STB requires certain incidental amendments to enable it to operate as a type of local authority, with duties in respect of staffing, pensions, monitoring and the provision of information about TfSE.</p> <p>The incidental amendments sought are listed below in Appendix 2.</p>

Powers and responsibilities not being sought

5.8 Transport for the South East does not propose seeking the following functions/powers:

POWER	RATIONALE
Set priorities for local authorities for roads that are not part of the Major Road Network (MRN)	TfSE will only be responsible for identifying priorities on the MRN
Being responsible for any highway maintenance responsibilities	There is no intention of TfSE becoming involved in routine maintenance of MRN or local roads
Carry passengers by rail	There are no aspirations for TfSE to become a train operating company
Take on any consultation function instead of an existing local authority	Local authorities are best placed to seek the views of their residents and businesses
Give directions to a constituent authority about the exercise of transport functions by the authority in their area (General Power s102P of Part 5A of the Transport Act 2008)	Constituent authorities understand how best to deliver their transport functions to meet the needs of their residents and businesses

5.9 The Williams Rail Review, to which TfSE have submitted a response, could recommend significant changes to the structure of the rail industry, including the role of STBs in both operations and infrastructure enhancement. As a result, we will keep the following functions under review pending Williams' recommendations and subsequent White Paper.

POWER	RATIONALE
Act as co-signatories to rail franchises	There are no current aspirations for TfSE to become involved in this area.
Be responsible for rail franchising	

6. Summary of support and engagement

- 6.1 Transport for the South East consulted on the draft proposal between 7 May 2019 and 31 July 2019. The consultation resulted in 96 responses from a wide range of stakeholders, including a number of local interest groups and members of the public.
- 6.2 An overwhelming number of respondents offered support for the creation of a statutory sub-national transport body in the south east. There were many, varied reasons for this support including:
- Opportunity for TfSE to speak with 'one-voice' to identify regional priorities and influence the investment decisions of central government and national agencies;
 - Greater focus on integrated transport solutions, developing multi-modal solutions that improve the end user experience;
 - Offering a greater level of democratic accountability; and
 - The ability to accelerate delivery of long-term, strategic infrastructure schemes.
- 6.3 A number of amendments have been made to the final draft proposal to reflect the comments raised by respondents to the consultation:
- Greater emphasis on environmental protection, climate change and social inclusion (sections 2 and 3);
 - Principle of subsidiarity and consent (para 5.6);
 - Governance (para 4.14); and
 - Bus and rail powers (section 5).
- 6.4 TfSE will seek consent from its constituent authorities and the final draft Proposal will be endorsed by the Shadow Partnership Board prior to submission to Government.
- 6.5 The final submission to Government will include a summary of engagement activities, including a list of the organisations engaged in the process and an appendix with a number of letters of support from key organisations and businesses.

Appendix 1: Distribution of votes

TfSE constituent authorities	Population ²	Number of votes ³
Brighton and Hove City Council	287,173	2
East Sussex County Council	549,557	4
Hampshire County Council	1,365,103	10
Isle of Wight Council	140,264	1
Kent County Council	1,540,438	11
Medway Council	276,957	2
Portsmouth City Council	213,335	2
Southampton City Council	250,377	2
Surrey County Council	1,180,956	8
West Sussex County Council	846,888	6
<i>Bracknell Forest Council</i>	<i>119,730</i>	
<i>Reading Borough Council</i>	<i>162,701</i>	
<i>Royal Borough of Windsor & Maidenhead</i>	<i>149,689</i>	
<i>Slough Borough Council</i>	<i>147,736</i>	
<i>West Berkshire Council</i>	<i>158,576</i>	
<i>Wokingham Borough Council</i>	<i>163,087</i>	
Berkshire Local Transport Body (total)	901,519	6
Total	7,552,567	54

² Population as per ONS 2016 estimates

³ Number of votes = population/140,000 (the population of constituent authority with the smallest population, this being the Isle of Wight)

Appendix 2: List of incidental powers sought

This appendix sets out the incidental amendments that will be needed to existing legislation. They include areas relating to the operation of TfSE as a type of local authority with duties in respect of staffing, pensions, transparency, monitoring and the provision of information about TfSE.

(1) Section 1 of the Local Authorities (Goods and Services) Act 1970 has effect as if TfSE were a local authority for the purposes of that section.

(2) The following provisions of the Local Government Act 1972 have effect as if TfSE were a local authority for the purposes of those provisions—

- (a) section 101 Arrangements for discharge of functions by local authorities
- (b) section 111 (subsidiary power of local authorities);
- (c) section 113 (secondment of staff)
- (d) section 116 (member of TfSE not to be appointed as officer);
- (e) section 117 (disclosure by officers of interests in contracts);
- (f) section 135 (standing orders for contracts);
- (g) section 142(2) (provision of information);
- (h) section 222 (power to investigate and defend legal proceedings);
- (i) section 239 (power to promote or oppose a local or personal Bill).

(4) Sections 120, 121 and 123 of that Act (acquisition and disposal of land) have effect as if—

- (a) TfSE were a principal council;
- (b) section 120(1)(b) were omitted;
- (c) section 121(2)(a) were omitted.

(5) Section 29 of the Localism Act 2011 (registers of interests) has effect as if—

- (a) TfSE were a relevant authority, and
- (b) references to “the monitoring officer” were references to an officer appointed by TfSE for the purposes of that section.

(6) In the Local Government Pension Scheme Regulations 2013—

- (a) in Schedule 2 (scheme employers), in Part 2 (employers able to designate employees to be in scheme), after paragraph 14 insert—
“15. Transport for the South East.”;
- (b) in Schedule 3 (administering authorities), in the table in Part 2 (appropriate administering authorities for categories of scheme members), at the end insert—

“An employee of Transport for the South East	East Sussex County Council”
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(7) The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 have effect as if TfSE is a local authority within the meaning of s 101 Local Government Act 1972.

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

Date of meeting: **19 September 2019**

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

Title: **Transport Strategy Development**

Purpose: **To approve the draft Transport Strategy for public consultation and to approve the initiation of procurement process for the in-depth area studies**

RECOMMENDATIONS:

The members of the Shadow Partnership Board are recommended to:

- (1) Note the progress on the tasks associated with the development of the Transport Strategy;**
 - (2) Note the outcomes of the stakeholder consultation workshops held in July 2019;**
 - (3) Agree that the draft Transport Strategy and Integrated Sustainability Appraisal (ISA) is approved for a three month consultation period; and**
 - (4) Agree that the TfSE Secretariat begins the procurement process to secure a provider/s to undertake the in-depth area studies.**
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1. Introduction

1.1 The purpose of this report is to provide a progress update on the development of the Transport Strategy, and to seek Shadow Partnership Board approval for the TfSE secretariat to begin a three month public consultation on the draft Transport Strategy and its accompanying Integrated Sustainability Appraisal (ISA). The report also seeks Shadow Partnership Board approval for the TfSE Secretariat to begin the procurement process to secure a provider/s to undertake the area studies that will identify the interventions needed to deliver the strategy and which will then be embodied in a Strategic Investment Plan (SIP).

2. Background

2.1 In June 2019 the Shadow Partnership Board considered a report setting out progress on the development of the Transport Strategy which consists of the following four lots:

- Lot A - Transport Strategy Development
- Lot B – Freight, Logistics and Gateways Review
- Lot C – Smart & Integrated Ticketing
- Lot D – Future Transport Technology

2.2 The Board was also informed about the intention to procure providers to undertake in-depth corridor studies to identify longer term transport interventions required to deliver the Transport Strategy.

2.3 In July 2019, members of the Board were invited to an Extraordinary Shadow Partnership Board meeting to receive an update on the emerging themes of the Transport Strategy, the vision, goals and priorities, and the proposed structure for the strategy.

2.4 Three stakeholder workshops were held in July 2019. The purpose of the July workshops was to update stakeholders on the progress of the Transport Strategy and to invite them to share their views on the vision, goals and priorities, along with the proposed structure of the draft Transport Strategy. These followed the two previous workshop exercises in January 2019 and May 2019. The invitees to these workshops included a broad range of stakeholders and included organisations represented on the TfSE Transport Forum. The make-up of the workshops were as follows:

- Workshop 1 – local authority officers
- Workshop 2 – transport operators and business representatives
- Workshop 3 – special interest and transport user groups

3 Transport Strategy Progress

3.1 The development of the main Transport Strategy was made up of 12 tasks. The completion of the tasks and three thematic studies has enabled the draft Transport Strategy to be produced, which is presented in Appendix 1. The outputs from the 12 tasks will form technical appendices to the Transport Strategy which will be made available at the same time as the draft Transport Strategy is published for public consultation.

3.2 The draft Transport Strategy consists of five sections which guide the reader through the development of our ambitious programme for change. A summary of the content of each of the sections is set out below.

3.3 Section 1 of the draft Transport Strategy ‘Context’ sets out the context for the development of the Draft Transport Strategy. It provides an overview of the role of Transport for the South East and how we have worked in partnership with key stakeholders to develop a shared 2050 vision for the South East. It explains the link between the Economic Connectivity Review that was published in July 2018 and the draft Transport Strategy.

3.4 This section explains the rationale for moving away from the traditional transport planning methodology of ‘predict and provide’ to a ‘decide and provide’ approach by choosing a preferred future with preferred transport outcomes rather than responding to existing trends and forecasts.

3.5 This new approach proposes a shift away from the current focus on planning for vehicles to one based on providing for people and places. Instead of expanding the network to address congestion this approach would see increased investment in public transport alternatives, developing integrated land use planning policies,

adopting emerging transport technologies, and adopting demand management policies. The latter would involve users paying for the mobility they consume on a 'Pay as you Go' basis with the potential to better manage demand across the network – using pricing mechanism and tariff structures across modes to incentivise those using all vehicle types to travel at less busy times or by more sustainable modes. The section goes on to explain the innovative 'future demand scenario approach that was used to identify a preferred future – the Sustainable Route to Growth, and the significant economic, environmental and social benefits that this preferred future would deliver.

3.6 Section 2 'Our Area', introduces the economic, social and environmental characteristics of the South East area. It explores the relationship between the South East and the rest of the UK, including London. It sets out the policy context for the draft Transport Strategy, and goes on to describe the South East's transport networks and key transport movements. It highlights the importance of our international gateways for national and international trade. This section sets out the challenges of achieving better integrated economic, spatial and transport planning in the South East.

3.7 Section 3 'Our Vision, Goals and Priorities' provides an overview of the outcomes that Transport for the South East and stakeholders seek to achieve by 2050. It sets out an ambitious vision which provides the overall direction of the Transport Strategy, as well as goals and priorities which are key to delivering sustainable economic growth. Key to translating the vision into more tangible actions are three strategic goals;

- improving productivity and attracting investment to grow our economy and better compete in the global marketplace;
- improving health, safety, wellbeing, quality of life, and access to opportunities for everyone; and
- protecting and enhancing the South East's unique natural and historic environment.

The section concludes with an explanation on how key principles have been applied to identify strategic issues and opportunities for six different journey types across the TfSE area.

3.8 Section 4 'Our Strategy' outlines how Transport for the South East proposes to deliver its vision for 2050. Key issues and opportunities are identified across six journey types. The six journey types are:

- Radial Journeys – radiating out from Greater London
- Orbital and Coastal Journeys – along east-west corridors.
- Inter-urban Journeys – medium distance movements between economic hubs and the strategic road network
- First Mile/ Last Mile Journeys – short distance movements at the beginning or end of a journey
- International Gateways and Freight Journeys
- Future Mobility Journeys – any journey type that will be facilitated by emerging technologies.

The exploration of each journey type is then followed by a summary of schemes and initiatives that could be introduced to address the issues and opportunities identified.

3.9 Section 5 'Implementation' provides an overview of how the Transport Strategy will be delivered, outlines broad priorities for interventions and sets out how key partners will be involved in the delivery of the strategy. The interventions and timescales have been developed with the assistance of key stakeholders throughout the Transport Strategy development process. The section goes on to describe a number of key performance indicators which will be used to monitor the progress of the Transport Strategy. The governance structures in place to provide oversight and delivery functions of Transport for the South East are also included. This section concludes with an overview of the future programme of studies to support the delivery of the Transport Strategy, including the programme of area studies that will identify schemes and initiatives that will be incorporated into a Strategic Investment Plan (SIP).

3.10 In parallel with the Draft Transport Strategy, a statutory Integrated Sustainability Appraisal (ISA) has been developed, which is presented in Appendix 2. It is proposed that the ISA will be consulted on at the same time as the Draft Transport Strategy, with the final version of the ISA due to be considered by the Board in March 2020.

3.11 Copies of the technical reports which have been produced as part of the development of the Transport Strategy and the following three thematic studies will be made available at the same time that the draft transport strategy is launched for consultation:

- Lot B – Freight, Logistics and International Gateways
- Lot C – Smart and Integrated Ticketing
- Lot D – Future Transport Technology

4 Area Studies

4.1 In July 2018 the Shadow Partnership Board agreed a revised route-map for the delivery of the Transport Strategy, this included a further series of corridor studies to be procured following the completion of the Transport Strategy. The corridor studies would be used to identify interventions on the transport network, and would lead to the development of the Strategic Investment Plan (SIP). The scope of the studies was expected to be refined during the development of the Transport Strategy to enable the specification for them to be developed.

4.2 During the development of the Transport Strategy, as the vision, goals and strategic priorities have evolved, it has become clear that there is a need for greater emphasis on integrated transport and land use planning and policy interventions. This has resulted in a revised scope for the subsequent studies which will consider groups of corridors and include the areas between them.

4.3 The grant of £500,000 received from DfT for 2019/20 means there is less budget than was originally sought to undertake the corridor studies. In view of this the TfSE secretariat has been working with Steer/WSP to refine the scope of the area studies in order to reduce their cost. This work has brought the potential cost per area study down to an estimated £250,000.

4.4 The revised area study approach, proposes five area studies, which will identify the most prescient challenges and opportunities in the area under study. This will help to identify where geographically, and under what conditions, local sustainable transport schemes and wider policy interventions should be implemented for greatest impact. The proposed map showing the radial and orbital study area locations are shown in Appendix 3. These consist of three radial study areas; South West, South Central and South East, and two orbital areas; Inner Orbital and Outer Orbital. Following engagement with stakeholders, there is broad agreement that the first two area studies to be commissioned should be the Inner Orbital and Outer Orbital studies. The Inner Orbital study includes the key economic hubs of Reading, Gatwick and key locations in Kent, and will investigate how the east-west links between them could be improved. The Outer Orbital study has been identified as a priority due to the strategic importance of the east west linkages between a number of the key international gateways and key economic hubs including Southampton Portsmouth, the Isle of Wight, Dover, Brighton and Hove and key locations in Kent.

4.5 The completion of the five area studies will lead to the development of the Strategic Investment Plan (SIP) which will set out the transport infrastructure investment required across the South East up to 2050. The revised timescale for delivery of the five area studies, and the SIP, are shown in Appendix 4. The successful delivery of the area studies and the SIP to the timescales shown is subject to further funding being secured from DfT.

5 Forthcoming activity

5.1 Over the next three months the key activities to be undertaken will be as follows:

- Transport Strategy consultation begins - 7 October
- Transport Strategy launch event 10 October 2019
- The procurement process will begin to secure a provider/s to undertake the five area studies with the view of beginning the first two studies in late 2019.

5.2 A further report updating on progress with the draft Transport Strategy consultation will be presented to the Shadow Partnership Board in December 2019. An update on the procurement process for the area studies will also be presented to the Board in December 2019 along with proposals as to how the three thematic studies should be taken forward.

6 Financial Considerations

6.1 In May 2018, the DfT made a grant award of £1m to TfSE towards the development of the Transport Strategy. The total cost of the work commissioned to date is £894,469 which is £105,531 less than the DfT allocation. In addition, in May 2019 DfT made an additional grant award of £500,000 award to TfSE to take forward the technical work programme.

6.2 The estimated cost of commissioning two area studies is £500,000, but this may be revised following the outcomes of a competitive tendering exercise. The remainder of any unallocated Transport Strategy development budget will be used to

take forward further thematic work on Freight, Logistics and Gateways, Smart and Integrated Ticketing, and Future Transport Technology.

7 Conclusion

7.1 Members of the Shadow Partnership Board are asked to note the progress of the tasks associated with the development of the draft Transport Strategy, and to approve the draft Transport Strategy and Integrated Sustainability Appraisal (ISA), for public consultation over a three month period commencing on 7 October 2019.

7.2 Members of the Shadow Partnership Board are also asked to agree that a procurement process be initiated to secure the external resources required to undertake the area studies with two area studies being commissioned in 2019/20.

7.3 A further progress report will be presented to the Shadow Partnership Board at the December 2019 meeting to update on the public consultation and the procurement process for the area studies.

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Appendix 1 – Draft Transport Strategy

(See separate document)

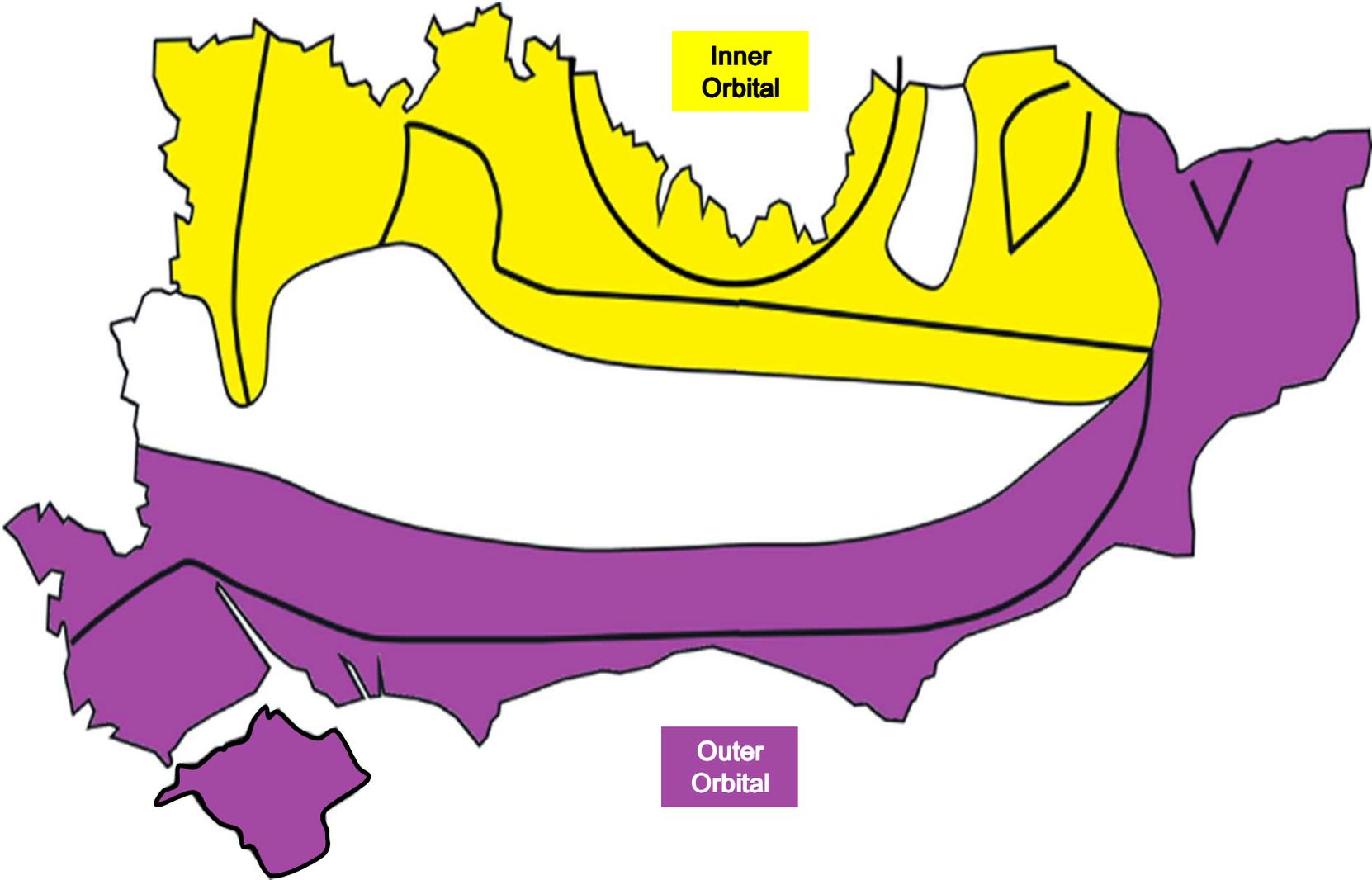
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Appendix 2 – Integrated Sustainability Appraisal (ISA)

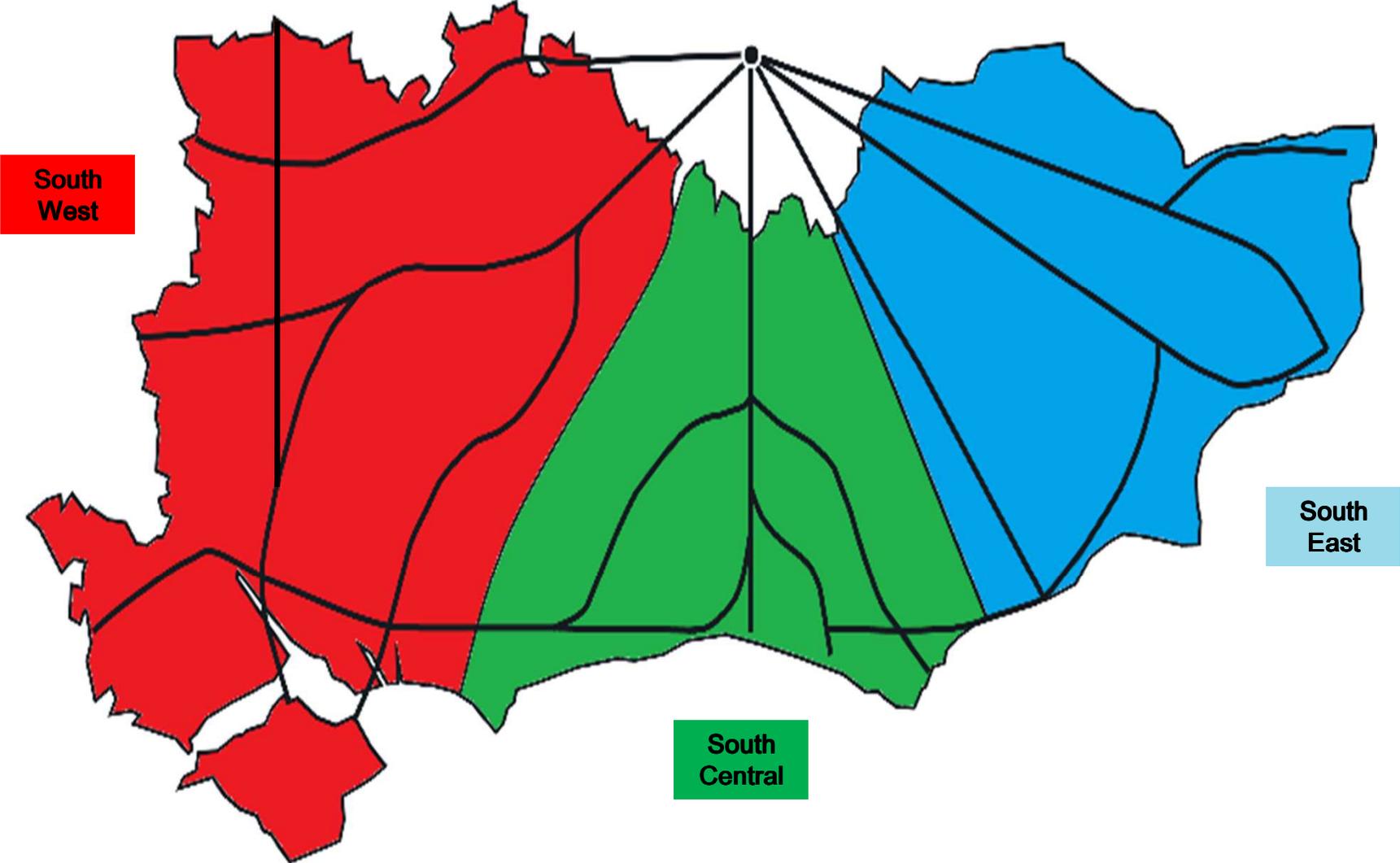
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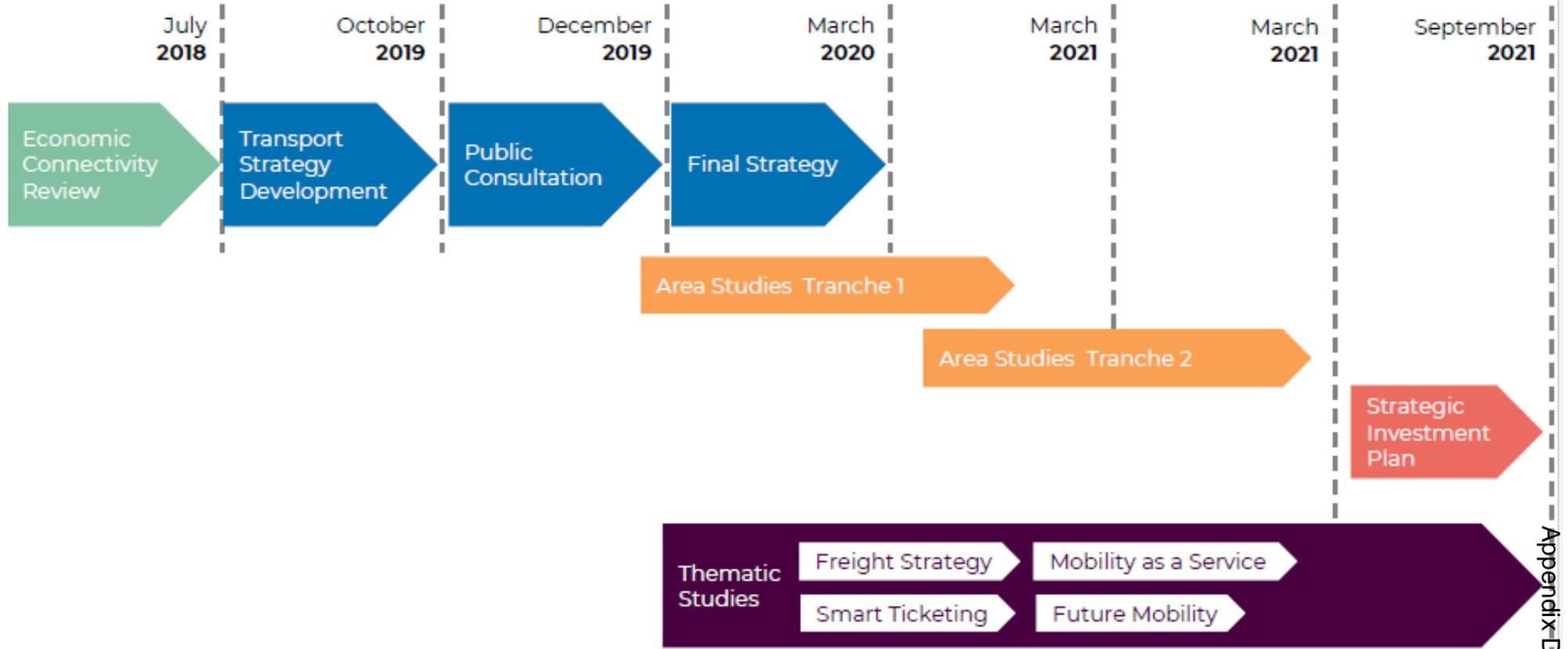
Area Studies (Orbital)



Area Studies (Radial)



Appendix 4 – Revised Transport Strategy Route Map



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To: **Shadow Partnership Board –Transport for the South East**

Date: **19 September 2019**

Title of report: **Priority Large Local Major Schemes 2020-2025**

Purpose of report: **To agree the priority schemes in the South East of England for inclusion the Large Local Major Scheme programme**

Recommendations:

The members of the Shadow Partnership Board are recommended to:

- (1) Note the process that has been followed to identify and prioritise a list of potential Large Local Major (LLM) schemes in the TfSE area.**
 - (2) Agree that the prioritised list of schemes shown in Appendix 3 be submitted to the Department for Transport as the priority schemes in the TfSE area for inclusion in the LLM programme.**
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1. Introduction

1.1 This report has been prepared in response to a request from the Department for Transport (DfT) to all the Sub-National Transport Bodies (STBs) to identify their top priority schemes for potential inclusion in the Major Road Network (MRN) and Large Local Majors (LLM) programmes covering the period 2020 - 2025.

1.2 The results of the approach that was adopted to identify and prioritise the TfSE MRN schemes were agreed by the Shadow Partnership Board at its meeting on 14 June 2019.

1.3 This report sets out the results of the approach that has been adopted to identify and prioritise the LLM schemes in the TfSE area for consideration and possible agreement by the Shadow Partnership Board.

2. Background

2.1 In the 2018 budget, HM Treasury confirmed the creation of the new National Roads Fund. This will hypothecate English Vehicle Excise Duty to roads spending and will amount to £28.8 billion between 2020 and 25. Of this the government expects to spend £25.3 billion on the Strategic Road Network (SRN) through Road Investment Strategy 2, which would leave £3.5 billion to be spent on the MRN and LLM schemes. These figures will be finalised as part of the forthcoming spending review.

2.2 The MRN Investment Guidance published by DfT in December 2018 invited STBs to prepare a Regional Evidence Base (REB) by summer 2019 to support the need for interventions on the MRN. It also set out the types of schemes that will be eligible for funding, the criteria against which potential schemes will be assessed, and the timescales for the development and delivery of schemes. The Guidance confirmed that the DfT's contribution for MRN interventions will normally be between £20 million and £50 million, although the lower threshold will not be applied rigidly.

2.3 Schemes seeking a contribution of more than £50m will be dealt with as potential LLMs. The Guidance tasks STBs with identifying and prioritising LLMs in their areas at the same time as providing advice on the MRN.

3. Development of a Regional Evidence Base for the MRN.

3.1 The DfT Investment Guidance states that the REB must provide a strategic overview of the MRN in a region, identify key considerations such as housing and industrial developments and the priority opportunities and problems on the network that need to be resolved.

3.2 The guidance envisages that the REB should largely be drawn from work the STBs are already doing to develop their transport strategies. Development of the REB for the TfSE area is being undertaken by Steer/WSP alongside their work to develop the Transport Strategy.

4. The Identification of the priority LLM schemes

4.1 The MRN Guidance envisages that the REB should be used to help identify the priority investment schemes in each STB region for delivery during the period April 2020 to March 2025. LLM schemes are not limited to roads on the Major Road Network, however only road schemes will be considered for the programme. Where there are more than 2 or 3 potential schemes that meet the criteria, DfT expects STBs to indicate their priorities. The DfT are clear that this list of schemes should be the result of collective decision making and that a broad range of stakeholders (MPs, LEPs and local highway authorities) should be consulted as part of the prioritisation process before the list is submitted to the DfT.

4.2 The list of priority schemes was due to be submitted to the DfT by 31 July 2019. As a consequence, and in common with several other emerging STB's, TfSE's REB was not complete in time for it to be used to help identify potential schemes. Therefore those schemes which have already been identified by the constituent authorities as potential candidate schemes have been considered for potential inclusion on this list. Once developed, the REB will be used to support the need for the schemes interventions that been identified by the constituent authorities and will be used to help identify the need for schemes in the period beyond 2025.

4.3 At its meeting on 18 March 2019, the Shadow Partnership Board approved the process to be used to assess and prioritise the potential MRN and LLM schemes. This process is set out in Appendix 1. Constituent authorities were invited to submit their business cases for potential schemes to TfSE by 17 May 2019. Applications were received for 9 LLM schemes.

4.4 The potential LLM schemes were assessed in line with the approved process, however in general the nine LLM schemes that were submitted were at a less advanced stage of development in comparison to the MRN schemes. As a consequence there was a lower level of confidence in the robustness of the outcome of appraisal process, as it was based on a lesser level of information. Seven potential priority schemes were identified; however additional information was required in order to enable a decision to be made about the relative priority of these schemes.

4.5 The authorities promoting the potential priority schemes were therefore invited to carry out further development work on their schemes and submit revised applications for re-assessment by 16 August 2019. Revised applications were submitted to support five of the potential priority schemes.

4.6 The seven potential schemes were re-assessed in line with the approved process, and the outcome of this assessment is described in Appendix 2. The top schemes that resulted from the application of this process are shown in priority order in Appendix 3. Those schemes which are not identified as priority schemes at this time will form a potential pipeline of schemes and could either be brought forward in the event that one of the priority schemes fails to proceed, or will be rolled forward for potential inclusion in the second MRN/LLM funding period between 2025 and 2030.

5. Conclusions/Recommendations

5.1 The DfT has asked STBs to provide advice to the Department on the priority LLM schemes that should be introduced in their area between 2020 and 2025 and also to prepare a Regional Evidence Base (REB) to support the need for interventions on the MRN. TfSE has received details of potential candidate LLM schemes from the constituent authorities and these have been assessed and prioritised in line with the process agreed by the Board in March 2019. Members of the Shadow Partnership Board are recommended to approve the prioritised list of LLM schemes and agree that they should be submitted to the Department for Transport as the priority LLM schemes for the TfSE area for delivery during the period April 2020 to March 2025.

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Appendix 1

Major Road Network Scheme Prioritisation Process – March 2019

1. Introduction

1.1 The purpose of this document is to set out the prioritisation process that will be used by Transport for the South East to prioritise potential MRN schemes.

2. Background

2.1 In March 2018 the Shadow Partnership Board agreed a report setting out the TfSE response to the government consultation on the potential creation of a Major Road Network (MRN) in England. The MRN forms a middle tier of the country's busiest and most economically important local authority 'A' roads, sitting between the national Strategic Road Network (SRN) and the rest of the local road network.

2.2 In the 2018 budget, HM Treasury confirmed the creation of the new National Roads Fund. This will hypothecate English Vehicle Excise Duty to roads spending and will amount to £28.8 billion between 2020-25. Of this the government expects to spend £25.3 billion on the SRN through Road Investment Strategy 2, which would leave £3.5 billion to be spent on the MRN and Large Local Authority Major (LLM) schemes. These figures will be finalised as part of the forthcoming spending review.

2.3 In December 2018, DfT published its response to the consultation alongside guidance about how investments on the MRN should be planned. The Investment Guidance invites STB's to prepare a Regional Evidence Base (REB) by summer 2019 to support the need for interventions on the MRN. It also sets out the types of schemes that will be eligible for funding, the criteria against which potential schemes will be assessed, and the timescales for the development and delivery of schemes. The Guidance has confirmed that the DfT's contribution for MRN interventions will normally be between £20 million and £50 million, although the lower threshold will not be applied rigidly. Schemes seeking a contribution of more than £50m will be dealt with as potential Large Local Majors (LLMs). The Guidance tasks STBs with identifying and prioritising LLMs in their areas at the same time as providing advice on the MRN. DfT's Investment Planning Guidance can be found at the link below:

<https://www.gov.uk/government/publications/major-road-network-and-large-local-majors-programmes-investment-planning>

2.4 The DfT Investment Guidance states that the REB must provide a strategic overview of the MRN in a region, identify key considerations such as housing and industrial developments and the priority opportunities as well as the problems on the network that need to be resolved. The guidance envisages that the REB should largely be drawn from work the STBs are already doing to develop their transport strategies.

2.5 The guidance also envisages that the REB should be used to help identify a list of the top ten priority MRN investment schemes in each STB region for delivery during the period April 2020 to March 2025. These top ten schemes then need to be prioritised and it is for each STB to determine how they go about this. The DfT are clear that this list of schemes should be the result of collective decision making and that a broad range of stakeholders (MP's LEP's and local highway authorities) should be consulted as part of the prioritisation process before the list is submitted to the DfT.

2.6 The list of priority schemes has to be submitted to the DfT in July 2019, however, TfSE's REB will not be complete in time for it to be used to help identify potential schemes. As a consequence those schemes which have already been identified by the constituent authorities as potential candidate schemes will have to be considered for potential inclusion on the list. Once developed, the REB will be used to support the need for the schemes interventions that been identified by the constituent authorities.

2.7 The DfT have given an indication of the level of preparedness that schemes will need to achieve in order to be considered for potential funding in different years of the forthcoming five year MRN programme This relates to the progress of a scheme through the three stages of the government's business case development process. The table below shows the DfT's current timetable for business case submission.

MRN Year	Scheme entry year	Pre-SOBC info	SOBC submitted	OBC submitted
1	2020/21	n/a	n/a	July 2019
2	2021/22	n/a	n/a	July 2019
3	2022/23	n/a	July 2019	Start 2020
4	2023/24	July 2019	End 2019	End 2020
5	2024/25	July 2019	End 2020	End 2021

2.8 In order for a scheme to be considered for funding in the first two years of the programme (2020/21 – 2021/22) an Outline Business Case (OBC) will need to be submitted in July 2019. Given that an OBC represents the second stage in the process, only schemes on which a considerable amount of preparation work has already been undertaken stand any chance of meeting this requirement. There is a risk that the development work could be abortive and so the decision to proceed with the development of a business case has to rest with each constituent authority.

3. Initial Scheme Assessment

3.1 The constituent authorities have already been asked to suggest potential schemes as candidates for MRN funding in the period April 2020 to March 2025, and they have provided information relating to the schemes within a TfSE Pro-forma document. These schemes have been subject to an initial sift to assess the extent to which they are likely to meet the MRN Investment Criteria which are as follows:

- Reduce Congestion
- Support Economic Growth and Rebalancing
- Support Housing Delivery
- Support all road users
- Support the Strategic Road Network

3.2 The initial sift was carried out by a panel comprised of representatives from the TfSE Transport Strategy Working Group, and also evaluated the schemes likely value for money and their state of preparedness in terms of business case development. The schemes were then separated into those which are potential MRN schemes (£20m-50m) and those which would be potential Large Local Major schemes (>£50m).

3.3 This resulted in a long list of 18 potential interventions on the MRN and a further 13 potential LLM schemes, and with the schemes being grouped into a number of different categories based on their state of preparedness. These recommended groupings were then considered and approved by both the full Transport Strategy Working Group on 29th January 2019 and the Senior Officer Group on 7 February 2019. The groupings are shown in Annex 1.

4. Timescales

4.1 In order to meet submission of the top ten priority schemes to DfT in July 2019, the proposed list will need to be identified for consideration by the Shadow Partnership Board in June 2019.

4.2 Each of the constituent authorities has been asked to provide either OBC, SOBC or pre SOBC information for the schemes shown in Annex 1 by 17 May 2019. This is to allow the schemes to be assessed and recommendations made to the Transport Strategy Working Group and Senior Officer Group for approval ahead of the Shadow Partnership Board meeting in July 2019. At this meeting the Shadow Partnership Board will be asked to consider the list prioritised list of schemes prior to submission to the DfT in July 2019.

4.3 Pro-formas for each of these stages of business case are provided within the DfT Investment Planning Guidance Document at the link below, and the constituent authorities will need to complete these when submitting further scheme information for assessment.

<https://www.gov.uk/government/publications/major-road-network-and-large-local-majors-programmes-investment-planning>

5. Scheme Prioritisation Process

5.1 Assessment

5.1.1 Schemes will be assessed by a panel comprising Joe Ratcliffe (Kent CC), Stuart Jefferies (Bracknell Forest Council), Lyndon Mendes (Surrey CC) and Sarah Valentine from TfSE. Panel members will first independently assess the schemes and then come together to discuss and agree the final scores for each scheme.

5.1.2 The panel will assess the schemes against a number of criteria as set out in the following sections, forming a view based on the best evidence that is available and recognising that schemes will be at different stages of development and so have differing levels of information available.

5.1.3 The scores will be recorded on the spreadsheet shown at Annex 2.

5.1.4 The purpose of this assessment is to help identify the top 10 priority MRN schemes from within the TfSE area, based on the scheme information available at this time. It is not a full evaluation of the schemes business case, and is not intended to be used for making final funding decisions, which will remain the responsibility of DfT. Any schemes place on the priority list could change if subsequent work were to demonstrate significant changes in its ability to contribute towards the assessment criteria or potential value for money.

a) Strategic Case

Schemes will be assessed against the extent to which they meet the MRN Investment Criteria, as shown in the table below.

Objective	Criteria
Reducing Congestion	<ul style="list-style-type: none"> • Alleviate Congestion • Take account for impacts on air quality, biodiversity, noise, flood risk, water quality, landscape and cultural heritage sites
Support Economic Growth & Rebalancing	<ul style="list-style-type: none"> • Industrial Strategy: Supports regional strategic goals to boost economic growth • Economic Impact: Improve ability to access new or existing employment sites • Trade & Gateways Impact: Improve international connectivity, e.g. access to ports & airports
Support Housing Delivery	<ul style="list-style-type: none"> • Support the creation of new housing developments by improving access to future development sites and boosting suitable land capacity
Supporting All Road Users	<ul style="list-style-type: none"> • Delivering benefits for public transport and non-motorised users, including cyclists, pedestrians and disabled people • Safety Benefits: Ability to reduce the risk of deaths/serious injuries for all users of the MRN
Supporting the SRN	<ul style="list-style-type: none"> • Improved end to end journey times across both networks • Improved journey time reliability • Improved SRN resilience

Source: Investment Planning Guidance for the Major Road Network and Large Local Majors Programmes (DfT Dec 2018)

The information in the OBC/SOBC/Pre-SOBC pro-formas will be reviewed and given a “high” “medium”, or “low” rating against each of the sub-criteria dependant on the extent to which it is demonstrated the criteria are met. These ratings will translate into a numerical score for each of the five main criteria as shown in the table below.

Category	Impact	Score
High	<p>Scheme strongly meets the criteria</p> <p>Examples</p> <ul style="list-style-type: none"> • significant impact on congestion, • low net environmental impact • strong strategic fit • directly unlocks housing/employment, • provides direct access to Gateways • strong benefits to all users/safety benefits, • strongly supports SRN 	5
Medium	<p>Scheme contributes towards the criteria</p> <p>Examples</p> <ul style="list-style-type: none"> • moderate impact on congestion, • moderate net environmental impact • moderate strategic fit • supports specific housing/employment delivery, • some benefits to all users/safety benefits, • generally supports SRN 	3
Low	<p>Scheme has a minimal impact on the criteria</p> <p>Examples</p> <ul style="list-style-type: none"> • limited impact on congestion, • high net environmental impact • low strategic fit • has a general benefit to housing/employment delivery over a wide area, • minimal benefits to other users/safety benefits, • provides limited support to SRN 	1
None	Scheme does not contribute to that criteria	0

b) Deliverability

The TfSE top 10 priority schemes will be considered for MRN funding within the first 5 years of the MRN programme, 2020/21 to 2024/25. It is therefore important that potential schemes can deliver within this period and also meet the interim timescales for business case submission set by DfT and shown at paragraph 2.7.

TfSE have developed a further range of criteria and scoring mechanism to reflect the deliverability of potential schemes, based on their state of preparedness, availability of

funding and potential risks to delivery. Again schemes will be assessed and given a rating against the sub-criteria which will translate into a score for the main criteria. This is shown in the table below.

Deliverability Criteria	Sub-criteria	Considerations	Rating/Score
Preparedness	Transport modelling	Is up to date transport modelling available appropriate to the scale of scheme and its level of development?	High (5) Well-developed scheme that does not require land or planning permission Medium (3) Developed scheme proposals but work to be completed. Well-developed scheme requiring consents. Outline scheme not requiring consents Low (1) Outline scheme with significant preparatory work still to do and requiring consents
	Design stage	Idea, Feasibility, Preliminary, Detailed Design	
	Land acquisition	Is land required/not required or secured?	
	Planning permission	Is planning permission required/not required or secured? Is a public inquiry likely?	
	Risk management	Is a risk register available? Does this demonstrate adequate consideration and management of risks?	
Acceptability	Political acceptability	Does the scheme have political support (including from the local MP)?	High (5) acceptable scheme with public and political support Medium (3) acceptable scheme however support not demonstrated or engagement yet to be carried out Low (1) potentially contentious scheme
	Public acceptability	Does the scheme have public support, has any consultation been carried out?	
Timescales	Scheme programme	Does the programme show delivery to required DfT timescales? Does it seem realistic?	High (5) realistic programme showing delivery to timescales Medium (3) some concerns over programme Low (1) major concerns over programme

Financial Viability	Cost Estimate	How robust and comprehensive is the cost estimate?	High (5) robust cost estimate, local contribution available and secured
	Local contribution	Is the required local contribution available and secured (appropriate to scheme development stage)?	Medium (3) outline cost estimate, local contribution identified but not yet secured Low (1) indicative cost estimate, local contribution not yet identified

c). Value for Money

Schemes potential value for money (VfM) and Benefit Cost Ratio (BCR) will be reviewed and categorised using the same categories as DfT consider within WebTAG and shown in the table below. Any wider economic benefits reported within the business cases that are relied on to support the economic assessment will also be considered in line with DfT’s Value for Money Framework.

Box 5.1 Standard Categories
(Transport cost outlays exceed revenues or cost savings)

VfM Category	Implied by...*
Very High	BCR greater than or equal to 4
High	BCR between 2 and 4
Medium	BCR between 1.5 and 2
Low	BCR between 1 and 1.5
Poor	BCR between 0 and 1
Very Poor	BCR less than or equal to 0

**Relevant indicative monetised and/or non-monetised impacts must also be considered and may result in a final value for money category different to that which is implied solely by the BCR. This chapter provides guidance on how to select the final value for money category.*

Weighting

Initially, all the criteria will have the same weighting, however this will be reviewed during the assessment process, and if it is deemed desirable to weight the criteria differently this will be discussed and agreed by the assessment panel.

d). Level of confidence in assessment process

Each of the MRN Criteria score, the Deliverability score and the VfM score will also be given a high/medium/low rating based on the robustness of the information and underlying evidence base provided within the business case documents and so the subsequent level of confidence in the assessment.

High	high level of confidence in the level and robustness of information provided
Medium	medium confidence in the level and robustness of information provided
Low	concerns over the level and robustness of information provided

e) TfSE Objectives

Potential schemes will also be plotted on a map of the TfSE area to identify MRN schemes that also align with the TfSE Economic Corridors as set out in our Economic Connectivity Review and shown in Annex 3. This will also identify any opportunities to deliver cumulative benefits from neighbouring schemes that could be greater than the benefits from individual schemes alone.

5.2 Prioritisation

5.2.1 Following the assessment, the MRN schemes will be ranked in a priority order dependant on the extent to which they meet the MRN criteria, their ability to deliver, their value for money and the level of confidence that can be applied to the assessment.

5.2.2 The top ten priority list will also need to reflect the geography of the TfSE area as well as the likely MRN funding profile.

5.2.3 Schemes that are not included within the priority list will be held on a pipeline list, for consideration either as part of any future MRN2, or should any of the top ten schemes fail to proceed for any reason.

5.2.4 LLM schemes will be assessed similarly and the top 2/3 schemes identified in a similar manner, with any other schemes also being held on a pipeline list for future consideration.

5.2.5 The priority lists will be considered by the Transport Strategy Working Group on 21 May 2019, and then the Senior Officer Group on 30 May 2019, before being presented to the Shadow Partnership Board on 14 June 2019, for approval to submit to DfT in July 2019.

6. Regional Evidence Base

6.1 Once development of the REB is complete in summer 2019, the priority lists will need to be reviewed to check that the priorities reflect the outputs of the REB and that the priority schemes are supported by the REB. Any changes would be brought back through the Transport Strategy Working Group, Senior Officer Group and Shadow Partnership Board approval process.

Appendix 1 – Annex 1

Initial scheme groupings

Major Road Network Schemes

MRN Schemes for which Outline Business Cases (OBC) could be developed by 17 May 2019 for submission to DfT in July 2019 with potential construction in 2020/21 to 2021/22

- A249 at M2 Junction 5 (Kent CC)
- A259 Seafront Highway Structures Renewal Programme (Brighton and Hove CC)
- A284 Lyminster Bypass (West Sussex CC)
- Redbridge Causeway (Hampshire CC)
- A22/A2270/A2021 Corridor Package (East Sussex CC)

MRN Schemes for which Strategic Outline Business Cases (SOBC) could be developed by 17 May 2019 for submission to DfT in July 2019 with potential construction between 2022 and 2025

- A22 Transport Improvements (Surrey CC)
- A320 North Corridor (Surrey CC)
- Northam Rail Bridge replacement and enhancement (Southampton CC)

MRN Schemes for which Pre-SOBC information will be available by 17 May 2019 with potential construction between 2023 and 2025

- A299 Thanet Way Major Structural Renewal (Kent CC)
- A28 Birchington and Westgate Relief Road (Kent CC)
- A22/A264 Corridor (West Sussex CC)
- A259 Corridor - Shoreham to Brighton - Sustainable Transport (West Sussex CC)
- A259 Corridor - Chichester to Bognor, Bognor to Littlehampton (West Sussex CC)
- A29 Corridor (West Sussex CC)
- A22 Corridor for Growth (East Sussex CC)
- A26 Corridor for Growth (East Sussex CC)
- A259 South Coast Corridor (East Sussex CC)
- A259 (King's Road) Seafront Highway Structures ('Arches') Renewal Programme continuation (Brighton and Hove CC)

Large Local Major Schemes

LLM schemes starting Pre April 2023 – OBC by 17 May 2019

- A31 Hickley's Corner Underpass, Farnham – Surrey CC

LLM schemes starting Post April 2023 – SOBC info by 17 May 2019

- City Centre Road – Portsmouth CC

LLM schemes starting Post April 2023 – Pre SOBC info by 17 May 2019

- A229 Blue Bell Hill junction upgrades (Kent CC)
- M2 / A2 Brenley Corner upgrade (Kent CC)
- Colts Hill Relief Road (Kent CC)
- A2 and A256 Dover (Kent CC)
- A24 corridor (West Sussex CC)
- A326 Capacity Enhancement (Hampshire CC)
- A24\A243 Knoll Roundabout & M25 9A (Surrey CC)
- A325 Wrecclesham Relief Road (Surrey CC)
- A24 Horsham to Capel (Surrey CC and West Sussex CC)
- New Thames Crossing East of Reading (TVLEP)
- West Quay Road Realignment (Southampton CC)

Appendix 3 – Annex 2

Transport for the South East
MRN Scheme Assessment



Scheme Name	
Local Authority	
Contact	

Scheme Description	
Scheme Cost	
MRN contribution	
Construction start	
Construction complete	

	Criteria	Sub-criteria	Rating	Score	
MRN Criteria	Reducing Congestion	Alleviates congestion			
		Takes account of environmental impacts			
	Support Economic Growth and re-balancing	Industrial Strategy			
		Economic Impact			
		Trade and Gateways Impact			
	Support Housing Delivery	Support creation of new housing developments			
	Supporting All Road Users	Delivers PT and NMU benefits			
		Delivers safety benefits			
	Supporting the SRN	Improved end to end journey times			
		Improved journey time reliability			
		Improved resilience			
	MRN Score (max 25)				0
	MRN Confidence Level				

	Criteria	Sub-criteria	Y/N	Score
Deliverability Criteria	Preparedness	Appropriate transport model		
		Design stage reached		
		Land acquisition required		
		Planning permission granted		
		Risk management in place		
	Acceptability	Politically acceptable		

		Publicly acceptable		
	Timescales	Ability to meet DfT timescales		
		Realistic scheme programme		
	Financial viability	Robust cost estimate		
		Local contribution secured		
		Deliverability Score (max 20)		0
		Deliverability Confidence Level		

	Criteria	Sub-criteria	Rating	Score
VfM criteria	Value for Money	Initial transport BCR		
		Wider Economic Benefits		
		VfM Category		
		VfM Score (max 5)		
	VfM Confidence Level			

Appendix 2 – Large Local Major Scheme Assessment Outcomes

1. Introduction

- 1.1. The purpose of this appendix is to set out the results of the process that was used to assess and prioritise the Large Local Major (LLM) schemes. The objective of the assessment was to identify and prioritise a list of priority LLM schemes for submission to the DfT for potential inclusion in the Large Local Major programme covering the period 2020 - 2025.
- 1.2. Constituent authorities were invited to submit their business cases for potential schemes to TfSE by 17 May 2019. Applications were received for 9 LLM schemes.
- 1.3. In general the nine LLM schemes that were submitted were at a less advanced stage of development in comparison to the Major Road Network (MRN) schemes that were submitted at the same time. As a consequence, whilst it was possible to prioritise the MRN schemes, there was a lower level of confidence in the robustness of the outcome of the appraisal process for the LLM schemes, as it was based on a lesser level of information. Seven potential priority schemes were identified; however additional information was required in order to enable a decision to be made about the relative priority of these schemes.
- 1.4. The authorities promoting the potential priority schemes were therefore invited to carry out further development work on their schemes and submit revised applications for re-assessment by 16 August 2019.

2. Summary of scheme assessment process

- 2.1. Revised applications were submitted to support five of the potential priority schemes. Conversations were also held with the promoting authorities to better understand their schemes.
- 2.2. All seven potential schemes were re-assessed using the process agreed by the Shadow Partnership Board at their meeting in March 2019. The assessment panel comprised:
 - Sarah Valentine – TfSE
 - Joe Ratcliffe – Kent CC
 - Steve Howard – Surrey CC
 - Stuart Jefferies – Berkshire Transport Body
- 2.3. Each scheme was given a score against each of the following four criteria:
 - Extent to which the scheme contributes towards the government's five MRN priorities:
 - Reducing Congestion
 - Support Economic Growth and re-balancing
 - Support Housing Delivery

- Supporting All Road Users
- Supporting the SRN
- Deliverability
- Value for money
- Extent to which the scheme contributes towards TfSE's vision and our strategic economic, social and environmental priorities (including fit with the Economic Corridors)

2.4. The schemes were assessed independently by each member of the panel, who then came together to discuss the results. The panel members individual scores were then combined to give a total score for each criteria. However in order to provide the flexibility to construct a balanced programme, an overall total score was not calculated at this stage.

2.5. The results of the scoring process for the LLM schemes are shown in Table 1 below. An assessment was also made as to the confidence in the assessment, based on the level of detail provided in the applications.

2.6. Opinions on the suitability of the potential schemes were sought from a range of stakeholders. Members of the TfSE Transport Forum were invited to submit any comments they had on any of the schemes. Highways England have also provided comments on the candidate schemes. England's Economic Heartland STB were asked to comment on the New Thames Crossing scheme since this could impact on their area.

2.7. The results of the assessment process were discussed by the Transport Strategy Working Group on 2 September 2019 and then by the Senior Officer Group meeting on 9 September 2019, who agreed to the recommendations described below and set out in Appendix 3.

2.8. In advance of the priority schemes being submitted to DfT, confirmation will be required from each promoting authority that they are able to fund and take forward the necessary development work to progress their scheme.

Table 1 LLM Candidate Schemes – outcome of assessment process

Scheme	Authority	MRN Score (max 100)	MRN confidence level	Deliverability Score (max 80)	Deliverability confidence level	VfM Score (max 20)	VfM confidence level	TfSE Score (max 80)	TfSE confidence level
A31 Hickleys Corner Underpass, Farnham	Surrey CC	62	Medium	40	Medium	14	Medium	43	Medium
City Centre Road	Portsmouth CC	70	Medium	46	Medium	18	High	54	Medium
A229 Blue Bell Hill Junction Upgrades	Kent CC	80	High	56	Medium	12	Medium	56	Medium
M2/A2 Brenley Corner Upgrade	Kent CC	79	High	56	Medium	18	High	60	Medium
A326 Capacity Enhancement	Hampshire CC	76	Medium	56	Medium	10	Medium	49	Medium
New Thames Crossing East of Reading	TVLEP (Wokingham BC)	84	High	54	Medium	16	High	54	Medium
West Quay Road Realignment	Southampton CC	90	High	56	Medium	14	Medium	58	Medium

3. Outcome of scheme assessment process for LLM schemes

- 3.1. In general the LLM schemes that were submitted are currently still at early stages of development. This is largely due to the fact that previously there has been little prospect of securing funding for these high cost schemes, and so understandably authorities have been reluctant to commit their scarce resources to undertake any significant development work. DfT have indicated that some development funding may be available for approved schemes to assist with their progress from Strategic Outline Business Case (SOBC) to Outline Business Case (OBC) stage, and whilst this is welcomed, there is still a significant amount of work required to reach SOBC stage, which would still need to be undertaken by promoting authorities at risk, with no guarantee of future funding for the scheme. Although four authorities did carry out additional scheme development work between May 2019 and August 2019, funding the early development work for these types of large scale schemes remains a significant challenge for promoting authorities, and is an issue on which TfSE would welcome further discussions with DfT.
- 3.2. The results of the assessment confirmed that all of the potential schemes are still considered suitable candidates for consideration for LLM funding, and that they would each undoubtedly deliver significant benefits. However, DfT have tasked STB's with providing advice on LLM schemes, and specifically require that "Where there are more than 2 or 3 potential schemes that meet the criteria, DfT expects STB's to indicate their priorities."
- 3.3. Given the timescales required to deliver schemes of this scale, the majority of the schemes are unlikely to be able to fully deliver before March 2025. Additionally given the nature and scale of the schemes most have significant risks to their delivery, such as requiring land acquisition, planning permission, potential public inquiry etc.
- 3.4. Taking a broad view across the four criteria against which schemes were assessed, and also ranking the schemes by their total score gives the results shown in Table 2 below.
- 3.5. The outline scheme programmes are shown in Table 3 below.

Table 2 LLM Candidate Schemes – ranked by each assessment criteria

Scheme	Authority	MRN rank	Deliverability rank	VfM rank	TfSE Rank	Overall Score (Max 280)	Overall rank
A31 Hickleys Corner Underpass, Farnham	Surrey CC	7	7	4	7	159	7
City Centre Road	Portsmouth CC	6	6	1	4	188	6
A229 Blue Bell Hill Junction Upgrades	Kent CC	3	1	6	3	204	4
M2/A2 Brenley Corner Upgrade	Kent CC	4	2	2	1	213	2
A326 Capacity Enhancement	Hampshire CC	5	3	7	6	191	5
New Thames Crossing East of Reading	TVLEP (Wokingham BC)	2	5	3	5	208	3
West Quay Road Realignment	Southampton CC	1	4	5	2	218	1

Table 3 LLM Candidate Schemes – outline scheme programmes

		2019/20			2020/21			2021/22			2022/23			2023/24			2024/25			2025/26			2026/27					
	Comments	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
A31 Hickeys Corner Underpass																												
	Submission of SOBC																											
	Submission of OBC																											
	Submission of Planning Permission																											
	Determination of Planning Permission																											
	Publication of Scheme Orders and consents																											
	Completion of Public Inquiry																											
	Confirmation of Orders and consents																											
	Completion of Procurement																											
	Submission of FBC																											
	Start of Construction																											
	Construction																											
	Completion of Construction/Opening																											
City Centre Road																												
	Submission of SOBC																											
	Submission of OBC																											
	Submission of Planning Permission																											
	Determination of Planning Permission																											
	Publication of Scheme Orders and consents																											
	Completion of Public Inquiry																											
	Confirmation of Orders and consents																											
	Completion of Procurement																											
	Submission of FBC																											
	Start of Construction																											
	Construction																											
	Completion of Construction/Opening																											
A229 Blue Bell Hill																												
	Submission of SOBC																											
	Submission of OBC																											
	Submission of Planning Permission																											
	Determination of Planning Permission																											
	Publication of Scheme Orders and consents																											
	Completion of Public Inquiry																											
	Confirmation of Orders and consents																											
	Completion of Procurement																											
	Submission of FBC																											
	Start of Construction																											
	Construction																											
	Completion of Construction/Opening																											

- 3.6. To form a proposed priority list the panel took a broad view of the scoring outcomes across the different criteria, considered the schemes proposed programmes and also looked at the commitment and ability of the promoting authorities to bring forward their scheme. Additional discussions were held with the scheme promoters to clarify their positions so that this could be adequately reflected in the prioritised list. The proposed priority list was discussed at the Senior Officer Group meeting on 9 September 2019 and there was agreement from attendees regarding the relative rank of their respective schemes.
- 3.7. The Brenley Corner scheme in Kent is one of the schemes that was included within TfSE's earlier response to Government as a priority for inclusion within the second Roads Investment Strategy (RIS2) This scheme remains a priority for TfSE, however we remain of the opinion that it is more appropriate for it to be delivered via the RIS2 programme, rather than as an LLM scheme.
- 3.8. Assuming Brenley Corner will be delivered as a RIS2 scheme there are six further priority schemes for the period 2020-2025 that have been identified and ranked through the assessment process. These are shown in Table 3 below.
- 3.9. Delivering large schemes such as these is not without risk, and given the limited development work undertaken to date, further information may well come to light as the schemes are progressed which could affect the view on their relative priority.
- 3.10. The TfSE LLM Priority schemes are shown in Table 1 in Appendix 3. The list includes 2 further schemes that due to their delivery timescales have been identified as potential pipeline schemes for consideration in future LLM funding rounds.

Table 4 – LLM Candidate Schemes - considerations

Priority	Scheme	Authority	Comments
1	West Quay Road Realignment	Southampton CC	Good scheme with links to local regional and national policies, benefits include gateway connectivity, AQMA, jobs, tourism, housing. Well advanced with clear work ongoing and confidence in delivery.
2	New Thames Crossing East of Reading	TVLEP (Wokingham BC)	Good scheme necessary to facilitate planned development and housing. Already at SOBC with ongoing development work. Scheme provides new link rather than upgrading existing. Strong benefits demonstrated, and strong local commitment to take forward
3	A326 Capacity Enhancement	Hampshire CC	Good scheme when considered against the development, housing and jobs background. Links to potential Southampton Port expansion and DfT Maritime 2050 Strategy Further information provided since May gives greater confidence in delivery.
4	City Centre Road	Portsmouth CC	Good scheme, one of few indicating full delivery within timescales and more developed than most, although awaiting modelling results. Links to other schemes in Portsmouth which requires clarification on specific scheme scope and benefits
5	A229 Blue Bell Hill Junction Upgrades	Kent CC	Good scheme with links to Lower Thames Crossing, much local and political pressure to do something. More development work still needed but that is progressing rapidly
6	A31 Hickleys Corner Underpass, Farnham	Surrey CC	Good scheme which clearly has benefits but modelling and scheme design requires significant updating

Appendix 3

Table 1 – TfSE LLM Priority Schemes

Scheme Status	Priority	Scheme	Authority
Priority Scheme considered more appropriate to be delivered through RIS2		M2/A2 Brenley Corner Upgrade	Kent CC
TfSE LLM Priority schemes ranked in priority order	1	West Quay Road Realignment	Southampton CC
	2	New Thames Crossing East of Reading	TVLEP (Wokingham BC)
	3	A326 Capacity Enhancement	Hampshire CC
	4	City Centre Road	Portsmouth CC
	5	A229 Blue Bell Hill Junction Upgrades	Kent CC
	6	A31 Hickleys Corner Underpass, Farnham	Surrey CC
Potential Pipeline Schemes for LLM2		A325 Wrecclesham Relief Road	Surrey CC
		A24 Corridor Improvements Horsham to Capel	Surrey CC/W Sussex CC

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

Date of meeting: **19 September 2019**

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

Title: **Financial update for 2019/20**

Purpose: **To update on the budget position for Transport for the South East**

RECOMMENDATIONS:

The Shadow Partnership Board is recommended to:

- (1) Note the current budget position for 2019/20 to the end of August 2019; and**
 - (2) Agree the proposed changes to the Transport Strategy budget forecast.**
-

1. Financial Overview

1.1 The purpose of this report is to update the Shadow Partnership Board on the revenue budget for Transport for the South East (TfSE).

1.2 The paper provides the current budget position to the end of August 2019 and outlines some proposed changes to the Transport Strategy budget.

2. 2019/20 Budget Update

2.1 In June 2019, the Shadow Partnership Board agreed the budget, which is based on the £500,000 grant allocation from the Department for Transport and the contributions from the constituent authorities.

2.2 As outlined in the Transport Strategy update paper the scope for the planned area studies, which will consider groups of corridors, has been revised. These changes have been a result of the lower than expected grant allocation from the Department for Transport for 2019/20, and it was recognised that it would not be possible to undertake the original corridor studies programme within the revised budget.

2.3 Appendix 1 sets out a revised budget to take account of changes required to the Transport Strategy budget to enable TfSE to deliver area studies that add considerable value to the evidence base, but are achievable within the overall budget envelope. There are no changes to the overall proposed level of spend and all changes are accounted for within the original envelope that the Board agreed in June 2019.

2.4 The change to the methodology and scope for the area studies required some additional work as part of the main Transport Strategy. As such, the amount allocated in the forecast budget for the Transport Strategy (Lots A, B, C and D) has been increased from £674,483 to £733,603. However, it is estimated that only a

proportion of the additional budget will be utilised in 2019/20 and any underspend will be reallocated, as necessary, to thematic studies later in the financial year.

2.5 This additional upfront work in the Transport Strategy has brought the cost per area study down to an estimated £250,000. Therefore the amount allocated to the area studies for 2019/20 has been reduced from £625,000 to £500,000. This will enable TfSE to commence two area studies in 2019/20.

2.6 The additional spend has been allocated to support further thematic work on future transport technology. The amount allocated for freight and logistics has remained unchanged, but may be updated as any underspend from the main Transport Strategy budget can be reallocated. The Shadow Partnership Board will be updated on any further proposed changes to the forecast budget for 2019/20.

2.7 Appendix 2 provides the budget position at the end of August 2019. This sets out the revised budget, alongside the actual spend, forecast and variance. The figures demonstrate that the current spend position and forecast is on track against the revised budget.

3. Conclusions and Recommendations

3.1 It is recommended that the Board agree the changes to the budget position for 2019/20 and note the current spend and commitments against the budget.

RUPERT CLUBB
Lead Officer
Transport for the South East

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Appendix 1: Revised TfSE Budget 2019/20 (update to Transport Strategy allocation)

2019-20 Position			
	Agreed budget	Revised Budget	Notes
Brought forward	-1,388,530	-1,388,530	
19/20 Contributions	-382,000	-382,000	SCC and KCC paid in 2018/19
DfT Grant	-500,000	-500,000	
	-2,270,530	-2,270,530	
Staff costs			
Salaries (including on-costs)	503,000	503,000	
Travel expenses	13,000	13,000	
Training	1,800	1,800	
Strategy			
Transport Strategy	674,483	733,603	Includes commitments for LOTs A,B,C&D and MRN. Any underspend from strategy forecast will be reallocated to thematic studies. DfT grant for 2018/19
Area Studies	625,000	500,000	£75,000 from constituent auths, £425,000 from DfT grant for 19/20.
Smart Ticketing			
Freight, logistics and gateways	75,000	75,000	DfT Grant for 19/20
Integrated Transport Technology		65,880	£65k from constituent authorities
Strategy Design and publication	15,000	15,000	DfT Grant for 2018/29
Communications and Engagement			
Proposal to Government	25,000	25,000	
Events	25,000	25,000	
Advertising and publicity	13,000	13,000	Includes £6,000 committed for design
Website	7,000	7,000	
Stakeholder Database	5,000	5,000	
Licenses / subscriptions	2,500	2,500	
Operational expenses	21,860	21,860	
Total spend:	2,006,643	2,006,643	
TfSE contingency/reserves	263,887	263,887	

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Appendix 2: TfSE Budget – 2019/20 Position at the end of August 2019

	Budget	Actual	Forecast	Variance
Brought forward	-1,388,530	-1,388,530	-1,388,530	0
19/20 Contributions	-382,000	-266,000	-382,000	0
DfT Grant	-500,000	-500,000	-500,000	0
	-2,270,530	-2,154,530	-2,270,530	0
Staff costs				
Salaries (including on-costs)	503,000	193,724	503,000	0
Travel expenses	13,000	6,670	13,000	0
Training	1,800	99	1,800	0
Strategy				
Transport Strategy (Lots A,B,C&D)	733,603	482,679	733,603	0
Area Studies	500,000	0	500,000	0
Smart Ticketing		0	0	0
Freight, logistics and gateways	75,000	0	75,000	0
Integrated Transport Technology	65,880	0	65,880	0
Strategy Design and publication	15,000	0	15,000	0
Communications and Engagement				
Proposal to Government	25,000	0	25,000	0
Events	25,000	7,683	25,000	0
Advertising and publicity	13,000	6,279	13,000	0
Website	7,000	0	7,000	0
Stakeholder Database	5,000	0	5,000	0
Licenses / subscriptions	2,500	724	2,500	0
Operational expenses	21,860	8,059	21,860	0
Total:	2,006,643	705,917	2,006,643	0
TfSE contingency/reserves	263,887		263,887	0

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To: **Shadow Partnership Board –Transport for the South East**

Date: **19 September 2019**

Title of report: **Communications and Stakeholder Engagement**

Purpose of report: **To update the Board on TfSE communication and engagement activity.**

RECOMMENDATIONS:

The members of the Shadow Partnership Board are recommended to:

- (1) Note the diary dates for forthcoming events in section 5;**
 - (2) Share invites to the regional events with wider contacts and networks and encourage colleagues to attend one of the events; and**
 - (3) Note the planned communications and engagement activity and inform the TfSE team if attendance or support is required at forthcoming events.**
-

1. Introduction

1.1 High levels of communications and engagement activity have been undertaken in the three months to September 2019 – supporting the draft proposal consultation, transport strategy development and MRN scheme submission process as well as planning for the upcoming autumn programme which focuses heavily on the draft transport strategy consultation.

1.2 Relationships have been built with new sector representatives including universities, policy centres, service providers and the private sector.

1.3 Interest in TfSE continues to grow, with 970 individual stakeholders now held on our database.

1.4 There has been a good spread of positive coverage of TfSE in local and trade press supported by our partners, increasing engagement with our stakeholder newsletters and a good level of activity on various social media platforms.

2. Engagement activity

Political engagement

2.1 Stephen Lloyd MP (Ind, Eastbourne), Greg Clark MP (Con, Tunbridge Wells) and Roger Gale MP (Con, North Thanet) have met individually with Cllr Glazier to be briefed on TfSE activity. At the request of Jeremy Quin MP (Con, Horsham) we are in the process of arranging a single briefing for all West Sussex MPs.

2.2 We have had a good level of interest in the Parliamentary reception on 15 October, providing a good opportunity to brief a number of our 77 regional MPs in the same place at the same time.

Transport strategy development

2.3 A series of three transport strategy stakeholder workshops were held in July for (i) local authority officers, (ii) business/LEP representatives and (iii) user groups. These were the final sessions of three phases of engagement which informed the development of the strategy. Feedback was largely positive; the groups recognised that we had listened to and acted on their previous comments.

Local authority engagement

2.4 One-to-one introductory meetings have been held with the new district and borough Transport Forum representatives (see attached structure diagram) and also the new Board member for Brighton & Hove City Council.

2.5 The district and borough forum representatives met collectively with Cllr Glazier and Geoff French on 28 August. Nominations have been received for the Shadow Partnership Board member to represent all 46 district and borough authorities within the TfSE region.

Media engagement

2.6 Rupert Clubb was interviewed by the editor of Transportation Professional magazine on 11 September for a feature in the October issue. A wide range of topics were discussed including the history and development of TfSE, our joint working with other STBs, our transport strategy and future technology.

Other engagement activity

2.7 Interactive engagement sessions have been held with youth cabinets in Kent, Brighton & Hove, Hampshire and East Sussex. These were positively received and will provide a good platform for future consultation.

2.8 Numerous other meetings, briefings and telephone conversations have taken place with a number of stakeholders including: district and borough authorities; neighbouring authorities; local, national and trade press; business leads; transport operators; and infrastructure providers.

2.9 A positive first workshop-style meeting was held in July with representatives from 12 large private sector businesses. Telefonica hosted the event and outputs will be used to inform the development of the strategic investment plan. A follow up meeting is planned for October.

Draft proposal to government consultation

2.10 A number of enquiries were received and dealt with during the consultation period. The level of engagement and interest was pleasing and has resulted in approximately 200 new contacts being added to our stakeholder database, building an invaluable platform for future communication and engagement activity.

2.11 Following the previous Secretary of State's letter regarding statutory status, our planned communications and engagement activity regarding the close of the consultation window was put on hold.

3. Communicating the MRN scheme submission

3.1 The MRN priority schemes submission to DfT was an opportunity for joined-up communications activity with our partners to underline the value of TfSE to people and businesses in the region. Together, we were able to successfully target media, stakeholders and the general public.

3.2 **Media coverage:** More than a dozen positive articles with quotes from the Chair were published, including in the region's three highest-circulation local newspapers. Several articles included additional supportive quotes from relevant local TfSE board members.

3.3 **Digital and social media:** Content focusing on individual MRN schemes resulted in a significant spike in engagement across Twitter, LinkedIn and the TfSE website.

3.4 **Stakeholder engagement:** Direct emails to our stakeholder database achieved a 49% click-through rate to the website for more information.

3.5 **MP engagement:** Personalised letters from the Chair were sent to MPs with priority schemes in their constituency or whose constituencies would benefit from nearby schemes.

3.6 **TfSE partner communications:** In addition to supportive quotes in news coverage reported above, a number of local authority and LEP partners issued their own press releases and published stories on websites.

4. Draft transport strategy consultation

4.1 A communications and engagement plan covering the duration of the transport strategy consultation period has been developed to maximise the opportunities that this milestone presents across media, social media and wider stakeholder communications. Partners were able to feed into the plan via the recent Communications and Engagement Working Group meeting and have committed their support.

4.2 The plan includes a series of events targeting stakeholders (see section 5 below). These events and other communications and engagement opportunities will enable us to:

- i) Fulfil our obligations regarding statutory consultation on the draft transport strategy;
- ii) Demonstrate a genuine commitment to open, honest and meaningful engagement with stakeholders and the public; and
- iii) Continue to build awareness of and advocacy for Transport for the South East across key audiences.

4.3 Production of a range of communications materials – including a leaflet/brochure, video, web content and conference exhibition materials – are in production via our creative agency. A copy of a Transport Strategy summary leaflet will be tabled at the Shadow Partnership Board meeting. These will complement the main strategy document and have been designed to excite and engage people to take part in the consultation via the TfSE website.

5. Upcoming events

5.1 As per the June Board report, we have a full schedule of events to the end of November 2019 including:

- 10 Oct – Draft transport strategy launch event, Farnborough International
- 15 Oct – Parliamentary reception, House of Commons
- 16-24 Oct – A series of regional events to support the draft transport strategy consultation:

16 Oct – Reading (Town Hall)

17 Oct – Woking (WWF Living Planet Centre)

22 Oct – Canterbury (Christ Church University)

23 Oct – Brighton (Jury's Inn)

24 Oct – Southampton (Central Hall)

Each of the regional events follows the same format:

1.30pm – 4pm: Invitation-only, aimed at key decision makers within our constituent, district & borough and neighbouring authorities, MPs, LEP board members and officers, key business representatives, transport operators and transport user group representatives.

4.30pm – 6pm: Open to all, aimed at those representing town & parish councils, local user and interest groups, businesses, members of the public and officers and members from local councils.

- 6-7 Nov – Highways UK, Birmingham NEC
- 20-21 Nov – ADEPT autumn conference, London

6. Ongoing work

6.1 Our offer for officer attendance at meetings, the supply of briefing packs or telephone conversations remains open to any stakeholder who would like more information about the work of TfSE.

RUPERT CLUBB

Lead Officer

Transport for the South East

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

Date of meeting: **19 September 2019**

By: **Interim Chair of the Transport Forum**

Title: **Transport Forum Update**

Purpose: **To summarise the Transport Forum meeting of 10 September 2019 and inform the Board of the Transport Forum’s recommendations.**

RECOMMENDATIONS:

The members of the Shadow Partnership Board are recommended to:

- (1) Note the recent meeting of the Transport Forum;**
 - (2) Review the recommendations from the Transport Forum; and**
 - (3) Note the future programme of the Transport Forum and the opportunities to engage further with the Forum representatives.**
-

1. Introduction

1.1 The purpose of this report is to update the Shadow Partnership Board on the most recent meeting of the Transport Forum, the Forum’s recommendations and plans for future engagement.

2. Feedback from Transport Forum Meeting on 10 September 2019

Feedback from sub-group on Forum operation

2.1 As agreed at the Shadow Partnership Board meeting in June 2019 the Transport Forum has established a small sub-group to review the operations of the Forum to ensure that it is able to support TfSE in the delivery of the Transport Strategy. As part of this, the sub-group of the Transport Forum has met twice and has reviewed the Forum’s function, role, membership, communications, mechanics and processes.

2.2 At the recent meeting of the Forum, Geoff French explained the background to the Transport Forum, its terms of reference and its governance. The membership of the Forum sub-group and the outcome of their recent meetings were outlined.

2.3 The Forum discussed the recommendations from the sub-group and agreed they were sensible. These recommendations included strengthening the communication between the Partnership Board and the Forum and also improving the communication from TfSE to the Forum. Another important recommendation from the sub-group was for the Transport Forum Chair to continue to attend quarterly SOG meetings to build relationships with senior officers. A full report on the Forum sub-group recommendations will be shared with the Shadow Partnership Board at their meeting on 11 December 2019 for review.

2.4 The current membership of the Forum was discussed and attendees were asked to identify if any other sectors should be invited to join the Transport Forum. The TfSE Secretariat will extend invites to the following sectors; environment, youth, utilities and health.

2.5 The Forum reviewed the current membership list and identified amendments that needed to be made to the list of representatives.

2.6 The sub-group are keen to ensure that the Transport Forum makes best use of existing sector groups to support the delivery of the Transport Strategy. Attendees were asked to identify any meetings that currently take place with representatives from their whole sector as these could be used for this purpose.

2.7 The Transport Forum forward plan has been developed to align with the overall TfSE work programme. This was reviewed and suggestions for future topics and external speakers were requested.

Feedback on Proposal to Government consultation

2.8 Rachel Ford updated the Forum on the recent Proposal to Government formal consultation and the feedback received.

2.9 The Forum discussed the next steps for the proposal and the options available to the Shadow Partnership Board for submitting the proposal to government. Forum members considered that the longer the board delays a submission, the less impact it will have. The Forum therefore recommends that the Shadow Partnership Board submit the proposal as soon as possible.

2.10 The Forum agreed they are content with the revised proposal, including the removal of the request for some bus powers.

Transport Strategy update

2.11 Steven Bishop (Steer) outlined the content of the strategy and the approach taken to develop the strategy. This included the scenarios, the preferred scenario and the supporting data. Steven outlined TfSE's revised vision, goals and priorities. In addition, the movement types were explained and how they link with TfSE's principles. Finally, Steven outlined how the Transport Strategy will be delivered.

2.12 The Forum were content with the strategy as outlined by Steven and will be able to review the full draft strategy document from 12 September 2019.

Summary of Forum recommendations

2.13 The recommendations from the Forum sub-group so far are sensible and reflective of the wider Forum views.

2.14 The Forum are content with the revised version of the Proposal to Government, however they felt it was important for the rail franchising power to be requested now, even though it would not be used until a later date, in order to future proof TfSE.

2.15 The Forum recommends that the Shadow Partnership Board submit the proposal to Government as soon as possible.

2.16 The Forum has no concerns with the draft Transport Strategy and they are content with the process that has been used to develop the strategy.

3. Future Transport Forum Engagement

3.1 The next meeting of the Transport Forum will be held on Wednesday 20 November 2019 and the forward plan is included as Appendix 1.

3.2 A more detailed update on plans for stakeholder engagement is included as 'Paper 5 – Communications and Engagement Update'.

3.3 The Transport Forum Sub-Group will next meet on Tuesday 01 October 2019 to finalise their recommendations on the terms of reference and operation of the Transport Forum. These recommendations will be submitted to the Shadow Partnership Board at their meeting on 11 December 2019 for review.

4. Conclusions and Recommendations

4.1 It is recommended that the Board note the successful meeting of the Transport Forum and the important communication link this provides TfSE with its key stakeholders. It is also recommended that the Board note the future programme of the Transport Forum.

4.2 In addition, the Board is recommended to review the recommendations made by the Transport Forum at its recent meeting and respond to the Transport Forum Chair in order for him to communicate the Board's comments to the Forum members.

GEOFF FRENCH

**Interim Chair of the Transport Forum
Transport for the South East**

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Appendix 1

Transport Forum Meetings – Work Programme 2019-20

(Below is subject to change as it is linked to the TfSE work programme which is also subject to change due to national influences)

Date	Venue	Agenda Items	Guests / Presenters	Papers to be circulated
Tuesday 10 September 2019 10-1pm	Kempton Room, Hilton Hotel, South Terminal, Gatwick Airport, RH6 0LL	<ul style="list-style-type: none"> • Feedback from sub-group on Forum operation • Feedback on proposal consultation • Transport Strategy – preparing for consultation • AOB • Next Meeting 		<ul style="list-style-type: none"> • Agenda • Minutes
Wednesday 20 November 2019 10-1pm	Jury's Inn, Suite 1, 101 Stroudley Road, Brighton, BN1 4DJ (near Brighton train station)	<ul style="list-style-type: none"> • Agree recommendations to Dec SPB meeting • Update on proposal and submission • Transport strategy consultation • Recent TfSE engagement feedback • Corridor studies • RIS3? • AOB • Next Meeting 		<ul style="list-style-type: none"> • Agenda • Minutes
March 2020 TBC	TBC	<ul style="list-style-type: none"> • Feedback from Dec SPB meeting and new transport forum arrangements • Transport Strategy consultation outcomes and recommendations • Annual report and business plan • Corporate form of TfSE • Williams Rail Review outcomes • Corridor studies • Implementing some of the recommendations in the strategy • AOB • Next Meeting 		<ul style="list-style-type: none"> • Agenda • Minutes •

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

Date of meeting: **19 September 2019**

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

Title: **Responses to Consultations**

Purpose: **To endorse draft responses submitted to various consultations**

RECOMMENDATIONS:

The members of the Shadow Partnership Board are recommended to:

- (1) Endorse the draft letter of support to England's Economic Heartland – Outline Transport Strategy; and**
 - (2) Endorse the draft response to the Heathrow Airport Expansion consultation.**
-

1. Introduction

1.1 Transport for the South East (TfSE) has prepared responses to a number of recent consultation documents that relate to strategic infrastructure and transport schemes.

1.2 This paper provides an overview of the responses to the following consultations:

- England's Economic Heartland – Outline Transport Strategy
- Heathrow Airport Expansion Consultation

2. England's Economic Heartland – Outline Transport Strategy

2.1 England's Economic Heartland (EEH) is an emerging Sub-national Transport Body covering Peterborough, Northamptonshire, Cambridgeshire, Bedford, Milton Keynes, Central Bedfordshire, Luton, Swindon, Oxfordshire, Buckinghamshire and Hertfordshire. EEH is in the process of developing a Transport Strategy for their region, which will set out a 30 year strategic vision for the transport network that puts the needs of businesses and individuals at the forefront of investment decisions.

2.2 In July 2019, EEH published its Outline Transport Strategy: Framework for Engagement document. The document sets out the nature of the challenges and opportunities faced by the Heartland region in shaping their transport system for the longer term.

2.3 The Outline Transport Strategy recognises the importance for EEH to build strong working relationships with their neighbouring STBs. The consultation document highlights the need to understand the perspectives of other STBs, including TfSE which has a contiguous boundary with the EEH area.

2.4 The deadline for the response is 31 October 2019. The draft TfSE response, set out in Appendix 1, highlights the importance for EEH and TfSE to continue to build on the strong working relationship that has already been established. The response also focuses on the need for collaborative working going forward around work on Freight logistics, Smart and Integrated Ticketing and Future Transport Technology.

3 Heathrow Airport Expansion

3.1 Heathrow Airport Limited (HAL) is consulting on its expansion plans for a third runway from 18 June 2019 to 13 September 2019. The consultation sets out how the preferred proposals for developing and operating an expanded airport. This includes information on how they intend to manage the effects of the expansion, including the impact surface access.

3.2 HAL are intending to use responses to the consultation to inform the Development Consent Order (DCO) which will be submitted in 2020.

3.3 The TfSE response, attached as Appendix 2, recognises the economic importance of Heathrow to the TfSE area and the national economy. However, it identifies concerns around the lack of coherent surface access proposals in the consultation document. Unless surface access issues are adequately addressed, it is unlikely that HAL will be able to meet its modal split and sustainable transport targets.

3.4 The response highlights that HAL have not given sufficient consideration or support to Western Rail Access and Southern Rail Access. Both schemes were identified by the Airports Commission report as being justified on the basis of a two runway airport. The TfSE response sets out that the schemes should be recognised as priorities by HAL and that HAL should proactively identify a solution for southern rail access to the airport.

3.5 Additionally, the M25 South West Quadrant study, which was led by Highways England, has also brought forward several options for further consideration that involve major investments in improved surface access schemes to and around the airport. The consultation response suggests that these should be closely integrated into the Expansion proposals.

4 Conclusion

4.1 The members of the Shadow Partnership Board are recommended to agree the responses to the two consultations on the England's Economic Heartland – Outline Transport Strategy and also the Heathrow Airport Expansion.

RUPERT CLUBB

Lead Officer

Transport for the South East

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Appendix 1

To whom it may concern,

Transport for the South East response to the consultation on England's Economic Heartland's Outline Transport Strategy.

I am writing to you as Chair of the Shadow Partnership Board for Transport for the South East (TfSE) to provide a response to the consultation on the England's Economic Heartland's Outline Transport Strategy.

Transport for the South East (TfSE) is an emerging sub-national transport body, which represents a number of south east local authorities. These are Brighton and Hove, East Sussex, Hampshire, Kent, Medway, Surrey, West Sussex, the Isle of Wight, Portsmouth and Southampton, and the six Berkshire unitary authorities. It also has representation from five Local Enterprise Partnerships.

Firstly, we welcome the opportunity to comment on the document so early in the consultation process. We understand that this is a key stage in the development of the Transport Strategy and the early engagement is welcomed. It is crucial for Transport for the South East and England's Economic Heartland to continue to foster the strong working relationship that both organisations have built to date.

It is pleasing to see that the Outline Transport Strategy recognises the need to develop the Heartland's transport system and improve connectivity across the region over the next 30 years. This reflects the aims of TfSE's own emerging transport strategy, which seeks to improve connectivity between businesses, improve access to labour markets, and facilitate housing and employment space growth. The strategy will also look to improve access to key international gateways and accessibility to deprived communities to deliver sustainable economic growth.

Transport for the South East is due to commence the consultation on the draft Transport Strategy for the south east region in October 2019. We would welcome a meeting with England's Economic Heartland to discuss cross boundary working and to ensure full alignment between the emerging transport strategies. Going forward it will be important to ensure that thinking is aligned for both STBs around routes and schemes that cross boundaries such as the A34 major road and the Heathrow Airport Expansion plans.

TfSE have recently completed early thematic studies on the topics of Freight Logistics, Smart and Integrated Ticketing and also Future Transport Technology. Through these work areas there is further opportunity for England's Economic Heartland and Transport for the South East to continue to work in a collaborative manner.

Once again, thank you for giving Transport for the South East the opportunity to respond to Outline Transport Strategy. Going forward Transport for the South East is extremely keen to continue working closely with the England's Economic Heartland.

Yours sincerely

Cllr Keith Glazier

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Appendix 2

Heathrow Expansion Consultation

DRAFT Response from Transport for the South East

Dear Sirs

Response from Transport for the South East to Heathrow Expansion Consultation

1.1 Transport for the South East is an emerging sub-national transport body¹, and although Heathrow Airport is currently outside its area, the north-west runway proposal would extend into our area, and the airport has a significant impact on the transport system across the whole of the south-east.

1.2 The success of the economy in the south-east is strengthened by its links to Heathrow airport. This area is one of the highest performing economies in the UK, and one of the key factors that underpin this success is proximity to Heathrow Airport. Heathrow Airport has a major economic advantage because it:

- is a source of employment;
- supports inward investment; and
- helps attract foreign owned companies.

1.3 The international gateways in the Transport for the South East area are a focus for employment and commerce. Several large business parks have developed near Heathrow Airport (along the A4/M4 Corridor); the businesses located here see a benefit in being located close to a high-quality international hub.

1.4 The M4/A4/Great Western Main Line Corridor has benefitted from significant investment in recent years (Crossrail, Great Western Main Line electrification, new rolling stock and enhancements to Reading station). However, with Heathrow set to expand, this already very busy corridor is expected to come under increasing pressure. There is a risk that without improvement it could hold back the economic benefits arising from improved global connectivity delivered by expansion at Heathrow

1.5 Expansion of Heathrow has the support of business because of the better connections it will bring to emerging markets, support exporters and help UK businesses to grow. However, this support is not unconditional.

1.6 Like others, TfSE supports the need for an appropriate package of mitigation measures addressing surface access, air quality and noise impacts on the airport's neighbours.

1.7 Additional growth at Heathrow presents significant transport and environmental risks to the South East. It is critically important that viable public transport alternatives are put in place to enable access to and from Heathrow Airport by means other than the car. This will need to be accompanied by demand management policies.

1.8 There have been a number of studies that set out the potential implications of airport expansion. The conclusion we have reached is that on-, near- and off-airport infrastructure needs to be well planned and co-ordinated in order to reap the maximum benefits for the local economy, and

to minimise the negative impact on local communities. We have concluded that surface access to airports is the most pressing problem, both now and following any expansion.

1.9 We highlighted in our response to Consultation One our disappointment about the lack of a coherent view from HAL on how Heathrow sits within the wider (national and regional) transport network. This is important because the case for expansion is founded on the idea that it will secure significant economic benefits. If those are to be realised a much more coherent strategy is needed and HAL should be leading the development of this.

1.10 The proposed Surface Access Strategy lacks ambition. It is too inward looking and also needs to be extended to help facilitate sustainable transport across the wider region, not just to and from the airport. This is particularly important given that a stated aim of the airport's expansion is to help facilitate economic development, much of which will be situated in the vicinity of the airport. The impacts of the airport's expansion are far greater than just travel to and from the airport itself, yet the strategy has little to say about this.

1.11 It is disappointing that the current strategy provides very little new transport infrastructure outside the Heathrow campus. TfSE would like to see much greater ambition and commitment for the provision of an extensive active travel network, bus improvements (including BRT), highway improvements and mitigations, and public transport investment.

1.12 TfSE does not object in principle to the proposed vehicle access charge, however we consider it should be payable by all users of the airport, not just passengers.

1.13 We would like to understand the amount of revenue that could be raised from both the Ultra-Low Emission Zone and vehicle access charge. It appears that this income will be managed in a similar manner to the airports existing revenue streams, which is unacceptable. We wish to see a firm and unequivocal commitment that this income will be reinvested into measures to support access to the airport, by means of a hypothecated fund to support local and strategic transport infrastructure improvements.

1.14 The vehicle access charge proposal is very reliant on charging to meet the Airports National Policy Statement (ANPS) requirements. However, to achieve this it is essential that there are good alternative transport options in place. For people living in parts of the TfSE area, such as Hampshire and Surrey there is no rail link to Heathrow, and public transport links to the airport are relatively sparse. This results in very high percentage of people using cars to reach the airport. If no new rail links are put in place, but a vehicle access charge is levied in the manner proposed many people in the TfSE area will face little choice but to pay the charge. Indeed, HAL predict that 88% of air passengers from inner Surrey will drive to the airport, reflecting the lack of a viable alternative.

1.15 It is unacceptable to introduce a substantial charge that cannot easily be avoided. For too many locations across the TfSE area, there is little existing or committed infrastructure to provide a reasonable alternative or subsidy to public transport to the airport as a way of encouraging modal shift.

1.16 There are some ideas about providing enhanced coach and bus services, but these alone will not secure the level of modal shift necessary to meet the ANPS requirements and 'No More Traffic' pledge.

1.17 This ongoing failure to adequately address surface access issues and HAL's position that they can meet their responsibilities without major infrastructure investment appears untenable, without sufficient evidence. TfSE believes that without additional sustainable surface access the airport will not be able to meet the ANPS and its sustainability requirements, nor meet the demands of future air travel growth.

1.18 In terms of Surface Access Proposals themselves, the proposals for both Western Rail Access and Southern Rail Access were identified by the Airports Commission report as being justified on the basis of a two-runway airport. This view has been endorsed by several of our members since then and bringing forward both these schemes remains a pressing priority.

1.19 It is disappointing that Heathrow do not have any kind of preferred Southern Rail Scheme. Given some of the proposals offer very different sorts of connectivity to the airport, we would expect HAL to be leading the way in promoting a scheme that HAL feels best suits the needs of the airport. This may not of course be the scheme that best meet the needs of the wider region, but it is very disappointing that despite the depth of data and analysis available, Heathrow are not able to offer their own view on the type of scheme Southern Rail needs to be.

1.20 We are aware that the DfT-sponsored M25 South West Quadrant study has also brought forward several options for further consideration that involve major investment in improved surface access schemes to and around the airport. These need to be integrated far more closely into the Expansion proposals so that a clear and consistent overarching approach to transport issues can be delivered

1.21 In conclusion the emerging TfSE Transport Strategy has concluded that there is a pressing need to facilitate an increase in radial and orbital journeys by public transport, particularly to/from Outer London and to/from Heathrow Airport to support the economy of the South East. We are yet to be convinced that the Heathrow Expansion proposals are contributing to this to the level that they could and should do, and there is danger of an opportunity being missed.

1.22 This draft response is an officer response to the consultation. The TfSE Shadow Partnership Board meets on 19 September 2019 to consider the draft response and a further iteration of the response may follow.

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