

# Shadow Dorset Council

Date of Meeting	21 August 2018
Officer(s)	<p>Lead members:                      Daryl Turner - Lead member for Natural &amp; Built Environment                      Andrew Parry – Lead member for Economy, Education &amp; Skills</p>
<b>Subject of Report</b>	<b>Sub-national Transport Body for the South West</b>
Executive Summary	<p>The Shadow Executive Committee is asked to agree to the formation of a Sub-national Transport Body (STB) by entering an informal partnership with other authorities in the South West and key agencies responsible for infrastructure investment.</p> <p>STBs will be the principal mechanism for dialogue with Government regarding strategic transport investment in the area covered by the Body.</p> <p>For the South West two Sub-national Transport Bodies are proposed. Both will have the same broad remit and focus on strategic connectivity and city growth. The proposed Western Gateway STB has a more urban focus on city access and mass transit solutions, while the South West Peninsula STB has a focus on rurality, sparsity and connectivity.</p> <p>The County Council prior to the creation of the Shadow Council submitted a joint response with SW Peninsula Councils to the Government’s Major Road Network (MRN) consultation following a four months period for analysis and comment in March 2018 and signed a non-binding letter of intent with SW Peninsula councils as part of developing the STB proposition.</p> <p>With the creation of the Shadow Council and Executive arrangements, the Interim Monitoring Officer has advised that the STB decision is now a matter for the Shadow Executive Committee and hence this report. As two STBs are proposed for the South-West, Dorset Council has a choice to make as to which it is most appropriate to join. Both STBs currently envisage having full member councils and associate member councils, particularly those on the boundaries, recognising that transport &amp; travel are about economic corridors and these are not neatly aligned with local authority boundaries.</p> <p>The options for members of the Shadow Executive are therefore whether Dorset Council should join:</p>

	<ul style="list-style-type: none"> <li>• the Western Gateway STB as a full member, with associate membership of the South West Peninsula STB, or</li> <li>• the South West Peninsula STB as a full member and seek associate membership of the Western Gateway STB</li> </ul> <p>In both cases Dorset Council would continue the partnership work already started with local authorities and LEPs to the north in respect of the important North-South routes and especially the strategic need for an additional UK route in between the M5 and the A34, from the South Coast up to the M4 as part of the Road Investment Strategy (RIS2) proposal.</p> <p>Bournemouth, Christchurch and Poole Council are intending to join the Western Gateway STB, with potentially associate membership of the South West Peninsula STB. It is expected that both STB's will work together on issues of common interest or that impact the South West region, as a whole.</p> <p>It would be beneficial for the wider Dorset to have a presence in both STBs. This could be achieved through both new Unitary Councils being in one STB and associates of the other or as initially proposed if Dorset Council were full members of the SW Peninsula STB and associate members of the Western Gateway STB, mirroring Bournemouth, Christchurch and Poole Council.</p> <p>The Dorset Growth Board, comprising all Local Authority Leaders and the Dorset LEP, considered the initial proposals and expressed a strong preference to join the Western Gateway STB. This view was also supported in an informal discussion with Shadow Executive members.</p> <p>Based, in part, on the transport analysis work in support of the MRN submission the letter of intent included at Appendix 2, placed Dorset Council within the SW Peninsula STB. However, no decision has been made and both options set out above remain open to members of the Shadow Executive Committee to decide.</p>
<p>Impact Assessment:</p>	<p>Equalities Impact Assessment: All schemes are designed to accommodate all users.</p> <hr/> <p>Use of Evidence: Local Plan consultation, consultation with local authority partners. Response to DfT Major Road Network Consultation.</p> <hr/> <p>Budget: Additional financial resources will be required to set up and administer the new body. Technical work is also likely to be commissioned to develop the required evidence base and transport strategy setting out the strategic transport investment needs of the area. Government's intention is for the required evidence base to be proportionate and it is anticipated that much of the required information can be brought together from existing studies and expertise already within the partner authorities.</p>

	<p>Costs for the STB will initially be shared between the local authorities forming the partnership split proportionately by population. The intention is to submit a business case to Government for additional funding to enable the STB to become a sustainable entity.</p> <p>An initial funding contribution of (approx.) £40-60k is likely to be required from Dorset Council to fund the initial activity of the STB and to lever-in Government financial support. It is anticipated that there will be a contribution required as an associate member of the other STB, but at a reduced level. This estimate is based work to date with the SW Peninsula STB on a total partnership budget of £250k to £400k, with work currently underway to establish a more accurate estimate of likely cost. By way of a comparison, Transport for the South East has an initial partnership budget of £500k.</p> <p><b>Risk Assessment:</b> Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as: Current Risk: MEDIUM Residual Risk: MEDIUM The key risk is a loss of potential strategic infrastructure investment should the Council choose not to enter into a partnership to form a sub-national transport body. (The risk is considered to be MEDIUM for either STB).</p> <p><b>Other Implications:</b> Funding availability will impact on delivery of infrastructure to support housing and jobs.</p>
<p>Recommendation</p>	<p>That the Shadow Executive for Dorset Council agrees to:</p> <ol style="list-style-type: none"> <li>1. Either, join an informal partnership forming the shadow sub-national transport body for the South West Peninsula, <b>OR</b>  Join an informal partnership forming the shadow sub-national transport body for the Western Gateway,  subject to Government agreeing with that proposal, and subject to formal agreement of a final terms of reference in due course and cost of membership.</li> <li>2. Dependent upon the decision at recommendation 1, become an associate member of the other shadow sub-national transport body, which will also operate initially as an informal partnership, subject to agreeing appropriate terms of reference in due course and cost of membership.</li> <li>3. The draft terms of reference attached as Appendix 3 or 4 (respective of the decision at recommendation 1) as an appropriate basis upon which to create the partnership</li> </ol>

	<p>4. Appoint the Lead Members for Economic Growth, Education &amp; Skills and for Natural &amp; Built Environment to represent the Council on the sub-national transport bodies.</p> <p>5. Delegate authority to the County Council's Corporate Director, Environment &amp; Economy following consultation with the Lead Members for Natural &amp; Built Environment and for Economic Growth, Education &amp; Skills to agree the final terms of reference, a constitution, an inter-authority operational agreement and the prospectus for communication purposes for the STB.</p> <p>6. Approve an initial partnership funding contribution of up to £60,000 to facilitate the development and operation of the partnership, and lever in match-funding from the Government; with the actual value of the contribution to be agreed between the parties following further development of technical workstreams.</p>
<p>Reasons for Recommendation</p>	<p>The creation of a Sub-national Transport Body will give local authorities the direct influence over decisions that are currently within the control of Government and its agencies. Individual authorities will formally join a partnership with other authorities to formulate, and potentially deliver, a transport and investment strategy for the wider area.</p> <p>The South West remains the only part of England not covered by a STB, and Government has highlighted that it expects such a body to be put in place to enable discussion and agreement on strategic transport infrastructure investment priorities.</p> <p>The South West Region risks losing out on essential infrastructure investment without such a body in place.</p> <p>There is a consensus amongst South West authorities that forming two bodies, initially as informal partnerships; would be the most effective way to swiftly put in place a clear mechanism for Government to engage formally with us on strategic transport investment matters, including use of a new roads fund to improve the major road network.</p>
<p>Appendices</p>	<p>1 - Dorset's proposed Major Road Network                  2 - Letter of Intent from South West Local Authorities to the DfT                  3 - Draft Terms of Reference – South West Peninsular STB                  4 - Draft Terms of Reference – Western Gateway STB</p>
<p>Background Papers</p>	<p>None</p>
<p>Officer Contact</p>	<p>Name: Matthew piles                  Tel: 01305 221 336                  Email: m.d.piles@dorsetcc.gov.uk</p>

## **1. Background**

- 1.1 There is no statutory requirement for a sub-national transport body but Government has made it clear that its strong preference is for strategic transport infrastructure priorities to be established through such a body rather than dealing with individual local authorities.
- 1.2 The terms of reference for either STB propose that a shadow body is created as an informal partnership whilst a more detailed business case for a statutory body with new powers is considered.
- 1.3 A statutory body would be constituted under the Cities and Local Government Devolution Act 2016 which enables the Secretary of State to establish such a body. The body would then be required amongst other things to publish a transport strategy for the area which the Secretary of State must have regard to in setting and implementing national transport policy as it relates to the STB area.
- 1.4 Members of the STB Board will retain their existing accountabilities and responsibilities for transport. During the Board's shadow operating phase they will also be responsible for ensuring that necessary approvals for STB Board decisions are obtained within their organisation.
- 1.5 It is not proposed to establish standalone scrutiny arrangements for the STB during the shadow phase of operation but as formal proposal for a statutory body is developed for submission to Government, consideration shall be given in consultation with the DfT, as to what formal scrutiny requirements will be required once the STB is fully operational. During the shadow phase it will be for each of the Constituent Authorities to scrutinise the activities of the Board through their own scrutiny arrangements.
- 1.6 During the shadow phase the STB has no statutory standing, cannot enter contracts and cannot employ staff. Therefore, for the shadow phase of operation, the STB will need to appoint a Lead Authority responsible for coordinating and administering the project including matters such as managing any available budget, keeping appropriate accounting and operational records and overseeing the preparation of the proposal to the Secretary of State to transition to a statutory Body. The full detail of the Lead Authority role will be set out in an Inter-Authority Agreement to be agreed by all Constituent Organisations.
- 1.7 Local Authorities across England are responding to Government's request for more strategic thinking about transport investment with the aim of improving regional productivity and sustainable economic growth by joining up to become Sub-national Transport Bodies (STB) using legislation, within the Cities and Local Government Devolution Act 2016.
- 1.8 Nationally three STBs have been formed and are working towards becoming statutory authorities. They include: Transport for the North, Midlands Connect and England's Economic Heartland. In addition, a shadow STB has been created for South East England and work has begun on creating a STB for East Anglia. The South West remains the only part of England not covered.

## **2. Progress so far in the South West**

- 2.1 A recent consultation document on defining a new tier in the major road network for England (MRN), has highlighted Government's intention to work with STBs to agree investment priorities. Authorities in the South West have identified that a failure to form a STB would present a considerable risk in missing investment opportunities, and that

such bodies will provide a unique opportunity for unprecedented access to Government and a key role in advising on use of the new national roads fund and other infrastructure investment processes. Appendix 1 contains Dorset's proposed major road network.

- 2.2 The Authorities are now well progressed in setting up two STBs, Western Gateway and South West Peninsula, to cover the South West Region and are on track to establish shadow bodies as informal partnerships by September 2018 whilst longer-term discussions about statutory body status take place. The SW authorities wrote to the DfT in July 2018 setting out the intention to set up two bodies and explaining the benefits and opportunities that this would create (see Appendix 2). Draft terms of reference for the shadow South West Peninsula STB is attached as Appendix 3 and for the shadow Western Gateway STB as Appendix 4. (The appendices comprise 17 pages).
- 2.3 Work is now underway to establish the detailed resourcing requirements and activity required to develop the evidence base and transport strategy which will be the key initial output from the Body to inform imminent discussions with Government about strategic transport investment needs. Corridor alliances such as those formed around the A303 corridor and the North-South M4-to-South Coast corridors are a strong feature of joint working in the area and will remain a key mechanism for joint working between the sub-national bodies.
- 2.4 The draft terms of reference for both bodies refer to the opportunity for local authorities to become 'associate members' of bodies where they are not part of the core STB area but have important strategic connectivity issues and investment needs related to a neighbouring STB.
- 2.5 The model to create sub-national transport bodies for the South West is similar to the recently established 'Transport for the South East' which has an informal partnership in place utilising a £0.5m budget formed of contributions from its constituent authorities. The budget has been used to set up governance arrangements, a programme management office and technical workstreams which include preparing an initial evidence base and 'connectivity review' which has now been published. The body has recently been awarded £1m by the DfT to develop its transport strategy and activity needed to become a statutory body by 2020.

### **3. Options considered and reasons for rejecting them**

- 3.1 Several detailed options for setting up sub-national transport bodies have been discussed with the South West local transport authorities, and the proposal for the two bodies has emerged as the consensus view.
- 3.2 The alternative options considered and rejected are as follows:
  - Seek to establish a statutory body from the outset. This is not recommended due to the need to swiftly put in place a body for Government to deal with; statutory body status will take several years to progress.
  - Seek to establish one body for the whole South West Region. This is not recommended as the pace of progress is likely to slow significantly to form the necessary governance arrangements and there is a lack of natural consensus on priorities and sequencing of investment.

- Not to form a partnership with other authorities and seek to negotiate future strategic transport investment with Government as an individual authority. This is not recommended as Government has expressed a strong preference for such bodies. An authority seeking an individual relationship with DfT on these matters would be unlikely to attract any significant new investment.

#### **4. Choice of Sub-National Transport Body**

4.1 Dorset Council needs to confirm which of the two South West STBs it wishes to join. There are potentially pros and cons in respect of joining either Body and these are summarised in the attachment to the letter in Appendix 2.

4.2 The distinct economic challenges within the sub-national areas can be broadly described as follows:

- Western Gateway is on the axis of a number of routes into the Bristol city region area and the Bournemouth/Poole city region area. Investment needs are more likely to focus more on metropolitan transit solutions and strengthening core routes to manage growth of the two city-regions. The key themes included in the draft terms of reference, constitution and prospectus are:
  - Metro connectivity
  - Resilience (network)
  - Access to ports and airports
  - Strategic connectivity
- The SW Peninsula challenge is to enable more peripheral areas to become more productive and reduce journey times on key strategic routes connecting with other economic hubs. There are also a more dispersed set of place-based growth challenges including town and city growth, rural communities, and maximising the economic potential of the Region's natural assets. The priorities included in the draft prospectus are:
  - Strategic connectivity
  - Unlocking large scale housing and economic growth
  - Smart rural mobility
  - Access to skills, education and employment

4.3 The options for members of the Shadow Executive are therefore whether Dorset Council should join:

- the Western Gateway STB as a full member, with associate membership of the South West Peninsula STB, or
- the South West Peninsula STB as a full member and seek associate membership of the Western Gateway STB

4.4 Having assessed the priorities, themes, transport and economic aspects for each proposed STB, it is a fine balance as to which STB would be the most beneficial for Dorset Council, its residents and business. On one side of the scales the interests of Dorset Council seem to be more closely aligned with those outlined for the more rural focussed SW Peninsula STB. On the other the Future Dorset aspirations, including for improved connectivity to national infrastructure to ease access to/from Dorset may be better achieved within the more urban focussed Western Gateway STB.

- 4.5 Pan-Dorset interests could be represented in both STB, by virtue of each new unitary council for Dorset joining one STB and being an 'associate' member of the other STB, giving Dorset a voice and influence in both STBs.

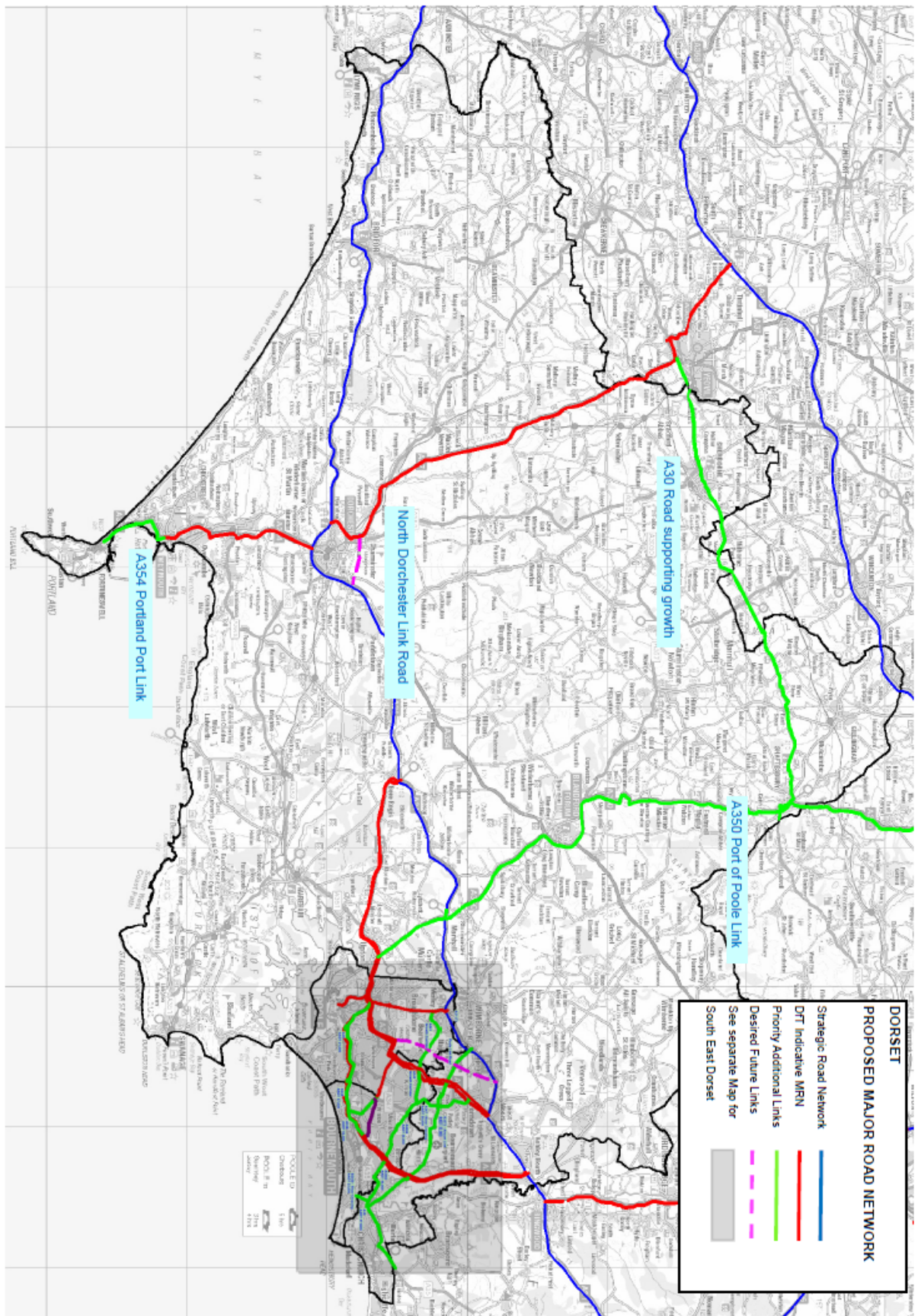
## **5. Conclusion**

- 5.1 The balance between the benefits of joining each of the two alternative STBs is fairly evenly balanced. As such, although more work to date has been done with partners in the SW Peninsula STB, there is no officer recommendation, it is a choice which members of the Shadow Executive Committee need to make for Dorset Council, as summarised in the options under recommendation 1.

**Mike Harries**  
**Corporate Director, Environment & Economy**  
August 2018



### Appendix 1 Dorset's proposed Major Road Network (MRN)



## Appendix 2 Letter of Intent from South West Local Authorities to the DfT

Mr Ben Smith  
Director - Regions, Cities and  
Devolution Directorate  
2/19, Great Minster House  
33 Horseferry Road  
London  
W1P 4DR

Paula Hewitt: Director Somerset County Council

Nigel Riglar: Director Gloucestershire County Council

\*\* July 2018

Dear Ben

### Sub-National Transport Bodies for the South West

Local Authorities across the South West Region are reviewing the need to put in place sub-national transport bodies (STBs) to provide the ability to speak consistently about the challenges and investment needs of our area. We believe such bodies could provide an opportunity for access to Government and a key role in advising on use of the new national roads fund and other infrastructure investment processes.

The Authorities are now working to set up two shadow STBs, Western Gateway and South West Peninsula, to cover the South West Region. Work is on-track to establish informal shadow bodies in the autumn. Once the informal arrangements are in place it will allow all the relevant bodies to make an objective assessment whether to pursue the option of statutory STB's.

We believe this will swiftly put in place a clear mechanism for Government to engage formally with us on strategic transport investment matters.

Our rationale for following this approach, including our broad assessment of the benefits and opportunities that two shadow sub-national bodies will offer is attached to this letter.

Individual letters will be coming to you shortly from each of the two shadow bodies, setting out the growth challenges and the governance being put in place to enable sub-national transport working arrangements.

We look forward to discussing these matters with you in more detail in due course.

Yours Sincerely

**Paula Hewitt:** Lead Director Economic and Community Infrastructure, Somerset County Council

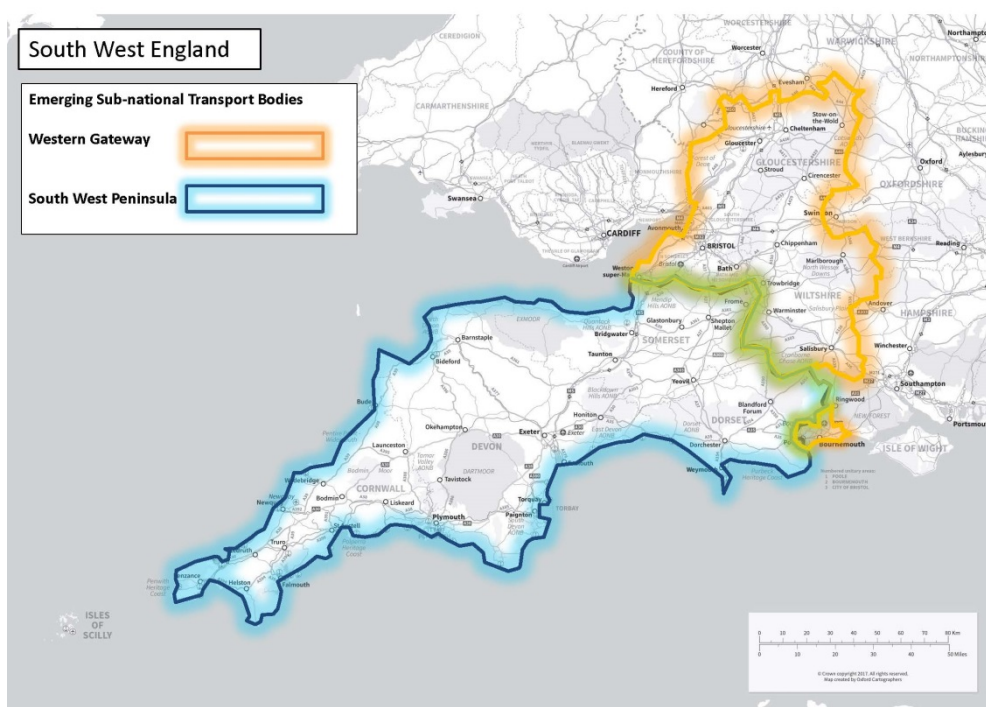
On behalf of: **SW Peninsula STB:** Somerset County Council, Cornwall Council, Plymouth City Council, Torbay Council, Devon County Council and Dorset County Council.

**Nigel Riglar:** Commissioning Director Communities and Infrastructure, Gloucestershire County Council

On behalf of: **Western Gateway STB:** Gloucestershire County Council, Bath & North East Somerset Council, Borough of Poole Council, Bournemouth Borough Council, Bristol City Council, North Somerset Council, South Gloucestershire Council, Wiltshire Council and West of England Combined Authority

### Rationale for South West Sub National Transport Bodies

Government is clear that future strategic transport investment priorities will be established in discussion with sub-national transport bodies; groupings of local authorities and relevant partners covering a broad geography who will be able to speak with one voice about the challenges and strategic investment needs of their area. The English Regions are the highest tier of sub-national division in England, but Government is open to sub-national transport bodies forming across more functional economic geographies rather than being constrained by historic administrative boundaries.



There is firm consensus from most local authorities across the South West Region that given the huge geographic scope and diversity of the Region the formulation of two sub-national bodies is the most effective way of delivering infrastructure at a pace that meets expectations for improved productivity, housing and economic growth across the Region.

In recent years two distinct sub-national groupings have formed naturally around particular economic challenges and functional geographies, and those groupings already have a clear understanding of the strategic investment needs in their area:

- The Western Gateway has the well established West of England (WOE) city region at its core which is already jointly planned on a statutory basis.
- Shadow Authorities for Bournemouth, Christchurch and Poole and Dorset have recently been established with the exciting prospect of new and strategic authorities being formed from April 2019. Both STBs shall benefit from this further devolution being in a stronger position to

deliver North-South strategic links within and between STB areas and southwards into Europe via Bournemouth Airport and the Port of Poole.

- The South West Peninsula has well-established joint planning arrangements for strategic rail investment in the form of the peninsula rail task force.
- Corridor alliances such as those formed around the A303 corridor and the Bristol South West Economic Link are a strong feature of joint working in the area and will remain a key mechanism for joint working between the sub-national bodies.
- The whole Region meets at senior officer level through the South West Board of ADEPT to ensure the collaborative development and management of STBs continues.

We believe that the benefits of developing two sub-national bodies are broadly as follows:

- Well-established governance arrangements which are already being built-on for this purpose.
- Existing collaborative working which has already enabled effective dialogue with Government on important strategic transport investment matters in the two areas.
- Groupings of authorities who already work efficiently and effectively together and who can make swift and timely recommendations on investment priorities.
- Existing corridor alliances which deal with strategic connectivity between the two areas.
- Groupings of authorities who understand the distinct economic challenges in their area and who can clearly set out priority investment needs and the nature & sequencing of investment needed to overcome those challenges.
- Focused and effective dialogue with Government.

The distinct economic challenges within the sub-national areas can be broadly described as follows:

- Western Gateway is on the axis of a number of routes into the Bristol city region area and the Bournemouth/Poole city region area. Investment needs are more likely to focus more on metropolitan transit solutions and strengthening core routes to manage growth of the two city-regions.
- The Peninsula challenge is to enable more peripheral areas to become more productive and reduce journey times on key strategic routes connecting with other economic hubs. There are also a more dispersed set of place based growth challenges including city growth, rural communities, and maximising the economic potential of the Region's natural assets.

Risks of seeking to form one body:

- Pace of progress likely to slow significantly to form the necessary governance arrangements.
- Lack of natural consensus on priorities and sequencing of investment.
- Risk of extended dialogue seeking to prioritise between investment needs which are not inter-related and cannot be logically sequenced (i.e. seeking to prioritise a rapid transit route into a city region against a major road improvement in rural Cornwall).
- A greater sense of 'competing for investment' within a larger pool of authorities with greatly different priorities rather than jointly working on a long-term programme.
- Risk of spreading the available investment too thinly to gain agreement to a programme and a risk of debating more localised priorities rather than the core strategic investment needs.

### Appendix 3 Draft terms of reference

#### **South West Peninsula Emerging Sub-National Transport Body Terms of Reference [DRAFT]**

#### **1. Sub-National Transport Bodies for the South West Region**

- 1.1 Government is clear that future strategic transport investment priorities will be established in discussion with sub-national transport bodies. The English Regions are the highest tier of sub-national division in England, but Government is open to sub-national transport bodies forming across more functional economic geographies rather than being constrained by historic administrative boundaries.
- 1.2 There is firm consensus across the South West Region that given its huge geographic scope and diversity the formulation of two sub-national bodies is the most effective way of delivering infrastructure at a pace that meets expectations for improved productivity, housing and economic growth. In recent years, two distinct subnational groupings have emerged in relation to particular economic challenges and functional geographies, and already have a clear understanding of the strategic investment needs in their area:
  - The **Western Gateway** has the well-established West of England (WOE) city region at its core and is already jointly planned on a statutory basis. It is on the axis of a number of routes into the Bristol city region area and the Bournemouth/Poole city region area. Investment needs are expected to focus on metropolitan transit solutions and strengthening core routes to manage growth of the two city-regions.
  - The **South West Peninsula** has well-established joint planning arrangements for strategic rail investment in the form of the Peninsula Rail Task Force. The Peninsula challenge is to exploit opportunities to enable peripheral areas to become more productive and reduce journey times on key strategic routes connecting with other economic hubs. There is a dispersed set of place-based growth challenges, including city growth, rural communities, extensive coastline and the regions natural assets.
- 1.3 Corridor alliances such as those formed around the A303 corridor and the Bristol South West Economic Link are a strong feature of joint working and will remain a key mechanism for joint working between the sub-national bodies.
- 1.4 The collaborative development and management of the STBs will continue to be monitored and managed by Senior Officers attending the South West ADEPT Board.

#### **2. The South West Peninsula**

- 2.1 The South West Peninsula is an important economy with a population of around 2.5m, contributing over £51bn of GVA to the national economy. The peninsula has significant opportunities for sustained growth, with some of the country's most successful businesses, leading universities, the biggest naval base in Western Europe, the UK's largest infrastructure project at Hinkley Point C, world leading science research and innovation and a host of cutting edge companies.

- 2.2 Despite the enormous potential in its businesses, its people and its places, the South West faces a wider challenge of proximity and poor connectivity with the rest of the country. The economy is not as strong as it could be, with GVA per head in the South West Peninsula of £19,117 compared to £26,621 nationally. This falls to as low as £13,386 in some areas of this geography. Two of the South West Peninsula LEP areas are ranked in the bottom four for lowest labour productivity in 2016, although there is wide variation across the area with cities like Exeter and Plymouth demonstrating stronger rates of productivity growth after the recession and comparable levels to the UK average.
- 2.3 Investment in the South West is therefore vital to address the national rebalancing issue and ensuring the region can continue to keep pace with the rest of the UK. The South West Peninsula authorities will prioritise future strategic, transformational and large-scale transport investment in the South West so that it can fulfil its economic and housing growth potential. The grouping reflects the close, historic ties, and a commitment to work collectively to address the wider challenges of proximity and connectivity with the rest of the country.
- 2.4 The South West Peninsula authorities are committed to working together to prioritise future investment and benefit the economic performance of the South West Peninsula region with the key aims of:
- Driving economic growth by delivering a substantial place-based programme
  - Addressing the productivity gap in the South West Peninsula
  - Reducing the rural peripherality of the region
- 2.5 The South West Peninsula is the partner authorities' response to the need for a Sub-National Transport Body in order to ensure one collective voice represents the strategic transport issues in the region.
- 2.6 As such, the South West Peninsula STB provides a single point of contact for Government, its agencies, infrastructure and service providers on strategic transport issues.
- 2.7 The proposed area allows for genuine strategic consideration and planning of transport infrastructure, with those included in the STB boundary demonstrating a willingness to be involved. The South West Peninsula authorities will retain a co-operative narrative focussing on shared strategic travel corridors.
- 2.8 Several of the local authorities have previous experience working together to present a united voice on strategic transport matters, with the Peninsula Rail Task Force having produced a 20-year plan in 2016 aimed at making the case for a sequenced programme of investment towards improving rail resilience, connectivity and comfort for rail services to and from the region.
- 2.9 Whilst currently there are six Peninsula Local Highway Authorities forming the proposed STB grouping, it remains open to other authorities joining should there be benefits in doing so.

### **3. Statement of Purpose**

- 3.1 The South West Peninsula STB will:



- Provide the opportunity to share technical expertise and resources across the partners to assist with the development, assessment and implementation of proposals
- Enable a more effective and meaningful engagement with the Department for Transport, infrastructure agencies (such as Highways England and Network Rail), service providers (such as bus and train operating companies) and Homes England
- Provide the focus for a single conversation on strategic transport and infrastructure related activities
- Agree objectives for the region for Network Rail and Highways England to ensure that their priorities clearly reflect the needs of the South West Peninsula
- Agree the needs of the South West in future specifications for Cross Country and Great Western rail franchises
- Develop an evidence base for the South West Peninsula SRN and MRN to review the extent of networks and identify and prioritise schemes for consideration by the Department for Transport

3.2 In this way the partners will be able to:

- Identify and maintain a single overview of strategic transport priorities in liaison with stakeholders as appropriate
- Manage the resources available to establish project teams as a means of providing the leadership required to develop strategic proposals, including engagement with business and the wider community
- Establish joint teams to undertake and commission work (including the development of business cases) to secure investment funding to enable the delivery of strategic proposals
- Work with Government and its agencies to co-design nationally delivered transport investment programmes
- Utilise the joint view of investment priorities for the South West Peninsula to influence funding processes including Network Rail's Control Periods; Highways England's Road Investment Strategy and in respect of the Major Road Network, the Department for Transport's National Roads Fund
- Explore the rationalisation of existing groups associated with transport investment prioritisation across the geographic area

3.3 The South West Peninsula STB will enable the partners to realise:

- Greater added value through the sharing of knowledge, skills and resources
- More efficient operation of the strategic and major road networks
- Improved resilience and reliability of the transport system, particularly during periods of disruption (both planned and unplanned)

- More efficient and effective delivery of infrastructure, with schemes delivered faster and at less cost
- More effective engagement with, and influence over, decision making at the national level
- Enhanced job opportunities and housing delivery, better access to education, improved local public services and better supported tourism and recreation through an improved transport system
- Improved national and international connection in to, out of and across the region, supporting commerce
- Improved links across the South West Peninsula, including to our ports and airports to enable freight and goods to move more efficiently

3.4 In addition and whilst in shadow form a key task of the STB Board will be to prepare a submission to Government in relation to the creation of a statutory STB for the South West Peninsula.

#### 4. Membership of the STB Board

4.1 The STB board brings together representatives of Local Transport Authorities and Local Enterprise Partnerships with representatives from Government, infrastructure agencies and transport service providers in a collaborative partnership that enables a single co-ordinated conversation.

4.2 The members of the STB board are set out below:

<b>Local Transport Authorities</b>	Cornwall Council
	Devon County Council
	Dorset County Council
	Plymouth City Council
	Somerset County Council
	Torbay Council
<b>Local Enterprise Partnerships</b>	Cornwall and the Isles of Scilly
	Heart of the South West
	Dorset
<b>Government and Agencies</b>	Department for Transport
	Highways England
	Network Rail
	Homes England
<b>Other Organisations</b>	Stakeholder Group Chair

4.3 It is for each Partner to nominate their representative on the STB board. The expectation is that Local Transport Authorities will be represented by the relevant portfolio holder and Local Enterprise Partnerships by a member of their governing Board.



- 4.4 A stakeholder group will be formed, including public transport operators that provide services within the STB geography and representatives of local community groups. A chair of this group will represent their views at STB board meetings.
- 4.5 Substitutes may attend meetings of the STB board if the nominated representative is unable to attend. They should have an equivalent level of authority to the nominated member.
- 4.6 Individual members of the STB board will be responsible for ensuring their organisation is kept briefed on the work of the STB.
- 4.7 The Chair of the STB board will be a representative from a Local Transport Authority, who will serve in the role for one year. A Vice-Chair will also be appointed from the STB board Local Transport Authority members.
- 4.8 The Chair and Vice-Chair will rotate annually amongst its elected membership. The rotation will be defined alphabetically by Local Authority with no single organisation holding the chair for successive years.
- 4.9 In the absence of the Chair, the Vice-Chair will Chair the meeting.
- 4.10 Additional organisations may be invited to join at any time where their membership and participation is seen as adding value to the STB board.
- 4.11 Membership of the STB board will be reviewed on a regular basis.
- 4.12 Members of the STB board retain their existing accountabilities and responsibilities for transport. During the Board's shadow operating phase they will also be responsible for ensuring that necessary approvals for STB Board decisions are obtained within their organisation.
- 4.13 Membership of the STB board:
  - Does not oblige partners to be involved in all activities, projects or proposals
  - Does not preclude any member from working cross-boundary with other Local Transport Authorities or strategic transport organisations

## **5. Ways of Working**

- 5.1 Meetings of the STB board will be held quarterly. The date and time of the meetings will be fixed by the secretariat in consultation with constituent organisations. All papers and meetings will be in public, with all interested parties able to attend meetings.
- 5.2 Written notice of meetings, along with the agenda and associated papers will be sent to members at least five working days in advance of any meeting. Late items will be distributed or tabled only in exceptional circumstances with the agreement of the Chair.
- 5.3 Where required, extraordinary meetings can be held with the agreement of the Chair.
- 5.4 The quorum for the meetings will be at least three members. A minimum of two elected members should be present.
- 5.5 In principle, decisions and recommendations will be reached by consensus. Where decisions cannot be reached by a consensus, voting will take place and decisions will be agreed by a simple majority of all members (councillors and co-opted members) present.

- 5.6 Where there are equal votes, the Chair of the meeting will have the casting vote.
- 5.7 Third parties may be invited to participate in meetings of the STB board and invited to be members of project teams established by the STB.
- 5.8 Third parties may request to address the STB board on a specific issue or proposal. The Chairman of the STB board will determine whether to grant the request.
- 5.9 The STB board may decide to establish sub-groups where this is appropriate in order to address specific issues: sub-groups may be either time-limited in their duration or standing sub-groups where the issue is on-going.
- 5.10 The secretariat for meetings of the STB board will be provided by the Local Transport Authority that provides the Chairman of the STB board, supported by the programme team.
- 5.11 The work of the STB board will be supported by an Officers Group. This Group will provide technical and professional advice drawn from the Local Transport Authorities and Local Enterprise Partnerships. The officer support group will be required to attend meetings of the PRTF as necessary.
- 5.12 The Officers Group will maintain an overview of the activities taken forward as part of the STB and ensure that the work programme adopted by the STB is delivered.
- 5.13 It is not proposed to establish stand alone scrutiny arrangements for the STB during the shadow phase of operation but as formal proposal for a statutory body is developed for submission to Government, consideration shall be given in consultation with the DfT, as to what formal scrutiny requirements will be required once the STB is fully operational. During the shadow phase it will be for each of the Constituent Authorities to scrutinise the activities of the Board through their own scrutiny arrangements.

## **6. Finance**

- 6.1 The Local Transport Authorities of the STB must make a contribution in respect of any reasonably incurred costs of the South West Peninsula if they all agree on the need for a contribution and the amount required.
- 6.2 The amount of any contribution is to be apportioned between the constituent authorities in proportion to the total resident population of the area of each authority at the relevant date as estimated by the Statistics Board.
- 6.3 Each constituent authority may contribute to the costs of the South West Peninsula individually if it chooses to do so.
- 6.4 The STB will seek funding from the Department for Transport to accelerate the development and delivery of its transportation plans.
- 6.5 The STB budget will be held and administered by the lead authority - see 6 below.

## **7. Lead Authority**

- 7.1 During the shadow phase the STB has no statutory standing, cannot enter contracts and cannot employ staff. Therefore, for the shadow phase of operation, the STB will need to appoint a Lead Authority to:
  - co-ordinate and administer the project and meetings of the Board

- manage the budget for, and the sound financial management of, the Project. The budget will be allocated in accordance with the decisions of the Board as authorised by the Constituent Authorities
- claim, draw down and account for all funds due from the Constituent Authorities and any other body
- provides procurement services to all contracts let on behalf of the STB
- keep appropriate accounting and operational records; and
- procure on behalf of the Constituent Authorities such external support, advice or consultancy services that are considered necessary by the Shadow Partnership Board or the Senior Officer Group
- oversee the preparation of the proposal to the Secretary of State to transition to a statutory Sub-National Transport Board
- prepare a communications and marketing strategy for the project for the approval of the Board and then to implement the strategy.

7.2 The full detail of the Lead Authority role will be set out in an Inter-Authority Agreement to be agreed by all Constituent Organisations.

**Notes – also need to include provisions in respect of dispute resolution and withdrawal/termination arrangements.**

## Appendix 4 Draft Terms of Reference

### WESTERN GATEWAY SHADOW SUB-NATIONAL TRANSPORT BODY (SSTB)

#### Terms of Reference [DRAFT]

#### 1. Context

- 1.1 The Western Gateway Shadow Sub-National Transport Body (SSTB) is formed by an alliance of local authorities that have made a commitment to work together to drive innovation, maximise economic growth and improve industrial productivity by strengthening travel connections to local, national and international markets.
- 1.2 The SSTB is not about taking decisions and responsibilities away from local communities. It is about strengthening delivery by demonstrating strategic leadership and working collaboratively for material advantage for the Western Gateway area.
- 1.3 The Western Gateway enables big picture visioning to be expressed in a way that collectively benefits the area through the development of shared priorities. It enables our collected resources and expertise to be shared. This will benefit the area by having a larger more influential lobbying base. It makes working with Department for Transport, Highways England and Network Rail easier by having fewer, but more coordinated conversations and removing the risk of competing local priorities and enhancing the areas ability to attract national investment. By working together to address our transport challenges this will strengthen local and strategic connectivity and improve the desirability of the Western Gateway area as a destination to live, work and invest in.
- 1.4 A Western Gateway Transport Strategy will be required to identify sub-national transport priorities and enable the delivery of sustainable economic growth. Developing a long-term strategic transport plan and delivery programme across a wider area brings greater certainty for investors from both, the public, as well as the private sector. The Transport Strategy will emphasise the importance of minimising adverse impacts of development to ensure an efficient, safe and resilient transport network. It will recognise the role of 'place' and the need to remove strategic traffic from local networks creating high quality, vibrant and successful communities.
- 1.5 The Gateway area is home to over 2.6 million people and is set for a step change in prosperity and productivity through an ambitious growth agenda over the next 20 years delivering 260,000 new homes and over 150,000 new jobs. It is both a highly desirable destination as well as a facilitator of movement through nationally significant travel corridors. The Gateway area links England's South Coast to the Midlands; London and the South East to South Wales and the South West Peninsula to the rest of the UK.
- 1.6 Together with the South West Peninsula (Somerset, Devon, Dorset and Cornwall), the Western Gateway forms part of South West England. The relationship with the South West Peninsula is very important and there are a number of shared priorities between the two areas including the M5, A303 & A350 and the Peninsula rail improvements. But, there are clear distinctions between the two areas in terms of transport need reflecting the different economies and markets they serve.
- 1.7 The Western Gateway alliance is predominantly focused on maximising capacity and resilience of the strategic travel corridors within its geography. Prioritising transport investment within the Gateway area will not only benefit local connectivity, but improve connectivity to and for an area much wider than the immediate Western Gateway boundaries. This will open new and improved existing pathways to local, national and international markets resulting in economic success and prosperity for all.
- 1.8 The strength of the Western Gateway area will be its ability to speak with one voice to Government on strategic transport priorities. This will be achieved through increased collaborative working between research institutions, the Local

Enterprise Partnerships and local government which will ensure that transport is not a barrier but an accelerator of growth.

## 2. Statement of Purpose

1.9 The Western Gateway SSTB will:

- Provide the opportunity to share technical expertise and resources across the partners to assist with the development, assessment and implementation of proposals
- Enable a more effective and meaningful engagement with the Department for Transport, infrastructure agencies (such as Highways England and Network Rail), service providers (such as bus and train operating companies) and Homes England
- Provide the focus for a single conversation on strategic transport and infrastructure related activities
- Agree objectives for the region for Network Rail and Highways England to ensure that their priorities clearly reflect the needs of the Western Gateway area
- Agree the needs of the South West in future specifications for Cross Country, Great Western Railway and South Western Railway rail franchises
- Develop an evidence base for the Western Gateway SRN and MRN to identify and prioritise schemes for consideration by the Department for Transport

1.10 In this way the partners will be able to:

- Identify and maintain a single overview of strategic transport priorities in liaison with stakeholders as appropriate
- Manage the resources available to establish project teams as a means of providing the leadership required to develop strategic proposals, including engagement with business and the wider community
- Establish joint teams to undertake and commission work (including the development of business cases) to secure investment funding to enable the delivery of strategic proposals
- Work with Government and its agencies to co-design nationally delivered transport investment programmes
- Utilise the joint view of investment priorities for the Western Gateway SSTB to influence funding processes including Network Rail's Control Periods; Highways England's Road Investment Strategy and in respect of the Major Road Network, the Department for Transport's National Roads Fund
- Explore the rationalisation of existing groups associated with transport investment prioritisation across the geographic area

1.11 The Western Gateway SSTB will enable the partners to realise:

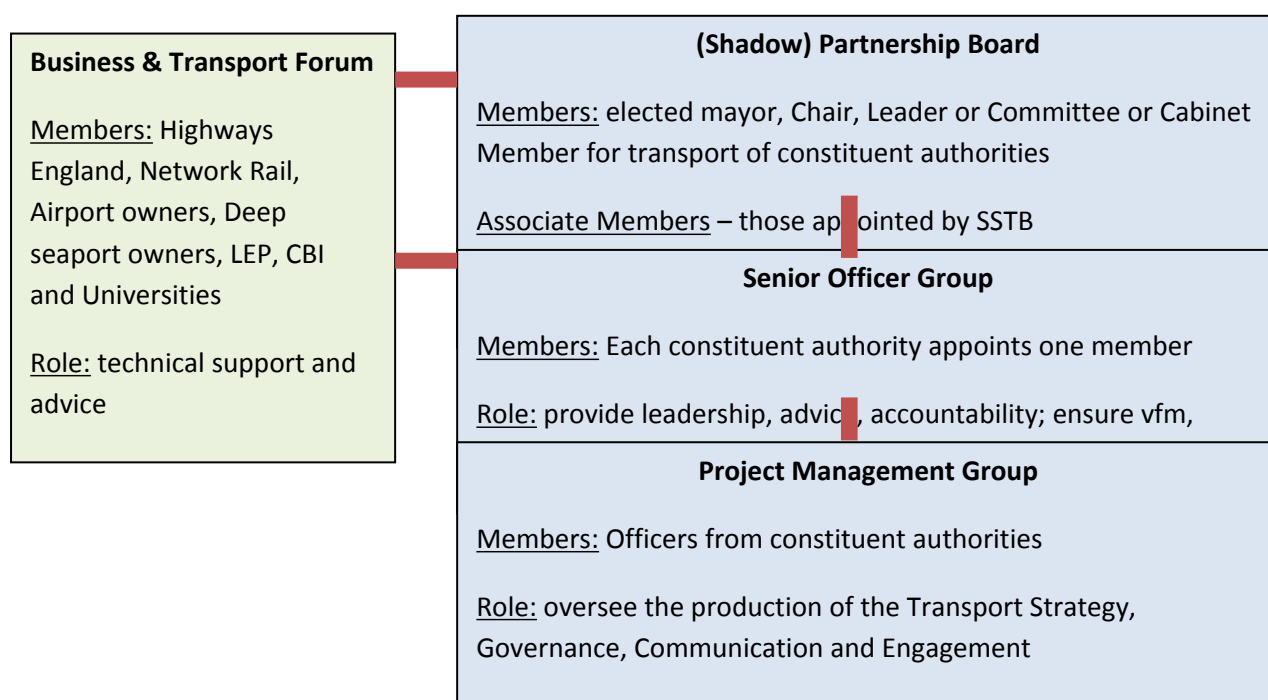
- Greater added value through the sharing of knowledge, skills and resources
- More efficient operation of the strategic and major road networks
- Improved resilience and reliability of the transport system, particularly during periods of disruption (both planned and unplanned)
- More efficient and effective delivery of infrastructure, with schemes delivered faster and at less cost
- More effective engagement with, and influence over, decision making at the national level
- Enhanced job opportunities and housing delivery, better access to education, improved local public services and better supported tourism and recreation through an improved transport system
- Improved national and international connection in to, out of and across the region, supporting commerce

- Improved links across the Western Gateway area, including to our ports and airports to enable freight and goods to move more efficiently
- In addition and whilst in shadow form a key task of the SSTB Board will be to prepare a submission to Government in relation to the creation of a statutory STB for the Western Gateway area.

### 3. Governance Structure of the Western Gateway SSTB

1.12 The structure of the Shadow SNTB and the expected member and role is outlined below:

#### Proposed Western Gateway Sub-National Transport Body Structure:



1.13 The Shadow Partnership Board is the decision making body for the Western Gateway SSTB. Each Constituent Authority will appoint one person as a member of the Shadow Partnership Board (elected mayor, Chair, Leader or Committee or Cabinet Member for transport of constituent authorities). Substitutes may attend meetings of the SSTB board if the nominated representative is unable to attend. They should have an equivalent level of authority to the nominated member.

1.14 The Senior Officer Group will provide expertise and recommendations to the Board and will oversee delivery of the Western Gateway SSTB programme. Each Constituent Authority will also appoint one person as member of the Senior Officer Group.

1.15 The Business and Transport Forum will be an advisory body to the Senior Officer Group and Shadow Partnership Board, comprising a wider group of representatives from: the CBI, LEPs, Universities, public transport operators, port authorities, as well as Government and National Agency representatives. It will be chaired by an independent representative, who will be an Associate member to the Shadow Partnership Board. The Transport Forum will provide technical expertise, intelligence and information to Senior Officer Group and the Shadow Partnership Board.

1.16 The Project Management Group will comprise officers from the Constituent Authorities.

1.17 The SSTB board brings together representatives of Local Transport Authorities with representatives from Government, infrastructure agencies and transport service providers in a collaborative partnership that enables a single co-ordinated conversation.

1.18 The members of the SSTB board are set out below:

<b>Constituent Members: -</b>	<b>Associate Members:</b>
<ul style="list-style-type: none"> <li>• Bath and North East Somerset Council</li> <li>• Bristol City Council</li> <li>• Borough of Poole</li> <li>• Bournemouth Borough Council</li> <li>• Gloucestershire County Council</li> <li>• North Somerset Council</li> <li>• South Gloucestershire Council</li> <li>• West of England Combined Authority (WECA)</li> <li>• Wiltshire Council</li> </ul>	<ul style="list-style-type: none"> <li>• Chair Business &amp; Transport Forum</li> <li>• Highways England</li> <li>• Network Rail</li> <li>• Department for Transport</li> <li>• Homes England</li> <li>• Local Highway Authorities / other Sub-National Transport Bodies</li> </ul>

1.19 It is for each Partner to nominate their representative on the SSTB board.

1.20 A Business and Transport Forum will be established. The chair of this group will represent their views at SSTB board meetings.

1.21 The Western Gateway SSTB can appoint persons who are not elected members of the constituent authorities to be associate members of the Western Gateway SSTB. Alternatively, representatives of other organisations with an interest in Western Gateway SSTB matters can apply to become associate members of the SSTB and the Shadow Partnership Board will consider their applications on an individual basis.

1.22 Associate members may include:

- the person appointed by the Western Gateway SSTB as Chair of the Business and Transport Forum, Highways England, Network Rail and other appropriate Government agencies.
- Other Highway Authorities or other Sub National Transport Bodies.

1.23 Individual members of the SSTB board will be responsible for ensuring their organisation is kept briefed on the work of the SSTB.

1.24 The Chair of the STB board will be a representative from a Local Transport Authority, who will serve in the role for one year. A Vice-Chair will also be appointed from the SSTB board Local Transport Authority members.

1.25 The Chair and Vice-Chair will rotate annually amongst its elected membership. The rotation will be defined alphabetically by Local Authority with no single organisation holding the chair for successive years.

1.26 In the absence of the Chair, the Vice-Chair will Chair the meeting.

1.27 Additional organisations may be invited to join at any time where their membership and participation is seen as adding value to the SSTB board.

1.28 Membership of the STB board will be reviewed on a regular basis.

1.29 Members of the SSTB board retain their existing accountabilities and responsibilities for transport. During the Board's shadow operating phase they will also be responsible for ensuring that necessary approvals for SSTB Board decisions are obtained within their organisation.

1.30 Membership of the SSTB board:

- Does not oblige partners to be involved in all activities, projects or proposals
  - Does not preclude any member from working cross-boundary with other Local Transport Authorities or strategic transport organisations
- 1.31 Meetings of the SSTB board will be held quarterly. The date and time of the meetings will be fixed by the secretariat in consultation with constituent organisations. All papers and meetings will be in public, with all interested parties able to attend meetings.
- 1.32 Written notice of meetings, along with the agenda and associated papers will be sent to members at least five working days in advance of any meeting. Late items will be distributed or tabled only in exceptional circumstances with the agreement of the Chair.
- 1.33 Where required, extraordinary meetings can be held with the agreement of the Chair.
- 1.34 The quorum for the meetings will be at least five members.
- 1.35 Decisions and recommendations will be reached by consensus.
- 1.36 Third parties may be invited to participate in meetings of the SSTB Partnership board and invited to be members of project teams established by the SSTB.
- 1.37 Third parties may request to address the SSTB board on a specific issue or proposal. The Chair of the SSTB board will determine whether to grant the request.
- 1.38 The SSTB Partnership board may decide to establish sub-groups where this is appropriate in order to address specific issues: sub-groups may be either time-limited in their duration or standing sub-groups where the issue is on-going.
- 1.39 The secretariat for meetings of the SSTB Partnership board will be provided by the Local Transport Authority that provides the Chair of the SSTB board, supported by the programme team.
- 1.40 The work of the STB board will be supported by a Senior Officers Group. The Senior Officer Group will be represented at meetings of the SSTB Partnership board as necessary.
- 1.41 The Senior Officers Group will maintain an overview of the activities taken forward as part of the SSTB and ensure that the work programme adopted by the STB is delivered.
- 1.42 It is not proposed to establish stand alone scrutiny arrangements for the SSTB during the shadow phase of operation but as formal proposal for a statutory body is developed for submission to Government, consideration shall be given in consultation with the DfT, as to what formal scrutiny requirements will be required once the STB is fully operational. During the shadow phase it will be for each of the Constituent Authorities to scrutinise the activities of the Board through their own scrutiny arrangements.
- 1.43 The Constituent members must make a contribution in respect of any reasonably incurred costs of the Western Gateway SSTB if they all agree on the need for a contribution and the amount required. The amount of any contribution must also be agreed.
- 1.44 The SSTB will seek funding from the Department for Transport to accelerate the development and delivery of its transportation plans.
- 1.45 The SSTB budget will be held and administered by the lead authority.

## **2. Lead Authority**

- 2.1 During the shadow phase, the STB has no statutory standing, cannot enter contracts and cannot employ staff. Therefore, for the shadow phase of operation, the STB will need to appoint a Lead Authority to:



- co-ordinate and administer the project and meetings of the Board
- manage the budget for, and the sound financial management of, the Project. The budget will be allocated in accordance with the decisions of the Board as authorised by the Constituent Authorities
- claim, draw down and account for all funds due from the Constituent Authorities and any other body
- provides procurement services to all contracts let on behalf of the SSTB
- keep appropriate accounting and operational records; and
- procure on behalf of the Constituent Authorities such external support, advice or consultancy services that are considered necessary by the Shadow Partnership Board or the Senior Officer Group
- oversee the preparation of the proposal to the Secretary of State to transition to a statutory Sub-National Transport Board
- prepare a communications and marketing strategy for the project for the approval of the Board and then to implement the strategy.

2.2 The full detail of the Lead Authority role will be set out in an Inter-Authority Agreement to be agreed by all Constituent Organisations.

### **3. Information Governance**

- 3.1 Each Party shall in connection with the performance of its obligations under this Partnering Agreement comply with their duties and responsibilities under all applicable data protection legislation in the performance of this Partnering Agreement and shall not unlawfully process or disclose information subject to such legislation and clauses 8.2 and 8.3 below.
- 3.2 The Parties shall co-operate with, and supply to, each other all information properly required in connection with any request received by a Party under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.
- 3.3 Each Party acknowledges that in responding to requests received under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, the Parties will be entitled to provide information relating to this Partnering Agreement.

### **4. General**

- 4.1 The Parties shall each act in the utmost good faith towards each other in relation to this Heads of Terms document.
- 4.2 All Parties shall keep confidential, both during and after termination of this Heads of Terms document, all information received from the other relating to this document, unless that information was already lawfully known to that party independently, the information came into the public domain other than due to wrongful use or disclosure by that party, or disclosure is required by law or in the context of legal or appeal proceedings or as evidence in any compulsory purchase procedure or public inquiry or examination in connection with the Sub Regional Area.
- 4.3 Any consent required or otherwise sought pursuant to this Heads of Terms document on behalf of a Party to this document shall only be valid if it is in writing and signed by the relevant Party's authorised representative.

**Notes – also need to include provisions in respect of dispute resolution and withdrawal/termination arrangements.**