

## **TELFORD & WREKIN COUNCIL**

**CABINET - 30 MAY 2013**

### **MARCHES LOCAL TRANSPORT BODY**

#### **REPORT OF THE ASSISTANT DIRECTOR OF NEIGHBOURHOOD & LEISURE SERVICES**

**LEAD CABINET MEMBER – COUNCILLOR BILL McCLEMENTS**

### **PART A) – SUMMARY REPORT**

#### **1. SUMMARY OF MAIN PROPOSALS**

A report was approved by Cabinet on 6<sup>th</sup> December 2012 regarding the establishment of a Marches Local Transport Body (LTB) following the Department for Transport's (DfT) proposals for devolving major transport scheme funding beyond 2015. A subsequent report in February 2013 notified Cabinet of the change in LEP membership from an advisory member to full member following DfT advice. Telford & Wrekin Council is now acting as the accountable body for the Marches LTB also following agreement in February.

The draft Assurance Framework (AF) has been submitted to the DfT for comment. The LEP has also subsequently raised issues. Following discussions between the LEP, officers from all 3 Local Authorities and separate legal advice from T&W as the accountable body, it is now proposed to reduce the number of representatives from each Local Authority from two down to one, subject to approval by all 3 respective Councils.

This issue will be discussed at the Shadow Meeting of the LTB in May and a verbal update made to Cabinet on 30<sup>th</sup> May. The final position will then need to be ratified at the July meeting of the LTB together with the Board's list of priority schemes.

In light of the forthcoming changes to Cabinet Member roles it is also recommended the new Cabinet Member for Finance and Enterprise is nominated to represent the Council on the LTB board.

#### **2. RECOMMENDATIONS**

##### **2.1 That Cabinet:**

- i. notes the changes to the LTB assurance framework and structure with the reduction in Members from two down to one;**
- ii. elects the Cabinet Member for Finance and Enterprise on the Marches Local Transport Body board and appoints the Cabinet Member for Customer Services, Libraries & Transport as a Deputy Member as set out in the governance proposals in this report;**

- iii. delegates powers to the Assistant Director: Neighbourhood and Leisure Services, in consultation with the Cabinet Member for Finance and Enterprise to finalise the Council's input to the assurance framework to be ratified at the July meeting of the Marches LTB.
- iv. delegates authority to the Assistant Director: Law, Democracy and Public Protection to agree and execute all necessary documentation to give effect to the recommendations contained in this report.

### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<p>The establishment of a Marches LTB will allow the three transport authorities to access funding for strategic and priority schemes in their respective areas subject to appropriate governance and high level appraisal. The establishment of a Marches LTB will assist in the delivery of the following current Council Priorities:</p> <ul style="list-style-type: none"> <li>• ensure that neighbourhoods are safe, clean and well maintained;</li> <li>• improve the health and wellbeing of our communities and address health inequalities;</li> <li>• regenerate those neighbourhoods in need and work to ensure that local people have access to suitable housing.</li> </ul>
	Will the proposals impact on specific groups of people?	
	No	This report is based upon the requirements of establishing a Marches Local Transport Body and does not identify specific schemes for consideration as part of the LTB.
<b>TARGET COMPLETION/DELIVERY DATE</b>	<p>The Marches LTB Assurance Framework was sent to the DfT for comment in February. Final agreement is now required between the 3 Transport Authorities and Marches LEP. A shadow meeting of the LTB is to be arranged for May to discuss this matter further. The first full LTB meeting will be held in July.</p> <p>The LTB will also need to ratify its list of priority transport schemes at this July meeting.</p>	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	The funding allocation for The Marches Local Transport Body (LTB) has been confirmed at £16m for the period 2015/2019. The programme of works to be funded from this allocation across the three authorities (Telford and Wrekin, Shropshire and Herefordshire) will be decided by the LTB Board

		<p>following a process of scheme assessment and prioritisation.</p> <p>The Partners will need to agree on shared responsibilities for programme over runs or overspends and any potential cash flow implications for the Accountable Body.</p> <p>As Telford and Wrekin Council are confirmed as Accountable Body, the costs associated with this status will be contained, as far as possible, within available resources. However, some additional legal, audit and accounting costs are anticipated which will have to be met corporately by Telford and Wrekin Council as the commitment has been made not to share any costs with the partner organisations. Costs will be monitored and reported as required.</p>
<b>LEGAL ISSUES</b>	Yes	<p>At its meeting on 6 December 2012 Cabinet resolved that the Cabinet Member for Transport &amp; Community Protection and the Cabinet Member for Housing, Regeneration &amp; Economic development be appointed to represent the Council on the Marches Local Transport Body (the LTB)(Cabinet Minute CB073(b) refers).</p> <p>In order for the representation on the LTB to be now reduced to one Cabinet Member as proposed the further approval of Cabinet will be required to vary its previous resolution.</p> <p>The reduction in representation by the LTA Members will have no impact on the Governance of the LTB as the original proposal for a single vote for each Full Member (3 no. LTA Members and the LEP) with each of the LTA Members holding a casting vote remains unchanged.</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	<p>Initially, key risk is around not establishing appropriate governance arrangements and scheme list by deadline set down by government. This may impact on ability to access the fund. We are seeking to manage this risk by taking the earliest opportunity to work jointly to establish the LTB.</p> <p>In the longer term there will be risks around ensuring the programme is well managed and that it enables the delivery of high quality transport schemes. We are likely to have a relatively small allocation and we will need to ensure that our process of management and appraisal is proportionate whilst adhering to the minimum standards set down by government.</p>
<b>IMPACT ON SPECIFIC WARDS</b>	No	<p>The establishment of the LTB will not directly impact upon specific wards.</p>

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### **Background**

A report was approved by Cabinet on 6<sup>th</sup> December 2012 regarding the establishment of a Marches Local Transport Body (LTB) following the Department for Transport's proposals for devolving major transport scheme funding beyond 2015. A subsequent report in February 2013 notified cabinet of the change in LEP membership from an advisory member to full member following DfT advice. Telford & Wrekin Council is now acting as the accountable body for the Marches LTB also following agreement in February.

Since then the draft Assurance Framework has been submitted to the DfT for comment. Also, The Marches LEP has raised issues with the current proposal for having two cabinet members per Local Authority and only one LEP representative. Following discussions between the LEP, officers from all three Local Authorities and separate legal advice from T&W as the accountable body it is now proposed to reduce the proposed number of members from each local authority from two down to one.

In light of the forthcoming changes to Cabinet Member roles it is also recommended the new Cabinet Member for Finance and Enterprise is nominated to represent the Council on the LTB board. With the reduction in members it is also recommended that a deputy is appointed to attend LTB meetings on behalf of the Cabinet Member for Finance and Enterprise where they cannot attend. It is recommended that the Cabinet Member for Customer Services, Libraries & Transport is elected as a Deputy Member for T&W on the LTB board.

#### **The role of the LEP**

Initial advice from the DfT was that the role of the LEP in decision-making should be left to local discretion. At the time it was agreed that the Marches LEP would act as an advisory member to the LTB due to issues with accountability and governance and this would then allow the LTB to be set up as a joint committee between the three authorities.

The DfT released its final assurance framework guidance in late December which for the first time identified that the LEP should vote whether to have full LTB membership.

Following the advice from the DfT the LEP has now indicated that it does wish to become a full member of the LTB and as such this will mean the LTB can no longer be a joint committee between the three authorities but will have to set up as an informal partnership.

It is understood that the LEP representative for the LTB is likely to be Graham Wynne OBE, chairman of the TTC Group (UK) plc based in Telford.

#### **Proposed Marches LTB Structure**

Following the revised advice from DfT and the LEP's indication that it wishes to become a full voting member of the LTB it is proposed that the resultant informal partnership (the LTB) would:

- a. comprise 3 cabinet members, (1 from each local authority) and 1 member from the LEP. The partnership would be empowered to determine the funding priorities in relation to the devolved major scheme funding programme. Over time and subject to further devolution of powers from central government, it may take on additional functions;
- b. be serviced by appropriate legal/governance officials. Further consideration will be required to assess the resourcing implications of this new activity and whether or not the function might rotate between the 3 authorities or if pooled resources would assist one authority maintaining the role over a longer period; and
- c. be serviced by a formal Technical Officer Group (TOG) which would be established to fulfil the technical requirement of the devolved major scheme funding programme and present reports for the partnership's consideration. This group would be responsible for ensuring appropriate engagement with external stakeholders in respect of any decisions which would be considered by the partnership.

## **5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

### **Community Impact**

The impact on the community as a result of establishing the Marches LTB is likely to be minimal. However, securing major transport scheme funding is vital to bring forward improvements to the highway network and existing public transport facilities in order to continue to improve services for residents. The agreement of a suitable, transparent and accountable assurance framework as part of the establishment of the Marches LTB will give an opportunity for Telford & Wrekin to access funding for strategic/priority schemes where required.

### **Equalities Impact**

The impact on equality for all as a result of establishing the Marches LTB is likely to be minimal. However, securing major transport funding is key to providing effective access and mobility for all people whether they travel by private vehicle, bus, taxi, cycle or on foot.

### **Environmental Impact**

The environmental impact as a result of establishing the Marches LTB is likely to be minimal. However, major transport schemes can have a significant influence on the overall perception of the quality of the physical environment. The WebTAG appraisal tool includes consideration of environmental impacts when assessing schemes for inclusion in the programme and environmental improvements are incorporated into schemes where appropriate to support the local area.

## **6. PREVIOUS MINUTES**

Minutes from the Cabinet meeting on 6<sup>th</sup> December 2012.  
Minutes from the Cabinet meeting on 28<sup>th</sup> February 2013.

## 7. **BACKGROUND PAPERS**

DfT consultation paper on Devolving Major Scheme Funding, January 2012

Telford & Wrekin Council response to the Government consultation on Devolving Major Scheme Funding

Marches LEP response to the same consultation

DfT Publication - Devolving local major transport schemes: Next steps, September 2012

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