

Draft proposal to government

Consultation questionnaire

Contents:

- **Background**
 - **Responding to the consultation**
 - **Next steps**
 - **Consultation questions**
 - **Your information**
-

Background

Transport for the South East was formed in 2017 as a partnership of 16 local transport authorities and five local enterprise partnerships to speak with one voice on the South East's strategic transport needs.

Our aim is to become a statutory sub-national transport body (STB), giving the South East a formal and unified voice with which to influence government decision making on transport issues.

We are now consulting on our draft proposal to government, which sets out the statutory powers and responsibilities we are seeking to help us deliver economic growth, improve quality of life and protect and enhance the environment.

The draft proposal has been developed in conjunction with our member authorities and agreed by our organisation's principal decision making forum, the Transport for the South East shadow partnership board.

Responding to the consultation

Before answering the questions below, please read the draft proposal document which can be found at:

<https://transportforthesoutheast.gov.uk/about/becoming-a-statutory-body>

Some questions require only a 'yes/no' answer which can be selected from a drop-down menu, while others provide the opportunity to give a more detailed response.

Once you have answered the questions and completed the 'Your information' section, please send this completed form by email to tfse@eastsussex.gov.uk or by post to:

Transport for the South East
County Hall
St Anne's Crescent
Lewes
BN7 1UE

Please note that we are only able to process responses which include completed personal information. Your contact details will not be added to our database unless you actively opt in.

The deadline for responses is Wednesday, 31 July 2019.

Next steps

After the consultation period has ended, we will consider all the responses received and amend our proposal document accordingly.

The intention is that this amended version will be put before Transport for the South East's Shadow Partnership Board in September 2019, with the proposal being formally submitted to government by the end of the year.

Government will consider the proposal and will make a decision on whether TfSE should be granted statutory status. If the proposal is agreed, a statutory instrument will be laid before Parliament for the final decision.

Consultation questions

Transport for the South East is looking to establish a statutory sub-national transport body (STB) for the South East of England. This would give the South East a formal and unified voice with which to influence government decision making on transport issues. The prime functions for an STB would be to publish a regional transport strategy and provide advice to the Secretary of State for Transport on investment opportunities across the area.

- 1. Do you, in principle, support the establishment of a sub-national transport body for the South East, including the ability to publish a transport strategy and advise central government on transport matters in the region?**

Yes

- 2. What do you regard as the benefits Transport for the South East will provide as a statutory sub-national transport body?**

Empowering all local authorities and strategic stakeholders across the area to collaborate to 'determine-develop-design-deliver-deploy' a co-owned and ambitious vision for long-term sustainable and equitable socio-economic growth and prosperity, enabled by the best-performing transport and communications networks of any STB.

Transport for the South East's draft proposal includes a list of constituent members and a number of co-opted members. [Primary legislation](#) sets out what bodies can be considered as 'constituent authorities'.

- 3. Do you, in principle, think your relevant local transport authority should be a member of the Transport for the South East sub-national transport body? If not, why?**

Yes

Assume this is only if 'No' above.

Beyond general functions of an STB, Transport for the South East is planning to make a proposal to the Department for Transport (DfT) for other transport functions which would be exercised concurrently and with the consent of the Secretary of State or local transport authorities, e.g. in relation to constructing new highways. Any proposal to DfT would need

formal consent from each 'constituent member' and any regulations would also need formal consent from all 'constituent members'.

4. Are you content with the proposed functions in the draft STB proposal?

No

5. What other functions do you think an STB should have/not have and why?

TfSE should have:

1 – equivalent status in relation to the DfT's new Rail Networks Enhancement Pipeline [RNEP] and Market-Led Proposals [MLP] for enhancements to the rail network as TfSE is rightly seeking for rail franchises and the High Level Output Specification, and for the Road Investment Strategy for the Strategic Road Network.

Why? In the Proposal to Government: Draft for consultation, Section 5 'Functions', Table 1 on page 12 under Rail refers to the High Level Output Specification [HLOS]. The accompanying narrative however may have been overtaken by events. The current HLOS for Control Period 6 2019-24 is predominantly funded for the Operations, Maintenance and Renewal [OMR] of the existing rail network, not the enhancement of it [apart from those enhancement schemes carried forward from Control Period 5 following their suspension by the Hendy Review of November 2015]. From Control Period 7 2024-29 onwards [note, the preparations for which are likely to start not long after TfSE acquires statutory status] it is even less likely that the HLOS will be the principal repository of the 'transformational investment in rail infrastructure' for which TfSE is quite rightly seeking a 'strong, formal role in rail investment decision-making'. This is also no more, and no less, than seeking 'equivalence of influence' for Rail as for Highways, per page 13 of the draft Proposal to Government – setting the Road Investment Strategy [RIS] for the Strategic Road Network [SRN].

2 – powers to enable TfSE to generate revenue streams to re-invest in sub-national transport developments eg retention of VED from vehicles registered in the TfSE area.

Why? Having its own transport investment budget would transform TfSE from any risk of being a talk-shop to the firm prospect of being a work-shop. These powers would be additional to the charging powers being sought to enable TfSE to establish Clean Air Zones for Air Quality purposes, per page 15 of the draft Proposal to Government.

3 – powers to 'call in' planning applications proposing developments judged to be significant in their impact on transport networks by virtue of their location, type and scale, and as appropriate to recommend to local planning authorities the conditions and agreements, including financial, 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.

Why? There must be an umbilical partnership between the developers of land and property and the developers of transport networks, if the 'co-owned and ambitious vision for long-term socio-economic growth and prosperity' is genuinely to be 'sustainable and equitable', and the TfSE area's transport and communications networks are to have any realistic chance of being 'the best-performing of any STB'. This would be an additional 'Other Power' per page 15 of the draft Proposal to Government, taking clear note of para.5.6 on page 16 and the explicit declaration that TfSE does not propose seeking the following function/power: "Give directions to a constituent authority about the exercise of transport functions by the the authority in their area." The additional 'Other power' proposed relates to any authority's planning, not transport, function and is based on the principles of collaboration and consent via recommendation, in the wider interests of integrated and policy-based decision-making.

6. Would you be content with an STB having such functions if any use of those functions required the consent of the relevant local transport authority?

Yes

Transport for the South East aims to maintain continuity from the governance structure that has served members effectively during shadow operation. Some key decisions may require a vote, such as the transport strategy, annual budget and amendments to the constitution. A number of voting options have been explored, with a preferred option based on the population of the smallest individual constituent member. The preference will be to reach a consensus on all decisions, but where this cannot be achieved a weighted vote will be used. All 'constituent members' will need to consent to the final proposal to DfT.

7. Are you content with the preferred voting mechanism, to be used when consensus cannot be reached?

Yes

8. Any other comments

The excellent work done over a number of years by established sub-regional transport bodies eg Solent Transport [formerly Transport for South Hampshire, set up in 2007] must not be diluted by being subsumed into the wider sub-national body.

Your information

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Would you like to receive news and other updates from Transport for the South East?	Yes