

## **MEETING OF THE BERKSHIRE LOCAL TRANSPORT BODY (BLTB) – THURSDAY 13 JULY 2023**

**CONTACT OFFICER: Stephen Brown, Chief Executive Officer, Slough Borough Council**

### **Item 8: Transport for the South East – Representation on Partnership Board and Intra-Authority Agreement**

#### ***Purpose of Report***

1. To summarise the work of Transport for the South East, ask BLTB Members to agree the representation from Berkshire on the Transport for the South East Partnership Board and to agree an amendment to the Intra-Authority Agreement.

#### **Purpose of Transport for the South East**

2. The South East is a vital motor for the UK's economy, contributing more than any other region outside London, and is the UK's principal international gateway for people and goods. Transport for the South East (TfSE) was established in 2016 has enabled us to provide a coordinated view of transport needs for the South East and support more effective economic development, working at a strategic level and embracing a wide geography. It provides a single voice for the area's strategic transport needs, planning investment where it will have the greatest benefit: TfSE, provides advice to Government and is able to directly influence the decisions of national and regional infrastructure providers and operators including Network Rail, National Highways, ports, and airports.
3. By working strategically with local enterprise partnerships, local highway authorities, local planning authorities, transport operators, delivery bodies and government, TfSE is uniquely positioned to influence how and where money is invested for the benefit of people and businesses in our region and across the entire country.
4. Transport for the South East's area covers Berkshire, Brighton and Hove, East Sussex, Hampshire, Isle of Wight, Kent, Medway, Portsmouth, Southampton, Surrey, and West Sussex. All the 16 transport authorities in these areas are partners, along with the South East's five Local Enterprise Partnerships.

#### **Berkshire Representation on the Transport for the South East Partnership Board**

5. The Partnership Board is TfSE's principal decision-making body. It is made up of a mix of democratically elected representatives from local authorities in the south east as well representatives from business groups, protected landscapes and national delivery partners. Board meetings are held quarterly and are open to the public.
6. Since the inception of TfSE, Berkshire local authorities, have been closely involved with TfSE's work, enabling it to bring forward a vision at the heart of the transport strategy, helping boost our economy, improving quality of life and delivering a net-zero carbon future for our region. In March 2017 BLTB agreed that Berkshire representation on the TfSE Partnership Board, would be a single member, and nominated deputy, who would represent interests across the whole of Berkshire. As such Berkshire authorities are only required to pay a single joint membership subscription to TfSE. Individual authorities would be welcome to attend and participate in the TfSE Partnership Board in their own right but would be required to pay a full unitary authority subscription.

7. Since the inauguration of the TfSE Partnership Board, Councillor Tony Page has been the Berkshire representative and has also been vice chair of the whole of TfSE. With Tony's retirement BLTB members are asked to consider nominating a replacement, together with an agreed deputy, who would represent Berkshire should the main nominee not be available. It is considered that pan-Berkshire representation works well and therefore that the existing arrangements should continue. It will be for TfSE to decide who takes on the role of vice chair of the Partnership.

### **Transport for the South East Intra Authority Agreement**

8. TfSE's Intra Authority Agreement (IAA) was put in place in 2019, with a view to TfSE obtaining statutory status in 2020. It set out arrangements to formalise the partnership and share the risks across the 16 constituent authorities. As part of a general governance review, the IAA has been reviewed to ensure that the arrangements remain appropriate in light of the ongoing partnership arrangements and the changed landscape from what had been anticipated in 2019/20. As a result of this TfSE wishes to include a new Hold Harmless clause in the IAA. This new clause asks all constituent authorities to agree to hold harmless the Lead Authority, East Sussex County Council, in respect of any liabilities that could arise, either under a Third Party Contract, 66 or otherwise. For example, a number of authorities are currently undertaking work on behalf of TfSE through the local capability work stream. These entail the use of consultancy advice and the outputs of the work will be shared more widely across the TfSE partnership. Under the proposed clause, any authority undertaking work on behalf of TfSE would be protected from legal challenge from another authority within the partnership.
9. The TfSE Partnership Board has agreed, in principle, this proposed change and is now seeking legal sign off from all 16 constituent authorities, including the Berkshire Unitary Authorities. The original IAA was considered and approved by BLTB in July 2018, with the lead officer from Slough Borough Council being authorised to sign the agreement on behalf of the BLTB. Within this, the six Berkshire Unitary Authorities are identified separately as individual constituent authorities; that they have chosen to manage those memberships through the Berkshire Local Transport Body.
10. It is considered that the proposed amendment to the IAA is reasonable and that it is an important agreement in continuing the formal arrangements for managing the Transport for the South East Shadow Partnership Board.

### **Recommendation**

11. To agree to the BLTB Representation on the Transport for the South East Partnership Board.
12. To authorise herefore, it is recommended that you authorise Stephen Brown, Chief Executive Officer, Slough Borough Council and lead officer for the BLTB), to sign the amended TfSE's Intra Authority Agreement on behalf of the BLTB..