

**TO: THE EXECUTIVE MEMBER FOR PLANNING AND TRANSPORT**  
**DATE: 26 July 2019**

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**TRANSPORT FOR THE SOUTH EAST (TfSE)  
PROPOSAL TO SEEK STATUTORY STATUS – CONSULTATION RESPONSE**

**Director of Place, Planning and Regeneration**

**1 PURPOSE OF THE REPORT**

- 1.1 To approve the Council's formal consultation response to TfSE regarding their proposal to seek statutory status from the Government.

**2. RECOMMENDATION**

- 2.1 **That the Council's consultation response, as detailed in Appendix 2, is approved.**

**3 REASON FOR RECOMMENDATION**

- 3.1 To ensure that the Council provides TfSE with an independent consultation response for their consideration, alongside the combined response from the Berkshire Local Transport Body (BLTB).

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None.

**SUPPORTING INFORMATION**

- 5.1 On 18 March 2019 the TfSE Shadow Board approved a draft proposal to Government regarding their application for statutory status. The subject of the formal consultation is the exact terms upon which TfSE is requesting statutory status from Government. If approved by Parliament, TfSE will become a second sub-national transport body alongside Transport for the North, which was confirmed in April 2018.
- 5.2 The TfSE draft proposal is set out in Appendix 1, and it contains only minor changes from the version circulated earlier this year as part of their informal engagement process. The TfSE formal consultation period opened on 2 May and runs to 31 July 2019.
- 5.3 The draft proposal was previously reported to the BLTB meeting on 14 March 2019 where the Body resolved to endorse the TfSE's plan to seek statutory status.
- 5.4 TfSE have since approached each of the Berkshire Unitary Authorities and Thames Valley Local Enterprise Partnership to gather individual formal responses. Bracknell Forest Council's proposed response is detailed in Appendix 2.
- 5.5 The twin purposes of creating sub-national transport bodies are to facilitate the development of a regional transport strategy and so promote economic growth for the area. The Local Transport Act requires a new sub-national transport body to be promoted by its constituent authorities, to have the consent of its constituent authorities, and that the proposal has been the subject of consultation within the area and with neighbouring authorities. The proposal must also set out the membership, voting powers, decision-making arrangements, functions and general powers.

- 5.6 The TfSE proposal to Government confirms that the 16 constituent authorities are: Bracknell Forest; Brighton and Hove; East Sussex; Hampshire; Isle of Wight; Kent; Medway; Portsmouth; Reading; Slough; Southampton; Surrey; West Berkshire; West Sussex; Windsor and Maidenhead; and Wokingham. It also confirms that the six Berkshire Unitaries will act together via this joint committee, the Berkshire Local Transport Body.
- 5.7 Additionally, the proposal sets out arrangements for involving the five Local Enterprise Partnerships; two National Park Authorities, 44 Boroughs and Districts and the transport industry voice in governance.
- 5.8 Importantly, the proposal identifies the powers TfSE wishes to draw down from central government; it goes on to identify a number of powers it hopes to exercise concurrently with Local Authorities. The proposal emphasises that it will only ever exercise these local powers with the consent of the Local Authority concerned.
- 5.9 In a separate exercise, TfSE is currently developing its Transport Strategy, which will also be subject to consultation with constituent authorities and other stakeholder partners.
- 5.10 Since the launch of the TfSE formal consultation, the Secretary of State has subsequently written to all shadow sub-national transport bodies informing them that he is not minded to grant statutory status to any further STB's for the foreseeable future. The Government's stated preference, for the time being, is to continue with the partnership working TfSE already has in place. The letter stated that the Department for Transport will continue take account of TfSE's views in developing national transport policy and investment decisions regardless of any formal status. In June 2019, the TfSE Shadow Partnership Board agreed to continue with the formal consultation process so that its proposal can be ready for submission to Government should these circumstances change.
- 5.12 For more information please visit [www.transportforthesoutheast.org.uk](http://www.transportforthesoutheast.org.uk)

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Treasurer

- 6.1 No financial implications.

### Borough Solicitor

- 6.2 There are no specific legal implications arising from this report.

### Contacts for further information

Neil Mathews - Head of Highways and Transport  
01344 351163  
[neil.mathews@bracknell-forest.gov.uk](mailto:neil.mathews@bracknell-forest.gov.uk)

Stuart Jefferies – Transport Strategy and Implementation Manager  
01344 351155  
[stuart.jefferies@bracknell-forest.gov.uk](mailto:stuart.jefferies@bracknell-forest.gov.uk)