

Review Of Existing Local Transport Powers

Purpose

1. To provide a draft statement on what can be achieved within existing powers, through the Joint Transport Executive Committee, subject to discussion with legal and finance colleagues and the Department for Transport.

Background

2. Appendix A summarises the powers available under the recent Local Transport Act 2008.
3. Members requested that a draft statement be provided on what can be achieved within the existing powers of the Local Authorities through the Joint Transport Executive Committee, subject to discussion with legal, finance colleagues and DfT.

Maximising the Use of Existing Local Transport Powers

4. Planning & Implementing Major Transport Schemes

Through the Joint Committee, Partnership Board and Council Cabinets/Councils the authorities already take collective action to produce:

- The Joint Local Transport Plan
- Major Transport Scheme bids

The Joint Local Transport Plan is part of the policy and budget framework of the individual Councils and therefore is finally approved by their Council meetings.

The leadership and preparation of any major scheme bid is provided by a Project Board, which comprises representatives of all the sub regional authorities. The Senior Responsible Owner leads the Project Board, supported by a project team from the local authorities. This approach and the individual arrangements for each scheme were endorsed by the Joint Transport Executive Committee on 24 April 2009. This approach works well; the work could be undertaken in a more unified manner to mirror the arrangement within an ITA by unifying and centralising leadership and preparation responsibilities.

Currently local Highway Authority powers are exercised individually. The preparation and implementation of such schemes could be undertaken through a unified team and be overseen by the Joint Transport Executive Committee, rather than by individual Executive Members.

Currently individual authorities support the exercise of Highway Development Control powers separately, even when supporting cross-boundary major transport schemes. To mirror the provisions of an ITA it would be possible to establish an integrated team of officers.

The team would still need to account to individual authorities' Planning Members. It may be possible, say, for each authority to nominate a three-person committee and provide for the four committees to meet to consider a common agenda. In such a meeting the relevant three-person committee would be able to make the decision on proposals within their Local Authority area. This arrangement would maintain the local authority in such matters, but by considering matters as part of a common agenda, it may also help ensure more streamlined and consistent decision making in support of cross-boundary major schemes.

5. Improving Bus Services

If the relevant powers necessary to secure improvements in bus services were delegated to the Joint Executive Committee, they could be exercised and managed on a collective basis. To be effective, such delegations would also require appropriate arrangements to be agreed for the management of finances, procurement and risk. Such safeguards, depending on scale, may best be exercised through an arms-length local authority controlled company.

6. Strategic Road & Rail Powers

Since the publication of the Act the DfT have indicated that they do not envisage the transfer of rail powers to ITAs or local authorities. The current work on the Memorandum of Understanding with the Rail Industry will continue to be progressed. The transfer of strategic highway powers, for example trunk roads, to the local authorities could be exercised. The current work on the Memorandum of Understanding with the Highways Agency could be developed further, if required.

7. General Powers of an Integrated Transport Authority & Annual Levy

The General Powers of Direction would not apply within a Joint Transport Executive Committee.

The resourcing of the management and support to the Joint Committee could be met through resources currently held within local authorities.

Other, and additional, transport revenue and capital requirements could be raised through a combination of Council Tax and other existing sources used by local authorities. Again appropriate arrangements would need to be agreed for the management of finances, procurement and risk.

Recommendation

That Members consider the report and give their views.

Author: Terry Wagstaff, West of England Partnership
Tel: 0117 922 2639; Email: terry.wagstaff@hotmail.co.uk

**Local Transport Act 2008:
Potential Integrated Transport Authority (ITA) powers**

<i>A. Planning & Implementing Major Transport Schemes</i>
<p>Joint Local Transport Plan Produce a single Local Transport Plan covering the whole of the West of England area. <i>Already undertaken through the Partnership and Joint Committee.</i></p>
<p>Major Scheme Bids Preparation of bids for major transport schemes (> £5m cost), scheme design and delivery. <i>Federated or centralised arrangements would replace the current voluntary Partnership system.</i></p>
<p>Local Highway Authority Powers Bus lanes, bus priorities, traffic calming and management, cycling and walking schemes, maintenance. <i>Currently the individual authorities undertake this.</i></p>
<p>Highway Development Control Assess transport impact of major new developments; advise determination to planning authority and request remedial measures. Note this may be beyond the powers of the Local Transport Act. <i>Currently the individual authorities undertake this.</i></p>
<i>B. Improving Bus Services</i>
<p>Supported Bus Services and Information Tendering for and monitoring of socially necessary bus services not provided by operators on a commercial basis. Marketing and publicity of bus service provision. <i>This is the current arrangement.</i></p>
<p>Bus Quality Partnerships Bus operators agree to enhance services – fares, frequencies, and timings - in return for infrastructure improvements. Partnerships can be voluntary and/or statutory. <i>This development would give partial control, with the risk shared.</i></p>
<p>Bus Quality Contracts Franchising of local bus network, similar to London, with ITA setting and regulating service levels whilst ensuring better integration. <i>This development would provide control but the risk would transfer to the Local Authorities.</i></p>
<p>Concessionary Travel and Integrated Ticketing Diamond travel card (senior citizens and disabled) and other travel concessions. <i>This would integrate the administration and ticketing of current concessionary travel arrangements in the sub-region.</i></p>
<p>Travel Plans <i>This would result in the sub-regional co-ordination of travel plans.</i></p>

Continued over

<i>C. Strategic Road & Rail Powers</i>
<p>Strategic Highway Powers Transfer of motorways and 'A' roads to the authorities from the Highways Agency e.g. M32, A4 and A46.</p>
<p>Rail – Track <i>Transfer of responsibility for stations and track to the authorities.</i></p>
<p>Rail – Services Transfer to the authorities of responsibility for local train services through franchise arrangements.</p>
<i>D. General Powers of an Integrated Transport Authority</i>
<p>Power of Direction Power of direction can be given to an ITA to direct the local authorities that they must or must not do certain things on specific roads or classifications of roads. <i>Any use of this power would require the prior agreement of the local authorities concerned.</i></p>
<p>Annual Levy Agreed annual levy on the councils that make up the ITA. There are no precepting powers in the Local Transport Act.</p>