

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

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| Decision Maker: | Cabinet |
| Date: | 14 July 2020 |
| Title: | Transport for the South East (TfSE) |
| Report From: | Director of Economy, Transport and Environment |

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1. The decision:

- 1.1. That Cabinet gives its consent to the establishment of a sub national transport body for the South East, to be known as Transport for the South East (TfSE), and recommends that Full Council endorses this decision;
- 1.2. That Cabinet approves the proposed constitutional arrangements and functions for TfSE, as set out in its Proposal to Government (Appendix 1), and recommends that Full Council endorses this decision;
- 1.3. That Cabinet endorses TfSE's Transport Strategy and recommends that Full Council adopts the Transport Strategy into the County Council's policy framework;
- 1.4. That Cabinet delegates authority to the Executive Member for Economy, Transport and Environment to consider, and where appropriate approve, any subsequent studies, strategies and decisions arising from TfSE's Transport Strategy.

2. Reasons for the decision:

- 2.1. Section 102(F)(3) of the Transport Act 2008, as amended by the Cities and Local Government Act 2016, states that each constituent member of a shadow sub national transport body should approve the submission of any Proposal to the Secretary of State and give their consent to the making of Regulations by the Secretary of State to establish a sub national transport body.
- 2.2. By securing statutory status as a sub national transport body, TfSE will have the powers and responsibilities required to deliver its Transport Strategy. Not only would a statutory sub national transport body for the South East give the region a stronger voice at national level, but would also enable the County Council to influence the prioritisation of national transport investment in a way that has not been possible in the past.
- 2.3. The constitutional arrangements and functions contained in the Proposal to Government are designed to help TfSE demonstrate strong local accountability, whilst facilitating sustainable economic growth and ensuring a high quality,

integrated, transport network through the efficient delivery of its Transport Strategy. As explained in the body of the report, decisions taken by the statutory body (TfSE) would only be taken with the consent of the affected constituent authority(ies). The principle of subsidiarity underpins the TfSE proposed arrangements, respecting the sovereignty of the constituent local transport authorities.

- 2.4. The legislation enables a sub national transport body to devise a transport strategy for its region. The County Council has been proactive in helping to develop TfSE's Transport Strategy which is based on sound evidence and applies a clear methodology. The strategy provides a strong economic, social, and environmental policy framework for future transport planning up to 2050 and, is therefore considered appropriate to adopt into the County Council's own policy framework, alongside the Hampshire Local Transport Plan.

3. Other options considered and rejected:

- 3.1. The option to withhold consent to TfSE seeking statutory status was rejected as it would undermine the partnership and the County Council's opportunity to gain greater influence over future transport decisions.
- 3.2. The option to object to the constitutional arrangements and functions set out in the Proposal to Government was rejected as these have already been subject to extensive consultation and are considered necessary to meet legislative requirements and the objectives of TfSE. Furthermore, the arrangements do not affect the County Council's ability to take local decisions and protect its integrity by ensuring any decisions taken by TfSE, which would affect Hampshire, would first require explicit consent from the County Council.
- 3.3. The option of not recommending to Full Council that TfSE's Transport Strategy be adopted into the County Council's Policy Framework was rejected as it is considered important that the County Council's own policies take account of the TfSE's Transport Strategy which provides a broad policy framework up to 2050 to inform future transport investment decisions within the South East region.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker:
- 4.2. Conflicts of interest declared by other Executive Members consulted:

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

14 July 2020

**Chairman of Cabinet
Councillor Keith Mans**