

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	8 July 2021
<b>Title:</b>	Solent Transport
<b>Report From:</b>	Director of Economy, Transport and Environment

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### Purpose of this Report

1. The purpose of this report is to recommend changes to the legal agreement governing Solent Transport and to confirm the level of authorisation required by Hampshire County Council to make decisions on operational, policy and budgetary matters relating to Solent Transport.

### Recommendations

2. That the Executive Member for Policy and Resources approves the proposed changes to the legal agreement for Transport for South Hampshire and the Isle of Wight (also known as Solent Transport), as set out in Appendix A, and gives authority to enter into contractual arrangements in consultation with the Head of Legal Services.
3. That the Executive Member for Policy and Resources confirms that Solent Transport shall from this point onwards report to the Executive Member for Economy Transport and Environment on operational, policy and budgetary matters

### Executive Summary

4. This paper recommends that Hampshire County Council approves changes agreed by the Solent Transport Joint Committee to the Transport for South Hampshire and Isle of Wight (TfSHIOW) legal agreement. It also proposes changes to the decision-making arrangements put in place by the County Council in relation to Solent Transport. This decision has no financial implications for the County Council but will improve accountability by confirming decision making at the most appropriate level.

### Contextual information

5. Hampshire County Council has joined together with Isle of Wight Council, Portsmouth City Council and Southampton City Council, as the local transport authorities (LTAs) for the Solent area to form Transport for South Hampshire and the Isle of Wight (TfSHIOW), also known as Solent Transport.

6. The purpose of Solent Transport is to promote the sub regional transport agenda, implement schemes of a sub-regional nature and lobby and/or influence on all other associated aspects of life within the TfSHIOW Area. The rights and obligations between the local transport authorities have been set out in a legal agreement.
7. The legal agreement establishes a governance for Solent Transport to be managed through a Joint Committee that firstly recommends to the constituent LTAs an Annual Business Plan for approval through their own decision-making system and once approved, for Solent Transport to implement the approved Annual Business Plan.
8. The Joint Committee may also discharge, on behalf of the LTAs their functions where such arrangements affect two or more of the LTAs or where it has been authorised by all of the Parties by being specifically referred to in the approved Annual Business Plan. The constituent LTAs are also required to approve any change to the terms of the TfSHIOW legal agreement.
9. The Joint committee is essentially advisory with decision making retained by each LTA unless specifically delegated through the approved Annual Business Plan.
10. For Hampshire County Council, the decision-making process for Solent Transport has resided with the Executive Member for Policy and Resources. Whilst this remains the appropriate level of authorisation in relation to formal legal matters pertaining to Solent Transport, operational, policy and budgetary matters fall within the remit of the Economy Transport and Environment portfolio. The Executive Member for Economy, Transport, and Environment also represents the County Council at the Solent Transport Joint Committee, so it is appropriate to confirm that decisions on operational, policy, and budgetary matters pertaining to Solent Transport are made within this portfolio. Authority was originally transferred from the Environment and Transport portfolio to that of Policy and Resources to avoid a conflict of interest at a time when the Executive Member for Environment and Transport was also Chairman of Solent Transport. This is no longer the case.
11. The proposed changes to the legal agreement will provide the County Council with greater flexibility in nominating a substitute attendee if the County Council's nominated member is unable to attend a Joint Committee. In addition, there are minor updates to reflect changes to regional governance arrangements. Whilst minor, these changes nonetheless require authorisation by each constituent LTA.

## **Finance**

12. There are no financial implications to this decision.

## **Performance**

13. This decision will enable Hampshire County Council to increase accountability by taking decisions at the most appropriate and transparent level of governance. It will also enable up to date arrangements to be agreed and entered into, via

the Joint Agreement variation, to ensure continuing smooth operation of Solent Transport.

### **Consultation and Equalities**

14. No consultation has been carried out in developing these proposals as they relate to internal and procedural arrangements. For the same reasons, a neutral impact is anticipated on groups with protected characteristics.

### **Climate Change Impact Assessments**

15. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
16. The carbon mitigation tool and climate change adaptation tool were not applicable because the proposals set out in this report are internal and procedural and do not relate to any specific interventions.

### **Conclusions**

17. Solent Transport has been and remains an effective means for Hampshire County Council to work in collaboration with the other local transport authorities to provide an effective response to the transport challenges that face the Solent area and to represent these collective policies and proposals at a regional and national level. The proposed variations to the Joint Agreement will help ensure that Solent Transport can continue to provide such collaboration.
18. It is appropriate that decisions made by Hampshire County Council about Solent Transport are made at the same level as decisions made by the County Council about transport matters more generally in Hampshire.
19. The proposals set out in the report will enable operational, policy and budgetary decisions on Solent Transport to be made by the Executive Member for Economy Transport and Environment, who is also the County Council representative on the Solent Transport Joint Committee.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

None

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

The changes proposed by this recommendation are assessed as having a neutral impact on people with protected characteristics.