

Subject:	Coast to Capital Local Transport Body Meetings – 18 February 2015		
Date of Meeting:	16 February 2015		
Report of:	Executive Director – Environment, Development & Housing		
Contact Officer:	Andrew Renaut-Head of		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

By reason of the following special circumstances, which shall be recorded in the minutes, the Chair of the meeting is of the opinion that this item should be considered at the meeting as a matter of urgency. In order to establish the council's position with respect to reports and recommendations that were published on 12 February 2015, prior to meetings of the Coast to Capital Local Transport Body to be held on 18 February 2015, an Urgency Sub-Committee has been arranged for Monday 16 February 2015. The agenda and associated papers were published as soon as they could be finalised.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The city council is a member of the democratically accountable Coast to Capital [CtoC] Local Transport Body [LTB], which is based on the geography of the CtoC Local Enterprise Partnership [LEP]. The CtoC LEP area includes the whole of West Sussex County Council and Brighton & Hove City Council, part of Surrey Council and Lewes District Council and the London Borough of Croydon. The primary functions of the Coast to Capital Transport Body are exercised through its Board. The Board includes the five local highway authorities (East Sussex County Council represents the Lewes District area) and the LEP as its core members, and the Highways Agency and Network Rail have observer status.
- 1.2 The LTB are meeting in public on 18 February 2015 to consider and make a number of decisions, and in order for the council's representative to be able to agree and, if necessary, vote on recommendations, it is necessary to establish the council's position through a recognised democratic process.

2. RECOMMENDATIONS:

- 2.1 That the Urgency Sub-Committee welcomes the positive recommendation being made to the Coast to Capital Local Transport Board [LTB] about Valley Gardens

(Phases 1 & 2) and thanks the Local Enterprise Partnership Board, the members of the LTB and their respective officers for the work that has been undertaken in considering, prioritising and proposing the Valley Gardens project for funding.

- 2.2
- (i) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council fully supports the proposed recommendations on the Valley Gardens scheme and therefore agrees that the £8 million funding for the scheme should be released from 2015/16 onwards.
 - ii) That the Urgency Sub-Committee endorses the bids made by the council for funding from the Sustainability & Resilience Programme and agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council:-
 - a) notes the progress that has been made on developing the programme following receipt of first round bids for 2015/16, but regrets that decisions on allocating funding will be delayed until March 2015;
 - b) agrees that a second round of bidding should commence in February 2015 and that bids should be received in September 2015; and
 - c) agrees to the discussion and production of further guidance on the assessment of bids for Sustainability & Resilience projects by the LTB.
 - (iii) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council supports the principles of the proposed recommendations being made to the LTB regarding the request for increased funding for the A284 Lyminster Bypass, and therefore agrees that :-
 - a) additional funds should not be diverted to the scheme on this occasion, but this decision could be revisited in the future; and
 - b) accepts that the LTB's Assurance Framework allows for such requests to be considered on their merits and therefore agrees that the framework should not be altered.
 - iv) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council agrees to the spending programme for the five Major Schemes approved in 2013, as proposed in Appendix 1 (LTB Process Meeting - Agenda Item 5) of this report;

and in relation to the recommendations set out in this paragraph 2.2 i - iv authorises the Lead Member for Transport to vote accordingly.

- 2.3 That the Urgency Sub-Committee authorises that the council's Lead Member for Transport can use his discretion in considering any minor variations tabled to proposed recommendations made in reports to the LTB, should it decide to propose or agree to consider such alternative, tabled recommendations.

- 2.4 That the Urgency Sub-Committee agrees that if an alternative (or new) recommendation is tabled during the LTB meeting which varies significantly from the original recommendation, that the Lead Member for Transport should not vote on behalf of the city council, but should seek a further decision from the Urgency Sub-Committee if such a decision would alter the overall decision of the LTB, or that the council wishes its position to be clearly established and recorded with the LTB process.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The LTB abides by an agreed Assurance Framework that has also been approved by the Department for Transport. It also has delegated authority from the CtoC LEP Board to agree, manage and oversee delivery of a prioritised programme of major and smaller transport schemes, based on approved allocations of funding through the Local Growth Fund process. In March 2013, the council's Policy & Resources Committee agreed to nominate the Lead Member for Transport as the council's representative on the LTB.
- 3.2 Croydon and East Sussex County Council will participate in full in strategic discussions and decisions, but will not be eligible to vote in decisions about allocation of funding which the board of the LTB decides is open only to schemes in the administrative areas of Brighton and Hove City Council & Hove, Surrey County Council and West Sussex County Council. Observers will not be eligible to vote in decisions.
- 3.3 In accordance with its Assurance Framework, the LTB is required to meet in public when decisions are to be made on the recommended prioritisation of individual schemes, a scheme programme and funding allocations. Meetings of the LTB will be held on 18 February 2015 and it is expected to consider reports on the following matters:-
- a) Valley Gardens
 - b) A284 Lyminster Bypass
 - c) Scheme cost profiles
 - d) Sustainability & Resilience projects.
- 3.4 The published LTB reports are attached at Appendix 1 of this report, and a brief commentary on each item is set out below.
- Valley Gardens (Phases 1 & 2)
- 3.5 Following its approval in principle to receive funding through the Local Growth Fund process, the Valley Gardens (Phases 1 & 2) project's Business Case must be considered and approved by the LTB in order to enable the funding to be formally released. The scheme involves significant changes and enhancement to this central corridor within the city and its development has been consulted on, and discussed and agreed on many occasions by the council's Transport and Environment, Transport & Sustainability Committees.
- 3.6 The recommendations being made to the LTB note that the scheme has fulfilled all the necessary requirements and achieved a high Value for Money ratio, and

therefore conclude that the scheme should be formally approved for the purposes of releasing the £8 million funding from 2015/16 onwards, and it is recommended that this should be supported by the Urgency Sub-Committee.

Sustainability & Resilience projects

3.7 The CtoC LEP has been allocated a total of £62.6 million over 6 years (2015/16 to 2020/21) by the Government for Sustainability and Resilience [S&R] projects, as part of its successful Growth Deal bid. £9.2 million of this funding is available to be allocated for schemes starting in 2015/16 and 12 bids were submitted, including two for Brighton & Hove – a Bike Share scheme (Sustainability) and an Intelligent Transport Systems package (Resilience).

3.8 The report explains the progress that has been made on developing the S&R programme (although decisions on allocating funding in 2015/16 will not be made until March 2015), and the recommendations being made to the LTB are that a second round of bidding for the S&R programme should be started, and that further guidance on assessment of the bids should be prepared. It is recommended that these should be supported by the Urgency Sub-Committee.

A284 Lyminster Bypass

3.9 This project is located in West Sussex and was approved to be allocated £3million in July 2013 as part of the CtoC LEP's Growth Fund. A request has now been received by the LTB to seek additional funding of about £2million to address a funding shortfall due to general scheme cost increases and the withdrawal of an offer from Network rail to remove a level crossing.

3.10 The recommendations being made to the LTB are that the request should not be agreed on this occasion and that the LTB's Assurance Framework should also not be altered, and it is recommended that these should be supported by the Urgency Sub-Committee.

Scheme cost profiles

3.11 The LTB is required to agree, manage and oversee delivery of a prioritised programme of major and smaller transport schemes. The Major Scheme programme, totalling £24.2 million, was agreed in June 2013 and it is necessary to set and agree a profile of spend in order to ensure a realistic and accurate allocation of funding between 2015/16 and 2018/19. This programme includes the Valley Gardens (Phases 1 & 2) scheme.

3.12 The recommendations being made to the LTB are that the proposed spending programme set out in Appendix 1 (LTB Process Meeting - Agenda Item 5) should be agreed, and it is recommended that this should be supported by the Urgency Sub-Committee

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The council's representation on the LTB is essential in order to ensure that the council is fully engaged and actively participating in the work of this formal partnership.

- 4.2 The commentary and advice set out in section 3 of this report is considered to be reasonable and appropriate, in the context of the information that has been included in the LTB reports.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The approach to engagement and consultation on matters that are addressed by the LTB is set out within its Assurance Framework. Some of the issues raised in the LTB reports referred to in this report have also been the subject of ongoing discussions and meetings with local authority officers and councillors, as part of the day to day activities involved in the CtoC LTB process.

6. CONCLUSION

- 6.1 The opportunity to establish the council's formal position with regard to proposed key decisions to be made by the LTB, prior to it meeting in public, is considered essential. If agreed, the recommendations proposed in this report will therefore fulfil this requirement and enable the council's representative to put forward its views on the items to be discussed and agreed on 18 February.
- 6.2 The proposed recommendations within this report are considered to be consistent with the council's own policies and objectives, and the projects that are referred to within the city will also support the priority proposals for the city that are included in the CtoC Strategic Economic Plan [SEP].

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The government has not provided any additional funding to enable local authorities to support their involvement in the establishment and participation in an LTB. The Department for Transport [DfT] has confirmed that the devolved money for Major Schemes cannot be top-sliced locally for administration costs as the major scheme budget is for capital projects only. The council's active participation in this process has therefore been funded from within Transport revenue budgets.
- 7.2 Securing local or third party sources of funding for approved schemes remains an important element of the funding allocation process and final approval and decisions made by the LTB. The city council has therefore incorporated this requirement into its own considerations and decision-making on the bids that have been submitted to the LGF process so far, including Valley Gardens, and will continue to do so. Such decisions will be made within the council's annual processes for overall, or service area, budget-setting, which will primarily include the Local Transport Plan capital programme.
- 7.3 The council acknowledges that it will receive a formal decision letter from the LEP/LTB setting out further details on monitoring, reporting and accountability if the LTB approves the release of the funding for Valley Gardens (Phases 1 & 2). In addition, the Assurance Framework indicates that funding will be paid in

arrears, except in exceptional circumstances. Detailed financial implications of the Valley Gardens project have previously been reported to Committee.

Finance Officer Consulted: Steven Bedford

Date: 12/02/15

Legal Implications:

- 7.4 As noted in the report, Local Transport Bodies are democratically accountable. The recommendations in this report, if agreed, will allow the Lead Member for Transport to vote on recommendations before the LTB with the backing of a democratically elected Sub-Committee.

Lawyer Consulted: Hilary Woodward

Date: 12/02/15

Equalities Implications:

- 7.5 There are no direct equalities implications arising from this report. Any such issues will be addressed within the specific workstreams and associated decisions linked with any project or programme within the city, as it is developed.

Sustainability Implications:

- 7.6 There are no direct sustainability implications arising from this report.

Any Other Significant Implications:

- 7.7 The main additional, significant implication of decisions made by the LTB with respect to scheme and funding approvals relates primarily to citywide and corporate implications. The success of funding bids made to the LTB will support the delivery of the city's priority development locations, as identified within the LEP's SEP, and help meet the wider objectives of the Greater Brighton City Region.
- 7.8 Any issues associated with risk and opportunity will be addressed within the specific workstreams and associated decisions linked with any project or programme within the city, as it is developed.

SUPPORTING DOCUMENTATION

Appendices:

1. Agenda and reports – Local Transport Body meetings : 18 February 2015

Documents in Members' Rooms

None.

Background Documents

1. Report to Policy & Resources Committee – 21 March 2013. Agenda Item 173
2. Coast to Capital Local Transport Body Assurance Framework

