

Devolving local major transport schemes consultation

Response from the Campaign for Better Transport

Response to the Consultation Questions

- 1. Do you have any comments on the proposed role and membership, preferred scale and geographical scope in forming local transport bodies and consortia, in particular the options to facilitate strategic investment decisions and the types of scheme to be funded?**

We agree that devolution of transport planning to sub-national level has the potential to facilitate strategic thinking across areas which are functional in transport terms but also allow the much-needed integration with land use planning and other aspects with an impact such as employment patterns. However, we are not persuaded that the proposals set out in the consultation paper are the most effective way of ensuring this. There is a danger that the structures proposed will lead to confusion and less rather than more effective transport planning, and that they damage the environment and economic growth prospects. The new bodies covered in the consultation paper will cross local authority boundaries and include different local transport authorities, some of which are counties, some unitary authorities, some Integrated Transport Authorities (ITAs) or Passenger Transport Executives (PTEs). Integration with land use planning could be made more difficult in areas with two-tier systems because local planning authorities are not guaranteed membership of Local Transport Bodies.

The membership and remit of Local Transport Bodies should actively facilitate the government's objectives in devolving funding – including in particular balancing the best economic outcomes with the “need for developing sustainably and reducing carbon emissions” and making decisions more locally accountable (see page 3 of the consultation paper). The proposed membership of Local Transport Bodies does not include representatives from either local communities or organisations with expertise in environmentally sustainable transport planning. It is our view that it should.

Strategic investment decisions would be greatly facilitated by a national transport strategy. In its absence, Local Transport Bodies should be guided by the steer given in the NPPF to revitalise town centres and encourage development on brownfield sites. They should also be expected to show how they have taken account of Local Transport Plans (LTPs).

Regarding the relationship between prioritisation and delivery, it is our view that the guiding principle should be whatever is most likely to meet the criteria of transparency, accountability and effectiveness in delivery. In many cases, this will mean building on existing structures such as ITAs and devolving both prioritisation and delivery to them. In others, it will perhaps be more effective to have one body with a prioritisation role and another (or others) with a delivery role. Care is however needed to make this work. For example, local transport authorities, like all local authorities, are severely constrained in the funds they have available, so any funding allocated to particular transport schemes or programmes will need to take this into account.

Regarding which schemes should be funded by the devolved process (para 1.57), we agree on the whole with the government's preference for option 3 because it allows strategic thinking unconstrained by a presumption in favour of any particular solution – which in practice often means it is assumed that a major scheme, usually a new or widened road, is the solution before any real analysis of transport-related problems in an area has been carried out. At the same time, it is important to recognise that in certain circumstances a very expensive major scheme or large package of smaller schemes is the best option. Light rail schemes such as the tram extensions recently started in Nottingham are an example; another would be a programme of area-wide or city-wide cycling improvements and infrastructure. So whatever devolution arrangements are adopted should not make the prioritisation of major schemes or packages impossibly onerous.

The key strategic consideration in our view is not the size or cost of a scheme or package in itself, rather whether Local Transport Bodies have thoroughly analysed the issues in their area, are clear about what goals they are trying to achieve through transport interventions, and are able to show that their preferred scheme or package is more likely than alternatives to achieve those goals. Both the Department and the right appraisal and evaluation process have an important role to ensure this (see also our responses to questions 5 and 7 below).

We do not support top-slicing in the context of this specific funding stream. However, in the wider context of local authority funding, we think that the Government should in principle retain the flexibility to create ring-fenced funding for projects unlikely to be delivered by local transport bodies themselves. Rather than the major transport schemes mentioned in the consultation, the need is for funding for certain types of transport projects that have to be locally delivered but need to be nationally specified. Smart ticketing is an example of this kind of project, as is cycle training / Bikeability. Experimental projects (the Sustainable Travel Towns) can also be funded this way. This issue will be important in discussing what follows the Local Sustainable Transport Fund – if there is clear evidence that local authorities are not on mass going to fund such projects in future but the Government considers that a programme of such projects brings national benefits, it should consider continuing such funding in future.

2. Do you have any views on the membership of Local Enterprise Partnerships (LEPs) in local transport bodies, in particular whether they should have the final say in decision-making? Or on any other issues raised in relation to Local Enterprise Partnerships, and potential resourcing impacts?

The remit, current membership and geography of LEPs in our view makes them unsuitable to have any role in sub-national transport planning other than advising on the current views and concerns of some businesses. The way that LEPs have been set up means in practice that they reflect current views of some of the larger businesses in an area. As BIS and to some extent DfT will be aware, there have been many representations from smaller businesses indicating that they feel excluded from most LEPs, and small business organisations such as the Federation of Small Businesses are represented on only a minority of LEP boards.

As currently constituted, LEPs are also not in a position to comment on longer-term strategic business or wider economic development. The LEP geography was intended to reflect economically functional areas. It may or may not be successful in that respect, but the geography is not in most cases, and was not intended to be, functional in transport terms (covering for example travel to work areas) and is therefore unlikely to be suitable for addressing longer-term strategic transport issues. An example of how LEP geography is dysfunctional in transport terms is the long-standing issue of poor East-West rail links between the East and West Midlands (and East Anglia). This issue has been highlighted

consistently by regional agencies, which would have been in a position to make some progress on this. Now it would have to be tackled by 6 or 7 different LEPs.

More generally, rail services are usually inter-regional or longer distance and without Regional Development Agencies, there are now no organisations able to take a strategic overview. For example, the East-West project to reopen the Oxford-Cambridge line currently has local authority support along the route but if one LEP changed its mind, the scheme would be at risk under the proposed LEP-based new governance arrangements.

We agree that economic development is particularly important at this time and that transport has the potential to help or hinder that development. But we have two reservations, a general one and one specifically concerning the LEP geography. The general one is that the relationship between economic development and transport is complex and needs to be carefully assessed for each area. The assessment should be area-based rather than scheme-based as patterns of economic development are the outcome of an interaction between transport schemes and many other, non-transport factors (such as local skills levels or supply chains). Our second reservation concerns the LEP geography. There is a real danger that an approach based on LEP areas will undermine economic growth particularly in the cities because it is going to lead to overlapping and confusing decision making on transport. In the West Midlands conurbation, for example, there would be three LEP areas and therefore potentially three Local Transport Bodies, one ITA/PTE with its local transport plan, and at least one Mayor (Birmingham). The Coventry LEP overlaps into Warwickshire and will therefore have to take account of their LTP too. A similar situation can be found in the Tyne & Wear conurbation.

Our view is therefore that LEPs should have a role in advising Local Transport Bodies on current business views only and an obligation to ensure that the advice is representative of all types of business in an area. We do not agree that the LEP geography is a suitable starting point for mapping the areas to be covered by Local Transport Bodies.

It has been suggested that establishing self-standing transport planning bodies is not necessary or burdensome, as they create additional administrative structures. Our view is that any new Local Transport Body should be a standing body with an established corporate form to ensure continuity, consistency and transparency. It is much more difficult, in fact often impossible, for other stakeholders to gain access to the activities of ad hoc working groups consisting of local authority and business leaders. A standing body should have a membership structure which is fit for purpose. This may mean local variations but some stakeholders should always be represented – those with sustainable development expertise, transport users and others affected by transport-related decisions.

3. Do you have any thoughts or comments on assurance, in particular on whether there are any alternative ways of providing assurance other than putting in place some central criteria for local transport bodies to meet?

We support a rigorous assurance framework, particularly to ensure that decision-making is fair and is based on robust evidence. This should include environmental and social equity / distributional evidence as well as economic evidence. All too often, transport decisions are made on the basis of unsupported assertions. This tends to be especially the case with claims regarding economic benefits of transport interventions. The relationship between transport and economic development is complex, but there is evidence which can be used. For example, some of the Local Sustainable Transport Fund bids clearly identify transport barriers to employment, which the project bid for then seeks to address. This is the kind and quality of objective evidence we think should inform claims regarding economic benefits across the board.

How local transport authorities (LTAs) or local transport bodies/consortia make decisions is a key issue for us. The basis on which decisions are made needs to be explicit and subject to independent quality control, which will be particularly important in cases where assessments do not follow standard methods such as WebTAG, the DfT Transport Business Case process, or the standard assumptions underlying traffic forecasts. Independent quality control should be transparent, so that stakeholders are able to assess and compare the prioritisation undertaken by Local Transport Bodies. It is sometimes argued that such quality control somehow runs counter to localism. In this case however, since this is central government money raised from general taxation or borrowing, it is appropriate that the Department for Transport ensures that the money is well spent. The DfT should agree with local transport bodies a framework in which they will make decisions, including the assessment framework to be used, the nature and scope of consultation and (as below) independent scrutiny. This is different from the DfT checking and authorising every decision, or a requirement to use standard methods alone, but it does mean transport bodies setting out clearly a decision process and the reasons for diverging from standard assessment if they plan to do so.

We would also support moves to ensure that there is clear guidance to local transport bodies on ensuring their prioritisation of schemes supports the goals within the Climate Change Act, and that they work within the recommendations on approaches on cutting carbon set out by the Committee on Climate Change. As part of this, the DfT should explore how individual local transport bodies work within the carbon envelope for the overall local major scheme programme. Where accurate carbon calculations are not feasible or very onerous, proxies can be used such as vehicle kilometres – as local authorities, such as Nottingham City Council, committed to reducing carbon from transport have already done.

The Natural Environment White Paper 2010 states 'The Government will work with its transport agencies and key delivery partners to contribute to the creation of coherent and resilient ecological networks' (commitment 32). This commitment should be honoured under a devolved system. To deliver it will need the involvement of stakeholders with the relevant expertise, which is to be found in the voluntary environmental sector as much as in the statutory agencies. At sub-national level the network of regional Environment Links and Regional Transport Roundtables is a useful avenue to secure this expertise, and we recommend that the Department ensures this is used to help deliver the commitment in the Natural Environment White Paper.

The commitment in the White Paper clearly goes beyond offsetting environmental damage. The consultation document proposes offsetting (at 2.46) as a way of addressing environmental impact. In view of the commitment in the White Paper and the contribution environmental assets make to people's quality of life, offsetting should be regarded as a last resort. So many environmental assets cannot be replaced, at least not in any sensible timeframe. Replacing mature trees is a case in point: it does not help local people to be told for example that the mature beeches felled for a major transport infrastructure project will be replaced by new ones in 100 – 200 years' time.

4. Do you have any comments in relation to how local transport bodies should demonstrate that they are accountable to central Government for tax-payers' money and to local communities and citizens?

Local transport bodies need to be fully accountable and transparent in their actions and spending decisions, and should be covered by Freedom of Information legislation and Green Book rules. The consultation proposes an independent audit panel – they should also set up independent environmental audit panels to audit the impact of proposals on the environment, similar to the way central government scrutiny involves audit by the Public Accounts Committee and the Environmental Audit Committee in the House of Commons.

5. Do you have any comments on the options for appraising and evaluating schemes, in particular in order to meet and test value for money?

In addition to comments we make in response to the questions above, it is our view that Local Transport Bodies should be required to carry out pre- and post-delivery evaluation of projects to ensure learning in relation to value for money and to check actual outcomes and outputs against predictions. This evaluation should be of a standard form prescribed by DfT (by agreement with other stakeholders) so that projects can be compared with each other.

6. Do you have any comments on the proposed implementation timetable, and any practical issues raised?

The consultation document suggests that Local Transport Bodies submit proposals to the Department for sign-off by December 2012. The proposals would be expected to include the full range of issues – financial management, accountability, and meeting and testing value for money (see page 30 of the consultation document). The document proposes that Local Transport Bodies agree their programme of priorities for delivery post-2015 by April 2013. Our view is that this timetable is very unlikely to result in properly considered governance arrangements and priorities. Identifying geographical areas meaningful in transport terms, resolving conflicts between the different stakeholders, analysing transport issues in an area and agreeing the best ways to address them all take time. If the process is rushed, it is likely to prevent stakeholder involvement, transparency and value for money because (as psychologists know) time pressure is hostile to considered, nuanced decision-making. The Delivering a Sustainable Transport System (DaSTS) process was a very welcome initiative which fostered just such considered decision-making. It is regrettable that the regional DaSTS studies were abandoned in May 2010 at a stage when many had produced useful data which could have guided decisions on transport spending in an evidence-based way.

7. Do you have any general comments on proposals to devolve decisions and funding, and on any residual role for the Department?

On the basis for devolving funding, a formula focusing on population may well be the easiest to operate. But we wonder whether a way could be found to take into account anomalies created by fluctuating populations or those not registered on electoral rolls in areas with high numbers of seasonal workers, students or tourists.

The Department could have an important role in facilitating the devolution of decision-making to levels and bodies which are functional in transport terms, do not create unnecessary bureaucracy and confusion, and are accountable to the public. Where they exist, ITAs should be taken as the starting point rather than LEPs, with the option of extending them into neighbouring areas where this is sensible. In areas without LTAs, the Department could facilitate ways to set up similar structures.

As noted above, while local priorities are important in decisions about transport interventions and should be respected, decisions should be made on a consistent basis using comparable data and following Freedom of Information and Green Book rules. The Department clearly has a role in ensuring this happens.

8. Do you have any other comments on any of the other areas covered in the consultation?

The Department for Transport needs to do more to develop its conception of what localism means for transport and how this squares with national strategic priorities. The Department should set out what the national priorities are for transport, recognising advice from the Committee on Climate Change as part of legally binding carbon budgets, but leave local authorities or bodies to decide on what are the best ways to achieve these in the local or regional context. However, this means that the Department needs to articulate national priorities much more clearly, for instance through a national transport strategy, to inform local transport bodies or authorities.

Given that this is national government expenditure, the Department should also ensure that local transport bodies act in accordance with national priorities. If a local transport body or local transport consortium is acting contrary to national policy, the Department should reserve the right to withhold funding for local major transport schemes, in addition to the measures described in our answer to question three.

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Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

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