

# **Progress Report on Transport Governance Review**

## **Appendix 2**

### **Comparison of Transport Governance Arrangements with Comparable Combined Authorities**

#### **Lessons Learned from Other Combined Authorities**

As background to the Transport Governance Review, the Transport Governance arrangements for Greater Manchester Combined Authority and West Yorkshire Combined Authority have been reviewed as being similar Authorities and the most appropriate references. This has been carried out by a desk top review of available public documents

(For details of existing structures and Terms of Reference see Appendix A)

#### **West Yorkshire Combined Authority**

WYCA conducted a review of its Transport Committee during 2021 with the objective of adopting amended proposals from its Annual Meeting in June 2022 so the revisions have not yet been brought into effect.

#### **Membership of the Committee**

One of the main changes that they will be bringing in is to enlarge the Transport Committee to include the Transport Portfolio Holders for each of the Constituent and Non- Constituent Authorities with the objective of achieving better co-ordination between the transport functions of the Combined Authority and of the Constituent Authorities particularly as Highway Authorities.

New roles have been established for members of the Transport Committee with clear roles and responsibilities for each position. Role Profiles have been developed for each of the positions on the Transport Committee - the Chair, the 2 Deputy Chairs, the 5 Engagement Leads and ordinary Members

The Chair of the Committee will be WMCA's Portfolio Holder for Transport with a defined responsibility to provide an effective link between the Combined Authority and the Transport Committee

The two Deputy Chairs have been given specific roles to liaise with the Mayor and support the Mayor in their transport functions as well as providing a Member contact point for transport operators and other key partners.

One representative from each Constituent Authority will be appointed as the Transport Engagement Lead for their area with responsibility to act as a representative of the Combined Authority and Mayor on transport matters, to act as the local engagement lead to ensure local engagement in the Combined Authorities transport policies and to facilitate joint working between the Combined Authority and the Constituent Authority on transport matters.

The role profile for Ordinary Members sets out their responsibility to ensure that the work of the Transport Committee is informed by local transport issues and challenges and their responsibility to foster joint working between the Combined Authority and the Constituent Authorities.

The District Consultation Committees which previously performed an engagement function will be discontinued and WYCA will carry out local engagement through a range of consultation channels including social media. The Consultation Committees will be replaced by twice yearly Local Engagement Forums to be held by the Engagement Lead on the Transport Committee.

### **Clarity of Roles**

Another objective of the WYCA Review was to ensure a clear differentiation of roles between the Transport Committee and that of the Transport Scrutiny Committee.

The Terms of Reference of the Transport Committee have been revised to give the Committee full delegated powers to carry out the non-mayoral transport functions within the strategic guidance set by the Board and within the Budget. It is responsible for monitoring the performance of transport service providers and for overseeing the delivery of capital projects. As a decision-making Committee it is subject to review by the Transport Scrutiny Sub-Committee as is recognised in its Terms of Reference.

### **Greater Manchester Combined Authority**

The Manchester Transport Committee is a different arrangement from WYCA and WMCA which have both established the Transport Committee as a Committee of the Combined Authority. Manchester Transport Committee has been established as a Joint Committee of the Combined Authority, the Mayor and all the Constituent Authorities. As such it is a legal entity in its own right rather than a Committee of the Combined Authority and is a Joint Committee to which each of the parties can delegate their functions under section 101 of the Local Government Act 1972.

The Joint Committee has been given delegated functions from all these parties so that it can provide a comprehensive and co-ordinated oversight of transport functions across the Region. The membership comprises the Mayor and the Portfolio Leads from all the Constituent Authorities, a representative of GMCA and members appointed by the Mayor.

The Overview and Scrutiny function is carried out by 3 Overview and Scrutiny Committees – Corporate Issues and Reform, Economy, Business Growth and Skills and Housing, Planning and Environment. These are cross cutting thematic Committees with transport related business falling within the remit of any of the Committees depending on the particular issues raised. A review of Agenda items has

indicated that the business of the Overview and Scrutiny Committees is focussed on strategic matters rather than operational issues with issues such as decarbonisation of homes, zero carbon electricity generation for vehicles and clean air zones being considered.

## Appendix A

### Transport Governance Review

#### Existing Structures and roles

WMCA Board

WMCA Mayor

Portfolio Holder for Transport

Executive Director TFWM

Strategic Transport Board – comprising the Transport Lead Members for the Constituent Authorities

Transport Delivery Committee – comprising 19 Members of the Constituent Authorities

Transport Scrutiny Committee -

Strategic Officer Transport Group – comprising lead transport officers of Constituent Authorities, representatives of Non- Constituent Authorities Black Country Director of Transport CEO of TFWM and WCMA Director of Public Services

#### Table of Governance Arrangements

	Membership	Terms of Reference
WMCA Board	2 Members appointed by each of the Constituent Councils and substitutes 1 Member appointed by each of the Non-Constituent Councils and a substitute (limited voting rights) 1 Member nominated by each of the LEPs and a substitute (no voting rights) 1 Co-opted TUC representative (no voting rights) Observers WM Fire and Rescue WM Police and Crime Commissioner Marches LEP	Powers and functions as set out in the 2016 and 2017 Orders: Local Transport Plan Functions of an Integrated Transport Authority (TFWM) Powers under the Bus Services Act 2018 Road Charging Schemes Bus Lane Contraventions Economic Development and Regeneration Post school education and training Housing and Regeneration

	Herefordshire County Council	
Elected Mayor	Directly elected	<p>Specific functions as set out in the Orders which established WMCA</p> <p>Functions in relation to Transport:</p> <p>Payment of Government Grants to Highway Authorities for Highway Construction and maintenance</p> <p>Powers in relation to the construction and maintenance of designated major roads</p> <p>Powers in relation to Traffic Management permit schemes and Works affecting Apparatus in highways in relation to those roads</p> <p>Duty to prepare and deliver scheme of road safety measures</p> <p>Duty to study road traffic accidents and take measures to prevent them.</p> <p>Duty to prepare a Road Traffic Reduction Plan with reduction targets.</p>
WMCA Portfolio Holder for Transport	Appointed by the Mayor	<p>No formal delegations but leads on Transport for the Mayor and sponsors Transport at the Board</p> <p>Under the Constitution receives recommendations from the Transport Development Committee in relation to Transport Strategy and Budget and Land acquisition and development.</p>
Executive Director TfWM	Appointed by WMCA Board	Delegations as per Constitution Financial decisions up to £1m
Strategic Transport Board	Transport Lead Members for the Constituent Authorities	<p>Not formally constituted as a committee.</p> <p>An informal meeting of the Transport Leads for the Constituent Authorities which is regarded as an important forum for discussion</p>

<p>Transport Delivery Committee</p>	<p>19 Members of the Constituent Authorities  7 Members appointed by Birmingham City Council  2 Members appointed by each of the other Constituent Authorities</p>	<p>The Transport Delivery Committee will be a sub-committee of the Combined Authority Board.</p> <p><b>Functions</b></p> <p>Advisory</p> <p>in consultation with the Transport Portfolio to receive and make recommendations to the Board on:</p> <ul style="list-style-type: none"> <li>I. Transport Plan Policies</li> <li>II. policy issues specifically identified by the Combined Authority Board within the Work Programme</li> <li>III. the relevant elements of the revenue budget and levy</li> <li>IV. Bus Quality Partnership Schemes</li> </ul> <p>Delegated Functions</p> <ul style="list-style-type: none"> <li>I. monitoring and overseeing the delivery of transport activities (including the power pursuant to s15 (6) of the Transport Act 1968) to such directions to officers of the Combined Authority as appears to the Transport Delivery Committee of the Combined Authority to be appropriate to secure the policy objectives of the Combined Authority</li> <li>II. ensuring that the Combined Authority secures the provision of appropriate subsidised public passenger transport services under s9A (3) of the Transport Act 1968</li> <li>III. considering and approving the creation and development of:</li> </ul>
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		<p>a. Ticketing Schemes under s135 - 138 of the Transport Act 2000</p> <p>b. Concessionary Travel Schemes under s93 - 104 of the Transport Act 1985</p> <p>IV. determining what local bus information should be made available, and the way in which it should be made available, under s139 - 143 of the Transport Act 2000</p> <p>V. ensuring the outcomes of the Transport Delivery Committee can be appropriately delivered from within the funding allocations approved by the Combined Authority Board</p> <p>VI. monitoring expenditure against its approved budget</p> <p>VII. approving and monitoring the Combined Authority minor transport works capital programme and the agreed budget for the scheme concerned</p> <p>VIII. monitoring performance against the agreed delivery plan and Local Transport Plan/ Transport Strategy</p> <p>IX. formulating, developing and monitoring procedures for public consultation of the Combined Authority's transport policies</p> <p>X. considering issues arising from the implementation of schemes for the introduction of smart ticketing systems and state of the art technologies</p> <p>XI. determining the operation, performance, contract management and development of tendered bus services, bus stations/stops, and passenger transport services, under s10 (1) of the Transport Act 1968 and within</p>
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		<p>the agreed Combined Authority budget.</p> <p>XII Make recommendations to the lead member for Transport in connection with the Combined Authority disposing of, acquiring or developing any land related to transport outcomes.</p>
Scrutiny Committee	<p>Member appointed by all the Constituent and Non-Constituent Authorities</p> <p>Member appointed by each of the LEPS</p>	<p>Statutory Committee with statutory role including in relation to Transport:</p> <p>I. To review or scrutinise decisions made, or other action taken</p> <p>II. make reports or recommendations on matters that affect the area or its inhabitants, or</p> <p>III. make reports or recommendations with respect to the discharge of any of its functions</p>
Transport Scrutiny Committee	<p>7 Members appointed by the Constituent Authorities (not currently members of the Overview and Scrutiny Committee)</p>	<p>Committee with the statutory responsibilities of the Scrutiny Committee in relation to transport:</p> <p>To review or scrutinise decisions made, or other action taken</p> <p>II. make reports or recommendations on matters that affect the area or its inhabitants, or</p> <p>III. make reports or recommendations with respect to the discharge of any of its functions</p>
Audit Risk and Assurance Committee	<p>Independent Chair</p> <p>7 Members appointed by Constituent Authorities</p> <p>4 Members appointed by non-Constituent Authorities</p> <p>2 LEP Representatives</p>	<p>Statutory Committee with statutory responsibilities for audit and performance and risk management in relation to all aspects of WMCA's business including transport ToR as per Constitution</p>

<p>Investment Board</p>	<p>1 Independent Chair of the Investment Board (1 vote);</p> <ul style="list-style-type: none"> <li>• 5 Councillors as follows: <ul style="list-style-type: none"> <li>1 WMCA Finance and Investment Portfolio Lead (1 vote);</li> <li>• 1 Black Country Councillor (4 votes);</li> <li>• 1 Councillor from Birmingham City Council (1 vote);</li> <li>• 1 Councillor from Solihull council (1 vote);</li> <li>• 1 Councillor from Coventry City Council (1 vote);</li> <li>• 3 Local Enterprise Partnership (LEP) representatives (1 vote each)</li> <li>• 1 Finance Birmingham representative (non-voting)</li> </ul> </li> </ul>	<p>To make investment decisions relating to applications made in accordance with the investment program that underpinned the devolution agreement, and any other investment proposals.</p> <p>Delegation up to £20m</p> <p>ToRs widened to include Transport Investment up to £20m</p>
<p>Combined Authority Programme Board</p> <p>(Meetings have now been replaced by a process whereby Board Reports are sent out in advance and comments received back)</p>	<p>Constituent and Non-Constituent Chief Executives LEP Lead Officers WMCA Executive Directors</p>	<p>I. To provide a forum for the senior officers to share appropriate proposals and decisions before consideration by the Combined Authority Board or governance groups as necessary</p> <p>II. To receive relevant papers from officers, work streams, working groups, strategy groups, advisory groups or Boards as appropriate before consideration to the Combined Authority Board</p> <p>III. To ensure appropriate consideration of strategic and performance management activities of the Combined Authority</p> <p>IV. Delivery of the programme and the outcomes</p>

		<p>V. Defining acceptable risk profiles and thresholds for the work of the Combined Authority</p> <p>VI. Ensuring the programme delivers within agreed parameters (e.g., cost, time, quality, organisational impact, expected/actual benefits etc.)</p> <p>VII. Resolving strategic and directional issues between projects which may impact the progress.</p> <p>VIII. Ensuring integrity of the Benefits and their realisation</p> <p>IX. Providing assurance for operational stability and effectiveness through the programme delivery cycle</p> <p>X. Signing off significant products, documents and reports before submission to the Combined Authority Board</p>
<p>Strategic Officers Group</p> <p>(In person meetings continue to be held)</p>	<p>Lead transport officers of Constituent Authorities, representatives of Non- Constituent Authorities Black Country Director of Transport CEO of TFWM and WCMA Director of Public Services</p>	<p>Functions</p> <ul style="list-style-type: none"> <li>• To ensure transport is effectively integrated with other policy areas including regeneration, housing, land use and economic development.</li> <li>• Effectively liaise and link with the Local Enterprise Partnerships to ensure transport effectively supports their strategies for growth.</li> <li>• To ensure the delivery of schemes of strategic importance for the Metropolitan area in line with the current West Midlands Strategic Transport Plan and future similar plans and policies.</li> <li>• To oversee and advise on the development on a new transport strategy as required by the Combined Authority Board.</li> <li>• To provide funding advice for the Metropolitan area that delivers the Combined Authorities Board's strategic priorities.</li> </ul>

		<ul style="list-style-type: none"><li>• To interface with the Technical Advisory Panel and Investment Advisory Group</li><li>• To oversee and advise on the delivery of a West Midlands Transport Communication strategy which ensures the West Midlands speaks with one voice on transport.</li><li>• To support the Combined Authority Board in its monitoring of performance and efficiency of transport delivery.<ul style="list-style-type: none"><li>• To consider the work programmes for the Transport Authority and its Policy and Strategy Team, thematic groups and Transport Delivery Committee.</li></ul></li><li>• To oversee the development and operation of the West Midland Key Route Network (WMKRN).</li><li>• To oversee the management of joint contracts in the West Midlands.<ul style="list-style-type: none"><li>• To develop more efficient and collaborative working practices across the West Midlands Metropolitan area that deliver cost savings.</li><li>• To implement robust communication channels, through a regular summit bringing together officers from the districts and delivery partners to ensure that all partners are speaking with a single voice.</li></ul></li><li>• To regularly review these terms of reference, the roles and functions of sub-groups, and other associated governance arrangements.</li><li>• To consider and approve a single unified response to consultation documents. Note: This will not preclude individual local authority responses being submitted.</li><li>• To oversee all matters relating to Midlands Connect and West</li></ul>
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		<p>Midland Rail as it affects the Combined Authority Area.</p> <ul style="list-style-type: none"> <li>• To review asset management/ infrastructure and traffic management matters including highway and network management.</li> <li>• To oversee and advise on the development and subsequent delivery of a Network Asset Management Plan for the West Midlands Combined Authority Area Highway Network.</li> <li>• To provide advice on any future bus franchising proposals.</li> <li>• All reports, with the exception of standard financial monitoring reports, must be cleared through the Strategic Transport Board before consideration by the Constituent Chief Executives and the Combined Authority Board.</li> </ul>
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### Comparison of Transport Delivery Committee with other Authorities

Constitution	WMCA	WYCA	GMCA
Status	A Sub-Committee of the Board	A Committee of WYCA	Established as a Formal Joint Committee of the GMCA, the Mayor and the 10 Constituent Authorities
Membership	19 Members nominated by the Constituent Authorities	The WYCA Portfolio Lead 15 Members nominated by the Constituent Authorities 1 Member – the Portfolio Holder for the Non- Constituent Authority (non-voting) 2 LEP representatives (one non-voting)	The Mayor 2 Members nominated by Manchester CC 1 Member nominated by GMCA 9 Members nominated by the other Constituent Authorities

		<p><b>Note</b> A Review has been carried out to be implemented from 2022/23 which sees the Membership increase to include the Transport Portfolio Leads for each of the Constituent Authorities</p>	10 Members appointed by the Mayor
Chair	Appointed by the Board	The WYCA Transport Portfolio Lead	Appointed by the Mayor following nomination by the Committee
Delegations	Delegated responsibility from the Board	Delegated responsibility from the Board	Delegated responsibilities from the GMCA, the Mayor and from each of the Constituent Authorities
Financial Limits of delegation	<p><b>None to TDC</b> Below £5m Officer delegation £5m-£20m Investment Board Over £20 m Board</p>	Within budgets and approval of budget changes up to 25% over budget (then to Board)	None specified
Proceedings	WMCA Rules of Procedure		Adopted own Standing Orders/ Rules of Procedure
Functions	<p><b>Advisory</b> To advise on Transport policies To advise on the Transport budget To advise on Bus Quality Partnerships</p> <p><b>Delegated Functions</b>  Monitoring of Performance Ensuring provision of public transport services</p>	<p><b>Advisory</b> 1.To advise the Combined Authority and the Mayor on transport functions or functions related to transport, including the preparation of the Local Transport Plan and related strategies, and bus franchising functions. 2. To liaise with the Climate, Energy and Environment Committee and the Place, Regeneration and Housing Committee to</p>	<p><b>Overview</b> • <b>Accountability:</b> active and regular monitoring of the performance of the transport network, including the Key Route Network, the operation of the GM Road Activities Permit Scheme, road safety activities, etc as well as all public transport modes. This role will include holding service operators,</p>

	<p>Bus Ticketing Schemes including Smart Ticketing and Bus Information</p> <p>Determining the operation, performance, and contract management of tended bus services</p> <p>Developing and monitoring public consultation on transport policies</p> <p>Monitoring performance and expenditure</p> <p>Approving and monitoring the minor works programme</p>	<p>secure the decarbonisation of transport infrastructure including sustainable development and flood risk management.</p> <p>3. To promote, in collaboration with other committees,</p> <ul style="list-style-type: none"> <li>• equality and diversity,</li> <li>• inclusive growth, • tackling the climate emergency, and</li> <li>• the strategic alignment of the Combined Authority's policies, investment priorities, strategies and plans.</li> </ul> <p><b>Delegated Functions</b></p> <p>To carry out any non-Mayoral transport function, including:</p> <p>a) approving, amending, or revoking any policy, investment priorities, strategy or plan</p> <p>b- delivering, monitoring, and reviewing the outcomes and impact of any policy, investment priorities, strategy or plan,</p> <p>c) progressing those elements of the Mayor's pledges that fall within the remit of this committee,</p> <p>c) submitting bids for devolved and other funding,</p> <p>d)working with key partners to develop and promote a shared understanding, approach and coherent</p>	<p>TfGM, highway authorities and transport infrastructure providers to public account, and to recommend appropriate action as appropriate.</p> <ul style="list-style-type: none"> <li>• <b>Implementation:</b> oversee the delivery of agreed Local Transport Plan commitments. This includes the active oversight of the transport capital programme, and decisions over supported bus services network to be made within the context of policy and budgets set by the Mayor and the GMCA as appropriate; and</li> <li>• <b>Policy Development:</b> undertake policy development on specific issues, as may be directed by the Mayor and / or the GMCA</li> </ul> <p><b>Delegated Functions</b></p> <p>Monitoring the performance of TfGM</p> <p>Ensuring the provision of public transport services</p> <p>Bus services</p> <p>public information</p> <p>Determining the operation,</p>
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		<p>strategies and policies, and</p> <p>e) delivering and overseeing any project or programme in accordance with the Leeds City Region Assurance</p> <p>f- making a decision to progress the scheme or making any recommendation to the Combined Authority or the Mayor about progressing the scheme, and reviewing the scheme's impact,</p> <p>To respond to any report or recommendation from an overview and scrutiny committee</p>	<p>performance and contract management of tendered bus services</p> <p>Developing and monitoring public consultation on transport policies</p> <p>Monitoring the performance of Metrolink and bus and rail services and initiating appropriate action</p> <p>Road Traffic Regulation Act 1984 powers in relation to pedestrian crossings, road signs and traffic lights</p> <p>Monitoring and overseeing the performance of TfGM in relation to traffic lights</p> <p>Making recommendations in relation to Road Traffic Reduction</p> <p>Arranging for and monitoring the performance of TfGM in relation to road traffic studies</p> <p>Producing and developing policies in relation to Road Safety</p> <p>recommending a Road Safety budget and monitoring the performance of TfGM in relation to Road Safety</p>
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			Delegated responsibility to carry out activities to assist traffic management including identify causes of actual or potential traffic congestion Monitoring the effectiveness of Traffic Authorities traffic management Preparing and carrying out a programme of measures to improve Road Safety including information campaigns and providing road safety training.
Sub-Committees	None	5 District Consultation Sub-Committees each chaired by Transport Committee Member <b>Note</b> These are to be discontinued following a Transport Governance Review	1. Metrolink and Rail Sub-Committee 2. Bus Services Sub-Committee
Power of further delegation	Not specified	Not specified	May delegate functions to sub-committees or to officers and will draw up a Scheme of Delegations
Allowances	Paid by WMCA to all TDC Members in accordance with Scheme of Allowances	Paid by WYCA to co-opted Members who do not receive another allowance	No Allowance paid by GMCA Some Constituent Authorities pay their Leader a GMCA related SRA