

To: David Brown, chief executive, Transport for the North

23rd January 2017

Dear David

### **TfN Strategy: Requirements of Cities & Local Government Devolution Act 2016**

Quite coincidentally, the three regional Transport Activist Roundtables (for the North East, North West, and Yorkshire & Humber) met for our twice yearly meeting shortly after the end in November of the Transport for the North strategy consultation, facilitated by CBT. We were able to discuss how that had gone and issues arising. As a general comment I can advise you that there were positive responses to the fact that the consultations had taken place and that they have been organised successfully in a brief period of time. The consultation's second stage is to take place shortly.

Our consideration then turned to the content of the consultations and how that related to the requirements of a sub-national transport body as specified in section 102I of the Cities and Local Government Devolution Act 2016 *Transport strategy of an STB*, and in particular clauses 1 and 8 thereof (as they relate to clause 6):

(1) The transport strategy of an STB is a document containing the STB's proposals for the promotion and encouragement of sustainable, safe, integrated, efficient and economic transport facilities and services to, from and within the area of the STB.

(6) In preparing or revising its transport strategy an STB must carry out a public consultation.

(8) In preparing or revising its transport strategy an STB must (among other matters) have regard to -

- (a) the promotion of economic growth in its area,
- (b) the social and environmental impacts in connection with the implementation of the proposals contained in the strategy,
- (c) any current national policy relating to transport that has been published by or on behalf of Her Majesty's Government, and
- (d) the results of the public consultation mentioned in subsection (6).

We judged first of all that these clauses provided powerful Parliamentary and legal guidance as to content of the draft and final strategy, and necessarily the process by which it will be produced and consulted on. But when we then compared these wordings to the content of the consultation (as exemplified by the TfN PowerPoint slide presentation - attached) we thought there were significant discrepancies between the two, as follows:

- Whilst there was repeated reference to the economic purposes of strategy (in 7 out of 11 slides) - consistent with the requirements of clause 8(a) - there were no balancing references to social and environmental issues as required by clause 8(b). This meant that consultees did not receive a balanced presentation of analysis, information and emphasis across all three areas.

- Whilst slide 10 did refer to all three (economic/social/environmental)

•*Given TfN's remit and the purpose of the STP - to set out an approach to achieving transformational economic growth by improving connectivity across the North - what should the development principles be?*

•*What key social and environmental challenges/opportunities are there?*

its phrasing similarly presented the clause 8 definition of the strategy's remit in an unbalanced way: wrongly stating that the remit was confined to economic growth, whilst implying that social and economic impacts could be included if proposed by consultees rather than by the STP itself:

- There was a similar lack of balance in the treatment of the five adjectives specifying the type of transport service that the strategy identifies that the STB will provide: 'sustainable,

safe, integrated, efficient and economic ...' It was noted that 'safe' and 'integrated' - aspects of real concern to environmental transport consultees - were not mentioned; and that the only references to 'sustainable' were to the fact that a sustainability appraisal of the strategy would be undertaken. However we know that conducting such an appraisal *after* a strategy has been drafted is not the same as using the concept of sustainability to drive the preparation of the strategy itself.

- The failure to include transport carbon emissions as a constraining policy driver has been a point of consistent criticism about Transport for the North's approach to major schemes now in development. You will see that the issue of climate change and carbon reduction is not included in the consultation slides, despite the fact that these are very obvious critical environmental impacts under clause 8(b). Clause 8(c) requires consideration of 'any current national policy relating to transport that has been published by *or on behalf of Her Majesty's Government*' and we would regard the recommendations made by the Committee on Climate Change in pursuance of the fulfilment of the national carbon budgets adopted by government under the Climate Change Act 2008 as falling into this category.

The CCC's most recent progress report includes the following in their 'key messages and recommendations': "Domestic transport is now the largest emitting sector, accounting for 24% of UK greenhouse gas emissions in 2015. Transport emissions increased in both 2014 and 2015. As demand for travel continues to grow, there is a need to decarbonise transport more rapidly to meet future carbon budgets. ... Our key policy recommendations for the Government's emission reduction plan reflect the lack of progress in decarbonising the sector and the urgent need to develop a cohesive set of policies to reduce transport emissions." *6th Progress Report June 2016, page 135*. We believe that this very clear statement from the CCC is consistent with clause 8(c).

- Another sustainability impact (integrating economic/social/environmental) that should have been referred to are the sub-regional spatial vectors that the TfN strategy will have to respond to but is also facilitating. It will be interacting with fast developing spatial frameworks (such as the one for Greater Manchester); whilst a note on the need for the TfN strategy to be directed by explicit spatial objectives was submitted to TfN in October 2016. Consultees need to be made aware of this aspect of the strategy.

To summarise these comments: we do not believe that the content presented by TfN in stage 1 of its strategy consultation adequately reflected the requirements for it established by the act of Parliament. This has the effect of prejudicing the validity of the consultation in two ways: by the considerable overemphasis of the economic aspects of the STP remit, and the underemphasis (in fact largely the omission) of social and environmental analysis and information being presented to consultees. The responsibility under the Act rests with TfN first to prepare a balanced strategy, and then to present that in a balanced way to all consultee audiences. Some of these will not have the background knowledge that more specialist stakeholders will have, so will not be able to volunteer comments if they are not prompted by the information presented to them. We regard this as a critical requirement for your process.

Clause 8(d) will require the STB in due course to have regard to 'the results of the public consultation', and you can be sure that we will be making the above points in formal representations in due course. So the purpose of this letter - which is intended to be constructive - is to suggest not just that all subsequent stages of the consultation, to all audiences, should properly respect the balanced remit and requirements of clauses 1 and 8 of the act but - much more importantly - that TfN will need to publicly demonstrate that balanced consideration of the issues within clauses 1 and 8(a-c) of the act has been undertaken and achieved within the 'preparing and revising' of the strategy itself.

Yours sincerely

Anthony Rae  
*on behalf of the North East, North West, and Yorkshire & Humber Transport Activist Roundtables*