

The Local Transport Act 2008

Guidance on Governance Reviews and
the Publication of Governance Schemes

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There has been a clear consensus in recent years that the current arrangements for planning and delivering transport services do not always work as well as they might. In particular, the existing arrangements in our major cities outside London largely date back to 1968, and the Government believes that these need to be reviewed and, where necessary, updated to reflect the changing patterns of transport over the last 40 years.

Imposing standard, and inflexible, change from the centre, without taking account of the different needs of individual parts of the country is not the answer. This is why the Local Transport Act 2008 provides a framework to allow authorities in different parts of the country to come together to carry out reviews of existing governance arrangements in their area and – where they believe change is needed - to come up with tailored proposals which best serve those who live in or rely upon transport within that area. The Act also renames the six existing Passenger Transport Authorities as Integrated Transport Authorities (ITAs) to reflect their key role in planning and delivering successful transport services. What is more, the Act allows for the creation of new ITAs, where authorities in an area believe that this is the right approach for them.

This guidance is intended to help local authorities carry out reviews of transport governance and, where they conclude that changes are needed, to identify which changes are right for their area. It also explains the process for implementing those changes, where they need further legislation to enact them.

LOCAL TRANSPORT ACT 2008

GUIDANCE ON GOVERNANCE REVIEWS AND THE PUBLICATION OF GOVERNANCE SCHEMES

PART I - INTRODUCTION

1.1 Part 5 of the Local Transport Act 2008 (the “2008 Act”) presents new opportunities to English local authorities outside London to improve the governance of transport, and hence to improve the provision of transport services to all who use and depend upon them every day.

1.2 Section 96 of the 2008 Act provides that the Secretary of State can issue Guidance on anything which can be done by a local authority under sections 78 to 98 of the Act. These provisions relate in particular to the carrying out of reviews of local transport governance arrangements ("governance reviews"), and to the establishment of Integrated Transport Authorities (ITAs) and changes to the constitutional arrangements of ITAs. This Guidance provides advice to those authorities carrying out such reviews. This guidance applies to England only, excluding Greater London and the Isles of Scilly.

1.3 The various provisions in Part 5 of the 2008 Act come into force, as follows:

- Section 77(10), and the powers in sections 78, 79, 84 to 94, 96, 101, 102 to make orders – came into force on Royal Assent (26 November 2008);
- Sections 77 (except sub-section (10)) 80 to 83, 95, 97 to 100 – are expected to be brought into force in early 2009.

PART II - OBJECTIVES AND CONTEXT

2.1 Consultation has revealed widespread agreement that there is potential for existing statutory structures to be improved to allow for more effective delivery of transport, especially in cities where patterns of use have changed since local boundaries were determined and local economies have developed in ways which depend on freight and passenger movements over a wide area. The provisions on transport governance in the 2008 Act are designed to address this.

2.2 Some changes made by the 2008 Act to statutory transport functions apply as a result of direct provision made in the Act. These changes include:

- alterations to duties on local transport policies and plans, so that they apply to all aspects of transport, rather than just transport services and facilities, and so that

there is an express requirement to take into account the protection and improvement of the environment;

- new functions for passenger transport authorities (which are renamed integrated transport authorities - "ITAs");
 - a duty to take the lead in developing local transport policies and plans, rather than doing so jointly with metropolitan district councils;
 - a power to promote well-being, equivalent to that given to local authorities by the Local Government Act 2000; and
 - a power, jointly with local traffic authorities, to make road charging schemes.

2.3 Other changes in governance, however, should be tailored to the needs of each particular area, and careful thought is required for their development. The 2008 Act, therefore, provides for these changes in an area to be developed by means of a review, allowing the different options to be carefully weighed and evaluated.

2.4 While this guidance explains the requirements of the 2008 Act, and is designed principally for those authorities considering structural change, it is hoped it will also prove helpful to authorities considering options for collaborating and integrating service provision more generally. Legislation already provides for numerous forms of integration and partnership which, while short of full structural change, may present significant avenues for improvement in effectiveness and efficiency.

2.5 All authorities considering governance arrangements will find it beneficial to base their work on a clear view of their broader objectives and priorities for the improvement of their area. In particular, they will want to consider carefully how transport can be planned and managed in a way which best supports their aspirations for sustainable economic growth.

2.6 Both the Eddington report¹ and Stern's report on climate change² - and the Government's response to those two documents³ - included valuable evidence on the way in which transport decisions should be made and how they should support wider objectives, which should be taken into account. "Delivering a Sustainable Transport System"⁴, published in November 2008, sets out the Government's general approach to developing our future transport strategy, and consults on the high level transport goals

¹ The Eddington Transport Study - December 2006 - <http://www.dft.gov.uk/about/strategy/eddingtonstudy/>

² The Stern Review on the Economics of Climate Change - December 2006

<http://www.dft.gov.uk/about/strategy/eddingtonstudy/>

³ Towards a Sustainable Transport System: Supporting Economic Growth in a Low Carbon World - October 2007 - <http://www.dft.gov.uk/about/strategy/transportstrategy/pdfsustaintranssystem.pdf>

⁴ "Delivering a sustainable transport system: Main Report":
<http://www.dft.gov.uk/about/strategy/transportstrategy/dasts/>

and challenges that future transport schemes will need to address⁵. The work that regions have been invited to undertake to influence the Government's transport investment post 2014 is set out in accompanying regional guidance⁶.

2.7 In a number of cities, much progress has already been made as they have developed city region business cases. There is also a large body of available research in order to develop particular models for reforming transport governance. A checklist of relevant research material is at **Annex A**. The Department will be ready to facilitate joint working or networking between authorities working on governance reviews where authorities consider this helpful.

Related initiatives

2.8 In July 2008 the Government signed the first wave of **Multi-Area Agreements - MAAs** – with local authorities in several parts of England. Agreement of a second wave of MAAs is expected to follow in January 2009. Several other groups of authorities are also now looking to sign MAAs covering their areas. Whilst MAAs are voluntary, they will allow local authorities to take a more active role in leading economic development, by co-ordinating policies which have an impact on growth, for example transport, housing and employment at a level that reflects real economic geography. MAAs set out the agreed priorities between local and central Government. Local authorities considering changes to transport governance will wish to ensure that there is a read across to any work they may be doing on MAAs, and that transport governance changes are developed in the wider economic development context.

2.9 The **Review of Sub-National Economic Development and Regeneration**, published in July 2007⁷, stressed the need for clear, transparent and accountable governance arrangements in sub-regions, and indicated that the Government would work with interested sub-regions to explore the potential for sub-regional authorities which would enable pooling of responsibilities for economic development. In November 2008 – in responding to a consultation on the Implementation of the Sub-National Review - the Government made clear⁸ that it intends to legislate to allow the establishment of such bodies – to be known as Economic Prosperity Boards (EPBs). Expanding on this, in the 2008 Pre-Budget Report⁹ the Government announced that it will support cities and their city-regions to fulfil their role in driving regional and national prosperity by agreeing – on a voluntary and tailored basis – a set of devolutionary proposals with local authorities in city-regions. These are intended to support stronger integration of functions such as planning, housing, regeneration and transport and will

⁵ “Delivering a sustainable transport system: consultation on planning for 2014 and beyond”:
<http://www.dft.gov.uk/consultations/open/planning/>

⁶ “Draft guidance to regions on delivering a sustainable transport system”:
<http://www.dft.gov.uk/pgr/regional/strategy/dasts>

⁷ http://www.hm-treasury.gov.uk/spending_review/spend_csr07/reviews/subnational_econ_review.cfm

⁸ Prosperous Places: taking forward the review of sub-national economic development and regeneration – November 2008 - <http://www.communities.gov.uk/documents/citiesandregions/pdf/1073344.pdf>

⁹ Pre-Budget Report 2008 - November 2008, paras 4.75 to 4.78 - http://www.hm-treasury.gov.uk/d/pbr08_chapter4_136.pdf

be underpinned by new statutory arrangements for sub-regional cooperation between local authorities. The Government intends announcing such agreements with at least two city-regions at the time of the 2009 Budget announcement.

2.10 The Local Democracy, Economic Development, and Construction Bill – which was introduced in Parliament on 4 December 2008 – contains the legislative powers needed to set up such statutory sub-regional bodies. The Bill as introduced also allows for the functions of an Integrated Transport Authority to be merged with those of an EPB – where they have matching boundaries - to form a “Combined Authority”.

2.11 Relevant Government departments will stand ready to offer advice to authorities considering this wider context during the coming months. It will be open to authorities to investigate the case for setting up a Combined Authority or simply to concentrate on the establishment or reorganisation of an ITA. Whichever, the Government does not consider that consideration of broader possibilities for change should necessarily delay the implementation of improvements in transport. Authorities should treat the development of improvements to transport governance - where a need for these is identified - as a priority.

PART III - THE PROCESS OF A REVIEW: OVERVIEW

3.1 A governance review will inevitably involve consideration of some complex issues and will, therefore, require careful management. This Part offers an overview of the issues which authorities should identify at an early stage.

3.2 As set out in the 2008 Act, the main stages of a governance review undertaken by an area are likely to be as follows:

- the relevant authorities in an area decide to undertake a review of the effectiveness and efficiency of existing governance arrangements in their area, and identify amongst themselves their objectives and priorities for the review;
- the review concludes either that:
 - the existing arrangements work well and do not require change; or
 - changes are needed, which may or may not also require changes to legislation;
- where the review concludes that change is needed which requires existing legislation to be amended, the authorities which undertook it must prepare and publish a scheme setting out those changes which they propose to make;
- the Secretary of State considers the proposed changes and, having consulted the relevant bodies, makes a statutory order to implement those changes as appropriate.

3.3 The Department stands ready to assist and work closely with authorities as they undertake reviews, and authorities are advised to discuss any proposals for a review with their Government Office at an early stage.

The Initial Stages

3.4 Any one or more local authorities in existing integrated transport authority (ITA) areas, and the ITA itself, or any two or more local authorities in areas where there is no ITA at present, may undertake a governance review. The circumstances leading to a decision to carry out a review are likely to vary. Whatever the circumstances, the first step will be to secure agreement locally on arrangements for establishing a review, including its scope, timetable and management.

Scope

3.5 Authorities considering a review are likely to start with some idea of the geographical area which it will cover, but this may well need refinement as the review proceeds.

3.6 In determining the area of a review for the establishment of a new ITA, authorities should bear in mind the provisions of sections 78 to 80 of the 2008 Act. Section 78(4) to (6) contains restrictions on the area in relation to which the Secretary of State may establish a new ITA, and these should be taken into account by authorities when setting up their review, including, in particular, consideration of which authorities should be undertaking the review. Section 80(3) enables further areas to be included within the review area. Section 80(5) enables counties or districts outside the review area to be included within a proposed scheme, but only with the consent of the appropriate authority (as defined in 80(6)). Authorities considering undertaking a review may wish to take this limitation into account when determining which authorities should be undertaking the review.

3.7 In determining the area of a review of the boundaries of an existing ITA, or when considering the dissolution of an existing ITA, authorities will similarly wish to consider those statutory provisions relating to the powers of the Secretary of State in sections 82 and 92(6) to (9).

3.8 The statutory provisions mentioned in the previous two paragraphs will also of course need to be borne in mind in developing any proposals in the review itself.

3.9 The review will need to include arrangements for involving those organisations with a direct interest in a review, such as a Regional Development Agency, Network Rail or the Highways Agency, which will not themselves be one of the authorities undertaking the review.

3.10 It is expected that in order to meet the statutory objectives of the review authorities will need to look at the provision and administration of transport as a whole,

without ruling particular transport functions out of scope. Given the interaction between different transport responsibilities it will be important to take a holistic approach to governance issues. That said, depending upon local circumstances, it would be reasonable to decide that the review should focus particularly closely on certain aspects of transport governance.

Funding

3.11 Although financial accountability and funding flows between different bodies are likely to be a consideration in any review of governance, the case for change should flow from the wider consideration of functions rather than as a separate issue. Where authorities identify changes in arrangements for central government funding support which they consider will assist in achieving their broader objectives, they should discuss with the Department at an early stage how far these are likely to be deliverable.

3.12 Under section 74 of the Local Government Finance Act 1988, and the Transport Levying Bodies Regulations 1992¹⁰ ITAs are levying bodies. That is, they will obtain their funding by means of an annual levy on the county councils or other charging local authorities that make up the ITA area. The 1992 Regulations include provision for the apportionment of ITA levies by reference to the resident populations of the councils to which the levy is issued.

3.13 ITAs are not able to be precepting authorities.

Steering and Managing the Review

3.14 Authorities may wish to establish a joint steering group, or similar body, to oversee the work of the review. This group would need to include representatives sufficiently senior to be able to take decisions on behalf of their organisations.

3.15 The membership of a steering group is likely to need to include all those authorities expected to be most directly affected by the outcome of the review. But beyond that there are options, for example to include those authorities which border on to the geographical area covered by the review, or other key stakeholders such as representatives of RDAs or transport user groups.

3.16 Particularly in larger areas, it will be important to balance the need for the membership of the steering group to include those bodies which may be directly affected against the need to keep its size sufficiently compact to allow for effective discussion and decision-making. Given this, it is likely that arrangements will need to be put in place, for example "sounding boards", to assist in securing the views of a wider range of stakeholders than can realistically be accommodated on the steering group. These need to take account of how it is proposed to carry out wider consultation as the review goes forward.

¹⁰ SI 1992/2789

3.17 The Secretary of State will expect authorities to consult widely as they develop their proposals, and will seek advice on what consultation has taken place, and the views received, before responding to a published scheme. Should the Secretary of State decide to make an order implementing statutory change, the legislation requires him or her to consult on his or her proposals (see below), but this does not remove the need for authorities themselves to consult locally as they develop proposals.

Programme

3.18 Authorities will wish to set out a broad programme of work, identifying the resources likely to be required and an estimated completion date.

The Likely Process

3.19 The exact form of a review will vary according to local circumstances. However, it is likely to need to include the following stages:

- **problem analysis and identification of objectives** - This will need to include not only identification of the high level outcomes to which transport governance is relevant but also the barriers and problems which may be preventing the outcomes from being achieved effectively. The "top-down" analysis is likely to include the wider outcomes to which transport contributes, and help in placing the transport governance issues within a context of potentially wider change. The "bottom up" analysis will need to consider how far existing arrangements for planning, decision making on and delivering transport services in the area fully enable the achievement of transport aims such as good access to jobs and services, dealing with congestion, and improving safety and the environment¹¹. It will need to identify any ways in which the arrangements fail or hinder the area's achievement;
- **identification and assessment of options** - What are the various options for achieving the objectives which the authorities carrying out the review have identified, including retaining the existing arrangements? How well does each of these options help achieve the objectives identified? What would the options cost to achieve, and what benefits or savings can be identified?
- **conclusions** - What is the overall assessment of the effectiveness of existing arrangements? In which areas, if any, is it concluded that changes are required, and which of the options for change that have been considered is it concluded should be introduced?
- **preparation and publication of a scheme** - If the review concludes that any changes proposed require an order to be made by the Secretary of State, a scheme must be prepared and published setting out the changes proposed.

¹¹ "Delivering a Sustainable Transport System" sets out the Government's high level goals and challenges for transport - <http://www.dft.gov.uk/about/strategy/transportstrategy/dasts>.

PART IV - THE PROCESS OF A REVIEW: DETAIL

4.1 This Part offers further guidance on the various review stages identified above.

Problem Analysis and Identification of Objectives

4.2 As described above, authorities as a first stage may wish to consider both their high level vision and objectives, and the barriers to their achievement.

4.3 High level objectives are likely to include not only transport outcomes but the wider outcomes which sub-regions seek, for example sustainable economic growth. Authorities should also consider their objectives for the way in which governance arrangements should deliver outcomes, eg transparency and clear accountability.

4.4 An evidence-based approach supported by examples will be useful in identifying and analysing problems and challenges.

4.5 This early analysis should enable authorities to agree a short set of prioritised objectives against which they may evaluate proposals for change.

Identification and Assessment of Options

4.6 Once they have identified their objectives, authorities will need to consider how best those objectives can be achieved. Where an ITA already exists there will be a need to consider whether and how its functions, constitutional and executive arrangements might be altered, and the implications for other authorities with transport functions in the integrated transport area. In areas without ITAs, authorities will need to examine these issues from first principles.

4.7 A number of options for improving the joint delivery of services are already available within existing legislation, and such changes are often achievable quickly. Options which authorities may consider include:

- **a contractual arrangement** (with or without a partnership board) with no corporate status but defined in contractual agreements between the parties;
- **a joint committee** established under section 102 of the Local Government Act 1972 or other relevant legislation (eg section 31 of the Health Act 1999 and the NHS Bodies and Local Authority Partnership Arrangements (Amendment) Regulations 2003);
- **a non-profit distribution entity** - eg a company limited by guarantee - being explored for city development companies - or an industrial and provident society;
- **a profit distribution entity** - such as a company limited by shares or a limited liability partnership;

- **simultaneous executive meetings.**

4.8 A list of useful documents explaining many of these and other options, and their advantages and disadvantages can be found in the CLG publication - *Structures for Service Delivery Partnerships; technical notes (June 2006)*¹².

4.9 Authorities may also improve joint working through **multi area agreements (MAAs)**.

4.10 The opportunities provided by the 2008 Act for **statutory change** go beyond the above options by enabling new forms of leadership and accountability. There are three particular areas where the Act provides new opportunities for legislative change:

- boundary changes;
- constitutional arrangements;
- changes in responsibility for functions, including possible powers of direction.

4.11 Some specific issues and questions on these areas which authorities may like to consider are set out in **Part V**.

4.12 Once a range of options have been identified it is likely they will need to be combined into "packages". A package may well include proposals for both statutory and non-statutory change. It might for example include proposals for change to the membership and boundaries of an ITA, its powers, and executive arrangements, all of which would need secondary legislation, but also proposals for how it should interact with other authorities and stakeholders which would be non-statutory.

4.13 Both in preparing packages and options and in evaluating them, authorities will need to assess proposals against existing arrangements and against their agreed objectives. Such an assessment should include consideration of:

- **costs** - Any change is likely to require some transitional costs, and may result in ongoing costs or savings. In considering whether to implement any changes requiring legislation, Ministers will expect any transitional costs to be offset by savings within five financial years. The assessment should so far as possible take into account all associated costs of change, in all public bodies likely to be affected including national agencies;
- **value for money** - Authorities should consider and assess not only financial costs and benefits, but also non-financial effects - for example benefits to the transparency of governance arrangements;
- **risks** - These should be identified and, where possible, costed.

¹² <http://www.communities.gov.uk/publications/localgovernments/collaboration>

Reaching Conclusions

4.14 The assessment work should help authorities reach conclusions on a desired option. At that stage, or possibly before, authorities will need to consider how quickly change can be achieved and the steps necessary to do so. In drawing up a draft programme authorities should take into consideration the issues set out in Part V below.

Preparing/Publishing a Scheme

4.15 Where a review concludes that changes are desirable which require further legislation, for example the establishment of a new ITA or changes in the functions or boundaries of existing ITAs, the legislation requires the authorities undertaking the review to prepare and publish a scheme for implementing change. It will be for authorities to decide in what form the scheme should be published, although in doing so they should ensure as a matter of good practice that it is available to all groups in society, regardless of any disability and their ethnic background. A copy of the scheme should be forwarded to the Secretary of State.

4.16 Before submitting a scheme to the Secretary of State authorities should ensure that they have consulted widely on the issues with local bodies and persons with a relevant interest. The scheme will need to make clear what consultation has been carried out locally and what was the outcome of this.

4.17 The scheme should, at minimum, set out clearly those proposals for change which in the authorities' view require legislation. Authorities may well wish to accompany this scheme with a wider report on the results of their review, including any proposals for non-statutory change.

4.18 Authorities will not be required, or even expected, to reach authoritative conclusions on exactly which proposals require legislation and how that legislation should be drafted. This is a specialist area which is likely to require detailed policy and legal consideration by the Secretary of State. It will be sufficient for authorities to publish a scheme for desired change, without necessarily identifying precisely which items require legislation or what form that legislation should take. The Department for Transport will be willing to discuss detailed proposals with authorities, both as they prepare schemes and subsequently.

4.19 Although the preparation of a scheme is not a requirement where authorities have undertaken a voluntary review under sections 80 or 82 of the 2008 Act and concluded that statutory change is unnecessary, authorities are nevertheless encouraged to publish and send to the Secretary of State the results of their review, together with any proposals for implementing non-statutory change.

Directing Preparation of a Scheme

4.20 Most reviews will be initiated at a local level. However, the 2008 Act also provides that, under certain circumstances, the Secretary of State for Transport can direct one or more of the following bodies (or two or more in an area where there is no existing ITA) to carry out a review of existing governance arrangements in their area:

- an ITA (where one already exists in that area);
- a metropolitan district council;
- a county council;
- a unitary district council in a non-county area;
- a shire district council;

where he or she considers that making statutory changes to existing arrangements in an area (eg establishing a new ITA) is likely to improve the effectiveness and efficiency of transport within the area and/or the exercise of statutory functions relating to transport in the area. In deciding which would be the most appropriate bodies to direct to undertake the review, the Secretary of State will want to take into account the particular circumstances of that area and those issues which he or she believes need to be considered as part of the review.

4.21 A direction under sections 81 or 83 of the 2008 Act can also impose requirements on each of the following elements of the review:

- which particular issues of existing governance the review should address;
- whether the directed bodies should, having carried out the review, also prepare and publish a scheme which considers the possible statutory changes which could be made;
- what the deadline is for carrying out the review and - where relevant - preparing and publishing a scheme;
- how the review should be conducted;
- how any proposed changes should be implemented.

4.22 Where a review is carried out in response to a direction, authorities will have to comply with the terms of the direction (eg the deadline for completing the review). This guidance should be taken into account in so far as it is relevant to such reviews.

PART V - DETAILED ISSUES RELEVANT TO STATUTORY CHANGE

5.1 This Part gives more detail of the main types of change which an area could propose in its scheme, which would require changes to existing legislation and the Secretary of State to make an Order to enact.

(A) Boundaries

5.2 The boundaries of the 6 existing Passenger Transport Authorities (now ITAs) were set in the Local Government Act 1985. These replicated the boundaries of the metropolitan county councils which were abolished by that Act. Changes since then to passenger transport usage and traffic flow on roads means that these boundaries frequently do not now match local transport patterns into, out of or within the ITA area. Until the enactment of the 2008 Act, it was not possible to revise these boundaries to take account of changing times and circumstances. Nor was it possible to set up further PTAs in other areas. However, the 2008 Act will allow for the following:

- the expansion or contraction of the boundaries of existing ITAs;
- the establishment of new ITAs.

5.3 This would enable one or more of the following to join (or leave) an ITA area:

- a county council;
- a metropolitan district (where this was not already within the ITA area);
- a non-metropolitan unitary authority in a non-county area;
- a shire district.

5.4 The 2008 Act requires an ITA's boundaries to match those of two or more of the authorities included in 5.3 above. This makes it easier to define clear arrangements for political & financial accountability, and also provides co-terminosity allowing transport to be considered alongside other functions even where a separate authority is accountable for service planning and delivery. Authorities will recognise, however, that travel is complex and is unlikely to be contained within any given area, however widely boundaries are drawn. Travel patterns also develop over time. This means an ITA and its constituent authorities will inevitably need to consider how best to establish joint working arrangements with neighbouring authorities which meet cross-boundary travel patterns and needs.

5.5 Existing arrangements which allow flexibility for authorities to reach agreement on local transport planning arrangements over travel to work areas which are not necessarily co-terminous with local authority boundaries will remain unchanged. Greater Nottingham, for example, prepared an effective second Local Transport Plan covering districts and parts of districts within the area covered by Nottinghamshire County Council. Such arrangements may often provide the most effective framework for planning, and provided agreement is reached between the relevant authorities, and accountability is clear, this is a useful example of joint working.

5.6 Authorities should consider how far existing ITA boundaries accurately match transport patterns in their area, and, where they do not, how far this stands in the way of the provision of an effective and efficient transport system in the area. In reviewing existing boundaries, authorities will want to consider available evidence such as traffic flows and congestion, public transport service provision, urban sprawl and local labour markets. Further details on possible sources are set out in **Annex B**. Many local transport authorities already draw on such material in preparing Local Transport Plans.

5.7 Equally, where authorities are looking at the option of setting up a new ITA in their area they may wish to make use of such material in order to determine where the boundaries of the new ITA should be drawn.

5.8 It is not possible to include a local authority in an ITA area if it does not border on to at least one of the other authorities in the area (so for instance Telford & Wrekin could not join the existing West Midlands ITA area unless - at a minimum - South Staffordshire were also to do so).

5.9 The 2008 Act does not alter PTEs' power under section 10(1)(ii) of the Transport Act 1968 to carry passengers (by land – other than by road - or by water) between places in the ITA area and places up to twenty-five miles outside the ITA boundary.

Changing Boundaries to Include a Shire District in an Integrated Transport Area

5.10 The 2008 Act enables the boundaries of an ITA to include (or exclude) the area of a shire district which is not a local transport authority. For example, this would allow the boundaries of the current West Midlands ITA to be expanded to incorporate the area of the shire districts of Bromsgrove and South Staffordshire without having to include also the rest of the counties of Worcestershire and Staffordshire, the relevant local transport authorities. The agreement of the county council, as the relevant local transport authority, is required before such a change may be made.

5.11 Where proposals for this kind of change are being considered, careful consideration will be required of both arrangements for clear political accountability, and financial arrangements to ensure council tax payers contribute to the appropriate authority for the services delivered to them. Early discussion of such proposals with the Department would be helpful.

(B) Constitutional Arrangements

5.12 The phrase "constitutional arrangements" may include:

- the arrangements for making the statutory decisions which are the responsibility of an ITA - who makes these decisions and under what procedures and processes? These arrangements may in particular include the rules determining membership of the ITA, the voting powers of members, and the ITA's "Executive

arrangements" - eg how far ITA decisions may be delegated to single members or groups of members;

- the arrangements for putting the ITA's decisions into effect - how does the ITA ensure its decisions are implemented? And
- arrangements for review and scrutiny either of the way in which the ITA discharges its functions or of the way they are implemented.

Current Arrangements

5.13 ITAs (as PTAs) were originally established under the Transport Act 1968, and their current constitutional arrangements derive largely from the provisions of the Local Government and Transport Acts of 1985 (as amended by the 2008 Act). Key aspects of such arrangements (and this Guidance does not attempt to provide a comprehensive summary) include:

- the members of an ITA must be elected representatives from the areas which make up the passenger transport area, that is metropolitan district councillors (though see 5.24 below). Each metropolitan district has a proportion of the total membership of the ITA which broadly reflects its population. Under the Local Government and Housing Act 1989, the metropolitan district council must appoint members to an ITA in a way which must so far as possible reflect its political composition;
- each member of an ITA has an equal vote on ITA decisions. Each ITA elects a chair, and makes standing orders relating to the functions of a number of committees. The local government legislation which has provided most local authorities with powers to elect or appoint a cabinet or other form of executive does not apply to ITAs;
- remuneration and allowances paid to the chair and members of the ITA are determined by an order;
- ITAs are also subject to a number of requirements under general local government legislation, for example on procedures, appointment of staff and freedom of information which would remain under any Order implementing governance change;
- although ITAs have their own powers to appoint officers, they generally discharge their functions through Passenger Transport Executives (PTEs). The PTE is a separate statutory body with its own powers and duties;
- the ITA appoints and determines the pay of the director general and up to 8 members of the PTE, who then appoint their own supporting officers;

- because the ITA is not subject to the provisions in local government legislation on executive arrangements, the statutory arrangements in the Local Government Act 2000 for scrutiny of its decisions do not apply (although both the ITA and the PTE may make their own internal audit and review arrangements).

Options for Change: Membership, Voting Powers and Executive Arrangements

5.14 In considering the membership of the ITA, authorities may find it helpful to consider the following questions:

Membership

- i What is the most effective size for an ITA?
- ii How can effective political accountability to those benefiting from transport services be achieved?
- iii How can the membership of the authority be determined in a way which encourages integration of transport policies with policies on functions provided by other authorities and agencies in the area, including at a regional level, and consistency with broad aspirations on sustainable economic development?
- iv Where ITA members are councillors for an authority within the ITA area, should there be requirements on how they should be selected, or relating to their responsibilities on the council?
- v How will the chair of the authority be appointed, and does that have implications for representation or voting rights?
- vi Should an ITA include any members who are not elected local authority representatives? If so, how should such members be appointed? Sections 79(2) & 85(1) of the 2008 Act require that a majority of an ITA's members must be appointed by the local authorities that make up the ITA area, from amongst their elected councillors. Beyond that it remains open to an area to propose that the remainder of the ITA's members represent other interests or bring particular areas of expertise to the authority. For instance, amongst others, this might include representatives of:
 - local businesses;
 - local transport users;
 - environmental groups;
 - bodies responsible for national transport networks, eg the Highways Agency or Network Rail;
 - bodies representing the disabled;
 - local authorities which border onto the ITA area.

For comparison, National Park Authorities and Joint Police Authorities also both provide for persons other than elected representatives of local authorities to be appointed to their membership.

5.15 Under the 2008 Act, each local authority area within the ITA area must be represented by at least one member on the ITA. In the case of unitary authority areas, that will be a representative of the county council, metropolitan district or other unitary authority. Where an ITA area includes part but not all of a county council area that area must be represented by at least one member from the county council or one member from each of the shire districts from that county which will come within the ITA area. So, for example, if the boundaries of the South Yorkshire ITA were expanded to include the districts of North-East Derbyshire and Bolsover, but not the rest of Derbyshire, then the membership of the SYITA would need to include - at a minimum - one member from Derbyshire County Council or one member from each of North-East Derbyshire and Bolsover councils.

5.16 Like other relevant joint committees of local authorities, ITAs are subject to the rules on political balance under sections 15 to 17 of – and Schedule 1 to - the Local Government Act 1989. This sets out certain principles which each local authority in the ITA area must adhere to in nominating persons to represent it on the ITA. These authorities should also review their representation from time to time, so as to ensure that it still complies with the rules under the 1989 Act. In particular, a review should be carried out following local council elections, where the political balance in those councils may change.

Voting Powers

- vii What should be the voting rights of the elected members of the authority? Should they be weighted in any way, for example to reflect the population of different authorities within the ITA area, or the political balance within the ITA's constituent authorities?
- viii Should any members who are not elected local authority representatives have full, restricted or no voting rights? Under sections 79(5) & (6) and 85(4) & (5) of the 2008 Act, such members will not be able to vote on the ITA unless the ITA's voting members decide that they should be able to and, if so, on which issues.

5.17 In deciding whether it is appropriate to propose non-elected members who could be given voting rights by the elected members of the ITA, authorities undertaking a review may wish, amongst others things, to take the following into consideration:

- would possession of a vote create any conflicts of interest for the person concerned, and how would these be dealt with?
- would granting voting rights have implications for the overall balance on the ITA's membership?

- are there certain issues on which it would be appropriate to grant non-elected members a vote but others where it would not?
- how often should the right of non-elected members to vote be reviewed?

5.18 Where the voting members of an ITA pass a resolution granting one or more non-elected members the right to vote on the ITA it would be appropriate for them to make clear in this resolution any limitations on this right (eg that these members might not be able to vote on, for instance, matters relating to the ITA's budgets or on whether new members of the ITA should be given voting rights). They might also specify under what circumstances and when these voting rights should be reviewed formally. It is open to the elected members of an ITA to decide to remove or alter the voting rights of non-elected members, where they think that circumstances make this appropriate.

5.19 The overall membership of an ITA should be reviewed from time to time, and the voting rights of any non-elected members would be relevant to such a review. In particular, it might be appropriate to consider whether such a review is needed following local council elections and any change in political balance within the constituent authorities of the ITA area.

Executive Arrangements, including Scrutiny

- ix Should the ITA appoint an executive with responsibility for undertaking some or all of its functions?
- x If so, what form should this take? A single executive member or a small cabinet of members? Directly elected executives are not permissible for ITAs.
- xi What should be the responsibilities of the Executive?
- xii What arrangements for review and scrutiny of executive decisions should be put in place?
- xiii What should be the requirements for access to information on the proceeding of the executive?

5.20 The PTE is currently responsible for implementation of the ITA's policies. The two separate bodies were originally established at a time when PTEs owned and operated large fleets of buses which they operated in the area, and the separate powers, particularly financial powers, were designed for these large direct operations.

5.21 Now that the principal task of the PTE is to procure bus services rather than to operate them, the rationale for a separate body with its own duties and powers is diminished, though in some areas it remains the operator of metro services.

5.22 While a separate body has allowed some local branding to be developed, it is not always clear that the public are able to distinguish the role of the executive body from its

political authority. There can also be problems and inefficiency as a result of the different detailed powers and duties of ITAs and PTEs.

5.23 Authorities will wish to consider these issues and consider options which might include:

- merging the ITA and PTE;
- retaining a separate PTE, as now;
- retaining a separate PTE but with a different distribution of powers and duties between ITA and PTE;
- establishing more than one PTE-type body to deal with different functions, for example public transport and highways.

5.24 As mentioned above, members of an ITA must be elected representatives from the areas which make up the passenger transport area. However, the Local Authorities (Elected Mayors) (England) Regulations 2008¹³ now allow an elected Mayor to be treated as an elected member for this purpose and for them to sit on an ITA. Where this happens, the Mayor is treated as if he or she is one of the representatives of the local authority whose area the covers. So, for example, if Calderdale council has two representatives sitting on the West Yorkshire ITA and an elected Mayor for Calderdale was to join the ITA he or she would replace one of the two sitting Calderdale representatives.

5.25 Where an area proposes changes to the membership which would include appointing non-elected representatives (such as a person representing transport users) to the ITA, an elected Mayor would count as an elected member for the purposes of ensuring that a majority of that ITA's members are elected members, as required by sections 79(1) and 85(1) of the 2008 Act.

(C) Functions

Current arrangements

In Integrated Transport Areas

5.26 In what would become "integrated transport areas" (formerly known as "passenger transport areas") responsibility for planning, procuring and providing transport services is divided between several bodies:

- metropolitan district councils;
- the ITA;

¹³ SI 2008/3112

- the Secretary of State for Transport (for rail and strategic highways);
- private sector companies responsible for operating, bus, rail and light rail networks.

5.27 In general, the **ITA** has responsibilities for securing passenger transport in the area, while the individual **metropolitan district councils** (MDCs) which make up the integrated transport area are the local highway, traffic and street authorities for the roads in their geographical areas (other than private streets and those for which the Highways Agency has responsibility). Briefly, an MDC's duties are as follows:

- *local highway authorities* - under the Highways Act 1980 they have a duty to maintain those roads for which they are the highway authority and the power to construct and carry out works on those roads;
- *local traffic authorities* - under the Road Traffic Regulation Act 1984 they have various powers to make traffic regulation orders, for instance (i) establishing/enforcing bus lanes, (ii) implementing/enforcing parking controls, (iii) introducing/altering speed limits. They also have a network management duty under the Traffic Management Act 2004;
- *street authorities* - under the New Roads and Street Works Act 1991 and related legislation they have various responsibilities relating to works carried out by utility companies and others on their roads, and have extensive powers to control these.

5.28 The LTA amends the Transport Act 2000 so as to place the duty to prepare a Local Transport Plan on the ITA. Input from metropolitan district councils will be vital in the formulation by ITAs of local transport policies and plans.

In other areas

5.29 Outside the integrated transport areas (and excluding London), the distribution of functions relating to transport is divided between the following bodies:

- county councils/unitary districts;
- shire district councils;
- the Secretary of State for Transport;
- private sector companies responsible for operating, bus, rail and light rail networks.

5.30 Individual **county councils** and **unitary district councils** have responsibility for both public transport and roads in their areas, thereby combining the duties which are divided between ITAs and MDCs in Integrated Transport Areas. They also have the responsibility for the development of transport policies and producing the Local Transport Plan for their area.

5.31 Individual **shire district councils** (rather than their "parent" county council) have responsibility for the administration of concessionary fares schemes, off-street parking and taxi licensing in their areas.

5.32 As in integrated transport areas, the **Secretary of State for Transport** (via the Highways Agency) is responsible for the operation of the strategic road network of motorways and trunk roads.

Changes Provided by the Local Transport Act

5.33 The 2008 Act makes some changes to functions which apply to all existing local transport authorities or ITAs. In particular:

- it gives the local transport authority (including an ITA) overall responsibility for developing "*policies for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within their area*". This is not confined to policies on services and facilities but covers the whole range of transport within their area, including local roads and freight. This includes responsibility for the production of a Local Transport Plan covering the whole area. The ITA and the individual MDCs in the area also have a statutory duty to carry out their functions so as to implement the policies developed by the ITA;
- a power for ITAs to take action to promote well-being, equivalent to that given to local authorities by the Local Government Act 2000; and
- a power for ITAs, jointly with local traffic authorities, to make road charging schemes.

Options for Change

5.34 In addition the 2008 Act provides wide powers allowing for the further reorganisation of transport functions in integrated transport areas and areas which it is proposed should become integrated transport areas.

5.35 It allows for the transfer of specific transport functions as follows:

- to an ITA from the Secretary of State (section 86);
- to an ITA from a MDC, county council or unitary authority (section 87).

5.36 It might be proposed, for example, that the ITA should exercise all powers in relation to all of the roads within its boundaries, or only on certain defined strategic roads. Or, it would be also be possible for functions to be arranged so that the ITA was responsible for certain traffic functions but metropolitan districts remained responsible for highways generally.

5.37 The 2008 Act enables transfer of functions currently exercised by the Secretary of State, but excludes powers to make regulations or other legal instruments, and powers to fix fees or charges. In deciding whether to agree to such transfers, for example in relation to strategic roads or rail, the Secretary of State will need to consider both the potential impact on national users of infrastructure or services, and how far other proposals for the ITA enable the strength of leadership required to provide continued effective planning and delivery of services.

5.38 The 2008 Act constrains any delegation of functions to those "which the Secretary of State considers can be appropriately exercised by the ITA or eligible local transport authority". Very broadly, this implies that functions to be transferred should either provide for the delivery of transport services, or at least strongly relate to delivery. Further advice in cases of doubt about a proposal may be obtained from the Department.

5.39 As well as a power to transfer functions, the 2008 Act enables areas to propose that a **power of direction** be given to an ITA to direct one or more MDCs, county councils or unitary districts in a non-county area that they must or must not do certain things on a specific road or class of roads.

5.40 The activities which a direction could cover are those which a particular local authority has the power to carry out as a traffic authority (as defined under the Road Traffic Regulation Act 1984) or a highway authority (as defined under the Highways Act 1980). This includes its powers as a street authority. These cover a wide range of powers, including those governing:

- parking regimes on particular roads;
- speed limits;
- traffic calming measures;
- restrictions on use of roads;
- public transport priority measures;
- carrying out of local authority road works;
- co-ordination and control of utility company street works;
- traffic signs.

5.41 So, for example, this could be used by the ITA to direct an individual MDC:

- that it must allow a bus lane to be installed on one of its roads in order to improve the reliability of bus services on a key radial route into a city centre;
- as to the times or dates on which it must not carry out proposed road works on a particular road, for instance where the works might coincide with other works in such a way as to have the potential to cause major traffic congestion.

5.42 More details on the scope of this power to direct are set out in sections 88 and 89 of the 2008 Act.

5.43 In considering these options authorities may like to bear in mind the existing **powers to delegate functions** between authorities. A proposal made in the Commission for Integrated Transport's 2007 report on governance¹⁴ was that authorities might agree to transfer wide powers to an ITA, who might then delegate responsibility for delivery for some of those functions back to the authorities transferring powers. The advantage of such an arrangement is that it ensures wide strategic power for the ITA without necessarily disturbing delivery arrangements. It can also offer flexibility to agree further changes gradually over time without the need for further statutory change, and the potential for different delivery arrangements in different parts of an ITA area.

5.44 In considering the desirability of moving transport functions as part of carrying out their governance review, authorities should consider the following issues as regards their existing or potential integrated transport area.

- i) What problems, if any, does the current distribution of transport functions create for the provision of effective transport facilities and services in their area?
- ii) Where existing arrangements do not work as well as they might, can this best be rectified through formally transferring certain functions from one body to another, or is there a better way of making improvements?
- iii) Do more transport functions need to be exercised at a strategic level, given that the 2008 Act reorganises PTAs as integrated transport authorities and gives them sole responsibility for production of the Local Transport Plan?
- iv) How far does the integrated transport area need the ability to influence the provision of rail services and strategic roads?
- v) If it is proposed to give an ITA the power to direct other authorities, what restrictions, if any, should there be on the use of this power?
- vi) If an integrated transport area is to include one or more shire districts but not a whole county, how far does this necessitate a transfer of functions?
- vii) If they are proposing changing the boundary of, or dissolving, an existing ITA, with whom should transport functions sit after the change?
- viii) What are the practical issues relating to the proposed change? What will be the effects of transfer on those delivering functions? Which body will employ them?
- ix) What are the likely costs and benefits of the changes proposed and the implications for efficiency?

¹⁴ *Moving Forward: Better Transport for City Regions - CfIT 2007*
<http://www.cfit.gov.uk/docs/2007/moving/index.htm>

Functional Changes Consequent on Boundary Changes

5.45 Where an ITA boundary is being changed to exclude the area of one or more local authorities which previously fell within it, the 2008 Act allows for one or more of the local authorities whose territory - or part of whose territory - previously came within the integrated transport area to be designated as local transport authorities. This would also allow for the transfer to such local transport authorities of specific transport functions of an ITA, the Secretary of State himself or any county council, MDC or unitary district whose territory came within the integrated transport area which is being dissolved.

5.46 Where a majority of the authorities included in an integrated transport area decide in favour of this, the 2008 Act allows for the dissolution of an existing ITA. In such cases (which are expected to be exceptional) the authorities concerned will need to consider how functions currently the responsibility of the ITA should be delivered.

Transitional Arrangements

5.47 Where a scheme contains proposals for changes on any of the following matters, it would be helpful for proposals as to the treatment of transitional issues to be considered in the scheme:

- boundary changes involving the expansion or contraction of an existing ITA;
- the establishment of a new ITA;
- the dissolution of an existing ITA;
- changes to constitutional arrangements which include changes to the membership of an ITA or to the existence of an executive body of an ITA such as a PTE;
- delegation of a function of the Secretary of State to an ITA;
- delegation of a function of a local highways authority or local traffic authority to an ITA.

5.48 The matters which should be considered as transitional matters include the following, on which the Secretary of State may include provision in an Order under section 93 of the 2008 Act:

- transfer of property;
- transfer of rights and liabilities;

- transfer of staff;
- creation or imposition of new rights or liabilities in respect of anything transferred by an order;
- the management or custody of transferred property;
- provision for agreements with respect to any property, income, rights, liabilities, and expenses, and any financial relations between the parties to the agreement.

5.49 In relation to each of these, the Secretary of State may either make provision in the order or make provision in the order for a scheme to be made by the Secretary of State or by some other person.

PART VI - IMPLEMENTATION

6.1 Where schemes identify changes which can be introduced without legislation, it is for the authorities concerned to consider how and when these can be implemented, consulting as appropriate with those bodies affected.

Secretary of State's Consideration of Governance Schemes

6.2 The 2008 Act does not require the Secretary of State to formally "approve" or "reject" governance schemes, but he or she will expect to respond to them. Where schemes contain proposals for amending existing legislation, Ministers will need to decide whether to implement the proposals, with or without modifications.

6.3 Sections 78 and 92 of the Act set out those factors which the Secretary of State needs to take into account in deciding whether to implement an area's proposals. In particular he or she must consider:

- whether the provisions of an order are likely to improve the exercise of statutory functions relating to transport within the area to which the order relates;
- whether the provisions of an order are likely to improve the effectiveness and efficiency of transport within the area;
- the need to reflect the identities and interests of local communities;
- the need to secure effective and convenient local government.

6.4 In considering these matters, the Secretary of State will consult the Secretary of State for Communities and Local Government and other interested Ministers.

6.5 In reaching a view on all of these matters the Secretary of State's consideration is likely to include:

- the costs, benefits and value for money of the proposals. As described above, Ministers will expect any transitional costs to be offset by savings within five financial years;
- likely fit with any wider proposals for governance change which may flow from the Sub-National Review;
- consistency with national objectives, including the potential impact on delivering national strategies and public service agreements;
- consistency with national policies on regional and local government, including ability of the proposed arrangements to support delivery of regional strategies and compatibility with the local government performance framework;
- the level of support for the proposals, as demonstrated by consultation.

Constraints on the Secretary of State's Discretion

6.6 The legislation sets several specific constraints on the Secretary of State's discretion:

- where the order would alter the existing boundaries of an ITA so as to include or exclude the area of a local authority, the change may not be made without the agreement of that affected authority. In the case of shire districts with two-tier authorities the consent of the relevant local transport authority (ie the county council) would be required;
- where a new ITA is to be established, the consent of each of the local transport authorities whose territory would jointly make up the Integrated Transport Area is similarly required;
- where an order would dissolve an existing ITA, this may only be done with the agreement of a majority of the authorities which comprised the membership of that ITA;
- where an order deals with the membership of a specific ITA, it must provide that each of the county or metropolitan district councils which make up the ITA area can appoint at least one member to that ITA, and in the case of shire districts with two-tier authorities that either the county or district councils will appoint at least one member to the ITA.

Enactment of Secondary Legislation

6.7 Once the Secretary of State has decided to implement proposals, a number of processes are required to enact the necessary legislation. These are:

- a) **drafting** - Depending on the provision required, an order is likely to be relatively complex to draft, and authorities should take this into account in drafting implementation programmes as described below;
- b) **consultation** - Before making an order the Secretary of State must consult such authorities and other persons as he or she considers have an interest. This will require a minimum of twelve weeks for the consultation period, with additional time required for preparing the consultation documentation and considering responses;
- c) **Parliamentary consideration** - The order must be laid in draft before both Houses of Parliament and will be the subject of debates in each House under the affirmative resolution procedure. The timing of any order will be dependent on the availability of Parliamentary time.

6.8 How long the process takes from start to implementation of changes will depend upon several factors, most obviously the complexity of what is proposed. Overall, following publication of a scheme, authorities should allow a minimum of nine months before proposals can come into force, although this will require several more months where wide-ranging changes are intended. It may be possible for authorities to put in place "shadow" or interim arrangements which enable some of the benefits to be realised earlier. Any such arrangements will need to be carefully managed.

PART VII - CONCLUSION

7.1 Further advice on this guidance can be obtained from:

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Regional & Local Transport Strategy and Funding Division
Department for Transport
76 Marsham Street
London
SW1P 4DR*

*020 7944 8891
tim.barrow@dft.gsi.gov.uk*

MODELS FOR REFORMING TRANSPORT GOVERNANCE CHECKLIST OF RECENT RESEARCH MATERIAL

A.1 Several studies have been published in recent years which have looked at examples of effective transport governance arrangements, both within the United Kingdom and in other parts of the world. Although the transport governance arrangements established in other parts of the world are inevitably strongly influenced by the wider national and local government structures in place in each country, they still provide useful evidence of possible models. These studies include:

- *Seeing the Light? Next Steps for City Regions* - New Local Government Network, 2006
<http://www.nlgn.org.uk/pdfs/upload/CRCreportFINAL1.pdf>
- *Review of Reform Options for Metropolitan Transport Governance* - PTEG, 2007
http://www.pteg.net/NR/rdonlyres/4D07CF5B-CB3F-4230-993C-871C53B88587/0/pteg_Atkins_Governance_report_200702.pdf
- *Moving Forward: Better Transport for City Regions* - CfIT 2007
<http://www.cfit.gov.uk/docs/2007/moving/index.htm>
- *Study of European Best Practice in the Delivery of Integrated Transport* - Commission for Integrated Transport, 2001
<http://www.cfit.gov.uk/docs/2001/ebp/ebp/stage3/05.htm>
- *Transferability of Best Practice in Transport Policy Delivery* - Report for Scottish Executive, 2003
<http://www.scotland.gov.uk/Publications/2003/08/17895/23882>
- *Structures for Service Delivery Partnerships; technical notes*, 2006 - Communities and Local Government
<http://www.communities.gov.uk/publications/localgovernment/structuresservice>
- *Pushing Back the Frontiers: the Multi Area Agreement Pioneers* - Local Government Association - LGA 2007
<http://www.lga.gov.uk/lga/aio/21927>
- *Prosperous Communities II: Vive la Révolution* - LGA 2006
<http://www.lga.gov.uk/lga/aio/21918>
- *Improving Local Transport – how small reforms could make a big difference –* LGA, 2006
<http://www.lga.gov.uk/aio/22228>

FURTHER DETAILS ON DATA SOURCES FOR REVIEWING BOUNDARIES

B.1 Section (A) of Part V to this guidance contains advice on reviewing ITA boundaries. As this makes clear, in reviewing these authorities will want to consider available evidence such as traffic flows and congestion, public transport service provision, urban sprawl and local labour markets. This Annex highlights possible data sources for reviews.

Traffic Flows & Congestion

Local Authority Estimates.

B.2 As part of the Local Transport Plan (LTP) process, local authorities produce their own estimates of traffic flows (indicator LTP6) and congestion (indicator LTP7). Some local authorities will also hold their own estimates for the National Indicator on congestion (NI 167). These indicators are available directly from the local authorities, or centrally from DfT. Please contact Penny Allen (penny.allen@dft.gsi.gov.uk) for details of availability and supply.

DfT Traffic Counts and Traffic Estimates.

B.3 DfT publish estimates of total motor vehicle traffic for each local highways authority in Great Britain. The estimates are based upon the Department's network of automatic counters, augmented by a programme of manual counts. Data on road traffic statistics can be found at the link below:

<http://www.dft.gov.uk/pgr/statistics/datatablespublications/roadtraffic/traffic/rtstatisticsla/>

DfT Congestion Data.

B.4 DfT congestion data supports local authority monitoring. Please contact David Robinson (david.robinson@dft.gsi.gov.uk) for further details about this data.

Public Transport Service Provision

DfT Core Accessibility Indicators.

B.5 The 2007 Core Accessibility Indicators provide a number of measures of accessibility by public transport, walking and (where appropriate) cycling to seven service types: primary schools, secondary schools, further education, GP's, hospitals, food shops and employment. With the exception of further education, indicators have also been produced for an 'at-risk' sub-group of the population.

B.6 The core indicators have been calculated to help local authorities develop their evidence base for their accessibility strategies and in support of two of the new 198 National Indicators for Local Authorities (NI175 - Access to Services and NI 176 - Access to Employment). Using nationally consistent datasets - they give local authorities a picture of journey-time barriers to accessibility, allows comparison with other authorities and gives those who decide that accessibility should be one of their 35 Local Area Agreement targets a baseline against which to set those targets.

B.7 The indicators have been released as a series of spreadsheets on the DfT Transport Statistics website

<http://www.dft.gov.uk/pgr/statistics/datatablespublications/lt/coreaccessindicators2007>

for England at Lower Super Output Area (over 32,000 different areas). This also includes district and local transport authority levels as a series of spreadsheet data tables. An accompanying technical report has also been released.

National Public Transport Data Repository (NPTDR).

B.8 The NPTDR is a national database holding public transport timetable information for bus, train and ferry services. It is suitable for use in transport modelling, but requires accessibility planning software such as Accession to use effectively. A login is required to access the data. Details of how to obtain a login and access the data can be found online at:

<http://www.nptdr.org.uk/>

National Public Transport Access Nodes (NaPTAN).

B.9 NaPTAN provides a unique identifier for every point of access to public transport (e.g. bus-stops) in the UK, together with meaningful text descriptions of the stop point and its location. This enables both computerised transport systems and the general public to find and reference the stop unambiguously. A login is required to access the data. Details on how to obtain a login, and access to NaPTAN data, can be found via the link below:

<http://www.naptan.org.uk/index.htm>

Urban/Rural identifiers

CLG Built-up Area Polygons.

B.10 Communities and Local Government's (CLG) built-up areas are broadly defined as land which is covered by buildings, or is surrounded by buildings. Population estimates are attached to each built-up area, with areas with a population of 10,000 or

greater, being defined as urban areas. Further information and a set of built-up area polygons, for use in a Geographic Information System can be obtained by e-mailing: GIS@communities.gsi.gov.uk

Defra Urban/Rural Definition.

B.11 The Defra rural and urban definitions classify Output Areas, Wards and Super Output Areas by aggregating the underlying hectare grid squares classifications for the measures of settlement size and sparsity. Data and supporting information can be accessed from the link below:

<http://www.defra.gov.uk/rural/ruralstats/rural-definition.htm>

Travel to Work Areas

B.12 Travel to Work Areas (TTWAs) are defined as areas in which of the resident economically active population, at least 75 per cent actually work in the area, and also, that of everyone working in the area, at least 75 per cent actually live in the area. The current set of TTWAs, based on origin-destination data from the 2001 Census is available from the Office for National Statistics (ONS):

<http://www.statistics.gov.uk/geography/ttwa.asp>