

Cornwall and Isles of Scilly

Local Transport Board

Terms of Reference

Jan 2017

Version History

Version	Date	Changes	Comments	Initials
1	28/02/13		Version submitted to DfT: Approved by Cornwall Council, Council of the Isles of Scilly, Cornwall and Isles of Scilly Local Enterprise Partnership	MS
2	17/07/13	Changes in accordance with decision taken at CISLTB mtg 26/06/13		LB
3	18/02/14	Changes in accordance with DfT letter of 3/7/13 and email of 27/1/14 requesting changes to enable sign off of Part 3.	Changes required to Section 17 and 18.	LB
4	24/10/14	Changes to 'named person' for VfM sign off in accordance with DfT advice	Change to Section 18.	LB
5	28/10/14	Wording added to 18.2 for clarification	Clarification required by DfT to enable sign off. AGREED	LB
6	05/05/2016	Changes to whole document	As agreed by LTB to review document so 'fit for purpose'	NC
7	04/01/2017	Amendment to Paragraph 4	Recommended by the LEP Board	NC

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Glossary of terms

ASR	Appraisal Specification Report
BCR	Benefit Cost Ratio
CAT	Cornwall Assessment Tool
CC	Cornwall Council
CloS	Cornwall & Isles of Scilly
CISLTB	Cornwall & Isles of Scilly Local Transport Body
DfT	Department for Transport
EAST	Early Assessment & Sifting Tool
EIR	Environmental Impact Regulations
EU	European Union
FoI	Freedom of Information
ITA	Independent Technical Advisor
LA	Local Authority
LEP	Local Enterprise Partnership
LTB	Local Transport Body
NTEM	Department for Transport's National Trip End Model
TSG	Technical Sub-Group
VfM	Value for Money
WebTAG	Department for Transport's website for guidance on the conduct of transport studies.

1 Introduction and Background

1.1 The purpose of this document is to set out the Terms of Reference for the proposed Cornwall and Isles of Scilly Local Transport Board. The Board is the formal name of the Local Transport Body that has been set up to provide Strategic leadership in bringing forward new transport infrastructure schemes and manage the Growth Deal suite of transportation projects on behalf of the Cornwall and Isles of Scilly Local Enterprise Partnership area (see Geography below).

Part 1: Purpose, Structure and Operating Principles

2 Name

2.1 The Local Transport Body for the Cornwall and Isles of Scilly Local Enterprise Partnership (LEP) area will be known as the 'Cornwall and Isles of Scilly Local Transport Board' (CISLTB).

3 Geography

3.1 The geographic area covered by the CISLTB will encompass the following local authority areas:

- Cornwall Council
- Council of the Isles of Scilly

4 Membership

4.1 The CISLTB will have 9 full members, 5 democratically elected members and 4 non-elected members. The membership is designed to reflect and represent the economic, social, environmental and user interests of Cornwall. The CISLTB will comprise 6 organisations:.

- Cornwall Council
- Council of the Isles of Scilly
- Cornwall and Isles of Scilly Local Enterprise Partnership
- Local Nature Partnership
- Health & Wellbeing Board
- Transport User Group (TBD)

4.2 The respective members of the CISLTB are:

Organisation	Role in Organisation
Cornwall Council	Portfolio Holder for Transport Portfolio Holder for Economy Cllr Andrews and Cllr Rich
Council of the Isles of Scilly	Chairman of Transport Committee
Cornwall and Isles of Scilly Local Enterprise Partnership	Roland Tiplady
Local Nature Partnership	Matthew Thomson
Health & Wellbeing Board	Anthony Ball
Transport User Group	Richard Burningham

4.3 As a sub driver board for the LEP, the CISLTB is not a decision making Board, but provides recommendations to the LEP Board regarding matters relating to strategic transport infrastructure projects, schemes and programmes. Each member will be able to elect a named deputy to attend CISLTB when they are unable to attend. Deputy members will be

named on an annual basis and recorded in the same way as full members. For the CISLTB a quorum will be considered to be 3 members, of which 2 of the members attending must be the LTB Chair or Vice Chair and at least one elected member.

- 4.4 Advisory members will be invited to attend meetings by the CISLTB. Advisory membership will enable organisations with a responsibility or strong interest in, a specific transport scheme to make representations to the CISLTB before any recommendation is made to the LEP Board. Invitations will be made on a case by case basis. Organisations which could be asked to attend as advisory members include Network Rail and the Highways Agency, neighbouring LEPs or LAs, statutory or local environmental bodies, transport operators (e.g. bus, rail, road and sea freight companies), key public or private sector delivery organisations and parish or town councils.
- 4.5 The chair of the CISLTB must be an elected member.
- 4.6 A chair and vice-chair will be elected by a Board vote on an annual basis from LTB members.
- 4.7 The membership of the CISLTB will be reviewed every 24 months.

5 Conflicts of Interest

- 5.1 It is vital that members act in the interests of the area as a whole and not according to the sectoral or geographic interests of their member organisations. The decisions of the CISLTB will be based on robust business cases that provide evidence of:
 - Contribution to CISLTB member objectives, plus regional and national objectives;
 - Value for money; and
 - Deliverability.
- 5.2 Any member with a significant interest in a scheme that it is outside their organisation's geographical boundary but within that of the CISLTB must declare their interest.
- 5.3 Members must declare personal interests in schemes in accordance with their organisation's rules and withdraw from any debate if there are any potential conflicts of interest which may prevent them from making a recommendation.
- 5.4 Publically elected members will continue to declare their interests using their respective local authority's register of interests. Elected members must abide by their respective authority's code of conduct when conducting CISLTB business.
- 5.5 A register of the personal interests of the CISLTB's full members will be maintained, regularly updated and made publically available via the CISLTB's website.

6 Gifts and Hospitality

- 6.1 CISLTB members will not be allowed to accept any gift or hospitality over the value of £25 from any individual or organisation that has a specific interest in any major scheme.
- 6.2 Elected members must adhere to the policy of their member organisation regarding the acceptance and declaration of gifts and hospitality. These will be made available to the public.

7 Status and Role of Accountable Body

- 7.1 The Cornwall and Isles of Scilly CISLTB will be an informal (i.e. non-legally constituted) partnership of Cornwall Council, the Council of the Isles of Scilly and the Cornwall & Isles of Scilly LEP with representatives of the Local Nature Partnership, Health & Wellbeing Board and the Transport User Group (TBD) included on the Board.

- 7.2 Cornwall Council is the Accountable Body on behalf of the LEP and is responsible for making payments to project grant recipients in accordance with individual grant offer letters.

8 Local Audit and Scrutiny

- 8.1 As the Accountable Body, Cornwall Council will appoint suitably qualified independent auditors to ensure the work of the CISLTB is compliant in accordance with the CISLTB terms of reference.
- 8.2 The CISLTB will be responsible for taking necessary action to remedy any shortcomings identified by the audit.

9 Strategic Objectives and Purpose

- 9.1 The CISLTB is a driver board of the LEP and is therefore responsible to provide a strategic overview on all transport infrastructure schemes and monitor performance of the LEP's Growth Deal suite of transportation projects.
- 9.2 The CISLTB's roles will be:
- Receive confirmation from the Local Authority that processes and protocols have been carried out when identifying and prioritised a programme of investments, brought before the LTB.
 - Providing feedback to the LEP and the Local Authority with regards to whether projects have achieved value for money.
 - Advise the LEP Board of overall programme progress, highlighting any known red risks.
- 9.3 These roles will be reviewed every 24 months alongside the membership of the CISLTB, or exceptionally if there is a significant change in circumstances such as new or revised government proposals for a particular funding stream or policy.
- 9.4 The CISLTB will support and deliver against the Strategic Economic Plan (SEP)

10 Support and Administration Arrangements

- 10.1 The support and administration functions required to enable the CISLTB to undertake its functions can be summarised as follows:
- secretariat support including the preparation of meeting papers and reports, management of records and communications;
 - updating the terms of reference based on the evolving role of the CISLTB;
 - legal advice to CISLTB members on specific governance, transparency and probity issues, updating the guidance as necessary.
- 10.2 The Board of the CISLTB will be supported by officers who will provide technical support along with individual project up-dates, including advice on business case material and value for money assessments.
- 10.3 Cornwall Council will provide the secretariat support required to maintain records, decisions and communication arrangements on behalf of the CISLTB from Legal, Democratic & Procurement services. It will also co-ordinate the different services providing the Accountable Body role within the Council, the partner organisations and the CISLTB. This will be part-time support within the scope of existing posts.
- 10.4 Legal, Democratic & Procurement services within Cornwall Council will provide an advice and monitoring role, ensuring that the decisions and activities of the CISLTB conform with legal requirements with regards to environmental, equality and other issues. The legal team

will lead on the development of any agreements required as the basis of the partnership. This will be part-time support within the scope of existing posts.

11 Working Arrangements and Meeting Frequency

11.1 The Board will meet on a quarterly basis to:

- Review any strategic matters relating to transport infrastructure schemes
- Consider any new schemes being considered for funding
- Discuss overall programme delivery; and agree and amend the terms of reference if required.

11.2 Meetings will be open to the public and meeting dates and papers made available on the CISLTB's website.

12 Transparency and Local Engagement

12.1 The CISLTB will conduct, where practicable its business in an open and transparent manner to ensure that clarity is provided over the way priorities have been set. It is vital that the public and key stakeholders clearly understand the CISLTB's decision making process and rationale while also linking this to the local decision making processes made by each LA, including planning and Cabinet (or equivalent level) decisions. However, the nature of the work means that on occasions the Board may need to meet in closed session. When this is the case the Board will ensure that a public facing decision is given.

12.2 The CISLEP website will include the latest information regarding programme and scheme delivery.

12.3 Key stakeholders that are not already members of the Board will be able to apply to attend a Board meeting and make a representation on a particular scheme or other agenda item. They will need to apply via the CISLTB secretariat a minimum of 5 working days in advance of the meeting date.

12.4 Members of the public will not be able to make direct representations to the Board in person but will be able to make written representations in advance. These will need to be submitted to the CISLTB secretariat in writing at least 5 days in advance of the scheduled Board meeting date.

12.5 Cornwall Council as the Accountable Body will deal with Freedom of Information (Fol) or Environmental Impact Regulations (EIR) that directly relate to the role of the CISLTB in accordance with its standard procedures. Should any Fol or EIR request or query relate directly to a scheme promoter or LA and not the CISLTB, Cornwall Council will forward the request/query to the appropriate body to be handled according to the body's standard procedures.

13 Complaints and Whistleblowing

13.1 Any individual or organisation is entitled to make a complaint about the work of the CISLTB if they feel that it is not being conducted in accordance with the Terms of Reference. All complaints will be dealt with by CC in accordance with its complaints procedure (www.cornwall.gov.uk/complaints). It should be noted that the DfT will take the place of the Local Government Ombudsman at the end of step two of the process.

13.2 The CISLTB's approach to whistleblowing will follow the same procedure as CC's existing Whistleblowing Policy, available on CC's website www.cornwall.gov.uk Results of any inquiries will be communicated to the originator.