

APPENDIX 8

TERMS OF REFERENCES FOR THE TRANSPORT BOARD

Transport Board

Terms of Reference

1. Purpose and Role

1.1 The purpose of the Transport Board is to drive the development and delivery of the SCR's thematic programme and provide direction for and oversee the performance of South Yorkshire Passenger Transport Executive (SYPTTE).

1.2 The role of the Transport Board is to:

- Assist in the development of the transport strategy and strategies for its implementation;
- Shape future policy development and priorities on issues related to transport;
- Develop new transport programmes;
- Make investment decisions within the agreed budget and policy on transport, as delegated by the Mayoral Combined Authority (MCA);
- Accept grants with a value of less than £2 million;
- Monitor programme delivery and performance on transport; and
- Oversee the performance of SYPTTE in delivering operational transport services and its capital programme and providing SYPTTE with political direction.

2. Responsibilities

2.1 The Transport Board is responsible for:

Funding

- Approving, deferring or rejecting applications for transport projects in the SCR's pipeline that fall within the financial limit of delegated authority, and which are within the transport budget agreed by the MCA and Local Enterprise Partnership (LEP);
- Making recommendations to the MCA to approve, defer or reject applications for transport projects in the SCR's pipeline that exceed the financial limit of delegated authority, and which are within the transport budget; and
- Making recommendations to the LEP to approve, defer or reject applications for transport projects to form part of the SCR's pipeline;
- Recommending for approval to the MCA the capital programme of SYPTTE; and
- Recommending for approval to the MCA the revenue budget of SYPTTE.

Strategy and Policy

- Ensuring that transport policy agreed by the MCA and LEP is enacted effectively through appropriate investments and by SYPTTE;
- Reviewing economic intelligence and evidence of SCR economic performance on transport (e.g. patronage statistics, modal use, journey times) and identifying propositions to accelerate growth; and
- Developing and managing relationships with key stakeholders and partners.

Programme Delivery

- Commissioning of activity to deliver and implement the SCR's priorities on transport; and
- Monitoring the transport capital programme and project delivery.

Performance and Risk Management

- Reviewing project performance, outputs and outcomes;
- Identifying and recommending mitigations for any programme risks or poor performance; and
- Escalating any strategic, policy or programme risks to the MCA and LEP Boards.

2.2 The Transport Board will provide leadership on the following thematic issues:

- Transport for the North, including Rail North; and
- HS2.

2.3 The Transport Board will be consulted on commercial and residential development projects which incorporate link roads or junction improvements but decisions on such projects will be taken by either the Infrastructure or Housing Boards as appropriate.

3. Delegated Authority

3.1 In order to enact its responsibilities, the Transport Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.

3.2 The Transport Board will have delegated authority to accept grants with a value of less than £2 million.

3.3 The Transport Board may refer a matter or decision within their delegated authority to the MCA or LEP.

- 3.4 The Transport Board will have delegated authority to accept a tender or quotation for the supply of goods, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 3.5 The Transport Board has delegated responsibility for the specific transport functions of the MCA listed in Annex 1.

4. Membership

- 4.1 The Transport Board will be chaired by the SCR Mayor. A member of the MCA will be appointed as the Deputy Chair.
- 4.2 Membership of the Transport Board will comprise of:
- SCR Mayor;
 - One Leader from the MCA (from a constituent Local Authority);
 - A nominated representative for each of the remaining three constituent Local Authorities;
 - A representative for non-constituent Local Authorities
 - A lead Chief Executive from a Local Authority;
 - A private sector LEP Board member;
 - The Director General of the SYPTE; and
 - The SCR MCA Head of Paid Service (or their nominated representative).
- 4.3 Board members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named and must complete a Register of Interests Form.

5. Frequency

- 5.1 The Transport Board will meet on an eight-weekly cycle.

6. Secretariat

- 6.1 The Sheffield City Region Executive Team will provide the secretariat for the Transport Board.
- 6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

7. Attendance

7.1 Consistent attendance at the Transport Board meetings is essential and attendance will be recorded.

8. Quorum

8.1 Meetings of the Transport Board will be quorate when two-thirds of members are present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.

8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

9. Decision Making

9.1 Board decisions are legally taken as follows:

- i. Matters at the Board relating to the functions of the MCA, by the Head of Paid Service (or their nominated representative) in consultation with the Chair;
- ii. Matters at the Board relating to the functions of SYPTE, the Director General of SYPTE.

By protocol, decisions will not be taken in accordance with i above unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.

9.2 Decisions made by the Transport Board will be presented to the MCA Board in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will, for decisions taken under 9.1(i) above, have the right to review or amend decisions made by the Transport Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

10.1 All Board Members must complete a Register of Interests Form within 28 days of being appointed to the Transport Board. This must disclose any disclosable pecuniary interests (as defined in the The Relevant Authorities (Disclosable

Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the SCR website.

- 10.2 It is the responsibility of every Transport Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 10.3 Interests declared by Transport Board Members will be listed on the SCR's Register of Members' Interests.

Declarations of Interest at Board Meetings

- 10.4 It is the responsibility of Board members to declare any disclosable pecuniary interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Transport Board meeting.

11. Decisions between meetings

- 11.1 This procedure is to be used only by exception.
- 11.2 When a matter or decision falls outside the parameters of the meeting cycle, the Transport Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.
- 11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chair of the Transport Board, will contact Board Members by email to notify them of the following:
 - Details of the matter requiring comment and/or decision;
 - The name of the person or persons making or putting forward the proposal/decision;
 - The reason why the matter cannot wait until the next Board; and
 - The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken (including responses received in agreement and responses received in disagreement);

- The date when any decision comes into effect; and
- Any mitigating action taken to address stated views or concerns.

11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Transport Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

12.1 The Transport Board will be supported in making investment decisions by the SCR's independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.

12.2 The Transport Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Transport Board.

13. Transparency

Key Decisions

13.1 Decisions to be taken by the Transport Board will be published in the SCR Forward Plan of Key Decisions on the SCR website 28 days in advance of the decision being made.

13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Transport Board and will be responded to in writing.

Meeting Papers

13.3 Agendas and papers for the Transport Board will be published on the SCR website at least five clear working days before the meeting date.

Exemptions

13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.

- 13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 13.6 Draft minutes will be published on the SCR website within ten days of the Transport Board meeting taking place. The meeting record (approved minutes) will be published on the SCR website within ten clear working days of the subsequent Transport Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.

Annex 1 – Specific Transport Functions of the MCA

1. Granting approval to SYPTTE to promote or oppose any Bill in Parliament pursuant to section 10(1)(xxix), Transport Act 1968;
2. Making a written request to the Minister to authorise SYPTTE to purchase compulsorily any land which SYPTTE require for the purposes of their business pursuant to section 10(3), Transport Act 1968;
3. Approving the permanent or long term disposal of land not required by SYPTTE for operational purposes.
4. Making appointments to the Board of SYPTTE;
5. Formulating general policies with respect to the availability and convenience of public passenger services pursuant to sections 9A(5)- (7), Transport Act 1968;
6. Ensuring that SYPTTE secures the provision of appropriate public passenger transport services pursuant to Section 9A (3), Transport Act 1968;
7. Considering and approving the creation and development of:-
 - A. Quality Partnership Schemes or Advanced Quality Partnership Scheme pursuant to sections 113(c)-123, Transport Act 2000;
 - B. Concessionary Travel Schemes pursuant to sections 93-104, Transport Act 1985;
8. Ensuring that SYPTTE implements those actions which may be delegated to it from time to time for promoting the economic, social and environmental well-being of the Combined Area and its residents pursuant to section 99, Local Transport Act 2008;
9. Approving releases for capital schemes within the agreed capital programme and the agreed budget for the scheme concerned (including approving capital payments for the purpose of the provision, improvement or development of facilities for public passenger transport, pursuant to section 56(2), Transport Act 1968);
10. Determining variations in charges for transport services or facilities provided by SYPTTE, pursuant to section 15(2), Transport Act 1968;
11. Approving the level of support of local rail services over and above that in the baseline franchise specification;
12. Determining the operation, performance and development of accessible transport provision pursuant to sections 106(1) and 106(2), Transport Act 1985;
13. Monitoring the operation and performance of bus, tram and local rail services and influencing accordingly;
14. Determining issues arising from the rail franchising process.