



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

IMPROVEMENT AND SCRUTINY COMMITTEE – PLACES

26 July 2023

Report of the Executive Director - Place

Preparation of a Local Transport Plan covering the county of Derbyshire

1. Purpose of the report

- 1.1 To provide an overview of the process to develop a new joint Local Transport Plan covering the county of Derbyshire under the proposed East Midlands Combined County Authority.

2. Information and Analysis

- 2.1 On 22 March 2023 Full Council resolved to approve the final proposal to create the Mayoral East Midlands Combined County Authority (EMCCA) for the areas of Derby City, Derbyshire County, Nottingham City and Nottinghamshire County (Minute Number 26/23 applies). The proposal sets out an expectation that on day one, the EMCCA will be established as the transport authority for the area, covering the four upper-tier authorities, and have the power to approve the single, joint Local Transport Plan (LTP).
- 2.2 The Transport Act 2000 (as amended by the Local Transport Act 2008) places a duty on the Council to have a LTP in place, and therefore remains a duty for the Council until the EMCCA creation is enacted. The current, and third, Derbyshire Local Transport Plan was published in April 2011, with an expiry date of 2026. The current LTP remains aligned to Council Plan ambitions, but it is becoming less effective in providing a good strategic case.

- 2.3 Given the Council's strong commitment to de-carbonisation and increasing need to ensure visitors, residents and business can make good choices about whether, when and how to travel, there is an increasing drive to integrated proposals for all forms of transport and travel into a consolidated place shaping document. Low carbon principles will be at the heart of future transport and travel policies as well as adopting new and innovative strategies, for example intelligent transport systems, to help facilitate 'decarbonisation' and 'good growth'. A new LTP therefore provides an opportunity to sharpen up and refresh the strategic case to support delivery of integrated transport programmes and deliver more ambitious outcomes; including those set out in sub-strategies, including the Bus Service Improvement Plan, Low Emission Vehicle Infrastructure Strategy, and Local Cycling and Walking Infrastructure Plan.
- 2.4 The Department for Transport (DfT) has recognised that a combination of reduced Council resources and lack of updated national guidance has led to many LTPs across the country nearing their expiry dates. It has therefore committed to publishing new guidance to drive a new era of LTPs, which will set out an ambition for developing plans to integrate transport and provide more travel choice, support growth in the local economy, improve transport for the user, and reduce carbon emissions and environmental impacts. The Committee will note from a previous update to Cabinet in October 2022 that the DfT has provided a £178,571.43 grant to the Council to support additional capacity to prepare a new LTP. The publication of DfT guidance to support LTP preparation has been delayed, but it is now expected in early autumn 2023 at the latest.

Process to develop a EMCCA LTP

- 2.5 Preparation of LTPs is a complex process and can take 18 months to complete. As a statutory document, the process needs to embed periods of public and stakeholder engagement, alongside legal plan-making requirements, including Strategic Environmental Assessment, Habitats Regulations Assessment, and Equality Impact Analysis.
- 2.6 The Committee will note, from the October 2023 update to Cabinet, that preparatory work on the first stage of plan preparation had commenced earlier in 2022. This included the collation and analysis of the Derbyshire transport evidence base and a review of national, regional and local policies, plans and programmes to identify several emerging transport themes. Preparatory work had commenced early because it was expected that the DfT would require a provisional LTP in place by March 2024 to enable Government to consider future funding support in the next Parliamentary period.

- 2.7 The delay in publication of DfT LTP guidance is now expected to push completion of provisional and final LTPs into late 2024-25. This timescale aligns well with the creation of the EMCCA and to be able to consider any transport commitments made during the election of the mayor. It is though anticipated that interim information requests will likely to be required to support Government spending review processes ahead of publication of a draft LTP. It is therefore critical for Derbyshire's transport priorities and its required investment programme to be further developed ahead of any interim submissions to Government.
- 2.8 Following the approval of the proposal to create the EMCCA, the four constituent authorities have put in place a governance structure for the Transport Priority area to further develop the necessary transition arrangements. This structure includes a LTP workstream, with officer representation from each authority, recognising that joint working is necessitated now to accommodate the long lead time required to develop a LTP strategy. An interim EMCCA Transport lead is currently being recruited by Nottinghamshire County Council, as the Authority lead on MCCA programme management, to take forward LTP development.
- 2.9 The LTP workstream is currently engaged in the first stage of plan development in assembling a joint transport evidence base and reviewing alignment of existing local transport policies, including Council Plans and detailed local transport strategies. It is anticipated that the emerging priority transport themes for the new MCCA LTP would be agreed by the end of 2023. These priorities would then be subject to scrutiny through a stakeholder and public engagement exercise in early 2024, and to assess whether these have broad support. Once accepted, these priorities would then form the basis of an appraisal framework to test more detailed transport strategy options, alongside a set of environmental objectives which would be identified separately through the regulatory environmental assessments.
- 2.10 The development of the EMCCA LTP strategy will agree overarching strategic level transport objectives and outcomes for a larger geography. However, the strategy will also need to be adaptable to reflect subtleties in local transport needs and opportunities across a large and diverse area. It is therefore anticipated that nuanced transport priorities might be developed for more focused geographies, for example of the two city conurbations of Derby and Nottingham, the north Derbyshire and Nottinghamshire large urban market towns of

Chesterfield and Mansfield, and the many market towns and surrounding rural communities across Derbyshire and Nottinghamshire.

2.11 To reflect nuances in transport priorities for Derbyshire, the Cabinet Member for Infrastructure and Environment has requested that a set of Derbyshire transport priorities are agreed in the autumn to be embedded within the EMCCA LTP strategy. In October 2022, Cabinet agreed a set of strategic level themes to guide the further development of Derbyshire transport priorities. These are:

1) Sustainable Environment

A County that is resilient to climate change, enhances the natural and historic environment, improves biodiversity and supports a pathway to a zero-carbon transport network.

- Decarbonisation and adaptation to climate change.
- Environment – tackle negative effects of transport and enhance the natural environment and cultural heritage.

2) Integrated Connectivity

Improving connectivity and mobility for communities, businesses and visitors which enables greater choice and interchange between sustainable travel modes and grows the economy:

- Connecting places – there is a need to improve connectivity by all transport modes to provide more choice for travel.
- Embracing future opportunities for other forms of connectivity, including digital, and adopting technological approaches to support travel.
- Management of all local transport networks and assets efficiently and effectively.

3) Prosperous Place

Linking people, businesses and services together within our market towns and local communities to support them to become more prosperous, vibrant and green places. Innovation and supporting opportunities for safer travel which reduces inequality, increases mobility, enables more active and healthy lifestyles, and encourages more inward investment to grow employment opportunities and skills.

2.12 A series of internal workshops are currently being held with key teams across the Council to consider the transport policy options available to support delivery of these outcomes. These policy options are being challenged to how they meet the transport needs of market towns and rural areas, cross-boundary travel between Derbyshire and the two EMCCA cities, as well as the other cities and rural areas surrounding Derbyshire. These priorities are also being challenged about how they

contribute to delivering outcomes for health and well-being, equality and inclusion, climate change and decarbonisation, key economic sectors, and protected environments. It will also be necessary to align this work to the Government's LTP guidance when it is published. It is then intended that key stakeholders and partners will review the emerging Derbyshire transport policies at a Derbyshire Transport symposium to be organised before the end of 2023.

3. Alternative Options Considered

- 3.1 The Council could agree to retain or undertake a light-touch refresh of its current Local Transport Plan until the EMCCA established and the statutory duty for preparing LTPs becomes the mayor's responsibility. Whilst this approach would allow for some focus on 'integration' objectives it would not negate the need for a new Plan which provides a long term evidenced approach to tackling the grand challenges for Derbyshire. In addition, the other constituent authorities could continue to develop a new LTP for the EMCCA increasing a risk that Derbyshire's transport priorities are not embedded effectively. This could impact on the ability of the Council to secure future funding to deliver improvements to the local transport system.

4. Implications

- 4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5. Consultation

- 5.1 The Transport Act 2000 (as amended) requires the Local Transport Authority to consult communities, businesses and stakeholders deemed appropriate. This statutory process is usually undertaken on the draft Plan. Other separate but complementary legal requirements have to be completed for Strategic Environmental Assessment and Habitats Regulations Assessment.
- 5.2 For a new LTP to be effective it is also good practice to enable Derbyshire residents, visitors and businesses to fully contribute to the identification of transport needs and opportunities to inform future policy options. This report sets out the intention to host a Derbyshire Transport Symposium before the end of 2023 ahead of a proposed EMCCA consultation on the emerging draft strategic transport priorities for the new LTP.

5.3 The Council Plan sets out an ambition to listen to, engage, and involve local people which is being embedded into the Council's approach to develop place-based transport strategies and implementation plans. The Place Department is piloting this approach under its Active Travel Master-planning (ATM) for three Derbyshire market towns of Belper, Glossop, and Ilkeston. ATMs will seek to undertake public engagement exercises to develop community endorsed business cases for network design and scheme planning for active travel. Following completion of these, this approach will be reviewed to consider expansion to develop full integrated transport plans for all Derbyshire market towns and their surrounding rural hinterlands.

6. **Background Papers** (set out here where documents are kept in respect of this report)

6.1 None.

7. Appendices

7.1 Appendix 1 – Implications.

8. **Recommendation(s)** (set out here what is being asked of the Committee)

That the Committee:

- a) Notes the process to develop a new joint Local Transport Plan covering the county of Derbyshire under the proposed East Midlands Combined County Authority.

9. Reasons for Recommendation(s)

9.1 To advise the Committee of the proposed process to develop a new Local Transport Plan covering the county of Derbyshire and the intention to develop a plan covering the geography of the proposed EMCCA.

Report Author: Alan Marsden
Alan.marsden@derbyshire.gov.uk

Contact details:

Implications

Financial

- 1.1 At its meeting of 13 October 2022 Cabinet approved the acceptance of a £178,571.43 grant offer from the Department for Transport (DfT) to provide capacity funding to support preparation of new local transport plan. Cabinet agreed to delegate the Executive Director – Place, in consultation with the Cabinet Member for Infrastructure and Environment, to use of this grant funding for additional staff resources, specialist support for public engagement, and specialist technical support.

Legal

- 2.1 As the statutory local Transport Authority, the Council is currently required to maintain an up-to-date LTP that provides a strategic framework for planning and delivering improvements in local transport provision. It must develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport to, from and within Derbyshire. Local Transport Delivery Plans will form part of the LTP framework and, in part, discharge this legal duty.
- 2.2 On 22 March 2023 Full Council resolved to approve the final proposal to create the Mayoral East Midlands Combined County Authority (EMCCA) for the areas of Derby City, Derbyshire County, Nottingham City and Nottinghamshire County (Minute Number 26/23 applies). The proposal sets out an expectation that on day one, the EMCCA will be established as the transport authority for the area, covering the four upper-tier authorities, and have the power to approve the single, joint Local Transport Plan (LTP).
- 2.3 In developing and implementing LTPs, the Council must have regard to the transport needs of disabled persons and of persons who are elderly or have mobility problems. Development of plans will need to be in accordance with statutory and legal requirements under the Public Sector Equality Duty and Equality Impact Analysis.
- 2.4 The Council must also have regard to environmental protection. The plan will need to be in accordance with statutory and legal requirements

under the Environmental Assessment of Plans and Regulations 2004 including Strategic Environmental Assessment, and the Conservation of Habitats and Species Regulations 2017 including Habitats Regulations Assessment.

Human Resources

- 3.1 The preparation and development of a LTP will have human resource implications for the Transport Strategy Team and across the Council. Paragraph 1.1 of this Appendix notes that the Council may utilise a grant from the DfT to provide additional financial support to secure human resource to support plan preparation. New posts would be graded using the Council's job evaluation scheme and an appointment of a temporary Transport Strategy Officer resource would be in accordance with the council's open resourcing approach.

Information Technology

- 4.1 Preparation and development of a LTP may have Information Technology implications. These will be considered on a project-by-project basis.

Equalities Impact

- 5.1 Preparation and development of a LTP will require the preparation of an Equality Impact Analysis (EIA) in accordance with the Public Sector Equality Duty. An EIA working group has been established to consider equality impacts during plan preparation.

Corporate objectives and priorities for change

- 6.1 The LTP supports the delivery of outcomes set out in the Council Plan under the Infrastructure and Environment, Highways Assets and Transport, and Clean Growth and Regeneration portfolios, as well as supporting many, if not all of the other Council portfolios. The LTP also provides the strategic case for delivery of the Council's regeneration pipeline, as alignment with transport policies contained within partners' Local Plans.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

Environmental Sustainability

- 7.1 The preparation and development of LTPs requires a Strategic Environmental Assessment and Habitats Regulation Assessment to help the Council to predict what impacts the strategies and schemes included within the emerging LTP may have on the environment.

Property and Asset Management

- 7.2 The scope of the LTP includes a consideration of value for money when developing strategies and interventions for inclusion within the emerging Plan. The Council's Transport Asset Management Plan is required to be embedded within the Local Transport Plan.