



Report To: Greater Cambridge City Deal Executive Board

13 July 2016

Lead Officer: Graham Hughes, Executive Director: Economy, Transport and Environment, Cambridgeshire County Council

Greater Cambridge City Deal delegated powers safeguards

Purpose

1. To consider the process to be adopted to ensure consultation takes place with local residents, local elected members and other stakeholders in the development and implementation of powers delegated by the County Council as Highway Authority.

Recommendations

2. It is recommended that the Executive Board:
 - (a) Note that the Executive Board agreed at their June meeting to adopt the consultation and engagement principles of the County Council,
 - (b) Confirm the establishment of Local Liaison Forums (LLFs) for each significant City Deal scheme, to develop the detailed proposals for consultation prior to statutory consultation on the Traffic Regulation Orders.
 - (c) Confirm that all local Councillors from the three partner authorities, whose Divisions are within the geography of the scheme(s) in question, will be invited to be members of the LLFs, as set out in the published terms of reference for LLFs.
 - (d) Confirm that local elected members and members of the public will be able to ask questions in respect of Traffic Regulation Orders at the Joint Assembly and Executive Board.
 - (e) Agree to invite the Chair of each Local Liaison Forum to speak at the Joint Assembly and Executive Board when consideration is being given to that particular scheme.

Reasons for Recommendations

3. Highways and Community Infrastructure (H&CI) Committee considered the delegation of Traffic Regulation Order powers to the Greater Cambridge City Deal Executive Board on 1 March 2016 and resolved:
 - i. To endorse and propose to Council that the responsibility for making decisions regarding Traffic Regulation Orders (TROs) for City Deal infrastructure schemes was confirmed as being delegated to the Greater Cambridge City Deal Executive Board, subject to the amendment above;

- ii. That there be a report back to the H&CI Committee on further safeguards that will be put in place to ensure that consultation with residents will be undertaken in reference to the TROs in the City Deal Plan;
 - iii. These safeguards:
 - (a) to include the establishment of Local Liaison Forums within a specified timeframe, or an alternative process to be adopted to ensure local consultation is undertaken in a timely and comprehensive manner; and
 - (b) to be set out precisely and specifically so that they are clear and transparent and made known to the public;
 - iv. Request a report to be provided to the next H&CI Committee meeting, with an undertaking from the City Deal Executive Board that these safeguards are affirmed and will be adhered to; and
 - v. That the operation of safeguards be reviewed by the H&CI Committee twelve months from the date of the delegation.
4. The recommendations set out above would confirm to the H&CI Committee that appropriate safeguards are in place to meet their concerns.

Background

- 5. The County Council has delegated relevant powers to the Greater Cambridge City Deal Executive Board to allow the Executive Board to deliver projects as though it were the Highway Authority. The process and procedures being employed to develop and deliver schemes are those that the County Council would use. The difference is therefore only in the governance arrangements.
- 6. The Executive Board have committed to conducting business in an open and transparent fashion with full engagement with the public and local members. The procedures recommended are consistent with this approach.
- 7. The Executive Board at its meeting on 9 June confirmed its adoption of the consultation and engagement principles of the County Council, in its role as lead local authority for City Deal transport schemes, for City Deal transport projects, including the city centre congestion reduction package. The appendix to that report that summarised the consultation and engagement principles can be seen in Appendix 1.
- 8. The consultation referred to in paragraph 7 will generally consist of several different stages throughout the lifecycle of a scheme, with the public's views being sought on schemes as they are developed through these stages to the point where they are approved for delivery. Key stages followed throughout the lifecycle of a larger scheme are:
 - i. Outline consultation on scheme options – the public consultation on a series of outline options, to be developed into a preferred option for more detailed design.
 - ii. Selection of preferred option(s) by the Executive Board – taking account of consultation responses to stage 1, the Executive Board will select a preferred option for more detailed design, which will then be subject to the stages below.
 - iii. Detailed development of scheme engaging through Local Liaison Forums – working with local people through the Local Liaison Forums to inform this detailed development.
 - iv. Public consultation on detailed scheme, following the development of further detail in stages 2 and 3.

- v. Adoption of detailed scheme by the Executive Board – taking account of consultation responses in stage 4, the Executive Board will adopt the detailed scheme to be delivered, subject to statutory processes which might include (depending on the nature of the scheme) planning consent and Traffic Regulation Orders (TROs).
 - vi. Planning consent – where schemes are inside the public highway they do not require planning consent, however where they are outside of the public highway planning consent is likely to be needed if the scheme is to go ahead. Any scheme that is subject to planning consent will go through an additional consultation on planning issues around the scheme.
 - vii. Formal advertisement of TROs and statutory consultation – where a scheme requires one or more TROs, notice will have to be given of those and there will be a statutory consultation period on those TROs.
 - viii. Consideration of significant objections by the Executive Board – if significant objections are received to a TRO, they will be presented to the Executive Board for consideration, at which point the Executive Board could agree measures to respond to the objection, or could determine that wider considerations and benefits mean that the scheme should go ahead as planned.
9. For less significant schemes such as cycle facilities within the highway, steps 1 and 2 listed above would be combined with steps 4 and 5.
 10. Officers will record all TRO decisions made by the Executive Board and provide a report to the H&CI Committee.
 11. Local Liaison Forums (LLFs) provide for regular dialogue between the project team and members of the local community during the course of any major transport project, ensuring interested parties are kept informed and can continue to have their say outside of the formal consultation processes. After an initial meeting with local Councillors to establish the LLF, its meetings are open to the public.
 12. Terms of Reference for the LLFs vary for different projects, however they are fundamentally very similar. For example the Terms of Reference for the Cambourne to Cambridge & Western Orbital LLF are shown in Appendix 2.

Implications

13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

Background Papers

The following background papers have been relied upon in the writing of this report:

Minutes of 1 March 2016 County Council Highways & Community Infrastructure Committee meeting:

https://cmis.cambridgeshire.gov.uk/CCC_live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=%2fvC2l4O%2b2F51Wxk2tOyHQAS4mDZsTo5FNtxOQqCqnxOD%2bN4U0%2b7Uw%3d%3d&rUzwRPF%2bZ3zd4E7lkn8Lyw%3d%3d=pwRE6AGJFLDNih225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9lXnlq%3d%3d=hFfIUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFfIUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJFf55vVA%3d&FgPIIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFf55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFf55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJFf55vVA%3d

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Appendix 1: Consultation and Engagement Principles

Introduction

On 12th February 2016, the Joint Assembly asked about the consultation principles that apply for City Deal schemes. Paragraph 5.3 of the City Deal Executive Board Terms of Reference states:

"The lead role on projects shall be determined by the Board, subject to the principle that the lead authority should be the Council primarily responsible for the service in question for their area. The procurement and other rules of the lead authority will apply in respect of projects."

Transport scheme consultation and engagement principles

For transport projects, the lead authority is the County Council whose consultation and community engagement principles in its Listening and Involving Strategy apply. The strategy can be viewed at www.cambridgeshireinsight.org.uk/file/2906/download

The key good practice principles of the Cambridgeshire Listening and Involving Strategy are:

- A. Consultation and involvement will be clearly linked to decision-making and take place as early as possible in the decision-making process.
- B. Consultation and involvement will be carried out to a high standard.
- C. Consultation and involvement will be inclusive.
- D. Consultation and involvement will be cost-effective and co-ordinated.

The principles within the strategy are equally applicable to both Engagement and Consultation exercises in that:

Communication will be clear, explaining what we are asking or informing and how the collected views will be used.

Listening to the views and feedback which would then be collated and shared with the Joint Assembly and Executive Board.

Involving stakeholder representative groups in early engagement exercises that would then lead to future wider and inclusive consultation practices.

An Engagement Strategy is focussed on informing and communicating a package and inviting qualitative feedback by listening to people's views and involving stakeholder representative groups in focus group discussions.

A Consultation Strategy is a formal process in which questions are asked based on the relevant information and answers are collated and analysed where results are fed into the decision-making process.

These principles, like the Cambridge City and South Cambridgeshire principles, set a high standard. All three sets of principles are broadly similar, emphasising the importance of early involvement of affected parties, transparency, inclusiveness, continuous improvement, planning and clear communication of outcomes.

The difference between these and the Cambridge City Council Code of Best Practice for consultation and community engagement is that the latter requires a named officer contact for each consultation. Using a City Deal mailbox for the City Deal consultations and a dedicated phone number allows us to respond to people more quickly and ensure enquiries relating to multiple consultations and all aspects of this extensive programme can be handled helpfully and efficiently.

Action

A summary of the consultation principles that apply to City Deal schemes of all types will be made available on the City Deal website.

Appendix 2: Cambridge to Cambourne & Western Orbital LLF Terms of Reference

LOCAL LIAISON FORUM (LLF) TERMS OF REFERENCE

A428-A1303 and Western Orbital City Deal Projects (including J11 of M11 options)

1. Membership

1.1 The following representatives will be invited to join the LLF:

- All local authority Members from wards directly affected by the proposals within the geographical scope of the scheme options
- Representative of local Parish Councils within the geographic scope of the scheme options

1.2 The LLF may co-opt additional members from other organisations or interest groups, as considered appropriate, to facilitate the function of the LLF in support of the delivery of a project.

2. Functions

2.1 The LLF will act as a conduit through which local issues, opportunities and concerns relevant to the project* will be taken into account during its development and delivery.

2.2 To this end, the LLF may offer advice to the Project Board and put forward suggestions, as considered appropriate, to influence and inform the delivery of the project within the scope of the Project Inception Document (PID).

2.3 Upon completion of the construction phase, the LLF will participate in a review of a project's delivery, in accordance with the Greater Cambridge City Deal Project Review Protocol, making recommendations, as considered appropriate, to inform future programme delivery.

3. Term of office

3.1 The LLF will function for the duration of the project which will include its design, delivery and review stages.

4. Appointment of Chairman and Vice-Chairman

4.1 The LLF will appoint a Chairman and Vice-Chairman at its first meeting for the duration of the term of office or as otherwise agreed

5. Meeting frequency, administration and attendance

5.1 The LLF will set its own timetable for meetings. Administration of the LLF will be the responsibility of the Project Manager.

5.2 LLF meetings will be open to the public but members of the public will not have the right to speak or participate in the meeting unless invited to by the Chair

6. Agenda and Minutes

6.1 The agenda for the LLF will be agreed by the Chair of the LLF in liaison with the Project Manager. The Project Manager may require that items are put on the agenda as required by project exigencies

6.2 The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

6.3 The LLF is not able to make decisions. The minutes can however include 'Proposals' which are recorded as such.

6.4 Once signed, LLF meeting minutes will be made publicly available via the City Deal website.

6.5 The minutes of the LLF are taken as an agenda item at the next Project Board *Project refers to the scope of work in the respective Project Inception Documents for each corridor.

Appendix 3: City Deal delivery process (for larger schemes)

