

# LIVERPOOL CITY REGION COMBINED AUTHORITY

To: The Chair and Members of the Transport Committee

Meeting: 7 March 2019

Authority/Authorities Affected: All

EXEMPT/CONFIDENTIAL ITEM: No

## REPORT OF THE DIRECTOR OF POLICY AND STRATEGIC COMMISSIONING

### RESPONDING TO WELSH GOVERNMENT CONSULTATION: IMPROVING PUBLIC TRANSPORT IN WALES

#### 1. PURPOSE OF REPORT

- 1.1 This report presents to members an outline Liverpool City Region response to a consultation on improved public transport in Wales, the content of which is summarised in section (3). The consultation was launched by the Welsh Government on 10 December 2018 and the deadline for responses is 27 March 2019.
- 1.2 Developing a response is considered an important and timely opportunity to further build on longstanding commitments and joint work with the Welsh Government and its partners on issues of enhanced cross-border connectivity.
- 1.3 This report sets out an outline response to the consultation in section (4), recognising the mismatch between the launch of the consultation, the date of the Transport Committee's meetings and the consultation deadline. However, the response is pitched at a strategic level in the spirit of devolution, as it is considered inappropriate for the Combined Authority to comment upon details of governance or powers that solely and directly affect Welsh interests.
- 1.4 Approval is sought from the Transport Committee to allow the finalisation of the response to be delegated to the Director of Policy and Strategic Commissioning, in full consultation with the Chair and Vice Chair of the Transport Committee.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that members of the Transport Committee:
  - (a) Consider and endorse the outline response to the above consultation set out in section 4; and
  - (b) Grant delegated authority to the Director of Policy and Strategic Commissioning, in full consultation with the Chair and Vice Chair of the Transport Committee to

finalise the draft response ahead of its submission to the Welsh Government on the 27 March 2019.

### **3. BACKGROUND**

- 3.1 The Welsh Government's consultation sets out proposals for improving the legislative framework for how local bus services are planned and delivered, including the licensing regime for taxis and private hire vehicles, in Wales. It also covers wider, significant issues of transport governance and governance reform. The document is available at the following link:-
- <https://beta.gov.wales/improving-public-transport>
- 3.2 Looking at proposals for bus services, the consultation document notes the decline seen in bus patronage in Wales over many years. Allied to this is the way that local bus services and infrastructure are delivered, being the responsibility of a number of stakeholders including bus operators, 22 local authorities and Welsh Government. Operating in this way is considered to contribute to the fragmentation of bus services, and it is believed that there is a need for organisational and structural change.
- 3.3 In terms of bus powers, the Welsh Government proposes new powers to enable local authorities to make Enhanced Quality Partnerships, to revise current legislation to make franchising a useable tool for Welsh local authorities and whereby a local authority has an exclusive right to award a contract to run a bus route or routes to the most competitive bidder. The Welsh Government is also proposing to revise current legislation so that local authorities can run their own bus services.
- 3.4 On taxi licensing, the document highlights the complexity of taxi licensing and the antiquity of the governing legislation. There is a mismatch between the legislation and modern practice (e.g. mobile phone bookings and operations across local authority boundaries) and which is creating problems. The Welsh Government's view is that the best way of underpinning improvement is to centralise the licensing regime and set national standards for taxi and private hire vehicle licensing. All taxis and private hire vehicles in Wales would have to meet these standards in order to obtain a licence.
- 3.5 The consultation recognises that skills and knowledge available within local authorities to effectively discharge their transport functions successfully is diminishing. This pressure on skilled transport management workforces is exacerbated by the multiple tasks which each local authority must perform individually. There are many support tasks, often administrative or procurement-based, which are inefficient for each local authority to perform individually and contribute to fragmentation.
- 3.6 As such, a significant aspect of the consultation concerns initial proposals for establishing Joint Transport Authorities (JTAs). The purpose of a JTA would be to pool existing transport functions and powers of two or more local authorities. The Order(s) establishing JTAs would specify the functions that are to be exercised by the JTA. The functions to be transferred to the JTA could be exercised on either a

national/strategic basis or on a regional/implementation basis, based on the nature of the function being discharged, and the Order(s) establishing the JTAs would facilitate this. The JTA would be able to develop a distinctive regional approach in a broader national context towards transport planning and implementation. It could have responsibility for the full range of public transport functions, as well as certain traffic management functions.

- 3.7 In respect of the governance of taxis, the Welsh Government is proposing to redirect all of the existing taxi licensing functions away from local authorities and into a national licensing authority. It also proposes to confer a power on the Welsh Ministers to create national standards, which the JTA or local authority would have regard to when issuing licences.

#### **4. BASIS OF CONSULTATION RESPONSE**

- 4.1 The consultation itself is detailed and poses a large number of questions. Many of these are too detailed to warrant a Liverpool City Region response. Moreover, in the spirit of devolution, it is considered inappropriate for the Combined Authority to comment upon detailed issues of governance or power that solely and directly affect Welsh interests.

- 4.2 As such a short, high level response is proposed that outlines the following:-

- a) A brief outline of the genesis of the Liverpool City Region Combined Authority and its range of powers, to highlight the similarities in governance terms with proposals for Joint Transport Authorities in Wales and the advantages such bodies can bring.
- b) The potential to give local authorities in Wales the full suite of tools they need to plan transport at the most appropriate functional level is welcomed, as experienced in the LCR through the 2015 Devolution Deal. This can enable the best decisions on transport to be taken at the right strategic, geographic level.
- c) Allied to this is to welcome the principle of bringing additional transport regulatory powers to Wales that are on a similar footing to those enjoyed across the border (e.g. the ability to franchise bus services). This has the potential to achieve greater parity and consistency between the transport powers and governance arrangements of Wales and those of the Liverpool City Region. This reflects the fact that the LCR shares a national river boundary with Wales, in addition to close social, economic and transport links with North East Wales.
- d) Measures that enhance cross-boundary collaboration on transport issues are fully welcomed. Disparities between governance arrangements and associated powers can create practical differences when working on cross-boundary issues, and can pose barriers to achieving shared visions to enhance cross-boundary transport connectivity.
- e) It will be important to ensure that new powers available help to improve levels of clarity on where responsibilities for specific issues lie, e.g. for taxi licensing, bus operations, highways, ticketing, funding or transport planning. This will be important to maximise collaboration and efficiency of delivery.

- f) There should be a requirement for Welsh local authorities and the Welsh Government to consult with adjoining English local authority areas on the proposed use of the planned reforms and new governance models, to secure the best possible alignment across functional economic geographies.
- g) The LCRCA and Merseytravel would be very pleased to assist the Welsh Government and the constituent local authorities in any governance reviews or on its experiences of governance reform or on the use of new transport powers.

## **5. RESOURCE IMPLICATIONS**

There are no direct implications

## **6. RISKS AND MITIGATION**

There are no direct implications.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

There are no direct implications in this high level report.

## **8. PRIVATE IMPLICATIONS**

None – this is a public consultation and a public-facing draft response.

## **9. COMMUNICATION ISSUES**

There are no direct implications. The Liverpool City Region enjoys close and effective joint working relationships with the Welsh Government and now with Transport for Wales as its most recent executive body.

## **10. CONCLUSION**

- 10.1 This report presents to members an outline Liverpool City Region response to a consultation on improved public transport in Wales, the content of which is summarised above. This is an important and timely opportunity to further build on longstanding commitments and joint work with the Welsh Government and its partners on issues of enhanced cross-border connectivity.
- 10.2 This report sets out an outline response to the consultation and is pitched at a strategic level. This is because it is considered inappropriate for the Combined Authority to comment upon details of governance or powers that solely and directly affect Welsh interests.
- 10.3 The draft response welcomes the potential of additional transport powers being made available to Wales, as this has the potential to achieve greater parity and

consistency between the transport powers and governance arrangements of Wales and those of the Liverpool City Region.

- 10.4 Approval is sought from the Transport Committee to allow the finalisation of the response to be delegated to the Director of Policy and Strategic Commissioning, in full consultation with the Chair and Vice Chair of the Transport Committee, ahead of the Welsh Government's response deadline.

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Appendices:

None

Background Documents:

None