
Transport for the North Board Minutes

Meeting Date

25 January 2022

Meeting Location

Holiday Inn Manchester

Present:

Attendee

Cllr Louise Gittins (Chair)
Cllr Phil Riley
Cllr Craig Browne
Mayor Andy Burnham

Cllr Daren Hale
Cllr Charles Edwards
Cllr Liam Robinson
Cllr Martin Gannon
Cllr Stewart Swinburn
Mayor Dan Jarvis

Cllr Heather Scott
Cllr Hans Mundry
Mayor Tracy Brabin

Local Authority

Cheshire West & Chester;
Blackburn with Darwen;
Cheshire East;
Greater Manchester Combined
Authority;
Hull;
Lancashire;
Liverpool City Region;
North East Combined Authority
North East Lincolnshire;
South Yorkshire Mayoral Combined
Authority
Tees Valley;
Warrington;
West Yorkshire Combined Authority;

Rail North Authorities Attendees

Cllr Tom Smith

Lincolnshire;

Local Enterprise Partnership (LEP) Attendees

Annette McDonald
Justin Kelly
Mark Rawstron
Mark Roberts
Peter Kennan

Cheshire & Warrington LEP
Greater Manchester LEP
Lancashire LEP
Leeds LEP
South Yorkshire Mayoral Combined
Authority
LEP

Partners in Attendance:

Nick Bisson
Ben Smith

Department for Transport
Department for Transport

Officers in Attendance:

Name	Job Title
Martin Tugwell	Chief Executive
Gary Rich	Democratic Services Officer
Iain Craven	Finance Director
Paul Kelly	Financial Controller
Tim Foster	Interim Strategy & Programme Director
Julie Openshaw	Head of Legal
Peter Molyneux	Major Roads Director
Tim Wood	Northern Powerhouse Rail Director
David Hoggarth	Strategic Rail Director

Item No:**1. Welcome & Apologies (3 mins)**

1.1 The Chair welcomed Members and apologies were noted from Cllr Lynn Williams, Cllr Brookes, Cllr Little, Cllr Owen, Cllr Tucker, Mayor Driscoll, Cllr Miller, Cllr Les, Cllr Mackenzie, Cllr Waltham, Cllr Hannigan Cllr Aspden, Cllr D'Agorne and Steve Curl.

2. Declarations of Interest (2 mins)

2.1 There were no Declarations of Interest.

3. Minutes of the Previous Meeting (5 mins)

3.1 Mr Peter Kennan requested that the minutes of the previous meeting reflect the views expressed by the LEPs with regards to the IRP: in particular the concern of the business community that the IRP was a missed opportunity and support for retaining the ambition that underpins the TfN Board's preferred NPR network.

3.2 The minutes of the meeting of the Transport for the North Board held on 24 November 2021 were considered. The minutes were proposed by Mayor Jarvis and seconded by Cllr Hale.

3.3 The Chief Executive updated Members on matters arising from the previous minutes:

- The Decarbonisation Strategy and Major Roads Report were published in December and were positively received.
- TfN had been awarded an additional £336,000 in response to the opportunity to secure additional 'in-year' funding. The Chief Executive explained that this will be allocated as part of the Business Planning process.
- The first meeting of the General Purposes Committee is being organised and a meeting date will be sent out shortly.

Resolved:

That the minutes of the Transport for the North Board held on 24 November 2021 be approved as a correct record subject to the inclusion of the view and support of the LEPs for the response to the IRP.

4. TfN Appointments (10 mins)

- 4.1 Members received the report from the Chief Executive.
- 4.2 The Chair explained the process the Appointment Panel had undertaken in order to make a recommendation to the Board for the role of Chair.
- 4.3 Board Members thanked the elected Members who had sat on the Panel and the Interim Chair for their hard work and were supportive of the proposed appointment of Lord Patrick McLoughlin as the new Chair of the Board and Partnership Board. Members believed it to be the right appointment at the right time.
- 4.4 Mayor Brabin requested information detailing the steps which led from two candidates to the final preferred candidate. She also asked for the probationary objectives to be shared with Members.
- 4.5 The appointment of Lord Patrick McLoughlin was proposed by Cllr Hale and seconded by Cllr Edwards.
- 4.6 Members unanimously voted in favour of the appointment of Lord Patrick McLoughlin as the new Chair of the Transport for the North Board and Partnership Board.

Resolved:

- 1) That the Board approves the appointment of Lord McLoughlin, the Appointment Panel's recommended candidate, as the Chair of the TfN Partnership Board from 26 January 2022;
- 2) That the Board notes that in approving this candidate, Lord McLoughlin is by operation of the Sub-national Transport Body (Transport for the North) Regulations 2018 co-opted to the TfN Board;
- 3) That the Board approves the appointment of Lord McLoughlin, the Appointment Panel's recommended candidate, as the Chair of the TfN Board from 26 January 2022;
- 4) That the Board notes the formal start date for the Chair and support to be provided by TfN officers;
- 5) That the Board approves that the Vice Chairs with the support of TfN's CEO agree Lord McLoughlin's probationary objectives and monitor performance.

- 4.7 The Chief Executive informed Members that Mr. Iain Craven (the current Finance Director and S151 Officer) is leaving Transport for the North in March. He took the opportunity to thank him for all his hard work on behalf of TfN, highlighting the key role that Mr. Craven had played in establishing TfN. In addition, he expressed a personal thank you for the support he had received from Mr. Craven since joining TfN last August.

He explained that having considered the requirements of the role it was clear that the current Finance Controller Mr. Paul Kelly has the requisite experience, skills and qualifications to fulfil the role. It was on this basis that Mr. Kelly was recommended as Interim Finance Director for an initial 6 months. This arrangement would help with continuity during the transition post-IRP. Subject to the Board agreeing the recommendation, arrangements were in hand to ensure that the Financial Controller post is to be back-filled.

- 4.8 Members echoed the sentiments of the Chief Executive and thanked the Finance Director for all his help hard work and support.
- 4.9 The appointment of Mr. Paul Kelly as Interim Finance Director (S151 Officer) was proposed by Cllr Mundry and seconded by Cllr Swinburn.
- 4.10 The Board voted unanimously to appoint Mr. Paul Kelly.

Resolved:

That the Board approves the appointment of Paul Kelly, as Interim Finance Director (S151 Officer) from 17 March 2022.

5. Integrated Rail Plan (25 mins)

- 5.1 Members received the report from the Strategy and Programme Director.
- 5.2 The Chair informed Members that the Department had published the day before a document setting out the technical evidence that it had used in determining the IRP.
- 5.3 The Chief Executive highlighted to the Board that he was proposing an additional recommendation to the report that would confirm his authority to use his delegated powers to enable an orderly transition on those areas of work identified as needing to transfer to the Department for Transport. He drew the Board's attention to the fact that he would be engaging with the Department to ensure the roles and rights of staff affected by the transition are protected: this would be secured through the application of TUPE. He also highlighted that he had received a request from the Department for two secondments and that he was progressing those with a view to enabling them to happen.

- 5.4 He restated the point made at the previous meeting that the Department has been clear throughout the process that Transport for the North's role and functions as a statutory Subnational Transport Authority are not affected by the change in NPR working arrangements.
- 5.5 Before outlining the key points within the report, the Strategy and Programme Director gave Members his initial views on the technical annex released by the DfT. He explained that the information that had been provided was less detailed than had been anticipated and that TfN would be requesting the Department to confirm whether there is more technical detail that can be shared for a full assessment to take place.
- He explained that the information in the technical evidence had not taken into account the wider economic and social aspects of the investment. He advised that a more substantive assessment of the technical annex evidence would be provided to Board in March.
- 5.6 The Chair asked Members to focus their comments on the draft submission to the Transport Select Committee, a draft of which had been included in the papers and which needed to be submitted in the next couple of days. She expressed her disappointment at the lack of detail in the information that the DfT had provided and highlighted the fact that the Board's advice has always been evidence driven.
- 5.7 Members echoed the disappointment of the Chair at the lack of detail in the information that had been released by the DfT. A common concern was that decisions had been narrowly focused on costs and that wider considerations of economic, social and environmental benefits had not been taken into account: Board members observed that this seem to be a missed opportunity given the context of the forthcoming Levelling Up White Paper.
- 5.8 Members suggested a number of additions that would strengthen the submission to the Select Committee. The Board stressed the importance of focusing on the need for additional capacity, to accommodate additional demand (both passenger and freight). On this issue Cllr Hale specifically raised the importance of electrification of the lines into the ports of Hull and Immingham (global gateways for the UK) and how this would help with the decarbonisation agenda.
- 5.9 Mayor Brabin expressed concern around the potential for timetable conflict that would arise from accelerating some trains, noting that this would have implications for local stopping trains. She suggested that TfN submit a late paper to the Select Committee that underscores Members concerns: the Chief Executive assured Board members that their concerns could be picked up in the main submission.
- 5.10 Mayor Jarvis and Mr. Mark Rawstron highlighted the importance of ensuring that TfN's submission was clear in its key messages. Mayor

Jarvis highlighted the importance of continuing to provide stakeholders across the North of England with considered advice on the key issues.

Mr. Rawstron suggested that within the submission to the Select Committee there should be an Executive Summary. He also stressed the importance of the submission highlighting the cross-party support of the submission and the support of the business community. He stated that these messages need to be constantly reiterated.

- 5.11 Mayor Burnham stated that TfN should encourage the Select Committee to unpick the evidence base on which the IRP decisions had been made and restated the importance of looking at value for money in the round. He emphasised the importance of encouraging the Select Committee to consider the issues of disruption arising from the IRP proposals. He reminded the Board that they had previously raised the importance of examining the contribution of uplift in land values.
- 5.12 Cllr Edwards raised the need for clarity on the Co-sponsorship role and encouraged TfN to be proactive in setting out what it sees as being required. The Chief Executive noted that the paper started to do this and that he was continuing to push for more details so as to be able to bring it to the Board for its consideration.
- 5.13 Mr. Justin Kelly highlighted that the business community remained concerned about the IRP: in particular he highlighted the importance of seeing improved connectivity as a means of addressing the issue of productivity and being able to move people around so they can easily access their work locations.
- 5.14 The Chief Executive thanked Members for their input which he explained would be built into the presentation to the Select Committee.

On the Co-Sponsorship role, he highlighted that he had drawn to the Department's attention the Rail North Partnership model as a positive example of collaborative partnership and how this model can be built upon.

- 5.15 Mr. Peter Kennan flagged the importance of ensuring the business voice feeds into TfN's input as co-sponsor.

The Chief Executive explained that once the principles of the co-sponsorship role had been agreed by both the TfN Board and Ministers then he would look to the General Purposes Committee to consider in more detail how it would fit within TfN's governance arrangements.

Resolved:

- 1) That Board notes the progress outlined in section 3 of the report and the update on transition arrangements and implications in section 4.

- 2) That Board agrees the proposed approach to the Transport Select Committee inquiry in section 5, subject to the points raised in discussion.
- 3) That Board supports the section on co-sponsorship (section 6) including the principles outlined in Appendix 3 and the CEO's future vision for TfN (Appendix 4).

That the Board confirms that the Chief Executive has delegated authority to undertake such discussions as required to affect the orderly transition of functions activities and staff in accordance with the requirements of TUPE that arise in consequence of the changes in NPR working arrangements announced by the Department for Transport.

6. Budget and Business Planning (25 mins)

- 6.1 Members received the report of the Finance Director who highlighted the key elements of the report.
- 6.2 The Chair expressed concern that the TfN has not yet received a funding settlement and the impact that this is having on the lives of Officers.
- 6.3 The Chief Executive noted that the DfT has restated that TfN's role as a statutory body and the duties that the organisation needs to fulfil remain the same; however, the funding has not yet been allocated to reflect this commitment.

He also expressed concern as to the impact that this uncertainty is having on the ability of TfN to deliver its agreed work programme, as well as the impact it is having on the health and well-being of the staff. With this in mind he proposed an additional recommendation to the paper: namely that the Chair write to the Secretary of state requesting an urgent meeting be set up so this issue can be addressed. [A draft of the letter had been tabled prior to the meeting.]

- 6.4 Members expressed their support for the staff and their increasing concern about the impact the uncertainty was having. In addition, they flagged their concern about the potential loss of knowledge should they move on due to the lack of certainty.

Members suggested that they would raise their concerns during upcoming individual meetings with the Secretary of State.

- 6.5 Mr. Ben Smith stated that the Department understands the need for the funding situation to be resolved as soon as possible and that this has also been made clear to Ministers. He explained that the Secretary of State was keen to meet with the new Chair and understood that the issue of funding would be discussed at this meeting. He also confirmed that none of the Sub National Transport bodies had received notification of their funding: the meeting noted that unlike other STBs, TfN as a

statutory body has to set a funded budget before the end of the financial year.

Resolved:

- 1) That the current uncertainty in relation to TfN's financial position and the steps taken in mitigation be noted;
- 2) That the commencement and completion of the required TUPE process with the DfT in relation to posts funded through Transport Development fund be approved;
- 3) That the financial performance in the nine-month period to December 2021 be noted and that the Revision 3 Budget be approved;
- 4) That the current risk position be noted and the deferral of the Corporate Risk Register report until the Board meeting in June 2022 be approved.
- 5) That the Interim Chair write to the Secretary of State seeking an urgent meeting to resolve the uncertainty regarding TFN's core funding.

7. Rail Investment Planning Update (10 mins)

- 7.1 Members received the report from the Strategic Rail Director who outlined the key points in the report.
- 7.2 Members discussed a variety of issues including the East Coast Mainline, Liverpool Central station and the Skipton to Colne link.

In relation to the East Coast Mainline Mr. Peter Kennan highlighted the importance of services that are currently suspended due to Covid continuing to be treated as part of the substantive timetable. He stressed the importance of not assuming that because a service had been suspended it was necessarily of a lower value than those services kept running. He accepted that there was a need to review services overall in light of the changes in circumstances, but this needed to be based on the substantive timetable.

The Chief Executive noted that any review of the timetable needed to take into account shifts in demand that had taken place as a result of wider changes post-pandemic: it was not necessarily the case that what was had before was needed moving forward.

Resolved:

- 1) That the progress with development of the case for capacity upgrades to the East Coast Main Line, impact of the Integrated Rail Plan and pending update of the Rail Network Enhancements Pipeline be noted;
- 2) That Board supports the proposal to create a collaborative working model for development of the infrastructure for the East Coast Main Line north of York, on the same model successfully being used in Manchester including a 'Blueprint' to identify a co-ordinated long-term service and infrastructure solution to deliver the capacity and connectivity required across the North

and to advise the Department for Transport and Network Rail that this is our view;

- 3) That Board supports the need for the study identified in the IRP in relation to connectivity between Sheffield and Leeds to be taken forward at pace;

8. Rail Business Planning (10 mins)

8.1 Members received the report from the Strategic Rail Director who outlined the points in the report.

8.2 During the discussion of this item the meeting became inquorate.

8.3 Mayor Burnham expressed concern about elements of the report which he took as indicating the need for further reductions in services (compared with the base-line timetable) in subsequent financial years (years 2 and 3 of the current business planning round).

Concern was also expressed as what the requirement for workforce modernisation might mean in terms of the customer experience: both he and Members are worried about the potential for changes to impact on public confidence including the sense of safety as a result of this.

8.4 Mayor Brabin supported Mayor Burnham's comments: in doing so she flagged the strength of the rail recovery in the North post-pandemic, noting that the recovery was consistently stronger and faster than the national average.

8.5 Mr. Peter Kennan requested that the scope of the paper be made wider and that all partners involved in TfN are engaged with and not just those in the Rail North Partnership.

8.6 When looking at the need for efficiencies Cllr Robinson suggested that it was appropriate to consider the scope for reforms to the rolling stock leasing industry as an opportunity that needed to be explored. He suggested that Officers should do a piece of work on this matter. In noting the point made by Cllr Robinson the Chief Executive asked for the Board to bear in mind the current situation and the implications this has on committing to additional work in the short term.

8.7 Cllr Mundry raised the issue of lack of infrastructure investment, and in particular highlighting the importance of having a degree of certainty in the short/medium term: this would provide local partners (and potential investors) with greater confidence to plan their own investment

Resolved:

- 1) That the Board welcomes the strong recovery in rail passenger numbers in the North, noting that this is significantly higher than the national average;

- 2) That the Board supports the argument that the strength of the North's rail market should be a key consideration for Government when considering the allocation of future funding to support growth in rail patronage;
- 3) The Board welcomes the work of the Rail North Committee in supporting the Rail North Partnership through the business planning process as a means of enabling the North's priorities to be taken into account;
- 4) That officers undertake work on the way rolling stock is leased and financed with a view to identifying alternative savings the industry could make;
- 5) That Board would oppose future reductions in services and staffing levels given the service reductions already applied in the December 22 timetable and the need for a growing railway in the north to support the recovery and TfN's objectives.

9. Union Connectivity Review (15 mins)

- 9.1 Members received the report from the Strategy and Programme Director who took the report as read.
- 9.2 Mayor Burnham noted that the HS2 Phase 2B Bill had recently been deposited in Parliament and expressed his concern that the Union Connectivity Review undermines the HS2 Bill in relation to the Goldborne Link. He requested that the Chief Executive seek clarity on this issue. Cllr Edwards was in agreement on this issue and welcomed any clarity that could be obtained.

Resolved:

- 1) That Board welcomes the publication of the Union Connectivity Review;
- 2) That Board agrees to use the Strategic Transport Plan and its supporting evidence base as the basis for engaging with the Department for Transport as the Government develops its response;
- 3) That an early discussion be sought with Transport Scotland with a view to identifying how both organisations work on improving strategic connectivity;
- 4) That an early discussion be sought with Transport for Wales with a view to identifying how both organisations might build on joint working through the West and Wales partnership to improve strategic connectivity.

10. Strategic Transport Plan Policy Development (10 mins)

- 10.1 This item was deferred until the Board Consultation call on 23 February 2022.