



## Highways Committee 14<sup>th</sup> December 2010

### Report from the Head of Transportation

For Action

Wards Affected:  
ALL

## Brent Local (Transport) Implementation Plan (LIP) 2011-2014

### 1.0 SUMMARY

- 1.1 The Mayor for London is responsible for producing a transport strategy for London and for the implementation of policies and proposals to implement that strategy.
- 1.2 All London Boroughs are legally required to prepare a Local Implementation Plan (LIP) in the form of a document setting out how the borough intends to facilitate the local delivery of the Mayor's Transport Strategy (MTS).
- 1.3 The Mayor for London published his Transport Strategy on 10th May 2010 after extensive consultation. The MTS was developed alongside the London Plan and Economic Development Strategy. Simultaneously, a guidance document stating how Boroughs were to prepare their MTS supportive LIPs was issued by Transport for London (TfL) alongside a submission timetable.
- 1.4 Officers have prepared a draft LIP. The draft LIP has taken account of the TfL guidance and has been informed by Brent's Corporate Strategy and local and sub-regional transport needs and priorities.
- 1.5 The draft LIP is shown at Appendix "A". This report sets out the background and content of the LIP and seeks Committee approval to submit the draft LIP to TfL (in accordance with their timetable and requirements) and to commence the necessary consultation on the LIP.
- 1.6 This report explains that, after consultation and any necessary amendments; the final LIP document will be presented to Committee for approval, prior to submission to TfL, at a later date.

- 1.7 Once approved by TfL/The Mayor, the LIP (which is a second LIP) will become a statutory document supporting Brent's transport improvements, interventions and priorities.

## **2.0 RECOMMENDATIONS**

- 2.1 That the Committee notes the requirement to prepare and submit a draft Local Implementation Plan and an accompanying Strategic Environmental Assessment, to Transport for London by the 20th December 2010.
- 2.2 That the Committee approves the submission of the draft LIP as set out in Appendix "A", together with the associated Strategic Environment Assessment, to Transport for London
- 2.3 That the Committee approves the draft LIP as set out in Appendix "A", together with the associated Strategic Environment Assessment, for the purpose of consultation with residents and other stakeholders.

## **3.0 DETAIL**

- 3.1 The legislative framework of the GLA Act 1999 (as amended) requires the Mayor for London to publish a transport strategy for London. The (second) Mayor's Transport Strategy (MTS) was published in May 2010 after extensive consultation. It is the principal policy tool through which the Mayor exercises his responsibilities for the planning, management and development of transport in London. It supports the London Plan and his Economic Development Strategy.
- 3.2 The same legal framework requires all London Boroughs to develop and produce, for the Mayor's approval, a Local Implementation Plan (LIP) in the form of a document setting out how the borough intends to facilitate the local delivery of the MTS. A LIP should set out proposals for facilitating the delivery of the MTS and emerging Sub-Regional Transport Plans at a local level. The LIP must include a timetable for delivery and a date by which all the proposals will be implemented. It should provide robust justification based on local circumstances where proposed borough interventions will contribute to outcomes which are contrary to the MTS goals or explain why MTS goals are not applicable
- 3.3 TfL published LIP (production) Guidance at the same time as the MTS. The guidance was developed by TfL in partnership with London Councils as part of a strategy to reduce the prescriptive and overly onerous regime that developed around production of the first LIPs.

The TfL LIP Guidance Document suggests that a LIP document should consist of 3 main sections as summarised below. Officers have developed the draft LIP shown in Appendix "A" in accordance with that guidance

### **LIP Section 1: *Borough Transport Objectives:***

This Section sets the geographical context of the borough and presents evidence based objectives that set the context for the rest of the document. Boroughs must identify how they intend to work towards the Mayor's 6 MTS goals of:

- Supporting economic development and population growth;

- Enhancing quality of life for all Londoners;
- Improving safety and security of all Londoners;
- Improving transport opportunities for all Londoners;
- Reducing transport's contribution to climate change, and improving its resilience.
- Supporting delivery of the London 2012 Olympic and Paralympic Games and its legacy

This section presents the local context and geographical characteristics of the Borough, identifies how the borough will work towards achieving the 6 MTS goals. It must identify a set of locally specific LIP objectives which reflect Mayoral, sub-regional and local priorities, links to a Strategic Environmental Assessment (SEA), the boroughs equalities duty and the Network Management Duty (NMD) and take account of the commitments in TfL's Business Plan and Investment Programme. This section provides the opportunity for Boroughs to define its wider Corporate priorities and set out its local transport needs and aspirations. The section provides the context for, and determine, the following two LIP requirements.

#### **3.4 LIP Section 2: *Delivery Plan 2011-14:***

This Section comprises a fundable programme of "interventions" (schemes or initiatives), which cover 'Corridors, Neighbourhoods and Supporting Measures (Smarter Travel), principal road highways maintenance and Major Schemes. In accordance with the guidance, this section also identifies how interventions will deliver the Mayor's higher profile outputs of:

- Cycle superhighway schemes;
- Cycle parking;
- Electric vehicle charging points;
- Better Streets;
- Cleaner local authority streets;
- Street trees.

- 3.5 This section is consistent with the three year indicative LIP funding allocation (2011-2014) that TfL provided subsequent to the 2010 Central Spending Review. The delivery plan provides the high-level programme of investment by year for 2011/12, 12/13 and 13/14 and by category across the main fundable LIP categories, identifying them separately. The delivery plan identifies where project funding will be sourced. The delivery plan identifies which of the MTS goals and outcomes each programme 'category' supports and identifies how delivery of the Mayor's high-profile outputs will be supported at the borough level.
- 3.6 The delivery plan contains a section on "Major Schemes" funding which contains details of the Council's current major scheme, its borough 'priority', how it will be funded, when the major scheme "application" is expected and how the proposed scheme would contribute to LIP objectives and targets including the impact on relevant targets and trajectories

#### **3.7 LIP Section 3: *Performance Monitoring Plan:***

For this section, the guidance is that boroughs must identify and agree with TfL appropriate targets in various areas. It is suggested that boroughs may also choose to adopt other targets. The Performance Monitoring Plan requires boroughs to agree locally specific targets with annual milestones or trajectories for mode share, bus service reliability, asset condition, road traffic causalities and CO2 emissions.

- 3.8 The Guidance states that interim targets should be set for 2013/14 with longer-term targets identified for a future end date when the impact of sustained investment will have had a chance to take effect (e.g. 2020/2021). All boroughs are required to include a completed version of a pro-forma to provide details of each target set, including the base year and baseline data. Boroughs must set trajectories, with annual milestones, for each of the agreed mandatory targets. Present each in the form of a simple graph

TfL have identified the following statutory indicators:

- Mode share;
- Bus reliability;
- Asset condition;
- Road traffic causalities;
- CO2 emissions.

- 3.9 The Guidance states that Boroughs must demonstrate a clear link between Objectives, Delivery Plan and the Proposed Targets. Each target should have supporting evidence that it is both ambitious and realistic, given indicative funding levels, identifies key actions needed to achieve the target and identifies the principals risks to target achievement and how these will be managed. The LIP must present how the borough proposed to keep progress against targets under review and address areas of over or under performance. Section 3 in the draft LIP is consistent with the guidance.
- 3.10 Boroughs are not required to provide a detailed response to each of the Mayor's policies and proposals. Additionally TfL does not require separate mode or policy-specific strategies and plans to be submitted - where boroughs have these they should simply be referenced. Ultimately, the (second) LIP documents are intended to be both shorter and more concise than those produced for the first round in 2005.

Officers have developed the draft LIP set out in Appendix "A" in accordance with TfLs guidance. The draft has been informed by the Council's Corporate Strategy and wider priorities as well as local transport needs and aspirations.

As a result, officers are confident that it is likely to gain the Mayor's approval when eventually submitted. This will enable the Council to meet its legal obligations at the same time as enabling it to maximise opportunities for inward investment in Brent's infrastructure from TfL and others.

- 3.11 The LIP process has a consultation requirement linked to it. This requires Councils to consult with the relevant Commissioner of Police for the Metropolis, TfL, organisations that represent disabled people and other (relevant) London boroughs and any other person required by the Mayor.

Subject to Committees approval, officers will commence consultation on the LIP. In addition to the prescribed consultation, officers will visit the Council's Area Consultative Forums and discuss the plan with residents on an informal basis. Arrangements will also be made to publish and publicise the draft LIP and capture responses to the draft.

Similarly, subject to the Committees approval, the draft LIP will be submitted to TfL by 20<sup>th</sup> December 2010, for their comment and in accordance with their prescribed LIP timetable.

All consultation responses will be captured and will inform any amendments to the final draft LIP that will presented to the Committee in early 2011 with a view to submitting the Councils final LIP to TfL for the Mayor's approval in April 2011.

There is a need to provide evidence that all statutory consultees have been consulted during the LIP preparation and formal statutory consultation period and demonstrate how their views have been taken into account, highlighting additional organisations or groups that have been consulted. Arrangements are in place to comply with that requirement.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from this report and the recommendations set out in 2.0.

However there is a direct relationship between the content of the (final & approved) LIP and the fixed block of capital funding from Transport for London (TfL) on an annual basis made available through section 159 of the GLA Act.

- 4.2 The funding is allocated to key themes/groups of projects including Corridors & Neighbourhoods and Smarter Travel. Annual funding is also received for (principal road) highways and structural (bridges) maintenance. A fund for 'Major Schemes' exists whereby boroughs can bid for funding to progress projects costing in excess of £1million

The amount of funding allocated to each borough is determined through a funding 'formula' that uses a number of metrics to establish 'need' on a consistent basis across all 33 London boroughs. The funding is provided to boroughs to deliver schemes that address key Mayoral objectives which reflect local priorities.

- 4.3 TfL advised boroughs of their settlement on 4<sup>th</sup> November 2010. Following the Spending Review 2010 (SR10) the overall support available to boroughs through the LIP process has been reduced to reflect the new profile of the "General Grant" TfL receives from DfT. This equates to an overall London-wide reduction in LIP funding (on that which was previously envisaged) of £4.0m (-3%) in 2011/12, £8m (-5%) in 2012/13 and £18m (-12%) in 2013/14.

The overall implications are as follows:

- There is a (London-wide) LIP Capital Funding decrease of £4m (-3%) for 11/12, £8m (-5%) for 12/13 and £18m (-12%) for 13/14 on pre-CSR allocations (of £150m pa for 3 years)
- However, for Principal Road Maintenance – there is no decrease (c£15m pa London-wide)
- Bridges – re-profiled to avoid 2012 (Olympics) and reduced
- Major Schemes – slightly lower increase than envisaged
- Discretionary funding – no change

The notified settlement for Brent is summarised below. This represents an 11% decrease in funding for 2011/12, 14% decrease for 2012/2013 and 23% decrease for 2013/14 (using the 2010/11 settlement as a base-line).

- 4.4 In accordance with normal arrangements, the Council's proposed programme of LIP funded schemes and initiatives were submitted to TfL for approval earlier this year. Now that the final allocation for 2011/12 has been advised officers will need to review the 2011/12 programme to identify reductions of c£120k in Corridors/Neighbourhoods and Smarter Travel, so as to adjust the programme to the revised allocation.

The review will also need to encompass the 12/13 and 13/14 programme – particularly since schemes span financial years. That analysis will need to be completed by the end of December 2010 in order that the programme can be presented to Committee for approval in early 2011.

**Table 1. Brent Summary\***

Funding type	10/11 allocation (£k)	Pre-CSR allocation 11/12 (£k)	Post-CSR allocation 11/12 (£k)	12/13 (£k)	13/14 (£k)
Principal Maintenance	Road	622	740 <sup>^</sup>	591	600 (est.)
Corridors		1574	1820		
Neighbourhoods		1148	640		
Smarter Travel		406	368		
Sub-total		2828	2711	2600	2229
Discretionary		100	100	100	100
<b>Total</b>	<b>3850</b>	<b>3668</b>	<b>3402</b>	<b>3300</b>	<b>2929</b>
Reduction on 10/11	-	5%	11%	14%	23%
Reduction on previous year			11%	3%	11%
Reduction on anticipated			7% <sup>^</sup> (inflated by 11/12 overbid on maintenance)		

\*Excludes Bridges & Major (formerly ABS) Schemes

Major Schemes: The Major Schemes programme supports larger projects (of more than £1m in value) which meet the principles of the Mayor's *Better Streets* agenda. Funding is awarded through a competitive bidding process. Following SR10 it is proposed to support a slightly smaller increase in funding in 2012/13 and 2013/14 than was previously announced (to £26m in 2011/12 and then £27m in the following two years). This will enable all the current committed Major Schemes to be progressed, together with support for a limited number of new schemes. Officers are working to secure funding for Harlesden Town Centre from this fund. There is, however, no certainty attached to securing the funding.

Borough 'discretionary' budget: Since 2009/10, £100k/borough through the LIP settlement for use at their discretion on transport projects, provided the use is in accordance with section 159 of the GLA Act. The discretionary budget has proved very popular with the London boroughs and it is proposed to retain the discretionary funding at the current level.

- 4.5 The draft LIP that is presented for approval here has been informed by TfL's Business Plan and the LIP allocation process. The draft LIP sets a framework against which

inward investment for transport in Brent by TfL and partners can be maximised. Although there is no reason to doubt that the allocation(s) set out in recent communications from TfL will be forthcoming, approval of the draft LIP for consultation and submission to TfL will not commit the Council to investment from its own resources if that TfL investment does not materialise.

## **5.0    LEGAL IMPLICATIONS**

- 5.1 As with the previous MTS, the Greater London Authority Act 1999 places a statutory requirement on each London Borough to produce a second LIP demonstrating how the authority will implement the policies, strategies and programmes necessary to achieve the objectives of the MTS. Consideration must also be given to objectives set out in other Mayoral Strategies throughout the development of their LIP documents.
- 5.2 Brent Council, in common with all London Boroughs, is also required to undertake a Strategic Environmental Assessment (SEA) of the LIP under European Directive 2001/42/EC (implemented in England, via the Environmental Assessment of Plans and Programmes Regulations 2004, SI 2004 No.1633). Brent Council have appointed Transportation Planning (International) Ltd. to undertake the SEA on their behalf. Further details are presented in Section 8 - "Environmental Implications".
- 5.3 The word 'required' is used in the (May 2010) Transport for London LIP Guidance Document to indicate the minimum level of information that the Mayor considers necessary to allow him to judge whether a particular submitted LIP meets the requirements of the GLA Act 1999 in terms of content (s 145), consistency with the MTS (s 146(3)) and implementation following approval (s 151). This is done to provide clarity as to what is needed, and to save boroughs unnecessary time and expense in the LIP approval and monitoring process. These are matters where the Mayor might be minded to make a direction under s 153(1)(a) of the Act if the information concerned is not to be forthcoming, although no such formal direction(s) is actually made in the Guidance Document.
- 5.4 Section 143(1). Under s163(3) of the GLA Act 1999, the Mayor cannot approve a LIP unless he considers that:
  - It is consistent with the MTS;
  - The proposals contained in the LIP are adequate for the purposes of the implementation of the MTS;
  - The timetable for implementing the proposals (e.g. the three-year Programme of Investment) and the end date by which the proposals are implemented are adequate.

The Mayor has extensive powers to prepare the LIP if an authority fails to prepare one that is, in his opinion, 'adequate' (s147).

## **6.0    DIVERSITY IMPLICATIONS**

- 6.1 The submission of the final LIP will be accompanied by an Impact Needs Requirement Assessment (INRA). INRA provides the basic information required to identify equality implications as part of the development of a new plan. Unlike an Equalities Impact Assessment (which looks at only the impact of *changes* in policy or practice) an INRA is an initial collection of information to look at the impact of *current* policy (i.e. the *existing* LIP); and an assessment of needs and requirements associated with the Plan which

then facilitates developments to any policies or objectives that carry adverse equalities implications.

- 6.2 However, equalities considerations are central to the work of officers in transportation and as part of the development of the draft LIP, officers believe that there are no diversity implications arising from the objectives contained within the Plan. Also, specific diversity implications relating to individual schemes will be identified and addressed as part of individual consultations that are carried out as part of the scheme designs and development, prior to implementation and as part of the Delivery Plan (as detailed Section 2) of this Report.

6.3 **The Race Equality Scheme (RES)**

As a public body Brent Council has an obligation to ensure it complies with the Race Equality Scheme (RES) as one of the Council's statutory duties. Guidance from the Commission for Racial Equality states that public bodies should assess the impact on the general duty to promote race equality of any *new* policies as well as any changes to existing policies.

The Scheme must state the public authority's arrangements for:

- assessing and consulting on the likely impact of its proposed policies on the promotion of race equality;
- monitoring its policies for any adverse impact on the promotion of race equality
- publishing the results of such assessments and consultation
- ensuring public access to information and services which it provides; and
- training staff in connection with the duties imposed by the Race Relations Act and the Order.

Officers will ensure that Brent's Corporate Race Equalities Scheme / Equal Opportunities Policy is fully embraced as part of the development of the draft and final Local Implementation Plan process.

**7.0 STAFFING IMPLICATIONS**

- 7.1 There are no significant staffing implications arising from this report.

**8.0 ENVIRONMENTAL IMPLICATIONS**

- 8.1 The proposals in this report have been assessed by way of the Strategic Environmental Assessment (LIP) linked to the Council's existing statutory LIP. There are no negative environmental implications of note arising from the funds allocated through the 2010-2011 Brent LIP funding application/settlement.

- 8.2 Brent Council, in common with all London Boroughs, is required to undertake a Strategic Environmental Assessment (SEA) of the LIP under European Directive 2001/42/EC (implemented in England, via the Environmental Assessment of Plans and Programmes Regulations 2004, SI 2004 No.1633). The Council has appointed a specialist consultant to undertake the SEA.

- 8.3 The overall purpose of SEA is to ensure that the environment is given appropriate consideration when developing the LIP by identifying, assessing and mitigating any significant environmental effects arising from the plans and programmes of the LIP.

The SEA is not intended to cover all environmental impacts or issues, nor is it intended to be a replacement for the various Council reports that publish data, targets and monitoring information. In addition, the SEA process and Environment Report are not designed to carry out an Environmental Impact Assessment of individual proposals or programmes. It is a strategic assessment of the significant impacts of the LIP as a whole.

- 8.4 The SEA is however, intended to be an iterative process, developed in tandem with the LIP document, and designed to ensure that the environmental impacts are taken into account at the earliest stages of the plan development. The SEA process is conducted in five discrete stages as shown in Table 1.1.

Table 1.1 – Five Stages of the 'SEA' Process

<b>SEA Stage</b>	<b>Description</b>
<b>STAGE 1</b>	<ul style="list-style-type: none"> <li>Set the scope and context for the SEA, establish the environmental baseline from existing information, identify problems and decide objectives</li> </ul>
<b>STAGE 2</b>	<ul style="list-style-type: none"> <li>Develop policy alternatives</li> <li>Produce an SEA Scoping Report and undertake initial consultation with environmental bodies</li> </ul>
<b>STAGE 3</b>	<ul style="list-style-type: none"> <li>Assess the effects of the LIP-2 on the environment and identify and assess potential mitigation options</li> <li>Production of the Environment Report</li> </ul>
<b>STAGE 4</b>	<ul style="list-style-type: none"> <li>Main consultation on the draft LIP-2 and Environment Report</li> <li>Produce Environmental Statement (post consultation)</li> </ul>
<b>STAGE 5</b>	<ul style="list-style-type: none"> <li>Determine indicators and monitor the significant impacts of implementing the plan on the environment</li> </ul>

### The SEA Process

- 8.5 The SEA process eventually culminates in the production of a final Environmental Report. A draft of this report, which identifies, describes and evaluates the likely significant environmental impacts of implementing the LIP, accompanies the draft LIP-2 document through the public consultation stage. Before this can be completed however, a Scoping Report summarising the findings of Stages 1 and 2 must be provided to statutory environmental bodies to allow opportunity for comments on the scope and level of detail of the SEA to that stage.
- 8.6 The Scoping Report details the environmental baseline and problems, identifies significant impacts, considers alternative LIP strategies and describes how the significant impacts of the LIP will be assessed. The primary objectives of a Scoping Report are:
- To set the objectives for the SEA;
  - To establish an environmental baseline for the study area;
  - To identify the significant environmental impacts of the LIP-2 for further consideration in the Environmental Report;
  - To summarise the findings of the SEA, through Stages 1 and 2;
  - To summarise the main tasks for the remaining stages of the SEA; and
  - To provide an opportunity for consultation with key environmental stakeholders

## Consultation on the scoping report

- 8.7 Consultation is integral to the LIP and hence the SEA process. At this earlier stage, it is a statutory requirement that Brent Council consult with the Environment Agency, English Nature, Countryside Agency and English Heritage on the Scoping Report. Other local stakeholders will be consulted and will have the chance to feed back when the Environmental Report is made available alongside the draft LIP for the purposes of wider consultation, early in 2011. The purpose of consultation at this earlier stage is to ensure that key environmental authorities agree on:
- The scope of the SEA in terms of area and time;
  - The key issues and level of detail to be covered in the Environmental Report;
  - An outline of the approach to assess each issue
  - Strategic alternatives that are to be discussed further;
  - The role of mitigation;
  - The levels of risk and uncertainty; and
  - Involvement of stakeholders.
- 8.8 The Statutory Consultees have a five week period to respond to the SEA scoping report from 8<sup>th</sup> November 2010 and responses to the SEA Scoping Report are due by Monday 13<sup>th</sup> December 2010. A verbal summary of any significant issues arising from responses received from statutory consultees will be provided at the meeting.

## **APPENDICES**

Appendix "A" – Draft (Brent) Local Implementation Plan 2011/12 to 2013/14.

## **BACKGROUND INFORMATION**

The (London) Mayor's Transport Strategy (May 2010).

TfL LIP (production) Guidance (May 2010).

TfL letter setting out Brent's LIP allocation – (4<sup>th</sup> November 2010).

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