

# Memorandum of Understanding

Between Midlands Connect and  
Transport for the North

September 2018



## 1. The Parties

1.1 This Memorandum of Understanding is between:

- Transport for the North  
and
- Midlands Connect

Hereafter referred to as “the Parties”.

1.2 An overview of the Parties’ organisations is at Annex 1.

## 2. Context and Purpose

### 2.1 Background

2.1.1 Under the Local Transport Act 2008, amended by the Cities and Local Government Devolution Act 2016, the Secretary of State for Transport can establish Sub-National Transport Bodies (STBs) for any area in England outside of Greater London. STBs can only be established if the Secretary of State considers it would facilitate the development and implementation of transport strategies for the area, and that the objective of economic growth in the area would be furthered by the development and implementation of such strategies. The specific powers of each individual STB must be requested in a proposal to the Secretary of State with the consent of all the constituent transport authorities within the area.

#### **Transport for the North (TfN)**

2.1.2 In April 2018, Transport for the North became England’s first Sub-National Transport Body, formed to transform the transport system across the North of England by providing the infrastructure needed to drive sustainable economic growth. As a public-private collaboration, Transport for the North brings together the North’s nineteen local transport authorities and Local Enterprise Partnership leaders together with Network Rail, Highways England, High Speed Two (HS2) Ltd, and Central Government. This collaboration enables the North to speak with one voice on the strategic transport infrastructure investment needed to drive transformational economic growth. Transport for the North does not replace or replicate the work of existing local transport bodies; its role is to add strategic value by ensuring that funding and strategy decisions about transport in the North are informed by local knowledge and requirements.

2.1.3 Transport for the North has been granted a range of statutory functions, including developing and implementing a transport strategy, in the form of the Strategic Transport Plan, and overseeing (jointly with the Department for Transport) franchised rail services covering Northern and TransPennine Express franchises. The full list of TfN's statutory powers can be found under the Sub-National Transport Body (Transport for the North) Regulations 2018. Transport for the North is a political neutral body.

### **Midlands Connect**

2.1.4 Several other areas of the country have set up 'shadow' Sub-National Transport Bodies, at varying levels of development, with the intention of receiving formal statutory status in the future. Such 'shadow' Sub-National Transport Bodies include Midlands Connect, England's Economic Heartland, and Transport for the South East. As the specific powers of each STB must be requested in a proposal to the Secretary of State, it may be that the powers and functions granted to each specific Sub-National Transport Body vary; nevertheless, there will undoubtedly be areas of common concern and interest, particularly given Sub-National Transport Bodies are brand new bodies and therefore their work and development is unprecedented.

2.1.5 Formally established in October 2015, Midlands Connect is a Partnership formed of 22 Local Authorities, 9 Local Enterprise Partnerships and 8 Chambers of Commerce. Stretching from the Welsh border to the Lincolnshire Coast, we work with our Airports, Highways England, Network Rail, HS2 Ltd and are sponsored by the Department for Transport to ensure a consistent voice across the region in support of long term transport infrastructure development. The landmark 'Powering the Midlands Engine' Strategy, (released in March 2017) provides a blueprint for the long-term transport infrastructure needed to realise the region's economic potential adding £5bn GVA per annum to the UK and Midlands economy.

2.1.6 Midlands Connect proposal for statutory status is currently in development and could be secured as early as Spring 2020. Until then the organisation has the mandate to work with its partners to deliver the programmes identified within the 2017 strategy.

## **2.2 Purpose**

2.2.1 Whilst TfN and Midlands Connect each have their own specific objectives, it is recognised that there will be many areas where an element of joint

working, discussion or consultation between the two STBs would be welcomed by both parties. Both TfN and Midlands Connect will face some of the same challenges and opportunities in their respective areas, both in their substantive transport policies but also in their development as Sub-National Transport Bodies. It is therefore recognised that a sharing of knowledge and ideas would be mutually beneficial.

- 2.2.2 This Memorandum of Understanding therefore sets out the Parties' commitment to engagement and consultation on these areas of mutual interest.

### **3. Objectives**

- 3.1 The Parties both have their own objectives and strategies. However, they share a common vision for vibrant, sustainable, growing economies in their areas and for decision-making to be made at the right geographical level. The following highlights some key policies from each organisation, showing how they are aligned.

#### **3.2 Transport for the North**

- 3.2.1 Transport for the North has a vision for a thriving North of England, where modern transport connections drive economic growth and support an excellent quality of life.

- 3.2.2 Four pan-Northern transport objectives have been developed, which in turn inform the role of the Strategic Transport Plan and Transport for the North's work programmes. These are:

- Increase efficiency, reliability and resilience in the transport system;
- Transforming economic performance;
- Improve access to opportunities across the North; and
- Promote and support the built and natural environment.

#### **3.3 Midlands Connect**

- 3.3.1 Midlands Connect are working with Government and national bodies to ensure the infrastructure our economy needs to grow is delivered. Midlands Connect role is not only to research, develop and recommend new routes to growth, it is also to hold national bodies to account to ensure the benefits we all want for businesses, residents and visitors are brought to fruition.

3.3.2 The Midlands transport network is at the centre of the national transport network. Therefore the Midlands also needs to be at the centre of national decisions that shape our economy, agreeing the activities for the next five years and setting the course for the longer term vision for our area.

3.3.3 Midlands Connect's strategy is based on the following objectives;

- Being HS2 Ready – as the first area to receive HS2, Midlands Connect wants to ensure that the benefits from this transformational project are maximised and felt across the region.
- Improving East-West Connectivity – Connections across the region can be poor on both road and rail, increasing reliability and reducing journey time, along with increased frequency for rail services are key to the region's future success.
- Being Resilient – so much of our network, is of national significance and has limited alternatives, we want to ensure going forward that we have a resilient network to cope with the unexpected, to ensure smooth passage of people and goods both to, from and through the Midlands.
- Working for Freight – So many of the Midlands businesses are dependent on the network, that it is a key part to our economy. Ensuring the networks work for freight means having consistent journey times to enable businesses to plan their journeys more effectively.
- Embracing technology – A long term plan needs to incorporate and plan technology into schemes. Our strategy will evolve alongside the technological enhancements which will impact on all our lives.

### **3.4 Alignment and Common Goals**

3.4.1 There are key areas where there is likely to be greatest synergy and opportunity between the two parties, including but not limited to:

- Sharing experience, knowledge and ideas on policy development and long-term funding in relation to STBs and their investment priorities;
- The development, management and investment of a Major Road Network;
- Collaborating on rail services that operate across areas, especially franchises that cover the Rail North Partnership geography;
- Sharing experience, knowledge and ideas on the development of Integrated and Smart Ticketing;
- Collaboration (where appropriate) on transport planning, modelling and appraisal;

- Joint approaches to the promotion of a sustainable strategic transport system, including through support for low carbon vehicles and future technologies, such as connected and autonomous vehicles;
- Sharing views on the implementation of legislation and policies relevant to transport and the organisations' common sustainable economic goals; and
- Sharing experience, knowledge and ideas on the development and implementation of a transport strategy.

## **4. Ways of Working**

- 4.1 The Parties agree that they will work in a collaborative spirit.
- 4.2 Officers from Transport for the North and Midlands Connect will meet on a regular basis to discuss any areas of mutual interest and concern.
- 4.3 Transport for the North and Midlands Connect agree to share details of any proposals, plans and strategies which may support and complement each other's work, subject to any confidential requirements, especially if they have cross border implications and benefits. As and when new work programmes are being developed, it is hoped that the Parties' will have early and constructive engagement with each other so that any knowledge and lessons can be learnt.
- 4.4 Transport for the North and Midlands Connect will continue to hold regular meetings with other STBs to discuss areas for policy alignment, lobbying, and joint working. This group will share best practice and reduce duplication, providing a clear forum for national bodies and DfT to engage with STBs at a national level.
- 4.5 For rail, a Midlands Connect – TfN Rail Forum will be established. This senior officers Forum will cover areas of common interest and shared opportunity, including the East Coast and West Coast Mainlines, HS2 Phase 2a and 2b, and work being undertaken by Growth Track 360 and the Constellation Partnership. It is expected this Forum will meet on a quarterly basis.

## **5. Status**

- 5.1 This Memorandum does not, and is not intended to, create any legal relationship between the Parties or to be binding on either party. All matters described in this Memorandum are subject to appropriate

corporate and regulatory authorisation and, where appropriate, formal agreement.

- 5.2 Nothing in this Memorandum shall affect the statutory or regulatory duties or responsibilities of any Party and its existence does not preclude the taking of independent actions by the Parties where any Party considers it is appropriate to do so.

## **6. Confidentiality provisions**

- 6.1 The Parties acknowledge that confidential information, including information of a commercially sensitive nature and any other information designated as being confidential (whether or not it is marked as Not for Publication - Confidential) may be exchanged for the purpose of this Memorandum. Subject to any statutory and regulatory requirements the Parties will keep such information confidential and prevent any third parties or representatives from making any disclosure of that confidential information.
- 6.2 If any Party (as public authorities under the Freedom of Information Act 2000) receives a request for information relating to activities undertaken under this Memorandum, it shall inform the other party of the request as soon as possible and discuss the potential application of any exemption. For the purposes of section 43(2) of the Act, the Parties acknowledge and agree that the disclosure of any commercially sensitive information relating to the activities undertaken under this Memorandum is likely to prejudice the commercial interests of the Parties.

## **7. Joint review**

- 7.1 The Parties commit to review this Memorandum and the working arrangements defined within it. A light touch review of this document will be carried out annually by the Parties, with a more comprehensive review to be carried out every three years by both Transport for the North and Midlands Connect. However, the Parties may propose amendments to this document at any time.

## **Annex 1**

### **Overview of the Parties' organisations**

#### **Transport for the North**

Transport for the North is England's first Sub-National Transport Body, formed to transform the transport system across the North of England, by providing the infrastructure needed to drive sustainable economic growth. As a partnership, Transport for the North brings together the North's nineteen local transport authorities and Local Enterprise Partnership leaders together with Network Rail, Highways England, High Speed Two (HS2) Ltd, and Central Government. This partnership enables the North to speak with one voice on the strategic transport infrastructure investment needed to drive transformational economic growth. Transport for the North will not replace or replicate the work of existing local transport bodies. Transport for the North's role is to add strategic value by ensuring that funding and strategy decisions about transport in the North are informed by local knowledge and requirements.

Under the Local Transport Act 2008, amended by the Cities and Local Government Devolution Act 2016, Transport for the North has been established as the first Sub-National Transport Body; the regulations establishing Transport for the North became effective on 1 April 2018.

Transport for the North's Board, the decision-making body of the organisation, is chaired by John Cridland, CBE. Transport for the North is made up of 19 Members, representing Transport for the North's Constituent Authorities, alongside co-opted Members from the 6 additional Constituent Authorities of Rail North, Local Enterprise Partnerships and the national delivery agencies.

#### **Constituent Authority Members**

- Blackburn with Darwen Borough Council
- Blackpool Borough Council
- Cheshire East Council
- Chester West and Chester Council
- The Council of the City of York
- Cumbria County Council
- The East Riding of Yorkshire Council
- Greater Manchester Combined Authority
- Kingston Upon Hull City Council
- Lancashire County Council
- Liverpool City Region Combined Authority
- North East Combined Authority



- North of Tyne Combined Authority
- North East Lincolnshire Council
- North Lincolnshire Borough Council
- North Yorkshire County Council
- Sheffield City Region Combined Authority
- Tees Valley Combined Authority
- Warrington Borough Council
- West Yorkshire Combined Authority

#### **Rail North Authority Members**

- Derbyshire County Council
- Lincolnshire County Council
- Nottinghamshire County Council
- Staffordshire County Council
- Stoke-on-Trent City Council
- Nottingham City Council

#### **Local Enterprise Partnership Members**

- Cheshire and Warrington
- Cumbria and Lancashire
- Greater Manchester
- Hull and Humber
- Leeds City Region
- North East
- North Yorkshire
- Sheffield City Region
- Tees Valley

#### **Delivery Partner Members**

- Highways England
- High Speed Two (HS2) Limited
- Network Rail

Transport for the North also has a Partnership Board, which is the statutory advisory body for Transport for the North. The membership mirrors that of the TfN Board with the addition of the Department for Transport.