

East West Rail Consortium
14th June 2018

Agenda Item 3: Terms of Reference

Recommendation: It is recommended that the meeting consider and agree – subject to any amendment agreed by the meeting – the revised Terms of Reference for the EWR Consortium

1. Background

- 1.1. At the Annual General Meeting held on the 11th April the EWR Consortium members agreed that there is a need to review and update the Terms of Reference for the Consortium.
- 1.2. The meeting agreed a set of guiding principles that officers were to use in developing the revised Terms of Reference.
- 1.3. Subsequent to the Annual General Meeting, officers from Consortium members have been engaged in developing the revised Terms of Reference set out in Annex 1.

2. Issues for Consideration

- 2.1. The meeting is invited to consider the revised Terms of Reference set out in Annex 1. In doing so it's attention is drawn to the following:
 - a) The definition of the purpose has been drafted in a way that reflects the desire and need for the Consortium to consider the East West Rail link in a wider strategic context – including wider linkages and the role of freight. This is consistent with the need to set out the on-going role for the Consortium as agreed at the Annual General Meeting.
 - b) Meetings of the Consortium will be held as 'the Strategic Board' involving all members. This is consistent with the desire, identified by the Annual General Meeting, to ensure the strategic nature of the East West Rail link is reflected in the Consortium's work.
 - c) The ability for the Strategic Board to establish sub-groups is set out, enabling bespoke working arrangements to be established to support individual elements of the overall project: this enables continuity – if required – with the work that has taken place under the 'western', 'central' and 'eastern' section banners.
 - d) The status of the Strategic Board is clarified – in terms of the meetings being closed to members of the Consortium but the papers being public documents.

- e) The role of Chairman and Vice-Chairman of the Strategic Board is set out, including the linkage with the emerging governance with the East West Railway Company: this was a key driver for undertaking the review of the Terms of Reference
- f) Limits are set out on the length of terms for both Chairman and Vice-Chairman: these have been included to encourage robust governance arrangements
- g) The linkage between the work undertaken by the Consortium with the wider strategic transport work undertaken by England's Economic Heartland (as the emerging Sub-national Transport Body) is picked up in the revised Terms of Reference, this ensures that the work of the Consortium is picked by England's Economic Heartland and likewise the Heartland's ability to commission work from the Consortium..

April 2018

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East West Rail Consortium DRAFT Terms of Reference

1. Purpose

- 1.1. The East West Rail Consortium promotes and supports the delivery of a strategic railway connecting East Anglia and Suffolk with Central, Southern and Western England.
- 1.2. The complete East West Rail link will deliver a step-change in east-west connectivity, linking Oxford, Milton Keynes and Cambridge on to Ipswich/Norwich. As well as this core purpose, by linking major national rail routes it would also enable better north-south connectivity across the whole of the corridor.
- 1.3. The Consortium will work with Government, the East West Railway Company, Network Rail, rail operators, Local Enterprise Partnerships and other interested parties, to ensure that the full potential of the East West Rail Link is realised in support of the delivery of economic growth and housing delivery.
- 1.4. In keeping with this ambition the Consortium's activities shall include identifying opportunities to use the East West Rail Link to:
 - a) Develop service linkages more widely across the rail network, both east west and north-south across the England's Economic Heartland and Transport East areas
 - b) Develop wider service linkages beyond the core East West Rail corridor across the rail network, including (but not limited to) linkages to the west of Oxford and linkages to London
 - c) Develop freight services as part of the UK rail network, recognising the opportunity East West Rail brings in terms of better connectivity to eastern ports, and as an alternative to routing freight traffic around London
- 1.5. The Consortium will work with emerging Sub-national Transport Bodies in particular England's Economic Heartland Strategic Transport Forum (to ensure that its activities inform the development and implementation of its overarching Transport Strategy) and Transport East.

2. Membership

- 2.1. Membership of the Consortium is open to organisations, businesses and bodies that support its purpose.

- 2.2. Membership applications are considered by the Consortium's Strategic Board at the first available opportunity after the application has been received by the Consortium's secretariat.
- 2.3. Members of the Consortium are required to pay an annual contribution. Upon an application for membership being approved a new member is required to pay the contribution current at that time. Where a new member joins the Consortium in the second half of the financial year, a reduction of 50% will be applied to the contribution for that year.
- 2.4. Membership of the Consortium shall be deemed to have ended if the annual contribution is not paid.
- 2.5. The interests of a Local Authority that is a member of the Consortium shall be represented by an elected Member of that Authority.
- 2.6. Each member organisation shall be responsible for advising the Consortium's secretariat of their nominated representative at the time of their application to join the Consortium.
- 2.7. Each member organisation shall be responsible for confirming their nominated representative with the Consortium's secretariat at the time of the Annual General Meeting.
- 2.8. Each nominated representative can be supported at meetings by an officer in order to provide technical and/or professional advice.
- 2.9. The Consortium may agree to invite third party organisations to be ex-officio members of the Strategic Board.

3. The Strategic Board

- 3.1. Meetings of the Consortium shall be held to conduct its business: this are known as meetings of 'the Strategic Board'.
- 3.2. All members of the Consortium are eligible to attend and participate in meetings of the Strategic Board.
- 3.3. Where the nominated representative of a Consortium member is unable to attend a meeting of the Strategic Board, a substitute may attend and represent that organisation.
- 3.4. Only members and ex-officio members of the Consortium may attend meetings of the Strategic Board: however the papers and minutes of the Strategic Board are matters of public record.
- 3.5. The Strategic Board will be responsible for:
 - a) Considering applications to join the Consortium
 - b) Monitoring progress with the delivery of the agreed work programme

- c) Considering issues arising as a consequence of the agreed work programme
 - d) Responding to requests from the Department for Transport, the East West Railway Company and Network Rail
 - e) Commissioning work to support the future development of East West Rail as appropriate, for example as outlined in section 1.4
 - f) Any other issue identified by the Chair as being consistent with the Consortium's purpose.
- 3.6. The Strategic Board will conduct its business at all times with a view to securing a collective position on issues through consensus.
- 3.7. Where the Consortium has an agreed collective position members of the Consortium should support this through the principle of collective responsibility.
- 3.8. The principle of collective responsibility does not preclude individual members making representations on any other issue
- 3.9. If the Chair determines that it is appropriate for the Strategic Board to hold a vote on a specific issue each current member of the Consortium shall be entitled to participate in that vote: all votes carry equal weight.
- 3.10. Ex-officio members of the Strategic Board do not have voting rights.
- 3.11. It is proposed that meetings of the Strategic Board rotate between locations to reflect the geography of the corridor

4. Annual General Meeting

- 4.1. The Strategic Board will hold an Annual General Meeting in March.
- 4.2. The Annual General Meeting shall, as a minimum:
- a) Elect the Chair and Vice-Chair for the forthcoming year.
 - b) To receive the report of the Hon.Treasurer on the Consortium's finances
 - c) To set the Consortium contribution for the forthcoming year
 - d) Confirm the named officers support officers for the forthcoming year – specifically Hon.Treasurer and Hon. Secretary
 - e) Discharge any other business deemed as being relevant by the Chair

5. Chair and Vice-Chair

- 5.1. The Chair and Vice-Chair:
- a) Must be from a local authority that is a current member of the Consortium

- b) Must, in combination, reflect the geographical breadth of the Consortium membership
- c) Are elected on an annual basis
- d) Are eligible to stand for re-election
- e) Must stand down from the role if they have served in the role for a continuous period of 3-years.

6. Accountable Body

- 6.1. Buckinghamshire County Council is the Accountable Body for the Consortium
- 6.2. Buckinghamshire County Council will, on behalf of the Consortium, collect all relevant financial contributions due.
- 6.3. Buckinghamshire County Council will nominate a lead officer who will act as the Hon. Treasurer for the Consortium and who will be responsible for presenting an overview of the Consortium's financial situation at the Annual General Meeting.

7. Consortium Secretariat

- 7.1. The secretariat supports the work of the Consortium.
- 7.2. It is managed by the Programme Director for England's Economic Heartland, a linkage that reflects the strategic significance of the project to the wider activity of the Strategic Transport Forum. The cost of this additional support is covered by EEH Business Unit.
- 7.3. The secretariat undertakes a wide range of activities in support of the Consortium, including:
 - Managing the work of the Consortium – including arranging and supporting meetings of the Consortium
 - Managing the Consortium's media work and promoting the project more widely
 - Engagement in technical meetings with Network Rail and Department for Transport relating to the detailed development of the project
 - Representating the EWR Consortium at meetings of the internal DfT Programme Board
 - Engagement with the East West Railway Company – including ensuring that the Consortium's agreed position is taken into account
 - Commissioning and managing bespoke pieces of technical work agreed by the Strategic Board on behalf of the Consortium.
 - Maintaining records of 'Work in Kind' undertaken by Consortium members and submitting details to the Department for Transport

- Managing the network of 'Single Points of Contact' across Western Section Consortium members

7.4. The Hon.Secretary will be part of the secretariat.

8. Working Arrangements

- 8.1. The Strategic Board may decide to establish time-limited sub-groups in order to consider specific issues. Where these are established they will be supported by the Consortium secretariat unless agreed otherwise.
- 8.2. The work of the Consortium – including any sub-groups it decides to establish – may be supported by working groups of officers drawn from the Consortium's membership. Where appropriate representatives from non-Consortium members may be invited to contribute to and support the working groups.

9. Links with the East West Railway Company

- 9.1. The East West Railway Company has been established by the Secretary of State for Transport with the purpose of delivering and then operating the East West Rail link.
- 9.2. The Company is committed to a strong and effective working relationship with the Consortium and its members.
- 9.3. The Chair and Vice-Chair will represent the collective view of the Consortium on the Programme Board established by the Company. The Chair and Vice-Chair will be supported in this role by the Consortium secretariat.
- 9.4. The Chair and Vice-Chair will provide regular updates on their work in this role to meetings of the Strategic Board.

10. England's Economic Heartland Strategic Alliance

- 10.1. England's Economic Heartland is the (emerging) Sub-national Transport Body for the Oxford – Milton Keynes – Cambridge corridor. The work of the STB is supported by the EEH Business Unit, managed by the EEH Programme Director.
- 10.2. Given the strategic significance of the East West Rail Link it is proposed that the EEH Business Unit will manage the Consortium secretariat, providing additional support as required in support of the Consortium's purpose.
- 10.3. The Strategic Board may consider requests from England's Economic Heartland to oversee work on strategic rail issues that are consistent with the Consortium's purpose.

- 10.4. The Strategic Board may identify strategic rail issues consistent with Consortium's purpose that it considers the (emerging) Sub-national Transport Body needs to consider as part of the overarching Transport Strategy for England's Economic Heartland.

11 Transport East

- 11.1 Councils, Local Enterprise Partnerships and transport providers in the East of England have come together to create a new non-statutory collaborative transport forum that will transform the infrastructure needed to deliver economic growth across the region and produce a truly integrated transport network
- 11.2 The Strategic Board will work closely with Transport East to ensure that the opportunities on the East West Rail corridor are maximised for mutual benefit

Adopted: 14th June 2018

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