

CABINET

DATE	11 th March 2026
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder for Housing, Infrastructure and Transport
RESPONSIBLE OFFICER	Carolina Borgstrom – Director of Economy, Environment and Infrastructure
SUBJECT	Delegation arrangements for delivery of local transport functions and s101 Agreement
STATUS	Open
FORWARD PLAN REF NO.	Not included on the Forward Plan – to be considered under the Special Urgency procedure with the agreement Chair of the Transport, Infrastructure and Strategic Housing Scrutiny Panel.

CONTRIBUTION TO OUR AIMS

The proposed delegation arrangements support the Council's aims by ensuring continuity and stability in local transport services during the transition period.

EXECUTIVE SUMMARY

This report seeks approval for the proposed delegation arrangements that will enable the smooth transition of local transport functions from 1 April 2026. A s101 agreement will formalise the arrangements between the Greater Lincolnshire Combined Authority and the constituent authorities, including North East Lincolnshire Council, supporting stability, clarity and effective collaboration across Greater Lincolnshire.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Accepts the delegation of functions from the Greater Lincolnshire Combined County Authority in relation to transport functions as set out in the Regulations and agrees to enter a s101 agreement.
2. Delegates authority to the Director of Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Housing, Infrastructure and Transport to settle the heads of terms, and approve the s101 agreement and thereafter implement such terms.
3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute documentation arising.

REASONS FOR DECISION

The delegation of functions ensures the ongoing delivery of local transport authority functions until detailed transition arrangements are enacted between the GLCCA and the 3 constituent authorities. The section 101 agreement sets out the principles which will underpin the arrangements between the relevant parties.

1. BACKGROUND AND ISSUES

- 1.1 The Greater Lincolnshire Combined County Authority (GLCCA) will, as a matter of law, become the Local Transport Authority (LTA) for the Greater Lincolnshire area and take on the associated responsibilities and local transport powers on 1st April 2026. These functions include transport strategy, planning investment, delivery investment and operations and maintenance across rail, road and bus networks.
- 1.2 The Greater Lincolnshire Combined County Authority Regulations 2025 (the Regulations) state that following the creation of the GLCCA in March 2025, the majority of the functions relating to public transport delivery will be held concurrently by the GLCCA and constituent authorities during the transition period until 31 March 2026. Following the transition period, the majority of functions will be held by the GLCCA with a duty to deliver those functions.
- 1.3 Initially, with regards to transport, the GLCCA was established as a commissioning and assurance organisation, with delivery being undertaken by the constituent authorities in areas such as highways authority and education travel.
- 1.4 The principles of the Transport Transition Programme have been developed and were agreed at the meeting of the GLCCA Transport Board on 12 November 2025. It was agreed that:
 - GLCCA takes on formal responsibility for transport functions on 1 April 2026 and delivers the following functions: Transport Leadership, Transport Strategy, and Investment Planning and Assurance
 - The constituent authorities retain responsibility for the following functions: Transport Scheme Delivery and Operations and Maintenance.
- 1.5 It was further agreed that the GLCCA will delegate the powers for the following delivery areas back to the constituent authorities for a minimum period of 12 months commencing on 1 April 2026:

Transport Scheme Delivery

Constituent authorities will retain responsibility and capacity to deliver schemes and projects:

- GLCCA will provide assurance over investment delivery as part of its oversight responsibilities, achieved through a single assurance framework and aligned to the wider GLCCA assurance approach currently under development.

Operations and Maintenance

- Public transport operations and service delivery will remain the

- responsibility of constituent authorities.
 - Arrangements will be developed, where required, to formalise the delivery of services on behalf of GLCCA.
- 1.6 Essentially, the GLCCA will remain the LTA whilst the day-to-day transport functions will be conducted by each constituent authority with the autonomy to make decisions. This is common practice in English devolution, enabling strategic oversight at the regional level while utilising local council expertise for the operational delivery. Oversight will be in place for the GLCCA.
- 1.7 Work is already ongoing to transition the services to the GLCCA, but it is proposed that transfer takes place on a phased basis to ensure the smooth transfer of functions. It is proposed that the recommended delegation from the GLCCA to the constituent councils be open-ended and can therefore be withdrawn as and when required.
- 1.8 The s101 agreement will be used to define the boundaries, responsibilities, and financial arrangements for operational transport duties. The detail will include:
- Introduction and background
 - Key principles
 - Commencement and duration
 - Governance
 - Liabilities
 - Finance
 - Process for agreeing dates and arrangements for transfer
 - Staff
 - Complaints handling procedure
 - Information sharing
 - Audit and assurance
 - Dispute resolution
 - Publicity
- 1.9 The proposed delegation provides a clear, pragmatic and legally robust approach to ensuring continuity of essential transport services during the transition period. By setting out the principles that will underpin the s101 agreement and the Inter-Authority Agreement, the Council can move forward with confidence that responsibilities, liabilities, governance and resource implications are being managed transparently and collaboratively.

2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

- 2.1 The proposed delegation arrangements present both risks and opportunities for the Council. Key risks relate to potential uncertainty during the transition, but the s101 agreement provides clear governance to avoid ambiguity.
- 2.2 The arrangements also offer opportunities to strengthen collaborative working across Greater Lincolnshire, influence the development of future transport governance models and ensure local needs continue to shape service delivery.
- 2.3 Due regard has been given to the Council's duties under section 149 of the

Equality Act 2010. The proposed delegation of functions is not expected to have an adverse impact on any protected characteristic. Continuity of service delivery will help ensure that public transport users continue to receive essential transport services during the transition period.

3. OTHER OPTIONS CONSIDERED

Alternative options, including adopting a position of non-engagement or declining to enter into a s101 agreement, were discounted as they would limit the Council's ability to influence the development of future transport governance arrangements and risk creating uncertainty during the transition.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

Clear, timely and accessible communications is critical to manage expectations, minimise uncertainty and provide assurance that local transport services will continue without disruption. Ensuring consistent messaging and visible commitment to collaboration across Greater Lincolnshire will be essential to influence and trust.

5. FINANCIAL CONSIDERATIONS

There are no immediate direct financial costs beyond officer time. Future decisions relating to the transition to the GLCCA may lead to wider financial implications, including changes to resource allocation and the configuration of transport-related services.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

Ensuring stability and continuity in local transport operations during the transition to the GLCCA is essential to protect access to education, maintain safe travel arrangements and support the Council's broader responsibilities towards vulnerable children and families.

7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

There are no direct environmental impacts arising from the delegation arrangements; however, the future governance model for transport may influence the areas' strategic capacity to deliver against such ambitions, objectives and priorities.

8. PUBLIC HEALTH, HEALTH INEQUALITIES AND MARMOT IMPLICATIONS

The proposed delegation arrangements are not expected to create any direct public health impacts. In line with the Marmot principles, maintaining accessible and equitable transport helps promote fair opportunities, reduces barriers for vulnerable groups and supports efforts to improve population health outcomes.

9. FINANCIAL IMPLICATIONS

The transition relates to central government grant funding for transport initiatives. Formalising an agreement between NELC and GLCCA will help ensure ongoing value for money is maintained across these activities.

10. LEGAL IMPLICATIONS

10.1 Section 101 of the Local Government Act 1972 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, provide that a Local Authority including a Combined County Authority may make arrangements for the discharge of any of their functions by another Local Authority. This means that the GLCCA can delegate the discharge of the local transport functions to NELC, and other constituent councils. It is also within the remit of the constituent authorities to accept this delegation.

10.2 A section 101 agreement will provide for how the delegation will work and any limitations as outlined above.

10.3 Consequential amendments may be needed to be made to the Constitution, and these can be dealt with by the Monitoring Officer under extant delegations and in consultation where warranted.

11. HUMAN RESOURCES IMPLICATIONS

Employment matters will be dealt with in accordance with the section 101 agreement.

12. WARD IMPLICATIONS

All wards across the borough are potentially affected by the transition and delegation of functions.

13. BACKGROUND PAPERS

None

14. CONTACT OFFICER(S)

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