

AN UPDATE ON THE TRANSPORT BILL

Briefing from Chris Day & Matt McDonald
from Transform Scotland

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1. Background to the Bill

The Transport (Scotland) Bill may well be the most important piece of transport legislation in the current Parliament. It was introduced to the Scottish Parliament on 11 June 2018 and is currently in 'Stage 1' at time of writing. The Bill covers:

- Low emission zones: it enables the creation and enforcement of LEZs; requires Councils to use penalty monies towards LEZ objectives; allows the Scottish Government to set consistent standards, and approve devices to detect one infringement per day. It also allows further consultation on regulations.
- Bus services: replaces Bus Quality Partnership with Bus Services Improvement Partnerships (BSIPs); it also contains other provisions on local franchises & information.
- Smart Ticketing.
- Parking: prohibits parking on pavements and double parking; enables civil enforcement of such parking; and provides for exceptions (vehicles involved in emergencies, road works, vehicles delivering or unloading goods for up to 20 minutes).
- Road works: enhances the Scottish Road Works Commissioner and wider regulation of road works; streamlines works permissions; improves safety; strengthens commencement and completion arrangements; improves reinstatement; and improves information about apparatus.
- Minor provisions regarding Regional Transport Partnership finance and Canals governance.

2. Progress through Parliament

After bills are introduced to Holyrood they become the property of Parliament so only MSPs (including Ministers) may amend it.

It is currently at Stage 1, and is being considered by the Rural Economy and Connectivity Committee.

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/108853.aspx>

Stage 1: Completion has been delayed, but is expected in the coming months. The reason for the delay to the Bill has not yet been made explicit, but the likely reason is the Scottish Government moving staff resources towards Brexit preparations.

Stage 2: Main amending stage. We have been advised by the Parliament that this is now not expected to commence until May/June 2019. This is where MSPs can introduce amendments to the Bill.

Stage 3: Commencement and implementation, including regulations and guidance. While we have no specific guidance on this point, if Stage 2 is not due to commence until May/June then there seems little prospect of Stage 3 being completed before the summer recess.

3. Our view on the Bill

Transform Scotland considers the Bill to be deficient in at least two main areas:

The bus services provisions are concerned solely with the governance of bus operations, while inadequate infrastructure and enforcement is not addressed. Transport Scotland might argue that, in promoting Bus Services Improvement Partnerships, it provides a mechanism for improving infrastructure. But this assumes that BSIPs are put in place, and that they include appropriate infrastructure measures. Not taking adequate action to reverse the decline in bus patronage represents a serious missed opportunity.

Exemptions to parking on pavements and double parking fundamentally undermine the objectives of the Bill. In particular, parking on pavements and double parking for loading/unloading is universally allowed for up to 20 minutes. This would have the perverse effect of normalising such behaviour.

The first omission was expected, the second came out of the blue (see our earlier briefing).

<http://transformscotland.org.uk/blog/2018/06/17/transport-scotland-bill-some-initial-thoughts/>.

In the Scottish Budget approved on 21 February, the Scottish Government, in order to gain the Greens' support, took the welcome step of agreeing to provide local tax powers to Local Authorities over Workplace Parking Levies and a Tourist Taxes. The Scottish Government can now build on existing legislation in England to allow councils to introduce their own versions of WPL. There is a proven track record of this policy south of the border, as since introducing a Workplace Parking Levy, Nottingham saw increase in public transport, walking & cycling; reductions in climate emissions; and over £53m for investment in the city's transport infrastructure.

Transform have been making the case for introducing a Private Non-Residential Parking Levies (PNRPL) in Scotland, of which WPL is an example, for some time. We published a report (see below) last June calling for the inclusion of this provision in the Transport Bill.

<http://transformscotland.org.uk/blog/2018/05/29/getting-the-bill-right-transform-calls-for-parking-levies-in-governments-transport-bill/>

Transform has also met with opposition parties to make the case for PNR Levies. In October 2018, Transform welcomed Sue Flack, the architect of the scheme in Nottingham, to speak at our AGM on the success of the Workplace Parking Levy in Nottingham, and she shared her thoughts on how Scottish Local Authorities could replicate and even improve on, the Nottingham scheme's results (see below for Sue's talk). More recently, Transform have joined other groups in calling for political parties to support the Workplace Parking Levy.

<http://transformscotland.org.uk/blog/2018/10/16/sue-flack-talk-workplace-parking-levy-in-practice-experience-in-nottingham-and-elsewhere/>

4. What's next – and how Members can help

Transform Scotland and a number of our Members submitted evidence to the REC Committee (see webpage above). Transform Scotland gave oral evidence on 3 October last year.

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11714>

We believe the Committee may decide to amend the Bill so that Councils can operate commercial bus routes, and some aspects of the parking exemptions. However, it is difficult to interpret which of the parking provisions it may amend, and how; however, the Committee is well aware of the issues regarding the proposed 20 minute exemptions.

More generally, it has received many comments in submissions or evidence sessions that the Bill will not deliver the change that it seeks, particularly regarding bus services.

As explained above, a key focus will be ensuring that the amendment that includes the provision for Local Authorities to introduce a WPL is diluted, and indeed be expanded to include wider PNR Levy powers. Therefore continuing to support this amendment directly to MSPs and in the media is crucial.

The closing date for evidence to the Committee passed last year. Therefore the focus of efforts to amend the Bill is now on MSPs; particularly members of the Committee before it publishes its Stage 1 report.

<https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/rural-economy-committee.aspx>

5. Members' Session on the Bill – Thursday 28 March

Our next Members' Session will allow opportunities for Members to discuss the current situation on the Bill and what people can now do to ensure that the Bill is as good as it can be.

We are delighted to be joined by Alex Quayle, Senior Policy Officer at Sustrans Scotland. Please email matt.mcdonald@transformscotland.org.uk to book a place.

Scotland's alliance for sustainable transport

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We campaign for walking, cycling and public transport to be the easiest and most affordable options for everyone. Our diverse membership brings together public, private and third sector organisations from across Scotland. We are a registered Scottish charity (SC041516).