



**CAN FURTHER  
POWERS  
DELIVER  
BETTER  
TRANSPORT  
IN SCOTLAND?**

## 1. The Independence Referendum

Transform Scotland did not take a view on the outcome of the referendum – not because a vote in favour of independence would have made no difference to our work (it certainly would have) nor because views both for and against independence were expressed within the organisation (which they were). Rather, we took this stance because our charitable aim, to campaign for a more sustainable transport system across Scotland, was not directly affected by Scotland's status as a devolved part of the United Kingdom or its transition to an independent country. Our concern has always been that the powers that are held by government – irrespective of location or political hue – are not sufficiently directed towards the creation of a system that will be truly sustainable, now and in the future.

## 2. Devolution to Scotland

So what changes, then, in the aftermath of the 'No' result? Transport did not feature largely in the referendum debate, perhaps because transport is seen as largely already devolved. The setting up of the Smith Commission, however, does allow for examination of the powers that are devolved and those that are currently reserved, to see if there are any instances where additional powers could be devolved to the benefit of a more sustainable transport system.

### 2.1 Road

The current level of devolution on road legislation is something of a 'rag-bag'. For example, drink driving limits are set to change in Scotland, and varying speed limits on trunk roads – seen as a UK network – is already a devolved matter (the discussion of raising motorway speed limits to 80mph in England did not include Scotland and while the UK government has announced plans to raise HGV speed limits on single carriageway roads to 50mph, the Scottish Government is awaiting the outcome of the A9 trial). Lowering speed limits on 'restricted' (30mph) roads, however, remains a reserved matter. The result of this is that introducing a default 20mph limit to urban areas with, if appropriate, specific exceptions, is not something that can currently be done through the Scottish Parliament. Instead, lower speed limits have to be introduced area by area at considerable cost.

Another area in which there remain significant reserved powers is signage. Not the most glamorous topic perhaps, but an inability to change signage in Scotland (which includes traffic signals) remains an unnecessary obstacle in attempts to make pavement parking illegal and allow more time for pedestrians at signalised crossings. These are key concerns of the Responsible Parking Alliance and Living Streets Scotland respectively. While it may be desirable to retain certain standards throughout the UK, a greater degree of variation could be allowed to account for local circumstances or legislation.

One currently reserved duty regarding road public transport is that of the Traffic Commissioner, and it could be useful to have this function – or at least that part of it which relates specifically to the registration and operation of bus routes – transferred to Scotland. The legislative framework under which bus routes operate is already a devolved matter, and a more regulated regime does not seem likely at any time in the near future. However, transferring the route registration and operator powers to Scotland could allow for alteration of the system to better suit specifically Scottish circumstances. Such changes could include higher standards for operators, or an obligation to participate in multi-operator and smart ticketing.

### 2.2 Rail

Transport power which could be further devolved is the formal transfer of administration of the railway network. This would presumably entail the setting up of a separate infrastructure administration, but full transfer of powers would also enable changes in the existing legislative framework which could allow Scottish publicly owned companies to bid for passenger franchises (as opposed to 'private' companies which are wholly or partly owned by the governments of other countries as at present). More wholesale change could see Scotland opt out of the franchising process entirely, with the

passenger railway - at least - taken back under public ownership, something that the Transport Minister has expressed sympathy with. Having a separate legislative framework could certainly allow for a closer relationship to be specified between the infrastructure owner and the operators. Although public ownership of railway operations is not something that Transform Scotland has taken a specific view on, such a change could present interesting possibilities in future.

Another aspect of railway administration which remains controlled from Westminster is the specification of cross-border passenger franchises. Giving the Scottish Government a greater say in these franchises could lead to services – and rolling stock – better suited to the longer routes to Scotland, whether to the Central Belt or further north, rather than over-stretching trains which are more tailored to shorter journeys within England.

### 2.3 Tax

Taxation is one area where more powers are likely to move to the Scottish Government: additional powers over income tax are already legislated for through the Scotland Act 2012. Further powers, though, could permit the Scottish Government to legislate to give tax relief on public transport season tickets, thus equalising the situation with that currently for workplace parking. (Tax relief was permitted for a period on bus season tickets, but was withdrawn by HMRC following a 're-interpretation of the rules'.) A truly radical Scottish Government could even legislate to give tax relief on public transport and abolish that on workplace parking.

## 3. Devolution within Scotland

The opportunity exists in the aftermath of the referendum, then, not just to examine the devolution settlement within the UK, but also how powers are distributed within Scotland. The existing jigsaw of Transport Scotland, local authorities and Regional Transport Partnerships (RTPs) will not be detailed here, but it does need to be questioned whether or not this structure is fit for purpose.

### 3.1 Centralised Control

Transport Scotland, an executive agency of government, dominates the current set-up. Although it has been suggested that Transport Scotland could return to its original role of a quasi-independent agency, having a minister directly responsible for its activities can be seen as introducing a higher level of democratic accountability. However, the high priority given by the current administration to road-building projects has taken Transport Scotland away from a focus on sustainable transport.

Allowing the national agency to dominate roads spending to such a degree has undoubtedly led to the prioritising of large infrastructure projects. By comparison, the day-to-day task of ensuring existing local roads are in a decent state of repair has been neglected, to the detriment of walkers, cyclists, bus users and drivers of all kinds. The 84% in favour of 'Fixing First' in a poll commissioned by Transform Scotland is highly significant, and is a result which should be able to be used to good effect.

Centralised control over the Scottish rail network has resulted in a different outcome. Scottish trains attempt to balance the needs of high density commuter passenger flows with long distance journeys such as the inter-city journeys between the central belt and Aberdeen and Inverness. This approach has resulted in a 'one size fits all' approach which has drawbacks for everyone: trains are not especially suited to short distance crush loads, but do not have the luggage space, performance or, in some cases, comfort and ambience for longer distance journeys. Meanwhile, the short distance routes of the former SPT network have increasingly become blurred into longer distance regional services, and more recent changes to electric rolling stock have reflected this, again giving poorer accommodation for short distance 'crush load' passengers.

To be fair, much of the rolling stock pre-dates Transport Scotland, and the new franchise promises a commitment to a better quality of inter-city (or longer distance) trains 2019. At the same time, proposals to invest in lines north of the

central belt have been delayed (due to priorities lying in upgrading the road routes which parallel them). As a result, Scotland's long-distance rail routes fall short of providing the fast, modern connections needed between the towns and cities throughout the country. Lack of capacity is also limiting carriage of freight on longer routes – to which rail is well suited – while use of long-distance road routes by heavy lorries is part of the justification for their upgrade.

### 3.2 Local Powers

At a local level, transport powers, such as they exist, are exercised by the local authority – maintaining local roads, providing cycling and walking routes and ensuring gaps in the commercial bus networks are covered by subsidised contracts. In between, the RTPs attempt to account for the fact that transport networks do not fit neatly into local authority areas. (Exceptions are Swestrans and ZetTrans, each of which covers a single local authority area.) It is certainly the case that for each of the four densely populated, small area city authorities (Aberdeen, Dundee, Edinburgh and Glasgow), local transport networks radiate significantly beyond their boundaries. The local authorities across the central belt are also part of complex, cross-boundary networks, and would certainly benefit from better empowered regional organisation. RTP areas, however, are fixed by groups of council areas and not necessarily in the most logical place. Given that RTPs do not hold any significant powers beyond those of their constituent local authorities, it could be argued that they serve little purpose and that – particularly with regard to the large area rural authorities – cross-boundary transport needs would be better served by simply placing a duty on each local authority to co-ordinate transport with its neighbours. At the very least, the RTP boundaries need to be reviewed and better aligned with travel networks.

A further duty that could usefully be placed on local authorities would be to encourage the creation of sustainable transport systems within their areas. Edinburgh has already voluntarily made a significant step in the right direction by committing a proportion of its budget to cycling but more needs to be done throughout Scotland. Such a duty could also include measures to increase modal share of active travel or public transport and to reduce congestion. The level of ambition could be determined locally with councillors being held to account.

Another model has recently emerged for transport governance in Scotland's cities in the guise of Transport for Edinburgh (TfE). TfE exists to co-ordinate and integrate the networks of Edinburgh Trams and Lothian Buses. These are two separate companies with – at least nominally – separate ownership (East, Mid and West Lothian councils all have a small shareholding in Lothian Buses with the City of Edinburgh holding the majority, whereas the trams are solely owned by the City). Lothian Buses is a commercial bus operator, albeit a publicly owned one, and therefore the area of operation of TfE is defined by the extent of the Lothian Buses route network, including routes that stretch well beyond the city boundary. TfE benefits from Lothian Buses' status as the major provider of public transport services across the City of Edinburgh. However, First Scotland East, Stagecoach Fife and ScotRail all provide significant transport services within the same area, as well as a few smaller bus operators and none of these come within the TfE umbrella. Nonetheless, the attempt to see different modes and operators as a single network, with shared fare structures and season ticket arrangements, and a focus on the city's own network, is a step to be warmly welcomed.

## 4. Integration

It seems appropriate to discuss greater integration immediately after TfE. In the first place, integration is seen as allowing 'seamless' journeys between bus, rail, tram and subway according to the passenger's need and choice. Integration does exist to some degree already: there are various multi-operator tickets in different parts of Scotland, both for seasons and single-day use, while PlusBus, available at selected stations throughout Great Britain, allows completion of rail journeys on local bus networks. The new ScotRail franchise also promises greater levels of co-ordination between bus and train. However, these varied schemes are still a long way from providing a single system which offers an easy way to purchase tickets from point to point across Scotland, irrespective of changes of mode or operator.

Such an aim is closely linked with the project to implement a national public transport smartcard throughout Scotland, something we have been promised by the (presently) Deputy First Minister. Transport Scotland's website lists projects

across the country as progress towards such a system. However, these projects appear to be individual instances where smartcards may be able to be used, rather than the staged roll-out of a unified national system, and there is little indication of how these projects relate to one another. Once again, Transport Scotland's focus on large scale projects could be seen as relegating investment with a more local focus – even one such as this which would benefit from Scotland-wide co-ordination.

## 5. Health

Complete Scottish control over spending on the NHS was one of the principal commitments in the Westminster parties' 'vow' to the Scottish people.

Scotland's poor health record is a common theme from many sources, and policy documents such as the Physical Activity Implementation Plan, the Cycling Action Plan for Scotland and the new National Walking Strategy represent positive developments in linking active travel with health. There is however a lack of financial backing at a national level to these good intentions. Transform Scotland's own work 'Towards a Healthier Economy' dating from 2008 used the WHO tool 'HEAT for Cycling' and other data to monetise the value, in terms of better health, of Scotland having a higher modal share for cycling. Scotland's bill for diseases relating to lack of fitness and activity would undoubtedly drop if more money was spent on persuading a greater proportion of the population into active travel. Instead, the NHS has to pick up the tab for the lack of action on sustainable transport.

Links between transport and health, however, do not end with encouraging walking and cycling. Links between pollutants and respiratory conditions are well established by the likes of Health Protection Scotland's paper from last April<sup>1</sup> and the poor air quality in Scotland's urban environments is demonstrated by the regular exceeding of EU pollution limits<sup>2</sup>. Low Emission Zones are one possible solution, but motor traffic reduction has to be the longer term, wider goal. Moreover, quieter (and slower) roads encourage walking and cycling, increase fitness levels, and reduce accidents in inner city areas into the bargain.

## 6. Conclusion

There are clearly some powers which could usefully be transferred to Scotland that could lead to progress towards a sustainable transport system. This could be rationalising powers on road traffic regulations and signage, transferring the legal framework for railways or the ability to give tax relief to encourage more sustainable journeys. These powers, however, are unlikely to lead to substantial change, and it is a new direction overall of policy within Scotland – something which the Scottish Government already largely has the power to do – that is needed to create a truly sustainable transport system in the future. Scotland does need a national body with a strategic overview but to allow large projects to dominate the planning and expenditure on transport is taking us further in the wrong direction. Most of our journeys remain short – and should do, if we are to have a sustainable society – so devolving the powers, resources and duties to bodies with more regional and local responsibility will deliver change that is truly transformative.

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<sup>1</sup> <http://www.hps.scot.nhs.uk/news/newsdetailtemp.aspx?id=629>

<sup>2</sup> <http://www.scotsman.com/news/air-pollution-threat-to-scotland-s-cities-1-1794849>

## 7. Recommendations

### DEVOLVE THE FOLLOWING POWERS TO SCOTLAND:

- Signage and speed limits, with a view to reducing speeds and improving conditions for pedestrians
- Transfer bus route registration and operator powers to Scotland
- Railway legislative framework and power to influence cross-border franchising
- Powers of tax relief for public transport users

### THE FOLLOWING CHANGES TO OCCUR WITHIN SCOTLAND:

- Greater emphasis on local and regional projects
- Duties on local authorities and RTPs to create sustainable networks
- More flexible approach on RTP areas to reflect travel patterns
- Integrated, unified smart ticketing system to be rolled out across Scotland
- More money to support health benefits of active travel
- Implementation of low emission zones and traffic reduction across Scotland



## About Transform Scotland

Transform Scotland campaigns for a society where everyone can have their travel needs met within the limits of a transport system that is environmentally sustainable, socially inclusive and economically responsible.

We are the only organisation in Scotland making the case for sustainable transport across all modes. We have a membership of over 60 organisations across Scotland, including public transport operators, local authorities and sustainable transport voluntary organisations. Transform Scotland is a registered charity, politically independent, science-based and strictly not-for-profit.

Transform Scotland Limited is a registered Scottish charity (charity number SC041516). Our Board of Directors is elected by our member organisations in accordance with the rules set out in our Articles of Association.

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