

RURAL ECONOMY AND CONNECTIVITY COMMITTEE
TRANSPORT (SCOTLAND) BILL
SUBMISSION FROM SPOKES, THE LOTHIAN CYCLE CAMPAIGN

About Spokes

Spokes is a non-party-political voluntary organisation with some 1200 members, mainly in Edinburgh and Lothian, founded in 1977. We aim to promote cycling for everyday transport, as part of a sustainable transport strategy, and to persuade councils and government to do the same, including through high quality infrastructure.

We welcome this opportunity¹ to comment on the Transport (Scotland) Bill.

Introduction

We support much of the Bill but also regard it as a seriously missed opportunity in several respects, and we urge amendments on the lines below.

Perhaps the most important omission is demand management - in particular, as discussed below, a private non-residential parking levy. Modal shift from car to public transport and active travel is critical to many areas of government policy, notably climate, public health, town centres and congestion.

Part 1 - Low Emission Zones

We strongly welcome these proposals.

Part 2 – Bus Services

Spokes strongly supports robust and effective public transport, including bus. The detail of the Bill's bus proposals is beyond our remit, but we are extremely concerned that the Bill fails to recognise or tackle the underlying factors behind the continuing decline in bus use.

Major factors behind this decline are evidenced in the Transform Scotland response to this consultation, but one which particularly concerns us, because it is powerful yet 'invisible,' is the long-term and continuing relative increase in public transport fares as compared to motoring costs. Whilst attention usually focuses on directly bus-related issues, this underlying invisible background may well be a more influential factor.

Whilst fuel costs are only one part of this costs story, the report *The Unintended Consequences of Freezing Fuel Duty*² by Prof David Begg estimates a resulting loss of up

¹ <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/108853.aspx>

to 200m bus journeys since 2011, from this one cause alone, and a rise in congestion which has probably increased that figure further through slower and less reliable bus travel.

The decline in bus use, as discussed above, may well result as much or more from such non-bus issues as from bus-related decisions – and the solution must also lie heavily in those areas. In a later section we discuss wider demand management measures, notably a private non-residential parking levy. Such holistic measures, which impact over a wide range of transport, public health and environment policy are essential, and one of their many impacts would be to help reverse the ongoing decline in bus patronage.

Part 3 – Smart Ticketing

We are not clear whether the Bill's proposals are likely to bring about at an early stage a national smart ticketing scheme, but the Bill needs to facilitate that important objective.

A specific aspect which concerns our organisation is that any national scheme should include **bike hire** as well as bus and train travel.

The bike hire scheme recently introduced by Transport for Edinburgh has been exceptionally well received in virtually all respects except one – it is available only to people who have a smartphone, and indeed only a fairly modern smartphone. Via social media we have come across a good many individuals who have been unable to use the bike hire scheme for this reason - it is a real social inclusion issue.

In contrast, a national smart ticketing scheme must be convenient to use and open to all.

Part 4 – Responsible Parking

We strongly support the principle and intentions of these measures, which aim to create safer and more pleasant conditions for pedestrians and cyclists, and particularly disabled accessibility. However, we are very concerned about some of the details, and in particular there is a severe danger of an unintended consequence - namely that, particularly in shopping and other commercial areas, both pavement parking and double parking will become even more legitimised in the eye of many motorists than at present.

This danger stems from the proposed **20-minute blanket exemption** for motor vehicles loading or unloading on a pavement or when double-parked. Allowing a blanket exemption for any length of time is unacceptable – and indeed such exemption was supported by just 15% of respondents to the government's own consultation. Furthermore, local authorities are in any case to be given the power to create local exemptions where appropriate.

It is worth noting that enforcement of a 20-minute exemption will be very arduous, requiring continuous evidence over a 20 minute period, and therefore is likely to be sporadic.

2 <https://greenerjourneys.com/wp-content/uploads/2018/06/THE-UNINTENDED-CONSEQUENCES-OF-FREEZING-FUEL-DUTY-JUNE-2018.pdf>

There is widespread concern about the blanket exemption, but since the public concern has focussed largely on the pavements exemption we additionally emphasise that the **double parking** blanket exemption is equally unacceptable. Double parking is a severe danger and deterrent to cycling, forcing the cyclist far out into the main traffic stream, whilst at the same time passing a vehicle door which may open unexpectedly. Furthermore, double parking makes crossing the road on foot much more hazardous and scary. To remove the pavement exemption from the Bill without at the same time removing the double parking exemption would render the latter an even greater hazard as it would then be seen by parkers as a legitimate alternative. Both blanket exemptions should be deleted.

Secondly, the Bill does not prohibit **parking at dropped kerbs**, which we believe was covered in the earlier Private Member Bill. This should be added, for the safety and convenience of both pedestrians and (at shared path entries/exits) cyclists. Roads authorities and developers provide dropped kerbs with the function of providing pedestrian/cycle access - it makes no sense to allow them to be blocked.

Finally, the Bill recognises the need for more decriminalised parking regimes. Spokes strongly supports this and urges that the measures are widened to include enforcement of **parking offences in bus and cycle lanes** - and also of encroachment into mandatory cycle lanes. The above parking offences are one of the main sources of complaint by our members, causing danger as cyclists are forced to turn out of cycle facilities into the main traffic flow whilst also worrying about vehicle doors opening – this type of road environment is what prevents many people from travelling by bike. We urge camera enforcement, including bus-based, and wider powers for traffic attendants.

Part 6 - Regional Transport Partnerships

We strongly urge that **capital funding** is returned to RTPs, particularly as regards active travel. Under the current arrangements local authorities, quite understandably, concentrate their limited active travel provision in areas of high population, to maximise usage per £ invested. That, however, means that cross-boundary cyclist routes are a poor relation, coming low in the pecking order for funding. Our organisation, covering Edinburgh and the Lothians, has experienced several very major examples, notably...

- Back in the mid 2000's SEStran, our local RTP, budgeted £4.6m for cross-boundary cyclist routes between Edinburgh, the Lothians and Fife. This budget was entirely lost when RTP capital was scrapped by the new SNP government in 2008, and the result was disastrous – it took many subsequent years for Edinburgh Council to obtain the funding, from multiple sources, to complete the A90 route from Edinburgh to Fife, and some of the other proposed cross-boundary routes remain merely a dream right to the present day.
- The Scottish Government proposes to rebuild Sheriffhall roundabout as a flyover and (after extensive lobbying and a petition to the Scottish Parliament) has modified the plans to incorporate what appears to be genuinely high quality active travel provision. However, this will be an oasis of cycling provision excellence in a desert

of under-provision, since the 'standalone project' silo-thinking which characterises some Transport Scotland projects means that cyclerooute connections to and from Edinburgh and Midlothian will not be upgraded as part of the project, but left to the local authorities as and when they can scrape together the funding in years to come. However, if SEStran had decent capital funding, as in the past, there is little doubt that they would take a lead in funding and coordinating this project, given that Sheriffhall was highlighted in the SEStran *Strategic Cross-Boundary Cycle Development* report³ as a significant barrier to active travel.

Major omission – Demand management

If there is one thing a Transport Bill could do to show genuine government policy integration - linking transport with climate, public health, town centres and social inclusion - it surely would be a serious attempt at motor vehicle demand management. Yet that is exactly what is missing from the Bill, and this is cause for severe disappointment.

Furthermore, although such measures demand political courage, all that is required of the Scottish Government is to give powers to local authorities. Thus the bulk of the requisite political courage would not even fall on government shoulders! – and several local authorities (including Edinburgh) appear willing to shoulder those responsibilities.

In particular we strongly support the call⁴ by 16 Scottish bodies, including Transform Scotland, FOE Scotland, Sustrans Scotland and Prof Tom Rye of Edinburgh Napier University, for powers to enable a **Private Non-Residential Parking Levy**. This has the dual merit of encouraging modal shift whilst also raising significant funds for public and active travel investment.

In terms of modal shift, the levy provides a strong incentive for businesses to encourage their customers and/or employees to use modes of transport other than private car, so as to cut car spaces and thereby reduce levy charges on the business. Supermarkets, for example, could incentivise bus services to route past the store, provide reduced-cost home delivery, provide bike trailers for customers (as several are now experimenting with in the UK) and so on. Workplaces could step up their travel plans with additional incentives.

Discussion so far has focussed largely on workplace levies, probably because there is an existing successful example, Nottingham. However we, along with the organisations above, urge that Scotland goes a step further than England, by introducing powers for a **full private non-residential levy**.

If the government is serious about modal shift, sedentary lifestyles, emissions, etc, then all major traffic attractants must be tackled. It is unfair and unreasonable to levy solely

³ sestran.gov.uk/wp-content/uploads/2017/01/10.1.1_Strategic_Cross_Boundary_Cycle_Development.pdf

⁴ www.spokes.org.uk/wp-content/uploads/2018/03/1802-Premises-Parking-Levies-Letter-20-Feb-AS-SENT.pdf

workplaces when out-of-town superstores, for example, which additionally are draining the life out of town centres, are permitted to provide levy-free unlimited free car parking.

Of course, it would be entirely up to a local authority whether to introduce solely a workplace levy, solely a non-workplace levy, some other combination, or no levy.

A non-residential levy has also been proposed for Wales in a report by the Institute of Welsh Affairs, *Decarbonising Transport In Wales*^{5,6}. In Scotland, the City of Edinburgh's Transport and Environment Committee recently amended a motion on a workplace parking levy to call instead⁷ for a report on a full non-residential levy.

Omission – Traffic Orders simplification

The case for simplifying TRO (Traffic Regulation) and RSO (Redetermination) procedures has often been made by organisations such as Sustrans Scotland, Transform Scotland and the City of Edinburgh Council. We urge that the Bill includes such measures, to reduce public costs, severe project delays, and public disquiet – particularly when one or two objections delay a well-supported scheme for many months.

However – one note of caution – such measures must nonetheless ensure that a weight of well-argued objections to a draft Order are properly considered.. Three years ago, Edinburgh City Council decided to scrap Saturday bus lanes and reduce weekday lanes to peak-hour only. The TRO received over 150 written objections, including from Community Councils and other organisations as well as many individuals. These objections, however, were dismissed by the Transport Committee⁸ (which does have powers to dismiss this type of TRO objection) after only cursory discussion and the refusal to hear a deputation. Now, a mere 3 years later, and following evidence that Lothian Buses have suffered increased congestion-related delays, the current Committee has (rightly) decided to consult on extending the bus lane hours again!! Had the weight of well-argued objections been taken more seriously then this total farce, waste of time and effort, and damage to bus services, might well have been avoided.

Omission – Speed limits

We are keen to see lower default speed limits for both urban roads and rural single-carriageways. In view of the current separate Bill on 20mph urban defaults we urge the Committee and Government to support that Bill – or incorporate it into this one.

5 <https://www.transportxtra.com/publications/local-transport-today/news/58379/parking-levy-urged-for-out-of-town-retailing>

6 www.iwa.wales/news/2018/06/re-energising-wales-decarbonising-transport-wales-report/

7 www.edinburgh.gov.uk/download/meetings/id/58677/minutes_of_the_meeting_of_9_august_2018

8 <http://www.spokes.org.uk/2015/06/bus-lanes-150-objections-rejected/>