

Rural Economy and Connectivity Committee

Transport (Scotland) Bill

Key themes arising from the online survey

Introduction

As part of the Rural Economy and Connectivity Committee scrutiny of the Transport (Scotland) Bill, an online survey aimed at capturing the views of individuals and stakeholders was launched on 29 June 2018, with a closing date for responses of 28 September 2018 – although this date was extended until 1 October 2018 to allow for any late responses.

Understanding the analysis of survey responses

There are a number of issues that should be considered when reading this document:

- **Respondee**s were self-selecting: This means that the views expressed may not match those of the population as a whole and should not be read as such.
- **Complexity**: The Bill proposes amendments to an already complex system of legislation. This complexity may have acted as a barrier to responses.
- **Stakeholders**: The transport system involves a wide range of stakeholders, with often competing priorities and views. Unanimity of views on any issue is unlikely, which will be reflected in the analysis.
- **Timescales**: The time available to respond to the survey, and for the subsequent analysis of responses, may have impacted on the number and depth of responses and the detail of this analysis.

What are “key themes”?

This analysis aims to highlight key issues and concerns about the proposals in the Transport (Scotland) Bill raised by multiple respondents to the survey. It is not intended to be a comprehensive summary of every issue raised.

Who responded

A total of 278 responses were received. A decision was taken not to collect any personal information from respondents, due to concerns about the administrative burden imposed by the GDPR, which came into force on 25 May 2018. This means that no breakdown of responses by category of respondent can be undertaken.

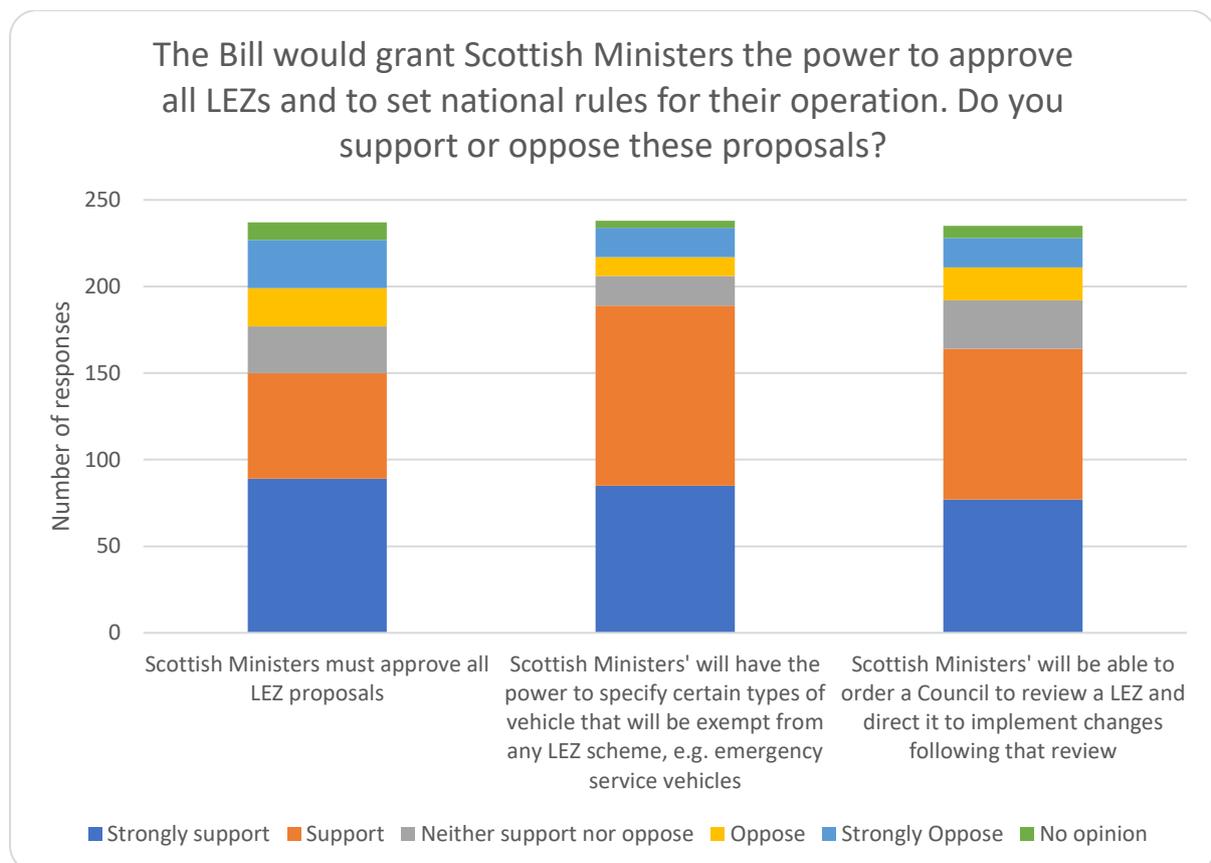
Key themes

The survey posed 16 questions about the proposals in the Transport (Scotland) Bill – plus a number of supplementary requests for further detail, the results of which are summarised below.

Question 1: The Bill would grant Scottish Ministers the power to approve all LEZs and to set national rules for their operation. Do you support or oppose these proposals?

A majority of respondents were supportive of each of the proposed Ministerial powers over LEZs.

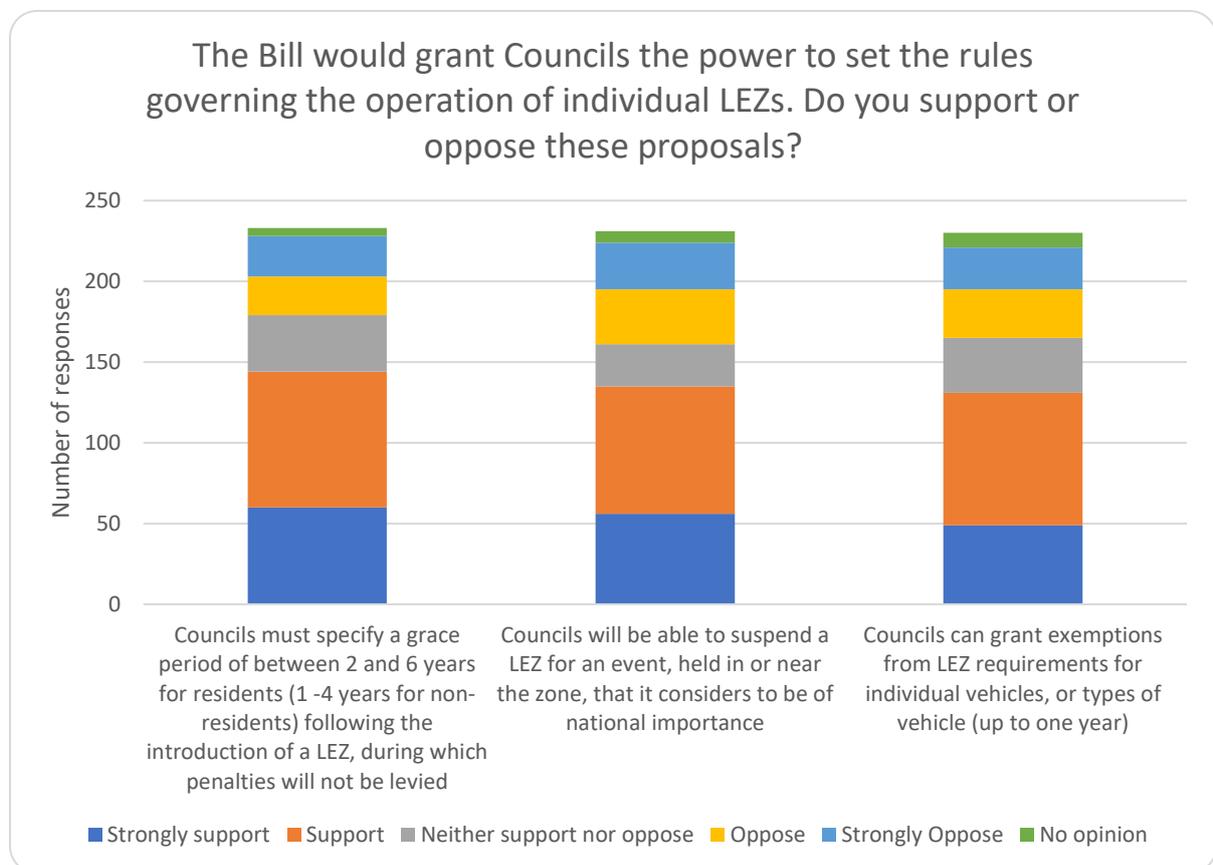
- **Scottish Ministers approve LEZ proposals:** 63% of respondents either support or strongly support Ministerial approval of LEZ proposals, with 21% either opposed or strongly opposed – the remainder having no view.
- **Scottish Ministers specify vehicle exemptions:** 79% of respondents either support or strongly support Ministerial powers to specify exempt vehicles.
- **Scottish Ministers can order a Council to review a LEZ:** 70% of respondents either support or strongly support granting Ministers the power to require a local authority review an LEZ



Question 2: The Bill would grant Councils the power to set the rules governing the operation of individual LEZs. Do you support or oppose these proposals?

The majority of respondents were supportive of the proposals allowing local authorities to define certain aspects of individual LEZs, as summarised below.

- **Grace periods:** 62% either support or strongly support allowing local authorities to set grace periods, during which enforcement action will not be taken.
- **Suspend for events:** 58% either support or strongly support allowing local authorities to temporarily suspend an LEZ for events of national importance
- **Vehicles exemptions:** 57% either support or strongly support allowing local authorities to apply exemptions to individual vehicles or classes of vehicle from an LEZs provisions.



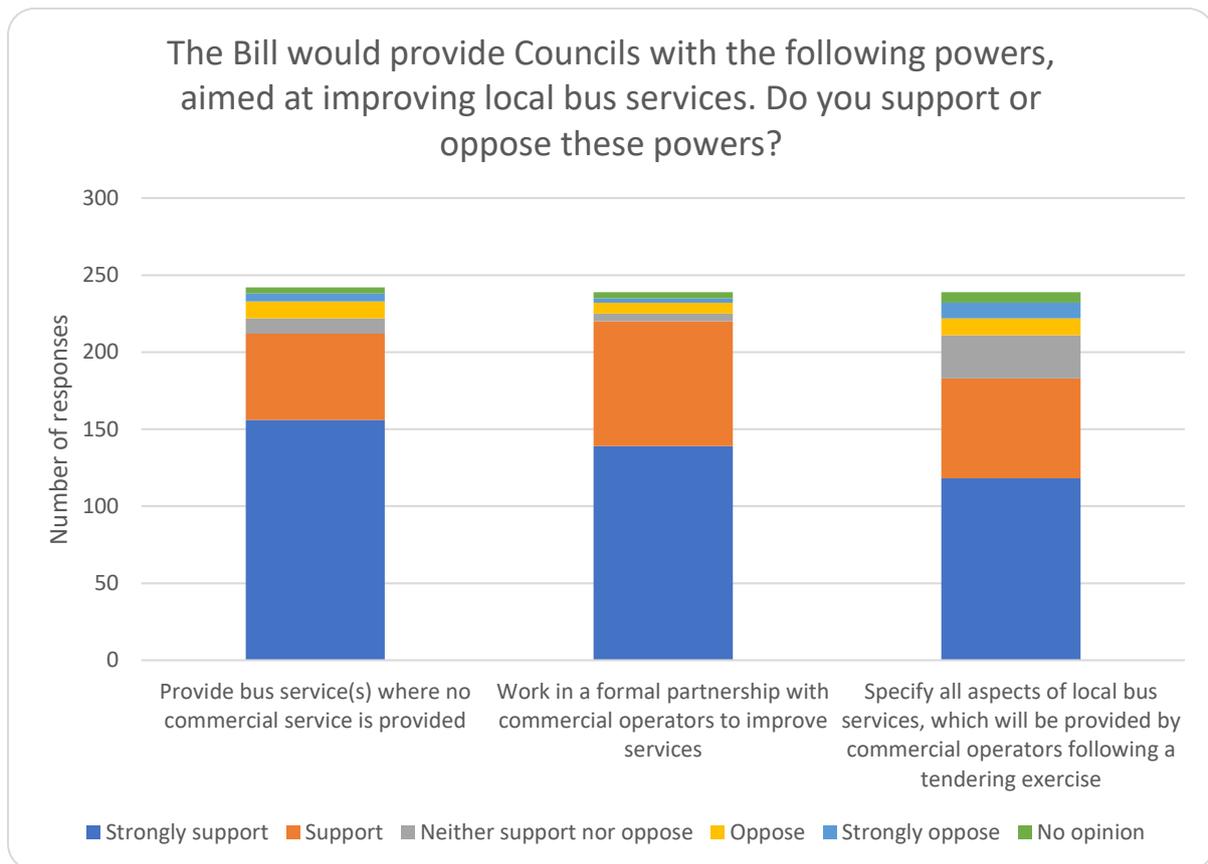
Question 3: How might the LEZ proposals in the Bill be improved? Please summarise any suggested improvements that you would like to see made in the box below:

72 respondents made suggestions for improvements to the LEZ provisions set out in the Bill, of which 63 were broadly supportive and nine clearly opposed to the LEZ proposals. Key issues raised include:

- People on low incomes, who rely on older cars for transport should not be penalised by the proposals – there should be financial support for replacing/upgrading their vehicles.
- LEZs should only be introduced once public and active travel alternatives are in place.
- LEZs should include proposals for significant improvements to electric vehicle charging infrastructure.
- The needs of disabled people should be fully considered in any LEZ proposal.
- LEZs are a waste of time and the proposals should be scrapped.

Question 4: The Bill would provide Councils with the following powers, aimed at improving local bus services. Do you support or oppose these powers?

There was strong support for the proposals to allow local authorities to provide bus services (88% support or strongly support), bus service improvement partnerships (92% support or strongly support) and local bus service franchising (77% support or strongly support).



Question 5: How best could your Council or bus operator improve the ways it provides timetable and route information? (Please put the following options in an order where 1 is your favourite idea and 5 is your least favourite)

Respondents had a clear preference for real-time bus running information, particularly on-street displays and information available via bus operator websites or apps. However, there was still support for paper timetables at bus stops and some support for paper timetables, as set out in the table below.

Timetable information source	Rank
Bus stop real-time displays	1
Bus operator website	2
Bus operator app	3
Bus stop paper timetables	4
Paper timetables	5

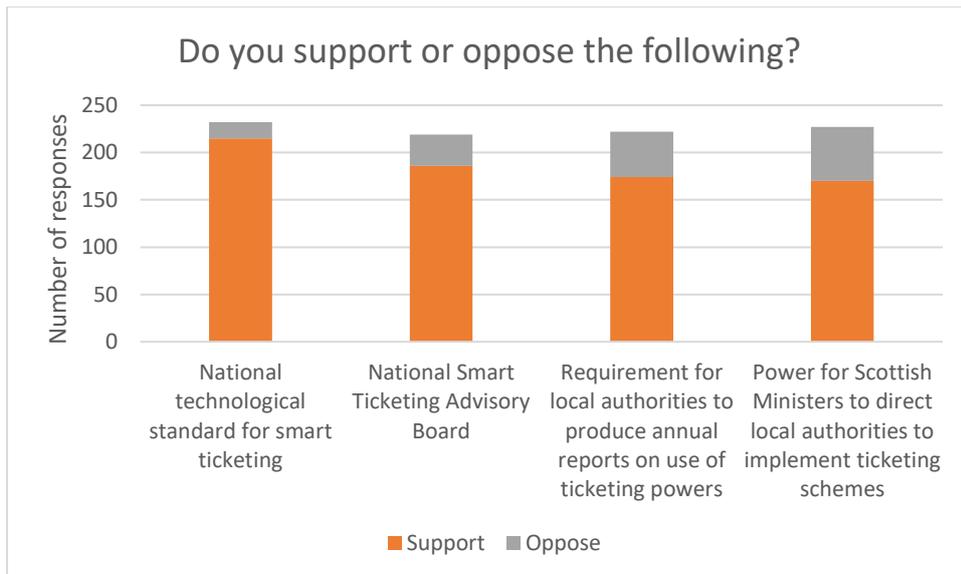
Question 6: Do you think the proposed changes to bus regulation in the Bill could be improved? If so, could you briefly summarise the changes you would like to see made in the box below:

76 respondents made suggestions as to how the bus related provisions of the Bill could be improved. A wide range of issues were raised, with the most popular including:

- Penalties should be imposed on operators whose services regularly run late.
- Better integration between bus and rail, tram and subway services.
- Local authorities should be able to provide commercial services, in competition with private sector operators.
- Local authorities should have full regulatory control over bus services, as in London.
- The Bill does not tackle the root causes of the decline in bus use, especially traffic congestion.
- The partnership and franchising powers will not be used due to financial pressures on local authorities.
- Bus services should be owned and operated by the public sector.

Question 7: Do you support or oppose the following? (which are all proposed in the Bill)

There was very clear support for the key smart ticketing proposals in the Bill, with 93% of respondents supporting a national technological standard for smart ticketing, 85% supporting a national smart ticketing advisory board, 78% the requirement for local authorities to produce an annual report on the use of ticketing powers and 75% granting Scottish Ministers the power to direct local authorities to implement a ticketing scheme



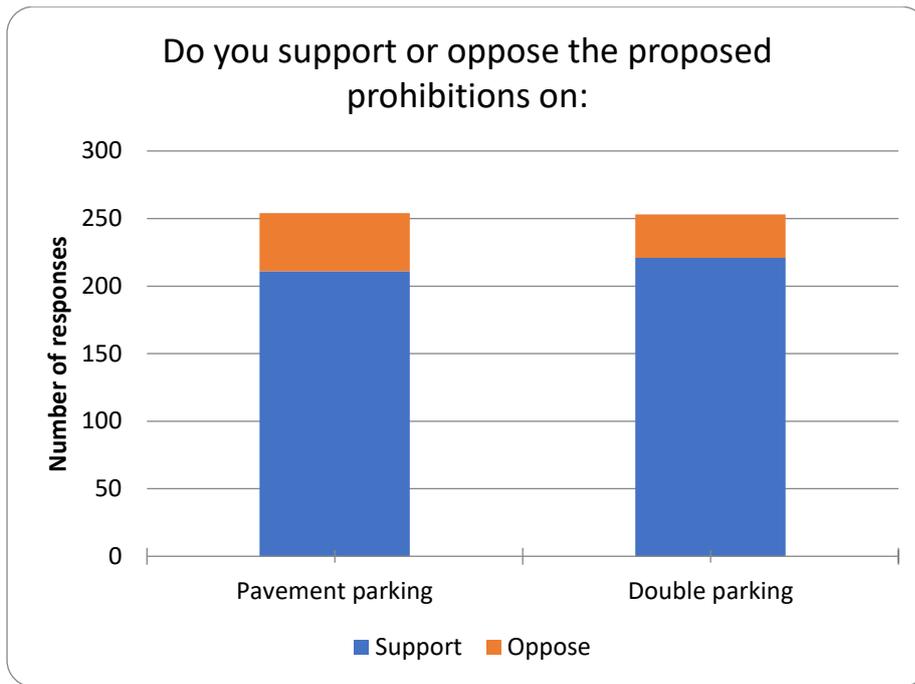
What are the reason(s) behind your answers above?

107 respondents left comments around smart ticketing. These were quite wide ranging in scope, with recurring themes including:

- The needs of people who cannot use, or do not have access to, smartphones, contactless bank cards and similar technology must be considered in any smart ticketing scheme.
- Scotland is well behind other major cities and countries in the provision of smart and integrated ticketing, e.g. The Netherland’s [OV Chipkaart](#) and [London’s Oyster card](#).
- A national smart and integrated ticketing system, including features such as daily fare capping, is preferable to local and operator led schemes.
- There is no need for another advisory board, particularly as smart ticketing technology already exists and is in use across Scotland.
- Smart and integrated ticketing will only come about with suitable regulation and public sector financial support.

Question 8: Do you support or oppose the proposed prohibitions on pavement parking and double parking?

There was strong support for the proposed prohibitions on pavement parking and double parking, with 83% of respondents supporting a prohibition on pavement parking and 87% supporting a prohibition on double parking.



What are the reason(s) behind your answers above?

173 respondents left comments around the proposed prohibitions on pavement and double parking. 82% of comments were supportive of the proposed prohibitions, particularly pavement. Key recurring themes raised by those supportive of the proposals in comments include:

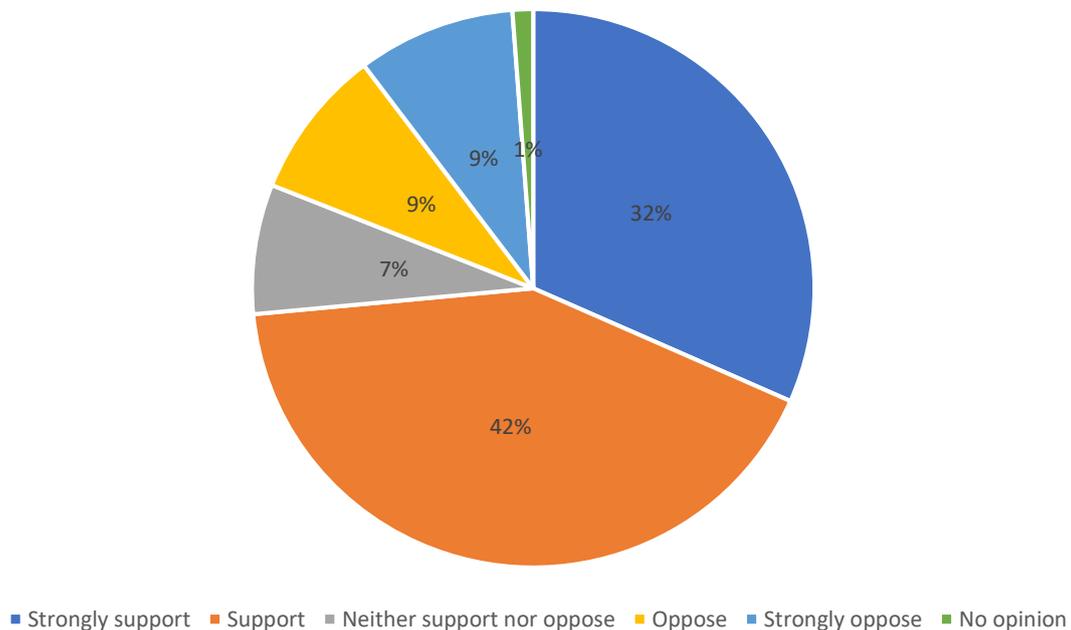
- Pavements are for pedestrians, not vehicles.
- Pavement parking, which can force people to walk on the carriageway, puts pedestrians in danger.
- Pavement parking is a particular problem for vulnerable pedestrians, including people in wheelchairs, people with mobility problems, people with visual impairments and people pushing prams/buggies.
- Pavement parking damages the footway, creating a trip hazard for pedestrians and additional maintenance costs for local authorities.
- Double parking causes congestion and is a particular problem for buses

The 18% of comments that were not supportive generally highlighted the impact that a ban on pavement parking would have on traffic flow, particularly where the carriageway is narrow. It is worth noting that the Bill already allows local authorities to exempt such streets from the pavement parking prohibition. A number of respondents also raised concerns about unintended consequences for Blue Badge holders and a reduction in security for parked motorcycles – which need to be secured to robust street furniture, such as lamp standards.

Question 9: The Bill proposes a number of exemptions to the prohibition on pavement parking and double parking. Overall, do you support or oppose the proposed exemptions?

74% of respondents either support or strongly support the proposed exemptions. However, as outlined in the analysis of comments below – there are considerable concerns about some exemptions – particularly the exemption allowing a vehicle being used, in the course of business, for delivery or loading - subject to the vehicle being parked for no longer than necessary and in any event for no more than a continuous 20 minute period.

The Bill proposes a number of exemptions to the prohibition on pavement parking and double parking. Overall, do you support or oppose the proposed exemptions?



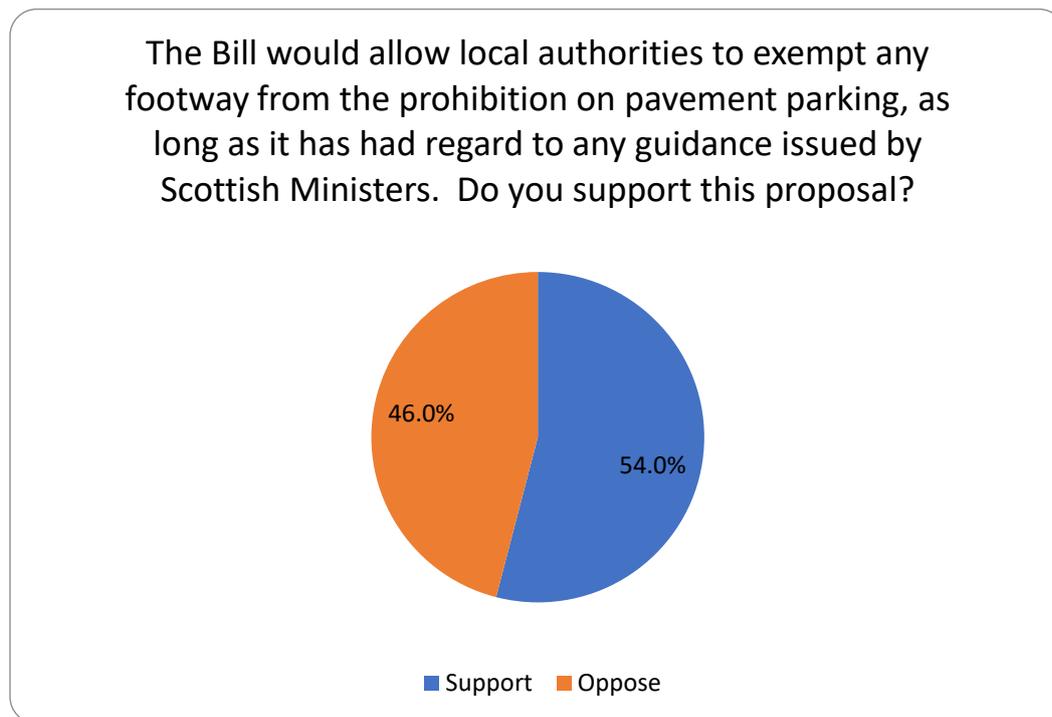
Do you have any concerns about the proposed exemptions, or wish to see additional exemptions added? If so, please briefly summarise what change(s) you would like to see made and why you think these are necessary.

113 respondents commented on the exemptions to the proposed prohibitions on pavement and double parking. Only a small number of key issues were raised, which can be summarised as follows:

- The proposed 20-minute exemptions for vehicles loading and unloading would legitimise pavement and double parking, be impossible to enforce, open to abuse and result in damage to pavements.
- Blue Badge holders should be exempt from the prohibitions.
- Robust enforcement is key to the success of the prohibitions.
- The pavement parking prohibition should not apply where the carriageway is narrow.

Question 10: The Bill would allow local authorities to exempt any footway from the prohibition on pavement parking, as long as it has had regard to any guidance issued by Scottish Ministers. Do you support or oppose this proposal?

Views on the proposals were relatively evenly split, with 54% in favour of allowing streets to be exempted from the proposed prohibitions on pavement and double parking and 46% opposed.



What are the reasons behind your answer?

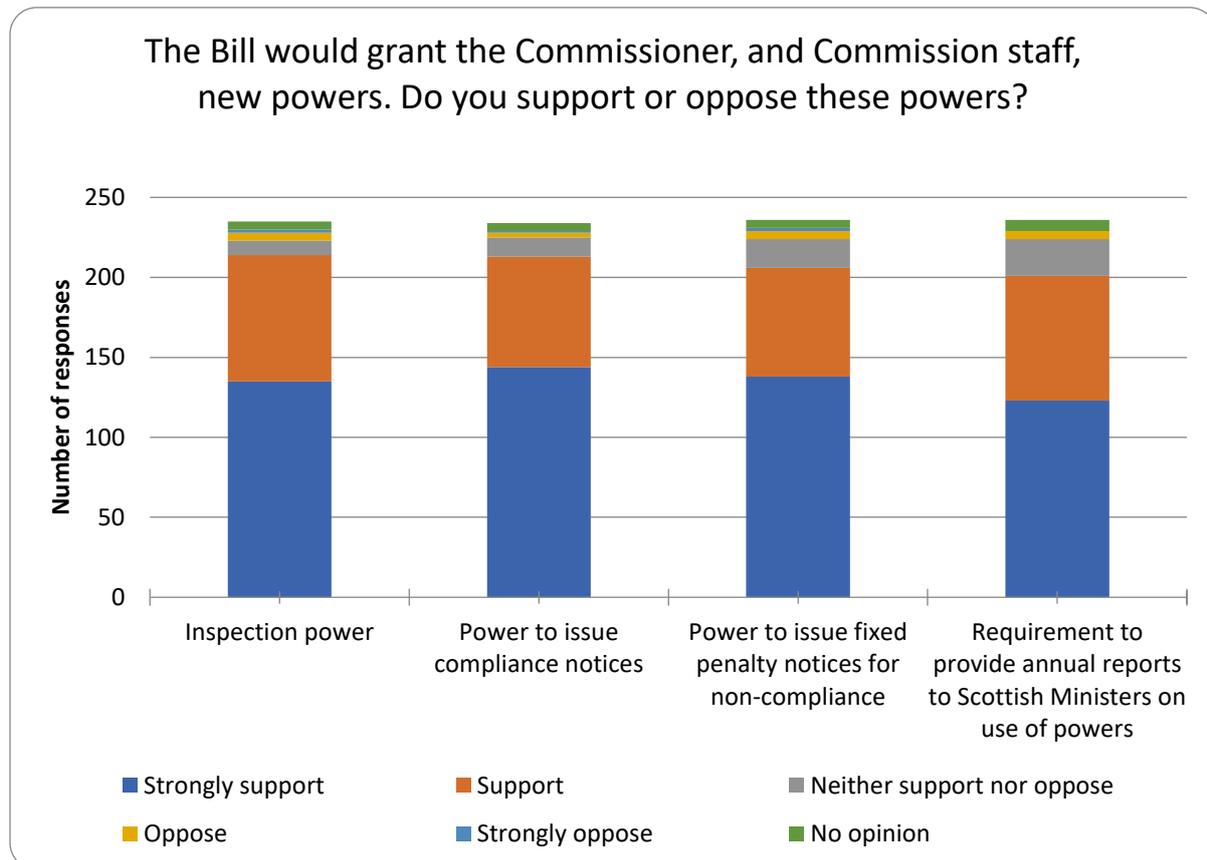
130 respondents commented on the ability of local authorities to exempt particular footways from the proposed prohibition on pavement parking. The proportion of comments either supportive or opposed to these provisions mirror those set out in the pie chart above. The comments broadly reflect those made in answer to questions eight and nine, including:

- Pavements are for pedestrians, not vehicles.
- Exemptions undermine the prohibition on pavement parking.
- Councils are likely to bow to pressure to provide exemptions.
- It is difficult to comment without knowing what the Scottish Government guidance says.
- Exemptions would be vital in some areas to maintain traffic flow, particularly where the carriageway is narrow.

Question 11: The Bill would grant the Scottish Road Works Commissioner, and Commission staff, new powers to investigate and take enforcement action

against organisations that failed to comply with statutory road works requirements. Do you support or oppose these powers?

Respondents were overwhelmingly in favour of the proposed new powers for the Scottish Road Works Commissioner and their staff. Ranging from 85% either strongly supportive or supportive of the requirement to provide annual reports to Scottish Ministers to 91% support for the new inspection powers.



Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

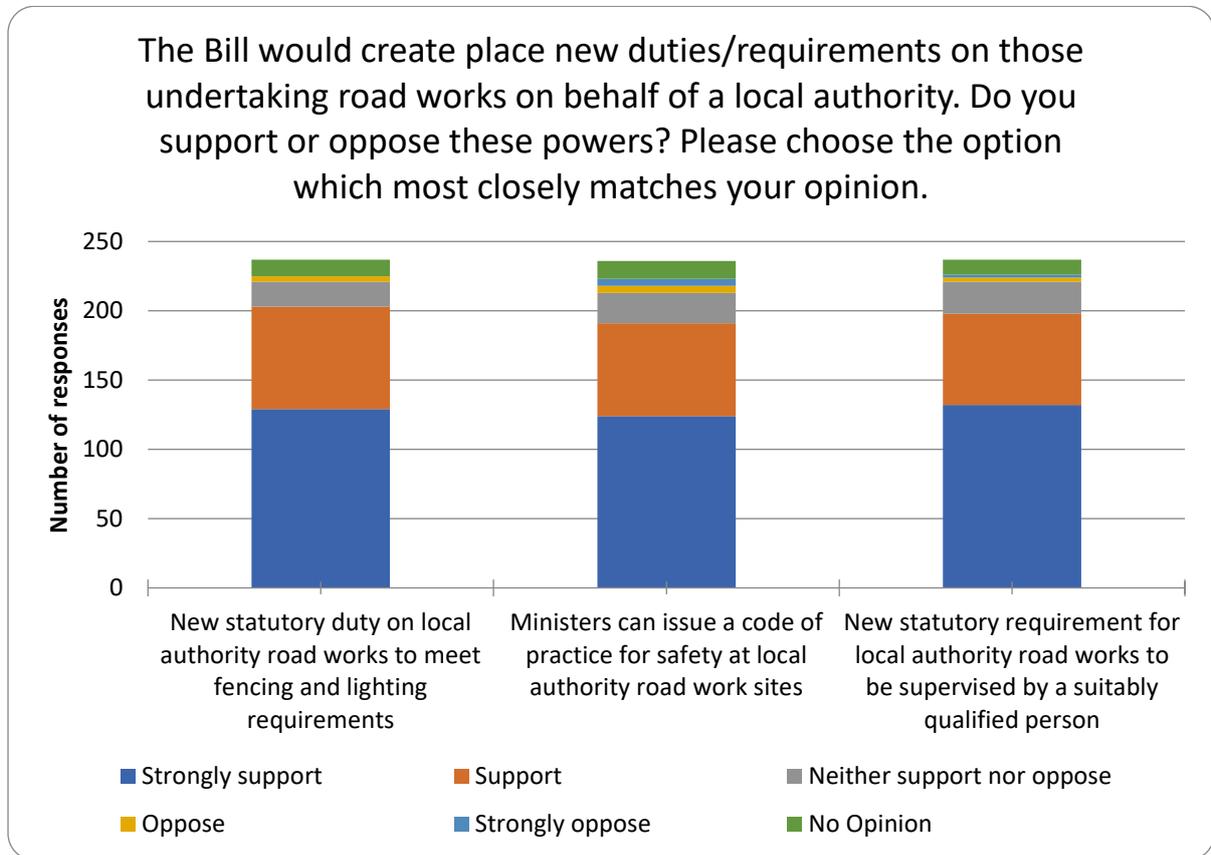
66 respondents provided comments on the proposed new powers for the Scottish Road Works Commissioner (SRWC) and wider road works related matters, including:

- Current reinstatements are of poor quality, with chains of subcontracting meaning no effective control over quality. Standards need to be improved, enforcement increased and defects repaired by contractors at no cost to the public purse.
- Inspection powers allowing SRWC staff unannounced entry to premises is disproportionate.
- Costs of inspections and enforcement must be covered by fees paid by contractors and utilities, or they will not be used.

- Clarity is needed on possible duplication of enforcement caused by granting the SRWC enforcement powers already available to local authorities.
- The requirement for the SRWC to produce an annual report is a bureaucratic waste of time, as it will not improve road works.

Question 12: The Bill would create place new duties/requirements on those undertaking road works on behalf of a local authority. Do you support or oppose these powers?

The proposed new duties and requirements on those undertaking road works gained broad support from respondents, ranging from 81% either supportive or strongly supportive of the ministerial power to issue codes of practice applicable to local authority road works to 86% support for the duty on local authorities to meet fencing and lighting requirements at road work sites.



Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

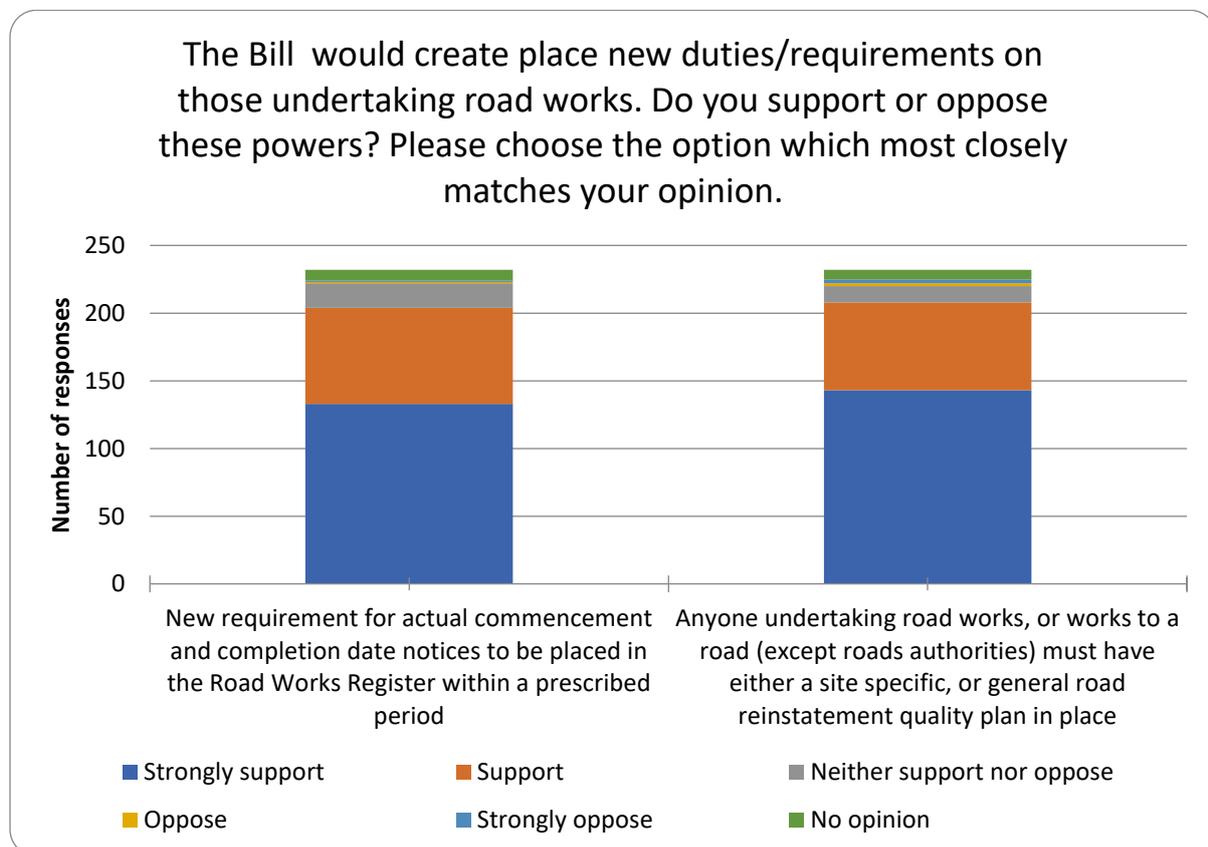
Only 50 respondents commented on the proposed new duties/responsibilities for local authorities. A number of issues were raised, including:

- Road works should always include safe provision for pedestrians, particularly people with mobility problems.

- The proposals may add additional costs to road works for no real improvement in outcomes.
- Requiring parity between utility companies and local authorities is important to ensure consistency and drive up standards.
- The definition of “suitably qualified person” needs to be carefully defined to ensure consistent, high quality work.
- National standards that are rigorously enforced are vital to improving the quality of works.

Question 13: The Bill would place new duties/requirements on those undertaking road works. Do you support or oppose these powers?

88% of respondents either supported or strongly supported the proposed requirement for those carrying out road works to provide details of actual start and completion dates and 90% supported the proposals for reinstatement quality plans.



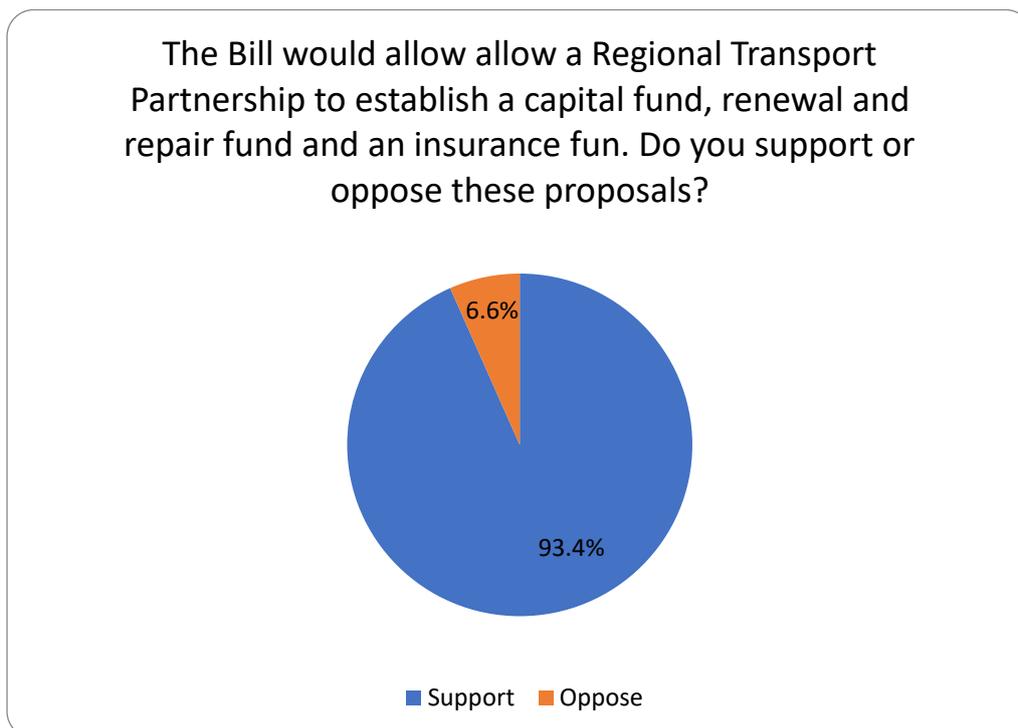
Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

42 respondents made comments on the new duties/responsibilities proposed for those undertaking road works, with key issues raised including:

- Robust inspection and enforcement of standards by experienced staff is key to improved works and reinstatements.

- Local authorities should be required to produce reinstatement quality plans.
- Work sites should be tidied up and all signs/equipment removed as soon as possible following completion of works.
- Utility companies should be subject to lane rental charges, which should speed up the completion of works.

Question 14: The Bill would allow a Regional Transport Partnership to establish a capital fund, a renewal and repair fund and an insurance fund. Do you support or oppose these proposals?



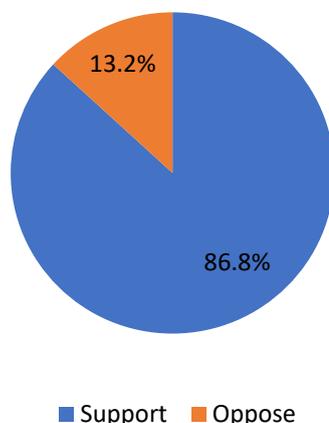
93% of those who responded to this question supported the proposed changes to RTP finances, with just 7% opposed.

What is the reason for your answer?

Those in favour of the proposals generally agreed with the reasons given by the Scottish Government for the introduction in these proposals, allowing RTPs to operate efficiently in line with other local government organisations. Those opposed generally call for RTPs to be wound up, arguing that they are inefficient, serve no purpose or their functions should be exercised by local authorities.

Question 15: The Bill would expand the size of the Scottish Canals board, increasing the number of members appointed by Scottish Ministers from "between one and four" to "at least 4 but no more than 9". Do you support or oppose this proposal?

The Bill would expand the size of the Scottish Canals board. Do you support or oppose this proposal?



87% of respondents who answered this question supported the proposed expansion of the Scottish Canals board, with only 13% opposed.

What is the reason for your answer?

Those in favour generally agreed with the reasons given for the change by Scottish Ministers, arguing that the expanded board would allow for greater diversity amongst members, additional expertise, experience and new points of view. Those opposed to the proposal questioned whether it was necessary, raised concerns about additional costs in the current financial climate and suggested it was a possible jobs-for-the-boys exercise.

Question 16: Do you have any other comments about the Bill, particularly any changes you would like to see made. If so, please briefly summarise these in the box below.

83 respondents made further comments on how the Bill could be improved. As might be expected, these comments covered a broad range of issues. While quite a few of the suggestions revisit comments covered in earlier sections, a number of new issues were raised, including:

- The public sector should take the lead in securing and improving rural bus services, possibly through direct provision.
- The Bill is silent on walking, cycling and community transport.
- The Bill does not include any provisions aimed at reducing congestion or travel by private car.
- The bus provisions in the Bill do not tackle the underlying causes in the decline of bus patronage.

- There is a need for better integration between modes, including co-ordinated timetabling and integrated ticketing.
- The Bill is overly centralising, placing too much power in the hands of Scottish Ministers at the expense of local decision making.
- The Bill should include provisions establishing workplace parking levies and a prohibition on parking in front of dropped kerbs.

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