

LOCAL GOVERNMENT AND TRANSPORT COMMITTEE

Tuesday 23 November 2004

Session 2

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LOCAL GOVERNMENT AND TRANSPORT COMMITTEE

26th Meeting 2004, Session 2

CONVENER

*Bristow Muldoon (Livingston) (Lab)

DEPUTY CONVENER

Bruce Crawford (Mid Scotland and Fife) (SNP)

COMMITTEE MEMBERS

*Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

*Dr Sylvia Jackson (Stirling) (Lab)

*Michael McMahon (Hamilton North and Bellshill) (Lab)

*Paul Martin (Glasgow Springburn) (Lab)

*David Mundell (South of Scotland) (Con)

Tommy Sheridan (Glasgow) (SSP)

*Iain Smith (North East Fife) (LD)

COMMITTEE SUBSTITUTES

Bill Butler (Glasgow Anniesland) (Lab)

Colin Fox (Lothians) (SSP)

Mr Bruce McFee (West of Scotland) (SNP)

Mr Brian Monteith (Mid Scotland and Fife) (Con)

John Farquhar Munro (Ross, Skye and Inverness West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Robert Andrew (Confederation of Passenger Transport UK)

Councillor Charles Gordon (Glasgow City Council)

George Mair (Confederation of Passenger Transport UK)

Marshall Poulton (Glasgow City Council)

Malcolm Reed (Strathclyde Passenger Transport Executive)

Marjory Rodger (Confederation of Passenger Transport UK)

Councillor Alistair Watson (Strathclyde Passenger Transport Authority)

CLERK TO THE COMMITTEE

Eugene Windsor

SENIOR ASSISTANT CLERK

Alastair Macfie

ASSISTANT CLERK

Euan Donald

LOCATION

Committee Room 6

Scottish Parliament

Local Government and Transport Committee

Tuesday 23 November 2004

[THE CONVENER *opened the meeting at 14:10*]

Item in Private

The Convener (Bristow Muldoon): I welcome members of the committee, the press and the public and our witnesses to today's meeting.

Before I formally introduce our first group of witnesses, I will deal quickly with item 1 on our agenda, which relates to an item in private. I ask the committee to agree to take in private item 4, which is consideration of our draft budget report to the Finance Committee. Is that agreed?

Members *indicated agreement.*

Transport (Scotland) Bill: Stage 1

14:11

The Convener: The main item on today's agenda is consideration of further evidence on the Transport (Scotland) Bill. Three panels of witnesses will appear before us. The first consists of witnesses from the Confederation of Passenger Transport UK. I welcome to the committee Marjory Rodger, who is director of Government relations for the CPT in Scotland; Jim Lee, who is the managing director of Travel Dundee and the current chair of the CPT Scottish council; Robert Andrew, who is the deputy managing director of Stagecoach; and George Mair, who is the managing director of First Aberdeen. I invite Marjory Rodger to make some introductory remarks to the committee.

Marjory Rodger (Confederation of Passenger Transport UK): The CPT is pleased to be given this opportunity to put forward the views of its members on the content of the Transport (Scotland) Bill. We strongly support the introduction of a project management structure that is focused on delivery by partnership working. As a key stakeholder, we look forward to working with both the new strategic national agency and the statutory regional transport partnerships.

In the paper that we have submitted, the CPT has concentrated on three areas. First, we highlight the positive and negative sides of the current regional arrangements. Secondly, we explain why better organisation and improved standards of road works are so necessary to our industry—it is totally unacceptable that 50 per cent of road works are substandard and have to be redone to acceptable levels. Thirdly, the CPT makes a plea for a truly national concessionary fares scheme for the elderly and disabled. Although a fair resolution to the current concessionary travel arrangements is vital to the bus and coach industry, we have not repeated our case at length. We believe that we covered the issue in giving evidence in the committee's inquiry into the effectiveness of the Transport (Scotland) Act 2001. We hope that majority opinion now favours one national concessionary scheme and that the debate currently centres on how that scheme should be administered.

The clear message from CPT members is that they enjoy more productive working arrangements in other areas of Scotland than they appear to enjoy in the Strathclyde Passenger Transport area. This is not a blanket attack on the Strathclyde Passenger Transport Executive. We have respect for some individuals who are employed by SPT. In the paper that it has submitted for today's meeting, SPT again calls for

reregulation. It justifies its call by reference to the Colin Buchanan and Partners report, without explaining that the report is a straightforward case study comparison with cities and regions that have received significantly greater public funding over decades.

In its evidence of 28 September, SPT attacked some operators for cherry picking. SPT appears to have painted bus operators as solely self-interested and lacking a social conscience. The CPT cannot let that charge go unchallenged. As the SPT paper has never appeared on the Parliament website, the CPT does not know what and how many other allegations were made. If we were given sight of the paper, we would investigate all the claims that have been made.

We believe that the evidence given regarding service 31, the Lanark to Hamilton route that is run by the McKindless Bus Company Ltd, was inaccurate and omitted several key facts that alter the conclusions that have been drawn. The £83,000 subsidy was paid to HAD Coaches, which with no prior warning went into liquidation on 5 March 2004.

The Convener: Today's committee meeting should not be a battle between the CPT and SPT. We want to focus more on the CPT's views on the Transport (Scotland) Bill.

Marjory Rodger: I accept that totally. The last thing that we want to do is to waste valuable time going into many scenarios. However, we would like to send in a written submission that details some of those matters.

14:15

The Convener: Okay. Do you have any further comments on the bill?

Marjory Rodger: We want to work positively and to concentrate on the bigger issues, but we had to set the record straight.

Dr Sylvia Jackson (Stirling) (Lab): I welcome the witnesses—some faces are becoming familiar. What clear benefits would passengers derive from the provisions of the Transport (Scotland) Bill? Do you think that the bill could be improved for passengers?

Marjory Rodger: I will throw that question open to my colleagues, but it seems to me that joined-up thinking would bring clear benefits for passengers. If we work in bigger units, it is much easier to introduce joint ticketing, through-ticketing and other measures that make the system simpler for passengers—the south-east Scotland transport partnership one ticket is an example of that. Most journeys go through more than one local authority area, so we need the bigger groupings—home to work or whatever. It should become a lot easier to make improvements for our passengers.

George Mair (Confederation of Passenger Transport UK): There will be opportunities to consider major projects that could deliver real benefits in journey times into cities from outlying areas. We might be able to secure infrastructure improvements more quickly if we can consider the bigger picture rather than concentrated areas.

Dr Jackson: You will be asked about road works, but I assume that if the infrastructure were to be in place, as you suggest, aspects such as punctuality and reliability would improve.

George Mair: In certain areas, when decisions are taken at local authority level, our members often find that the easy issues are dealt with, but the key initiatives that would reduce journey times and provide real benefits to the travelling public are perhaps more controversial. We hope that, if the bigger picture were to be considered, decisions could be implemented more quickly and deliver real benefits to people who use public transport.

Iain Smith (North East Fife) (LD): In your written submission, you say that you support

“the creation of statutory regional transport partnerships.”

What advantages would such partnerships have over the existing voluntary arrangements?

Marjory Rodger: We understand that regional transport partnerships are currently at different stages. We have seen some of the evidence from the Highlands and Islands strategic transport partnership and we know the views of SESTRAN; if those bodies think that they need to start at model 1 and work up, that is fine. However, we want the bigger groupings, so that we do not have to make decisions with 32 authorities. We understand that local authorities have different budgetary and policy priorities, but public transport fund bids have not progressed as fast as we would have liked them to progress. We hope that the creation of partnerships that have powers will mean that larger projects are implemented faster.

Iain Smith: Can you give examples of projects that have had problems because they covered different council areas and there was no partnership?

George Mair: The north-east Scotland transport partnership has been successful in developing a modern transport strategy and has delivered a number of measures up front. For example, NESTRANS has made great progress on the western peripheral route in Aberdeen. In the local scenario, certain projects that were encompassed within the first two rounds of public transport fund money have been delivered, but others have been a bit more controversial. For example, a park-and-ride scheme has been delayed. We hope that, if such matters are considered on a larger scale,

they can be delivered more quickly than was the case in the past.

Iain Smith: I understand your point about NESTRANS. In relative terms, however, that equates to one of the smaller proposed partnerships; it covers two local authorities in an area where people worked together previously in the old Grampian region. What about the area of WESTRANS or the proposed west and south-west partnership, which covers Dumfries and Galloway, where the majority of bus journeys are internal to the area, rather than crossing boundaries? Does it make sense to have a statutory regional partnership that requires all the authorities in the west of Scotland to work together for bus services in Dumfries and Galloway to be organised?

Marjory Rodger: Initially, it is up to local authorities to decide which partnership is best for them to be in. That is definitely not for us. We have sympathy with Dumfries and Galloway and we agree with the sentiment that the WESTRANS area or Strathclyde is already a very large grouping. To include Dumfries and Galloway and the Ayrshires is probably not logical. It is up to Dumfries and Galloway to make its case. We would say that the proposed arrangements do not fit.

David Mundell (South of Scotland) (Con): That is an interesting point. In last week's evidence, we heard that local authorities were to be forced into partnerships. There will not be a choice—authorities will have to be in a partnership. If Dumfries and Galloway is effectively forced to form part of a larger unit, will that have any benefit for bus services there?

George Mair: Partnership and force seem to me to be opposites. From our point of view, whenever partnership arrangements are put in place, we want to be part of them. We have written to the minister, requesting that the CPT participate in whatever partnership emerges, in whatever form. That is a decision for the political world—for you guys or the Scottish Executive—to take. We will happily work as best we can under whatever arrangement is put in place.

David Mundell: Your evidence is that there is no logical fit for Dumfries and Galloway within the proposed west and south-west partnership, from a bus point of view.

Robert Andrew (Confederation of Passenger Transport UK): We understand the concerns that have been raised with Dumfries and Galloway Council. In many instances, the industry works very well with the council. We want successful partnerships to come forward and we do not feel that it should be for the industry to decide who should be in which partnership. There might be some logic in the western partnership being

smaller than has been suggested, but we will work with whatever the final outcome is.

David Mundell: I will follow up on the point that you made about local authorities working together. Last week, the Society of Chief Officers of Transportation in Scotland told us that local authorities worked well together. On that basis, the rationale for having statutory partnerships is less strong. You have cited examples of people working well together under the current arrangements. We have not heard significant evidence—or in fact any evidence—of local authorities not working well together under the current arrangement or working in a way that inhibits the development of strategies, partnerships and so on. It would be helpful if there was clear evidence that the current arrangements are not working or could not be made to work.

Marjory Rodger: In our view, one of the current constraints on local authorities is their three-year budgetary cycle. Not all transport innovations or big projects can be brought in over three years. That throws things into jeopardy and can cause big delays. It can make local authorities nervous about pledging the sum of money required and putting their plans into action. A statutory partnership that could commit over a longer term, so that the bigger projects could be implemented, would provide a much more secure basis on which to move forward.

David Mundell: Is that not also an argument for partnerships to have their own budgets, which they will not have?

Marjory Rodger: From last week's evidence, I am well aware of your concerns over the lack of definitions for the proposed partnerships' constitution, powers, boundaries, functions and finances. Those have all yet to be determined. As we have said, that involves political decisions and we have to work with the outcome of those.

David Mundell: The Executive has made it clear that the partnerships will not be directly funded, so the funding will come from local authorities anyway.

Marjory Rodger: How much power the partnership would be able to invoke is directly linked to which option the partnership chooses.

Paul Martin (Glasgow Springburn) (Lab): The bill contains proposals for the modernisation of the various transport regions, but what proposals have the transport companies made to modernise their approach to regional operations? You have set out what you want to see take place in the various authorities, but what are the proposals of the two main bus operators in Scotland for modernising regional transport? If we want to dictate to local government a new approach, why do the bus operators not modernise their approach to deliver regional transport?

Robert Andrew: At the moment, bus companies tend not to be structured along local authority boundaries or even regional transport boundaries. I give the example of my organisation. There are three main operating companies geographically spread across Scotland: one largely operates in the proposed west and south-west partnership area; one largely operates in the proposed south-east partnership area; and the third is split between the proposed north-east and Highlands and Islands partnership areas.

Currently, we have good working relationships with NESTRANS and HITRANS, in those areas where the voluntary partnerships are beginning to work, but that is less the case with SESTRAN, because that organisation goes about things slightly differently. I feel that we are already structured in such a way that there will be no difficulty moving forward with the proposed new regional partnerships. If changes were necessary, we would be able to evolve quickly, as we have in the past, to work with the appropriate bodies.

Paul Martin: We are asking the authorities to change and modernise, but are you saying that the bus companies will evolve as that happens?

Robert Andrew: If it is necessary. We have flexibility and we have specialists in a variety of roles, so we can react quickly to whatever the climate is at the time.

Paul Martin: Do you give a commitment to do so once we have set in place the new regional transport partnerships?

Robert Andrew: The CPT cannot speak for the industry as a whole, but my organisation would automatically act in the way that I have described.

Marjory Rodger: I think that you will find that the industry will watch what happens and tailor itself to match that as closely as possible. We are investing heavily in vehicles. We have produced the "On the move" booklet, which shows all that we are trying to do. We are keen to use through-ticketing and smartcard technology. We back all those measures; we are certainly for innovation.

George Mair: There are other areas in which we can demonstrate that we have been prepared to look at the wider issues. We contribute substantially to traveline Scotland. FirstBus has looked at Scotland-wide ticketing options and we have a variety of different arrangements in place in different parts of Scotland, whether those are quality partnerships or umbrella agreements. The industry is willing to bend and shape as needs develop.

Michael McMahon (Hamilton North and Bellshill) (Lab): It is clear from your submission that you see road works as a major problem, because obviously the timetabling of buses and

coaches is problematic if road works are in the way. Why would the establishment of a road works commissioner help to improve that?

Marjory Rodger: We have called for effective management of road works. I recall from last week's evidence that powers are available now that are not used. Is that what you are referring to?

Michael McMahon: Yes.

Marjory Rodger: We are simply asking for the situation to be sorted. If having a commissioner will be a more effective way of sorting the problem, we will support that. We want resolution. We have not made a distinction in our submission between utilities road works and road works on trunk and local roads, because those are political definitions. We are just highlighting our perspective of how the passengers see the situation, which is detrimental to the image of public transport and to us as operators. We are saying that big problems exist and that effective action must be taken.

Michael McMahon: So how can your organisation, through engaging in this consultation, make the road works commissioner an effective position?

Robert Andrew: Regardless of what the framework is, we are major customers of the road authority, for want of a better description. Our customers are greatly inconvenienced whenever something goes wrong with a set of road works and we already try to give feedback through local authorities when there are problems. I think that a road works commissioner would be a focus and an outlet that we could besiege with letters and e-mails to ensure that people know about problems on the ground and that those problems are being looked at. Yesterday, for example, I had the misfortune to be in Aberdeen, from which it took me 50 minutes longer than usual to get home simply because of two sets of road works on a trunk road.

14:30

Michael McMahon: So the issue is all about communication.

Robert Andrew: Communication is half the battle. However, we are not saying that there is a particular solution. We are saying that things need to be a lot better than they currently are.

Michael McMahon: So you see the road works commissioner as being not so much judge and jury on issues, but more a vehicle for communication.

Marjory Rodger: We think that road works must be far better co-ordinated. There must be communication all round, much better timetabling and a much better standard of road works from

those who dig up the roads. If current measures are so inadequate, we will support something that has more teeth and powers, which would probably improve the situation.

Paul Martin: In your evidence, you clearly say that you want one national travel concession scheme rather than five schemes being run by the individual regional transport partnerships. Why do you want one national scheme rather than five schemes?

Marjory Rodger: We have had great difficulties working with the current set-up of 16 schemes, which we believe is unsustainable. There are 16 sets of negotiations, 16 sets of definitions and benefits and varying levels of reimbursement. Reducing 16 schemes to five schemes might seem a big improvement, but the same underlying problems would remain. How will there be consistency in respect of definitions, benefits and entitlements? Our concerns are particularly with carers and cross-boundary issues rather than with the national minimum standard. There must be one clear set of definitions and benefits and one set of reimbursement negotiations. We must have a standard for Scotland, so that we can manage the risk and so that everybody knows where we are going and how to deal with things. We support one national scheme.

Paul Martin: Is there an argument for regional variations? We are talking about only five regional transport partnerships delivering a strategy. That also raises the issue of including ferry operators in the scheme. Should we consider that in relation to regional variations?

Marjory Rodger: That is a political decision. If any local authority or partnership wanted an enhancement above the national scheme and ferries were the home-to-work transport, we could well understand the case. We do not have a problem with local enhancements. We will work with the decision.

Paul Martin: Councillor Gordon might be able to open the Renfrew ferry for us. There could be free ferry services.

George Mair: From a user's point of view, it is important that whatever scheme is in place is simple and easy to use. I spend a lot of time—my colleagues probably face similar problems—trying to explain to the elderly in Aberdeen why they have a less favourable concessionary travel scheme than that for pensioners in Aberdeenshire. That is a difficult and complex issue for them to understand. They want to have free travel all day. From a user's point of view, the simpler a scheme is to operate, the better. Quite apart from people having to think through the huge issues involved in travel between cities, a scheme can be mind boggling for them, but it should be dead simple

and easy to use. The benefit of having free travel consistently throughout Scotland is attractive.

Paul Martin: Would the running of a national scheme mean less expenditure? Can it be argued that, with a much simpler scheme for the operators, we could get more out of our investment?

George Mair: It is inevitable that there would be huge savings in managing one scheme as opposed to managing the existing arrangements.

Marjory Rodger: There would be savings in management time on all sides. An incredible amount of time is currently being spent on the issue and I cannot see that there would be big savings with a reduction to five schemes.

Robert Andrew: It is worth highlighting the fact that some of the proposed regional partnerships would create problems with current concession scheme boundaries. I am thinking of, for instance, where Moray Council fits into HITRANS. Moray Council has a joint concession scheme with Aberdeenshire Council, which will be in NESTRANS. That could open a whole new can of worms.

David Mundell: I am sorry, but I was not quick enough to ask a question about road works. I would like to go back to that area of questioning. I seek clarification about the proposals in the bill on road works and the role of local authorities. I do not want to lead you, but I am sure that your experience is that it makes no difference to the congestion and disruption that are caused to your passengers whether a local authority or a utility is carrying out the road works.

Marjory Rodger: Yes. We have categorised all road works as a problem, regardless of whether they are carried out by utilities, and we want them to be managed better.

The Convener: Those are all the questions we have for the panel. I thank the four representatives of the Confederation of Passenger Transport.

I welcome from Glasgow City Council our second panel: Councillor Charles Gordon, who is the leader of the council; Marshall Poulton, who is the head of policy and planning for the council; and Michael Donnelly, who is the business strategy manager for the council. I invite Councillor Gordon to make introductory remarks.

Councillor Charles Gordon (Glasgow City Council): I am pleased to have the opportunity to give evidence on this far-reaching bill, which is potentially important for the city region of Glasgow as a travel-to-work area.

I maintain a strong interest in, and have knowledge and experience of, transport-related matters. I spent nearly 20 years of my working life

on the railways, so the convener and I have something in common. Between 1990 and 1994, I was vice-convenor of Strathclyde Regional Council's roads and transport committee and from 1994 to 1996 I chaired it. Local government was changing back then and, during the shadow year of 1995, I was the new Glasgow authority's roads convener. From 1995 until 1999, I was the chair of the Strathclyde Passenger Transport Authority.

We have some concerns about the detail of the bill, principally relating to the fact that much of the detail will come later under ministerial orders. However, I emphasise that we are not here simply to defend the status quo. The approach that we have taken in partnership with other councils in the west of Scotland has been practical in relation to the issues. The city region—the travel-to-work area—is a spatial reality: people cross administrative boundaries every day for a variety of reasons. That was recognised a long time ago by Barbara Castle, in the Transport Act 1968. She made special arrangements for the seven great city conurbations in the United Kingdom outside London, and she established passenger transport authorities and executives.

That model was developed and innovated on further by Strathclyde Regional Council, which was more than just a city-region authority as it had responsibility for considerable island areas and landward rural areas. The regional council simply used the passenger transport executive as a council transport department. That proved that Barbara Castle's original model could be adapted to changing circumstances.

Our primary concern is not to jeopardise the progress that has been made and not to disrupt the economic functioning and regeneration of the city region of Glasgow and the surrounding areas. We do not want to be landed with an untested and rather theoretical model and we do not want to diminish Glasgow's role as the hub of the country's largest transport network.

We have taken a practical approach. In our submission to the original consultation in December 2003—which was made jointly with the 11 other local authorities in the west of Scotland and with SPT—we presented in simple diagrammatic terms practical proposals to adapt the existing models and to strengthen them. Glasgow City Council has not yet had a formal discussion on the latest stage of legislative consultation, but our evidence today is based on that 2003 submission.

Principally, the model that we wanted to develop was essentially a joint board that would encompass 12 councils and SPT. However, the civil servants' report on the consultation responses seems to have treated the submission as one submission from one council because it was

submitted with a covering letter from South Lanarkshire Council. That was a fundamental error. If at all possible, we need to bring back into consideration the innovative model that we proposed in that submission.

There are some issues with the latest stage of the proposals. We have a difficulty with the concept of there being individual members of the new regional transport partnerships; after all, those individuals will vote on the allocation of public money. We believe that the inclusion of non-elected people will represent a dilution of public accountability.

To limit the number of the council's votes to four will not properly reflect the population range in the west of Scotland regional transport area, nor will it reflect the level of budget that Glasgow City Council can expect to contribute or the weight of the city council's transport responsibilities. We need a high level of safeguard on the extent and scale of majority voting in the new RTP in order to redress any potential democratic deficit and to ensure best value from spending of what is, after all, the public pound.

We have doubts about whether the inclusion of Dumfries and Galloway in the proposed west and south-west partnership can be justified. Dumfries and Galloway has not previously been included in the west of Scotland and is not part of the travel-to-work area of the Glasgow city region.

Under the latest model that has been proposed, it will be difficult to ensure that councils transfer to the regional transport partnership the powers that they currently hold at unitary level. We had already persuaded councils to do that under the model that we proposed last December. I can give further details on our proposal if required.

The Executive appears to be flexible on the three models in "Scotland's Transport Future: Proposals for Statutory Regional Transport Partnerships", but rigid on the voting arrangements, despite the range of population sizes in, for example, the west. There seems to be a presumption in favour of arguments against the joint-board model, but it is a tried and tested model in local government. Joint boards function very well for the police and for the fire service. As community planning legislation rolls out, the country councils are showing that they are able to adapt to joint working and partnership working in relation to a new range of public sector powers that were hitherto held at unitary authority level or within individual organisations.

Only one respondent out of 176 made a significant argument in favour of requisitioning. However, that method is being proposed although it is alien to the joint-board model that exists in Scottish local government.

My last point illustrates the inequity that would exist in the proposed system of voting and representation. Glasgow City Council provides about 27 per cent of public transport finance resources for SPT, so it does not seem unreasonable to us that that should be reflected—I will use an uncommon word for me—more proportionately in the proposed arrangements.

14:45

The Convener: Thank you for those introductory remarks. I thought that “proportionately” was the word that you were coming to towards the end of your comments; I suppose that that might make the headlines. I welcome your contribution and acknowledge your long-standing interest and expertise in transportation issues.

Paul Martin: I have two questions. First, you did not cover benefits that the bill will bring to the electorate, so will you tell us about those? Secondly, are there omissions from the bill that should be addressed? As elected members, various representations have been made to us on some issues. We have been involved in a bus inquiry and various other matters that relate to discussions about the bill.

Councillor Gordon: I emphasised the joint submission that 12 councils made in December 2003, but I am happy to make it clear that we broadly welcome the road work proposals. If the committee would find it helpful, Glasgow City Council could submit written comments specifically on that aspect of the bill.

I accept that there is to be a national transport agency and that we must raise our game in respect of transport delivery. I acknowledge that the Executive has put significantly increased sums into transport recently and so is probably entitled to feel that delivery could be sharpened up. I accept that the status quo has not been delivering and that greater innovation is required.

The west of Scotland councils have not made a joint submission on concessionary travel, but I have some knowledge and experience of the matter as I was for some time the chair of the Strathclyde concessionary travel scheme joint committee. Glasgow City Council currently puts about £12.2 million into the Strathclyde concessionary transport scheme annually. My view—at this stage it is a personal view—is that once the Scottish Executive introduced free bus travel it fettered the discretion of local authorities in relation to local concessionary travel schemes. In the past we could from time to time raise the price of concessionary travel, but once there is a free element—albeit through a national scheme injected into the local schemes—it becomes

inevitable that we will head in the direction of a national concessionary travel scheme.

The other thing that is missing—it was also missing from the Transport (Scotland) Act 2001—is that, notwithstanding the Confederation of Passenger Transport's view, we need to consider regulation of the bus industry. Our railway industry is, rightly, heavily regulated, but the bus industry is virtually unregulated. We all desire greater co-ordination and integration of buses, which will require increased regulation. People say that they support quality contracts. They amount to the same thing, which is regulation. We are talking about trying to get bus companies to use some of their huge profits to cross-subsidise routes that may be less profitable but which are socially necessary because communities may be left in isolation if they disappear. That does not apply only in rural areas: similar issues arise in urban and semi-urban areas, particularly after dark or at weekends.

Iain Smith: You highlight concerns about boundaries, particularly about the proposal to include Dumfries and Galloway in the west of Scotland regional transport partnership area. What area would be appropriate for the west of Scotland partnership and why would it not be appropriate to include Dumfries and Galloway?

Councillor Gordon: A balance must be struck. When people desire to travel, they will cross any boundary that we develop or that exists. Travel is by definition a dynamic phenomenon, but transport patterns show that most journeys take place within fairly defined areas. In our case—a city region—that is a travel-to-work area. There is little evidence to show that significant travel-to-work crossover takes place between Dumfries and Galloway and the Glasgow region. I could make a stronger case for including Carlisle.

Iain Smith: Do you have other comments about the proposed boundaries for the west of Scotland partnership? Are there areas that should be included or excluded?

Councillor Gordon: The west of Scotland partnership will cover a big area and we need to keep the arrangements to a manageable size. Plenty of proof exists that the west of Scotland model works—it has worked for a generation—but it would be hard to justify an expansion of the area. Certain areas that are geographically close to Glasgow, such as west Stirlingshire, have never been considered to be part of Glasgow's transport arrangements, but no one proposes that they should be included. If we argue that because people from a certain region make journeys to Glasgow, that area should be included in Glasgow's arrangements, we might end up with the whole country included in those arrangements.

Iain Smith: Except Fife, obviously.

Michael McMahon: The Executive has suggested that the west of Scotland RTP might at some point take responsibility for roads in Strathclyde. Would Glasgow City Council be happy to cede control of the local roads network to the RTP?

Councillor Gordon: Similar situations have occurred. When I was roads and transport committee convener of Strathclyde Regional Council, we were not responsible only for local roads in the region, but for the urban motorways in the Glasgow conurbation.

In the run-up to our submission to the Executive consultation of December 2003, we agreed that we would define regional roads and transfer them to the joint board that we proposed to establish. The submission was signed by the leaders of the 12 councils, including me; we have political agreement on that approach. However, the innovative model that the 12 councils proposed was a voluntary approach. Given the potential loss of political accountability in the present proposals, I cannot guarantee that we would all play ball in that scenario.

Such a move as Michael McMahon suggests would have tremendous benefits, however. One of the advantages of the roads authority also being the passenger transport authority is that we would not need to worry about a lack of integration between public transport operations and management of the road system.

Michael McMahon: I am not saying that I am concerned about your comment on political involvement. Would the situation necessarily change, however, because of a change to the voting system? If it was appropriate two or three years ago for the 12 local authorities to see the value in ceding responsibility, what would be the difference, in practical terms, of a change in the voting system of the RTPs?

Councillor Gordon: There would not be a change in practical terms. Yes—we could make the system work, but we would like to know what lies behind the apparent attack on the democratic model that we already have. All that we propose is that the 34 councillors who are drawn pro rata from the 12 local authorities in the west of Scotland to make up the Strathclyde Passenger Transport Authority should wear two hats: under the model that we propose, they would administer both regional roads and other new partnership arrangements. In terms of democratic accountability, that is a far superior model.

We do not know why the Executive proposes to cap council influence at a maximum of four votes. We do not know why individuals who are not elected or accountable are to be given places and

voting rights on new bodies that will spend public money that has been requisitioned from local authorities. We think that that is an alien model. Our proposal is far more practical and has the added benefit of being far more politically acceptable. There are enough tensions between central and local government without the Executive looking for ways to invent new ones, which is what seems to have happened in the case of the rather arcane voting proposals.

David Mundell: One of the things that the Scottish Executive led in evidence last week as a rationale for the partnerships was the fact that local authorities cannot work together, so we require a statutory framework to make them work together. However, no evidence has so far been produced to show that failure of local authorities to work together has been an impediment to a specific project. Your evidence on the joint-board model appears directly to contradict that idea. What do you say about the rationale that we need the legislation because local authorities cannot work together?

Councillor Gordon: That sounds like the civil service at its worst. There is antipathy towards local government behind that idea, but all the evidence points in the opposite direction. Local government has proved that it can work in partnership within statutory or voluntary frameworks both in relation to services, such as police and fire services, and generally in community planning. Local government has also proved—certainly in the west of Scotland—that it can work in partnership in delivering public transport. SPT has been going for 30 years; we have other joint arrangements, even at operational level. Bus lanes in Glasgow, which we call quality bus corridors, do not stop at local authority boundaries. We have developed a joint approach to bus lanes; for example, with West Dunbartonshire Council, in the case of Dumbarton Road.

I do not see any evidence for the idea that David Mundell mentioned. What lies behind it is the civil service view that the delivery vehicle should be anything but local government.

David Mundell: To clarify your evidence, do you envisage that regional transport partnerships, such as the one that is proposed for the west of Scotland, will be able to deliver anything more than the joint boards that you propose?

Councillor Gordon: No. We already have voluntary agreements—which have been signed up to by 12 council leaders—to do a great deal more. As I said at the start, our approach to the consultation was not ideological, but practical. We have been in the game and doing these things for a long time. Things can be improved; there can be innovation and delivery can be sharpened up, but

that cannot be done by implementing an untested theoretical model. We should build on the strengths that we have.

15:00

The Convener: I will explore that further. The model that the councils proposed talked about 34 members, but one of the Executive's aims in reducing the number of representatives was to make the organisation more focused. Some people would suggest that a committee that has 34 members would find it more difficult to come to agreement than would one with fewer members. If the issue of weighting was addressed within the lower number of members, would that satisfy Glasgow City Council?

You also expressed concerns about the appointment of unelected people. Those people would initially be appointed by the minister, but ultimately they would be selected by the regional transport partnerships. Is your concern in that respect merely to do with voting? I expect that the Executive would say that one of its aims with the RTPs would be to encourage more partnership working between councils and other economic bodies in the areas concerned. How do you envisage that the joint board that you propose would work with potential partners in the west of Scotland?

Councillor Gordon: In the west of Scotland, we sit down with the chambers of commerce every year and talk to them about plans for roads and transport, which after all form an important supply side for economic development. Roads and transport are important to business people and the public sector has the whip hand in relation to roads and transport. We could consult and Parliament could make it mandatory for us to consult or co-opt, but I have a difficulty with unelected persons voting to spend taxpayers' money, be it national taxpayers' money or local taxpayers' money.

We could look at reducing the boards' membership from 34 while keeping representation proportional, but the astonishing fact is that, in all the time I chaired the Strathclyde Passenger Transport Authority between 1995 and 1999, we only had one vote, which was over which livery we should use to repaint the trains.

The Convener: On the point about external bodies, would you be prepared to consider a model that included co-opted members, as long as those members did not have voting powers?

Councillor Gordon: Yes, because any strategic body engages with stakeholders if it has any sense. However, that engagement and partnership working must be done qualitatively; it cannot be done by a tick-box or enforcement approach. We

would find that the business community would regard it as tokenism if we were to take one of their number and make that person a committee member with full voting rights, because they would understand that a lot of the politicking would take place behind the scenes. If we want better-quality engagement with stakeholders such as the business community, there are other ways of achieving that. I am certainly in favour of engagement; economic development is at the heart of Glasgow's regeneration and the two most important things the public sector can bring to the regeneration party are transport and skills. I do not regard engagement as an afterthought.

Dr Jackson: I will ask you about your response to the consultation paper about the utility companies' involvement in road works. You are obviously not too happy about how long they take, the quality of reinstatements and the site supervision. Would the introduction of a road works commissioner and a national road works register, which are proposed in the bill, improve the situation?

Councillor Gordon: They have the potential to improve the situation. We have to try to innovate and to improve the situation, which is unacceptable. People get very angry about road works—as a former roads convener, I know that. People would say that we did them at the wrong time. Believe you me, there is never a good time to do road works. Somebody is always going to be inconvenienced by them. However, we know that the utilities have a statutory right to dig up the road. They try to programme their works and we try to switch them round to coincide with other works or to avoid impacting on major events, but the reality is that they just have to say that in their operational judgment it is an emergency. Are we going to second-guess someone who says, "There's a gas main down there and this might develop into an emergency"?

As was highlighted, there are issues with the quality of reinstatement, for which better arrangements could be made. I guess that the commissioner could examine the performance of local authorities and utilities after the fact. By making it clear that the commissioner would apply sanctions, we could perhaps raise standards. It is worth a try, but I do not have complete faith that it will work.

Dr Jackson: That has been an issue in my constituency and, I am sure, in others. What do you do in Glasgow when a community gets in touch with you about reinstatement not being up to standard, with sinking in the road and so on? What procedures do you follow? What inspections do you perform?

Marshall Poulton (Glasgow City Council): As Councillor Gordon said, we welcome part 2 of the

bill with regard to road works. The general aim is to improve co-ordination. We do not see that as a major problem, but it needs to be improved, because one of the big issues is the quality of road works. The roads authorities and utility committee's national coring exercise last year showed that 55 per cent of sampled reinstatements were failing. In Glasgow, we address the matter in an efficient way. Problems come to us, we inspect them, and then we get repairs carried out. One of the big problems is that we cannot guarantee the quality of the work of out-of-house contractors that are brought in by Scottish Power or one of the other utilities.

In Glasgow, we are introducing additional coring and we are designating strategic roads, which all comes under the considerate contractor scheme. We are also introducing a system of lay assessors to improve the inspection regime, whereby members of the public help us to monitor the road works that are being carried out. The considerate contractor scheme is novel. It has been used by one authority in England—I believe that Birmingham City Council has adopted it—and we are hoping to drive it forward by putting in place an agreement between us and contractors to improve the state of roads and road works.

Dr Jackson: I have a question on your powers of enforcement. I accept that there is an issue with the number of staff you have to inspect roads. As you say, a utility might subcontract the work, which means that you cannot guarantee the quality. If you inspect a road and find that the reinstatement is not up to standard, is there no penalty?

Marshall Poulton: We do not have such powers just now, which is one of the problems. That is why we welcome the financial penalties in the bill. Maximum fines can be increased and fixed penalties can be introduced for certain offences. Even civil penalties could be introduced by regulation to enable roads authorities to impose charges.

David Mundell: I want to follow up on Sylvia Jackson's question. If you do not have the information with you, perhaps you could submit it to us later. Has Glasgow City Council ever made a complaint against a statutory undertaker under the New Roads and Street Works Act 1991?

Councillor Gordon: We do not have that information to hand, but we will try to get it for the committee.

David Mundell: In evidence last week, we heard that there have been no prosecutions under the 1991 act. It is important that we get to the bottom of why that is the case.

We have been told that the purpose of part 2 of the bill is partly to deal with congestion. What is your view on the fact that local authorities are not

included in that part of the bill? Would the council be happy for the same provisions to be applied to it when it carries out road works as are applied to utilities?

Councillor Gordon: Yes. We do not want a double standard. Glasgow City Council often undertakes road works on its own behalf. We should be subject to the same standards as utilities.

The Convener: Iain Smith has a question.

Iain Smith: Councillor Gordon covered the issue of concessionary travel earlier.

The Convener: That brings us to the end of questions. I thank Councillor Gordon, Michael Donnell and Marshall Poulton for their evidence.

I welcome our third panel for the afternoon, which is made up of representatives of the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive. We have with us Councillor Alistair Watson, who is the chair of the SPTA; Malcolm Reed, the director general of the SPTE; Douglas Ferguson, the director of operations; and Valerie Davidson, the head of finance.

I know that there is concern in SPT about comments in one of the papers that were submitted and that today the CPT has made further comments regarding SPT. However, in your introductory remarks and in your answers to questions, I would like you to concentrate mainly on the Transport (Scotland) Bill and SPT's views on the bill. Hopefully, if we touch on any of the other issues, we will do so only to a small degree.

15:15

Councillor Alistair Watson (Strathclyde Passenger Transport Authority): I welcome the opportunity to present evidence on the bill. Like Councillor Gordon and the convener, I have spent a substantial chunk of my life in the railway industry—getting on for 30 years. The organisation that I represent is more than 30 years old, so we are growing old together. Like an old fiddle, we are probably getting better.

There is no doubt that, of all the public transport authorities in Scotland, SPT is most directly affected by the bill. We welcome the opportunity to give evidence to the Local Government and Transport Committee and to explain some of our concerns about the bill.

My colleagues and I are happy to answer any questions that the committee may have concerning our written evidence, which members have received. However, it might be helpful if I summarise some of the key issues behind our written submission.

I emphasise, at the outset, that SPT shares the concerns that have been expressed widely about the proposals for membership of the new regional transport partnerships. We also have severe misgivings about the Scottish Executive's boundary proposals. However, as both those issues are the subject of a separate consultation, our written evidence does not touch on them because the Scottish Executive's final proposals are not yet available. That, in itself, illustrates one of SPT's major concerns with the bill—that important parts of the Scottish Executive's proposals are not included in the bill but are reserved for subordinate legislation. We are required to give evidence to you in ignorance of the precise way in which the proposed changes will eventually be framed.

Unfortunately, that applies in particular to the sections of the bill that deal with the future arrangements for SPT and the west of Scotland. The Minister for Transport gave some specific and extremely welcome undertakings in relation to SPT when he introduced the white paper in the Parliament on 16 June. He has since repeated many of those assurances in meetings with me and the SPTA. However, at this late stage we are still awaiting details of how the minister's unambiguous parliamentary undertakings will be delivered. Frankly, I am not reassured that the positive spirit that was communicated to the Parliament is being reflected in the subsequent approach to the drafting of the bill.

One of my major concerns is about SPT's continuing involvement in the delivery and monitoring of rail services in the west of Scotland. Our written evidence quotes the minister's words, and what Nicol Stephen told the Scottish Parliament is entirely consistent with what the Secretary of State for Transport said to the Westminster Parliament on 15 July, which was that

"local transport decisions are best taken by people who know what is needed locally."—[*Official Report, House of Commons*, 15 July 2004; Vol 423, c 1548.]

Recognition of that fact is especially important if we are to go on planning and delivering integrated transport in the west of Scotland, where more than a quarter of all fare-paying journeys are made by rail—more than anywhere else in Britain, apart from greater London.

That state of affairs did not come about by accident; it is the result of a conscious political choice at the regional level and of more than 30 years' investment in the Strathclyde rail network by local taxpayers and passengers. An outcome whereby such active regional involvement did not continue would be bad for transport integration, bad for the railway—because of the loss of additional funding—and bad for passengers.

However, because it is taking so long for the Scottish Executive to tell us how the minister's undertaking will be delivered, I am beginning to fear that the outcome may be different from what he promised.

Those practical doubts about implementation reinforce SPT's worries about the bill and its implications. As we have pointed out in our written evidence, all the white paper's objectives for regional transport planning and implementation can be delivered through existing legislation without any of the upheaval and diversion of human and financial resources from front-line delivery that will be caused by the transition process. Just as important, the bill fails to address the real issues that could improve Scotland's transport and create better integration on the ground. It does not provide for more adequate revenue funding, nor does it tackle the underlying deficiencies in the way that the bus industry is organised.

I was disappointed with the written evidence from the Confederation of Passenger Transport. As its evidence states, the CPT is a trade association. Its members in Scotland receive around £200 million of their annual income from central and local government, in addition to the support that bodies such as SPT give through the subsidised provision of bus stations and other facilities that directly assist their businesses. I do not want to waste the committee's time by rebutting in detail all the CPT's entirely unsubstantiated comments about the SPT. However, I remind the committee that more than two thirds of SPT's employees are directly operational, like those of the CPT's members. They are involved in staffing bus stations, travel centres and subway stations, and they maintain the subways, drive trains, process dial-a-bus bookings for elderly and disabled clients, deal with concessionary travel inquiries and manage and maintain more than 10,000 bus stops. The tone of the CPT's evidence does not seem to reflect the spirit of partnership that the CPT claims to promote.

The Convener: Thank you for your introductory remarks. I will open up the questions by asking about your concerns about the drift of the bill. First, are you concerned about delivery on specific assurances that the minister has given you? If so, will you expand a little on those concerns? Secondly, does SPT consider it essential that before the bill is passed the Executive publish draft regulations in the various areas in which the bill makes provision for secondary legislation, so that the Parliament may understand the general direction in which the Executive intends to move before deciding whether to pass the bill?

Councillor Watson: I have sought reassurance after reassurance from the minister that what he has promised will be firmed up through undertakings and compliance on the part of the civil service, but he has not always agreed that that is what he is working towards. We have always asked that SPT's autonomous powers to develop, manage and monitor the rail network should continue to be provided to SPT or its successor body. In fairness to the minister, he has acted in a way that is entirely consistent with his intention to deliver on that promise. However, given the way in which the bill is drafted, I am concerned that the issue might not be followed up with enthusiasm by the civil servants who support the minister. It is prudent and pragmatic to remind the committee that we are concerned that the bill as drafted does not appear to follow through on the minister's promise.

The Convener: Apart from rail powers, are there other areas in which you think that the bill does not deliver on assurances?

Councillor Watson: Yes. When the consultation document was first discussed, there was an intention to devolve the bus powers that SPT enjoys to individual local authorities. The director general and I argued that that approach would be a complete reversal of integration because, as we and other witnesses said, an overarching organisation is needed if we are to promote cross-boundary services and integration. We made robust representation to ministers and civil servants but, although we were given verbal assurances that we were making a good case, our arguments are not reflected in the bill.

Iain Smith: On rail powers, do you accept that the way in which the bill has been drafted reflects the powers that are currently available to the minister? Those powers are limited by the fact that the relevant legislative proposals have not yet been introduced at Westminster, although a commitment to do so was given in the Queen's speech. The wording might not be as tight as you would have liked it to be, but that might simply reflect the reality of the current legislative situation.

Councillor Watson: The spirit of ministerial statements, at Westminster and in the Scottish Parliament, reflected a desire to devolve rail powers to regional transport delivery vehicles. SPT clearly represents a successful model of delivery, as Councillor Gordon said. The legislation that set up SPT was probably one of the best pieces of transport legislation in the past 30 years and SPT's successful track record is proven, so I cannot understand why there is a hurry to suck up powers from Westminster that are currently enjoyed by SPT, without deriving any real benefits from doing so. We are the delivery vehicle in the west of Scotland and we have

proven that we can deliver on projects. What is the hurry?

Malcolm Reed (Strathclyde Passenger Transport Executive): We understand that the legislative limitations of devolution have constrained the Scottish Executive's approach to the matter. Helpful comments have been made in the Westminster Parliament about the spirit in which it is intended that our rail powers should be dealt with. Unfortunately, the issue has remained with us since the white paper was published.

My colleagues and I have had a number of meetings with civil servants to try to understand how they intend to give effect to the minister's clear commitments. We are still waiting for detail, but there seems to me to be a stepping back from the minister's clear undertakings. We are not being promised the effective control that would allow the proposed west of Scotland partnership to integrate all modes of transport within its transport planning. The current discussion involves agency powers from the Scottish Executive. To my mind, that does not match the assurances that were given to our chairperson, Councillor Watson, and to the Parliament in June. We seem to be talking about a limited permission to exercise Scottish Executive powers rather than the effective integration of rail with other forms of transport, which has been the backbone of how we have delivered integrated transport in the west of Scotland for the past 30 years.

Iain Smith: Moving on from that, you have expressed concerns about the bill and the consultation going in tandem. Would it have been better to introduce the bill after the completion of the consultation on the boundaries and financing of the proposed regional transport partnerships?

Councillor Watson: We have argued strongly that the UK Government's rail review should run simultaneously with the bill because they are both concerned with rail powers. We were confused by the almighty rush to get something through the Scottish Parliament without finding out whether rail powers would end up with the minister through the demise of the Strategic Rail Authority.

Iain Smith: I note your comment, but I am not sure that we are rushing the bill through the Scottish Parliament and not giving due consideration to it. It is more likely that the Westminster bill will be rushed, if there is to be a general election in May.

Councillor Watson: You said that, not me.

Iain Smith: That is just a comment. As a committee, we are taking all due care to ensure that the bill is properly scrutinised. I am sure that the Parliament will do so also.

You said that you have not gone into detail on the boundaries and so on of the proposed RTPs. It would be helpful to the committee if you could comment particularly on the boundaries issue, which is causing concern, and the financing powers.

Malcolm Reed: The previous panel of witnesses made the point that it is important that boundaries are drawn with reference to natural transport catchment areas. We have a common view with Dumfries and Galloway that that region is not a particularly good fit with the proposed west of Scotland transport partnership. We feel strongly that Ayrshire is part of the extended Glasgow travel-to-work area. We are concerned about the tightness of the proposed Highlands boundary with reference to the west of Scotland. For example, we think that it is nonsense to include Arran and Cumbrae in the proposed Highlands transport partnership, when they look entirely to the mainland for all their local government services and main transport links.

We also feel that there is a case for considering the boundary to the north and north-west of Glasgow. Parts of Stirlingshire were previously in the greater Glasgow passenger transport area before local government reorganisation in 1975. We think that there is a strong case for looking at the area round Balfron, Drymen and Killearn, whose natural transport links are with the west of Scotland and which contribute significantly to the road traffic coming from that quarter.

It is important that any approach to boundaries should reflect the reality of what is happening in the transport network. Research that the Scottish Executive commissioned a couple of years ago shows that the boundaries of the city regions do not overlap particularly. There is a natural watershed at about Falkirk, but Glasgow and Edinburgh have different catchment areas. They are both expanding, but they are doing so in different directions. We think that a coherent case can be made for the existing Strathclyde boundary, with some of what is at present part of Argyll and Bute added to the area, and including the North Ayrshire islands.

The Convener: Do you contend that Dumfries and Galloway does not fit with any of the proposed partnerships and so should stand alone?

Malcolm Reed: That is a valid point. The Scottish Executive's figures for travel movements in Scotland show little cross-border movement north and north-east from Dumfries and Galloway. The region is largely self-contained and has different characteristics from most of the rest of the west of Scotland.

Reference has been made to partnership working. We have no problem with working in

partnership with Dumfries and Galloway Council—we already do so. For example, we have jointly sponsored a study of the potential for opening additional railway stations on the route between Carlisle and Glasgow. That was a good example of how two adjacent authorities can get together to produce proposals that benefit both their areas. We see no inhibition to continuing to work in that way. However, we are not sure about the reason for a forced marriage between Dumfries and Galloway and the rest of the west of Scotland.

15:30

The Convener: You have strong views about continuing to play a strong role in rail. Many of the Executive's primary transport projects are rail projects. Several of them—such as the reopening of the Bathgate to Airdrie line and enhancements to the Shotts line—take place not within proposed partnership areas, but across partnership boundaries. How would such projects progress best? Would they best be developed by regional partnerships working together, or by the national transport agency?

Councillor Watson: I suggest that the answer is a mixture of both. Just because a rail project kicks off outside our present boundary, that does not mean that we cannot become involved in it. The Airdrie to Bathgate line is a classic example of our being part and parcel of assisting in a project. We are not the project's promoter, but we are enthusiastic about the benefits that the conurbation will experience from that line.

Our crossrail project, which will be on the minister's desk in about nine months' time, will have direct benefits for the Airdrie to Bathgate line, because we propose to increase line capacity in the High Street junction area. That is a classic example of how we can work on cross-boundary issues. The Shotts line is another classic example of how we can promote services in partnership with West Lothian Council and beyond our present boundary.

That returns to the argument that travel-to-work areas are important to planning a regional transport partnership. As with the argument about Dumfries and Galloway, if a project happens to take place just outside a boundary, there is no stumbling block to working with partners, including other partnerships.

Paul Martin: I will ask Councillor Watson about the strong statement in the SPT's submission that the Executive is not acting on advice to deliver transport policy. I do not know whether you have touched on it, but will you say what that advice was and why you are concerned?

Malcolm Reed: It may help if I field that question. We were referring to work that the

Scottish Executive commissioned from Colin Buchanan and Partners, which is one of the best-known names in the transport planning profession, on the transferability of best practice in transport delivery. That was a worldwide study to which the CPT's evidence referred.

The study produced pretty strong statements about the way to deliver effective transport policy. The first statement, on which we have common ground with the CPT, is that transport in Scotland is relatively underfunded. As a result of the Executive's new policies, much emphasis has been placed on big infrastructure projects, including public transport projects. We welcome the additional money for those projects, but we keep reminding civil servants and the minister that the problem remains of finding sufficient revenue funding for public transport, simply because revenue delivers subsidised bus services, integrated ticketing schemes and the support for infrastructure that makes passengers' lives better.

Another strong conclusion in the study by Colin Buchanan and Partners is that we all need a period of policy stability. In a sense, what has been happening in Scotland since devolution—for good or bad reasons—has been the reverse of that. In our written evidence, we point out the fact that the Scottish Executive consulted on exactly the issues that are covered by the present bill only five years ago and came up with the opposite conclusion to the conclusion that it seems to have reached this time. We would like a bit of stability and an opportunity to get on with the job of delivering services to the public, instead of responding to consultation papers and engaging in this sort of discussion. Enjoyable though this is, it stops us from getting on with our day job. That is a powerful, underlying message.

One of the other important lessons from that study is one on which the CPT has expressed a view. In our evidence, we do not advocate re-regulation; we simply point out that the universal finding of that piece of research is that best practice in public transport delivery throughout the western world is to be found in areas where there is some form of regulation of the bus industry. That statement is embodied in the Scottish Executive's own published research report, which was reissued as recently as last week. We would like a bit of clarity about why the Scottish Executive is not addressing the advice that it has been given by its consultants.

Dr Jackson: I got a partial answer to this question earlier. Why does the SPT oppose the provisions that would allow the local authorities that make up the SPT to enter into bus quality partnerships?

Councillor Watson: We are a regional body and, as has been mentioned, many bus services

are cross-boundary services. As recently as the announcement that the minister gave on the bus development grant, we were asked by the constituent local authorities to produce a number of bids based on strategic projects in relation to the bus industry. Those powers are, frankly, best used by a regional authority such as ours—a conclusion that is, ultimately, supported by the Buchanan report, which has been mentioned several times.

Malcolm Reed: In our evidence, we say that that is a capability that the 12 councils in our area—with the exception of Argyll and Bute Council—do not have. The bill will impose an extra cost on local government that is not covered in the financial memorandum. We reckon that it would cost about £440,000 a year for the councils in our area to discharge the powers that are proposed in the bill.

Michael McMahon: Councillor Watson, neither your written submission nor your oral evidence has mentioned the proposed road works commissioner. Can you explain why you have not mentioned that and whether you see it as being of any value?

Councillor Watson: I ask Malcolm Reed to answer that.

Malcolm Reed: Basically, because we are a public transport authority, we would not want to comment on what are primarily the functions of the roads authorities in our area. We obviously have an interest in how road works affect the delivery of public transport, especially bus services. Also, as a potential promoter of schemes, we may find ourselves acting as statutory undertakers with an interest on the other side of the fence. We share the general view that anything that improves the co-ordination of road works and minimises delay, especially on key public transport routes, is to be welcomed. However, frankly, we are not close enough to the detail to be able to offer any comments on the proposals that are in the bill.

Michael McMahon: That makes perfect sense.

David Mundell: I suspect that you would agree that, where road works impact on your activities, it does not make any difference whether the road works are being carried out by councils or utilities. Do you agree that there is no logic to the way in which the bill places certain obligations on utilities but not on councils for the carrying out of what might be similar works on the roads?

Councillor Watson: There is a difference of accountability. Dealing with accountable bodies such as local authorities is a hell of a lot easier than dealing with utility companies. In my previous incarnation as convener of land services for Glasgow City Council, I could have provided volumes of evidence on how difficult it can be to

deal with unaccountable organisations such as utility companies. Local road networks will be improved by some schemes that we are promoting, such as one of our projects in Glasgow that involves a number of partners, including Glasgow City Council and a private sector operator. Any move towards improved integration, understanding and accountability is undoubtedly welcome.

David Mundell: According to the Executive, part of the rationale for the inclusion of regional transport partnerships in the bill is that projects have been impeded by the inability of local authorities to work together. However, we have heard no examples of that today. Has the inability of local authorities to work together impeded any major SPT projects?

Councillor Watson: Not at all. I directly challenged the civil servants to prove that claim when it was made at a conference in Glasgow, but I still await that proof. Frankly, I agree with Councillor Gordon that the claim is probably mischief making on the part of the civil servants. It shows them at their worst.

David Mundell: Your submission says that the proposals

"add nothing that could not be achieved under existing legislation".

Does that sum up your view?

Malcolm Reed: Yes. As we point out in our submission, the Transport (Scotland) Act 2001 provides Scottish ministers with the power to require public bodies to deliver statutory transport plans, which will be the common activity of the proposed regional transport partnerships. In many ways, the power that already exists is better than that which is proposed. Under the 2001 act, ministers could require health boards and the enterprise agencies to become involved in the transport planning process. That is exactly the approach that we will need if we are to address some of the emerging local transport issues, which concern enterprise and the delivery of health services.

Paul Martin: What is Councillor Watson's view of the democratic accountability of the proposed partnerships?

Councillor Watson: As an accountable, elected member, I find it difficult to be comfortable with a mechanism that will, in theory, allow unelected, unaccountable people to requisition and spend public funds. As an organisation, we are committed to working closely with the private sector and we maintain an on-going dialogue with a host of private sector partners, including the chambers of commerce, the Federation of Small Businesses and the private sector operators with

whom we work closely in the procurement of public transport. However, I would have great difficulty if part and parcel of spending taxpayers' money was to involve a private sector appointee with no element of accountability.

Paul Martin: Is there an argument for user group representatives, such as a bus-user or rail-user representative, to have a seat on the proposed regional transport partnerships?

Councillor Watson: Over the past 18 months since taking over as chair of the authority, I have tried to establish close working relationships with a number of user groups and pressure groups. There are probably hundreds of thousands of such groups who want your ear because they want to influence policy decision. I do not have a problem with rolling out a dialogue with just about everybody and anybody, but the formulation of policy should remain with those who are fully accountable to the public: that is, those who are elected members.

15:45

Paul Martin: If there is to be additionality, it might be that we go down the route of user group representatives having a seat, rather than being concerned about other elements.

Councillor Watson: Yes.

The Convener: I will ask a question about congestion charging. I am aware that no authorities in the west of Scotland are pursuing congestion charging proposals. Nevertheless, is there a case that such powers should lie with the regional body rather than with an individual local authority, so that the interests of the wider travel-to-work area are taken fully into account, rather than only the interests of one local authority?

Councillor Watson: I do not want to make Charlie Gordon do a handstand behind me, but I think that such a strategic power should remain with the regional authority. However, there would need to be an almost unbelievably close working relationship with the constituent local authorities.

I was involved in rejecting the idea of congestion charging for the Glasgow conurbation in relation to the provisions in the Transport (Scotland) Act 2001, which was passed in the previous session of Parliament. The reason for that is simple: the Scottish Parliament did not play ball. The Parliament produced enabling legislation that allowed local authorities to promote congestion charging without the Executive, which is responsible for the trunk road network, initiating a similar congestion charging scheme on the trunk road network, which is an integral part of the road network in the Glasgow, Lanarkshire and Renfrewshire conurbation.

If a congestion charging scheme is to be rolled out at some point in the future—I have no doubt that there will be a constant argument about whether that should be done—a regional strategic organisation, such as that which we are discussing, should have the power to roll it out. We must ensure that we do not repeat the mistakes that have been made elsewhere. We must, to pick up on the point that David Mundell made, not fall out with anybody and ensure that we work together.

Iain Smith: Your submission makes no reference to the bill's proposals on concessionary travel. Can you comment on those proposals and on whether moving to a single national scheme would have a positive or negative effect?

Malcolm Reed: I will start—forgive me for this—by declaring an interest because I qualify for concessionary travel tomorrow.

The Convener: Congratulations.

Malcolm Reed: The reason why we do not comment on the proposal in detail is because it is currently a permissive power. Councillor Gordon argued powerfully that the way in which the legislation is tending means that there is probably a logic for having a national scheme. If such a scheme is implemented, we would have concerns about the local delivery arrangements. For example, the most basic point is about how local inquiries would be answered and how people would be able to establish their eligibility. I am sure that they would not want to come to one central office somewhere in Scotland to register. Many of the details of a national concessionary scheme have to be thought through.

I made the point in evidence to the Parliament during a previous meeting that any concession scheme can be only as good as the public transport system on which it is available. One of my concerns is that by giving so much priority to concessionary travel we are neglecting the core network. If money is pumped into concessionary travel at the expense of support for main line bus services for all users we are storing up a problem for ourselves. I would like to see any rolling out of a national concessionary scheme supported by more robust measures for financing the network for passengers who still have to pay a fare.

The Convener: That brings us to the end of questions for the panel. I thank Councillor Watson, Malcolm Reed, Valerie Davidson and Douglas Ferguson for their evidence.

Prostitution Tolerance Zones (Scotland) Bill

15:50

The Convener: The third item on our agenda is consideration of a paper by the clerks on the Prostitution Tolerance Zones (Scotland) Bill. The paper indicates that the expert working group that we had anticipated would report in the autumn will not complete its work for some time. For that reason, it is necessary for the committee to apply to the Parliamentary Bureau for an extension of its timetable for consideration of the member's bill to 30 April 2005. The member in charge of the bill has been consulted and is comfortable with an extension of the timetable, as it would be of considerable advantage to the committee to have an opportunity to consider properly the report of the expert working group before completing its stage 1 report on the bill. Are members content to make such an application to the Parliamentary Bureau?

Members indicated agreement.

David Mundell: I understand that the United Kingdom Government has recently commented on this issue and has made some proposals. It would be useful if the Scottish Parliament information centre could provide us with some information on those proposals, as the background has changed since we began to consider the bill. Perhaps SPICe could produce a summary of what is happening at UK Government level.

The Convener: A few months ago the Home Secretary commented on this issue. It would be appropriate for us to seek a briefing on the matter.

15:52

Meeting continued in private until 16:12.

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