

**Mobility & Access Committee Scotland (MACS)
Main Committee meeting**

**Minutes of meeting held on Tuesday 22 October 2013
Conference Room 2, Victoria Quay**

Present:

Anne MacLean (Con) Convener

Members:

John Ballantine (JB)
Clare Byrne (CB)
Marsali Craig (MC)
James Glover (JG)
Andrew Holmes (AH)
Jane Horsburgh (JH)
Grahame Lawson (GL)
Cecil Meiklejohn (CM)
Annette Monaghan (AM)
Hussein Patwa (HP)
Keith Robertson (KR)
Jane Steven (JS)

Secretariat:

Jill Mulholland, (JM) Head of Sponsor Team
James Walker, (JW) Secretary
Wendy Nicol, (WN) Assistant Secretary

Guests:

Sharon Grant (SG) Blue Badge Bill Team Manager

In attendance:

Laura Harrison (LH)

Apologies:

Bob Benson (BB)
Heather Fiskien (HF)
Margaret Follon (MF)

Item 1. Welcome, Introductions and Apologies

1. The Convener welcomed everyone to the meeting and extended a special welcome to the newly appointed members of MACS. The Convener then asked members and the Secretariat to introduce and give a brief background about themselves.
2. The Convener noted apologies from BB, MF and HF.

Item 2. Minutes of previous meeting and matters arising

3. The minutes of the previous meeting were agreed subject to the following amendments: Item 16 should read the 10th and not the 11th of July. Item 33 GL to be added to the list of attendees of the meeting. Action point 4 of 23 April 2013 meeting was discussed under Oral Updates and should be marked completed. Action point 5 of 23 April 2013 meeting has now been completed, the contacts for Haymarket are Tom McPake and David Bryce of Network Rail. Action point 7 of 23 April 2013 meeting is now completed and Gavin Booth will attend January meeting. Action point 4 of 23 July 2013 meeting is now completed with change from Designing Streets to Creating Places. Action point 9 from the meeting of 23 July 2013 is now completed.

Action point: 1 Secretariat to amend minutes of previous meeting and arrange publication on the MACS website.

Action point: 2 Secretariat to update action points table and carry forward all outstanding actions.

Action point: 3 JW to provide JH and AM with dates of the meeting with SG Planning Officials.

4. There was a brief discussion about the progress on having MACS leaflets printed. Estimates of cost and design option have been provided by printers. Secretariat is drafting final document which will then need to be approved by the convenor before being sent to the printers.. Members asked for a photocopied version to be available for the conference on the 31st October.

Action point: 4 Secretariat to finalise draft with convenor, arrange for photocopies for the 31st October and then send to printers to print 500 copies.

Item 3. Convener Update

5. The Convener said that the appointments round had taken up a considerable amount of time but had been ultimately very successful with the panel providing a choice of seven candidates to the Minister for five places on the committee. She thanked George Burgess, Deputy Director for

Environmental Quality in the Scottish Government for being the third member of the panel alongside herself and JM.

6. She thanked JM for the invitation extended to talk about the work of MACS at the recent Transport Scotland Staff Conference in the Thistle Hotel Glasgow. Over 350 Transport Scotland staff saw the convenor and JM hold an interview type session which covered the work of MACS and its interactions with Transport Scotland. She said she had received a letter of thanks from Andrew MacLaren, Head of Corporate Services, Transport Scotland and added that it was a valuable opportunity to showcase MACS and their remit. She said she was able to convey the work of MACS in their advisory capacity and how MACS could be of assistance to Transport Scotland.

7. She said that she had received a letter of thanks from the Minister for the Annual Report and aims to invite him to the January meeting.

8. The Convener said the new members of MACS would have induction training within the next month and that 'On Board' recommended that some existing members also attend. She said that the last event had been delivered by CIPFA. It was agreed that HF and the convenor would attend this training and that during further discussions, agreement would be reached on which other existing members would attend the training. (It was later agreed that GL should attend as he has not attended previously).

9. AH asked if there would be any particular involvement of MACS as a result of the Transport Scotland Conference. The Convener said that MACS are already involved with Transport Scotland through such groups as SRAF, Roads for All and Blue Badge Bill. JM added that there had been several positive emails as a result of the conference session and that she was content that colleagues would be considering ways to involve MACS in appropriate work on an ongoing basis.

Item 4. Secretariat Update

10. JM gave an update on the finalised Invitation to Tender (ITT) for the Caledonian Sleeper Franchise and added that the Invitation to Tender was published on the 20 September 2013. The link below takes you to a part of the Transport Scotland website which provides details of the sleeper services, a timeline for the contract procurement, objectives of the sleeper franchise and an outline of the Commercial proposition.

<http://www.Transportscotland.gov.uk/rail/Scottish-franchise-renewal-programme/Caledonian-Sleeper-Franchise>

11. JM said bidders are being encouraged to contact a range of stakeholders (including MACS) before finalising their bids. The Secretariat has been advised that MACS can contact bidders directly and the Rail Work Stream has been provided with details of how to do this. When the ScotRail franchise is

being dealt with, MACS interest has been noted and we will be contacted for views when this is being done.

12. JB referred to an email he had sent to MACS members regarding a suggestion from DfT about the sleeper service. He asked if he could feedback MACS' views through DPTAC. The Convener said that it is a Scottish franchise and that MACS should respond in their own right and that DPTAC should be copied for information. It was generally agreed that a dialogue take place between DPTAC and MACS to ensure that both bodies were clear on their shared objectives given that the sleeper runs a cross border service.

Action point: 5 JB to liaise with Rail workstream on the Caledonian Sleeper Rail Franchise to collate comments.

13. KR added that it would be important to ensure that training on the diversity of disability was considered in the franchise contract. It was generally agreed that disability training could be much better.

14. The convenor stated that for background it would be useful for new members to see previous MACS responses to Rail 2014 consultations and the transcript of their appearance at the ICI committee which included questions on the franchise. She also asked for BB's paper on the framing of questions on equalities to stakeholders be issued to new MACS members for their information.

Action point: 6 Secretariat to issue MACS response to Rail 2014 consultation and report from MACS appearance before the ICI Committee relating to the Rail 2014 consultation. The Secretariat was also asked to issue the Equality Duty: Putting into Practice – Consultation on Public Sector Equality Duty Specific Duties Questionnaire produced by MACS.

15. JM gave an update on Blue Badge policy and informed the committee that a Call for Evidence was published on 18 September 2013, regarding a scoping of the potential to extend the blue badge eligibility criteria. JM said that the Call for Evidence is primarily aimed at health care professionals and practitioners responsible for administering the Blue Badge Scheme. JG asked what were the current eligibility criteria. A discussion followed on standardisation of decision making on the blue badge scheme across Scotland. JM advised that the criteria had been tightened with regards to mobility from April 2012 and that the eligibility criteria were set out in legislation. There was also a code of practice and a discussion forum to ensure consistency. However beyond this it was not the responsibility of Transport Scotland to 'police' the scheme. JH asked what recourse people had if they felt that a case had not been handled according to the criteria. JM responded that as with any other local authority service, if someone felt that procedures were not being properly followed then they had recourse to complain to the Ombudsman.

16. JM said that the Infrastructure and Capital Investment Committee's report on Community Transport was issued on 1 July 2013, recommending that the National Concessionary Travel Scheme not be extended to include all community transport. However, SG and partners (including the Community Transport Association – CTA) should look at ways to address the problems faced by the sector, including inequity of provision, lack of financial support, of shared standards and of guidance for the sector. AH and JS stated that they were aware a wash up meeting of the stakeholder group looking at community transport had taken place but were dismayed that they had not received an invitation. They asked the secretariat to find out why, as previous members of the group they had been excluded from this meeting and to provide any details from the meeting.

Action point: 7 JW to find out when the Community Transport stakeholder meeting took place, why JS and AH had not been informed and whether there were any minutes of the meeting which could be forwarded to AH and JS.

17. JM informed the committee that MACS became part of the Model Publication Scheme as of 28 May 2013 and that JW had been working on this. The Scheme run by the Information Commissioner under Part 7 of the Freedom of Information Scotland Act 2002 (FOISA). The Scheme ensures that Freedom of Information requests (FOIs) and Environmental Information Requests (EIRs) are answered within 20 working days of receipt. To date, MACS has had no such requests but, we had to set up this Scheme following on from advice received from the Commissioner's Office. Access to this has been added as a separate entry in the MACS Section of the Transport Scotland website.

18. JM said that the Annual Report 2012-13 was now on the MACS website.

Item 5. RTPs and Public Sector Equality Duty

19. AM gave a background to the RTP discussion. A questionnaire had been circulated to RTPs in November 2012 and that 6 out of 7 RTPs had responded. The report outlining these responses and including a list of recommendations was tabled at the MACS meeting in January 2013. One of the proposals in the report was a scan of the equality plans published in 2013 of 2 RTPs. This took place in July 2013 and actually covered 3 RTPs namely HITRANS, NESTRANS and SESTRANS. SPTE was deliberately excluded because of its size and resources. A summary of AM's comments are: The RTP equality plans were disappointingly retrospective. The evidence was national not local. There was no mention of promoting training with providers or of obvious link with stakeholders. It was proposed that many of the necessary changes did not require dedicated budget but could be implemented within existing resources. The scanning reinforced the recommendations from the January report which stated that there was a need for training and guidance on EQIAs, framing targets, need for research,

consultation and guidance, collaboration, engaging with accessibility experts and the role of Transport Scotland in supporting RTPs.

20. JG said that JH and HF had looked at the plans and they found them disappointing and the subsequent report raised questions about our expectations from RTPs. He said RTPs are listed as having Public Sector Equality Duties. JG added that evidence of compliance with the Equality Act 2010 could not be found and that MACS should support them to help them improve. The Convener said AM had agreed to draw up a paper for circulation to RTPs before the meeting on the 4th December, she would give it to Eric Guthrie at the Bus Stakeholder Group meeting.

Action point: 8 AM to draw up a Background Paper for RTP meeting on 4th December 2013.

21. JG said that lack of funding was not relevant excuse for not undertaking Equality Duties as a lot more could be done without additional funding. He said that some small RTPs were struggling to cope with existing remit and that gentle encouragement was needed. AM concluded that RTPs needed to explore what could be done with a small budget and that the questionnaire done last year had stated that advice and input from MACS would be welcome.

22. It was agreed that collaboration and sharing expertise would be beneficial to all RTPS. .

Item 6. Blue Badge – Bill Update

23. SG gave her thanks to MACS members CB, JG and GL for their input into the EQIA for the Blue Badge Bill. She commented that the responses were very useful and that policy would be framed around the EQIA. SG then gave a background to the 4 year reform process which involves engagement with MACS, the voluntary sector and local authorities. She said that the reforms included changes to the Blue Badge design, introduction of IMA assessments and a new application form.

24. SG gave an outline of the Bill's progress and the proposals. She said that the main purpose of the Bill's proposals is to strengthen enforcement and administration and the SG were supporting Dennis Robertson MSP in developing the proposals.

25. SG said that as a result of the Blue Badge Consultation, 2 main findings were the perception of misuse of badges, parking in disabled spaces and the need to raise awareness of the scheme and how it operates. The proposals of the Bill will also be brought forward with a raising awareness campaign. The proposals include the power to appoint persons other than parking attendants or police to confiscate badges, the power of local authorities to cancel a lost or stolen badge, a new offence to use a badge that has been cancelled, security aspects of the badge to be partly specified in the regulations, a formalised review process to be put in place.

26. SG invited members to ask questions. JB asked if there would be an independent review body. SG said that there were no plans to implement an independent body as a 3 tier staged review is already in place and that the current review process achieves consistency. She added that as part of Welfare Reform it will allow for better monitoring of the process. A general discussion took place around confiscation. SG clarified that cases of misuse are recorded on the centralised BBIS database. JM added that the reforms focus on 3rd party misuse and the protection of vulnerable people and the rights of Blue badge holders.

Item 7: Members' reports on events attended

7a Passenger Focus Conference

27. Nothing further to add on paper submitted

7b SESTRANS Equality Forum

28. JB and JS had nothing to add on paper submitted

7c DPTAC

29. JB said that the future of DPTAC was an ongoing matter and raised the issue of the Transport Select Committee Report. The Convener asked that the committee should have a look at the Transport Select Committee report and that each individual workstream should deal with the issues raised in the Report of relevance to themselves.

7d Meeting at Haymarket with Network Rail

30. BB and JS met with Network Rail and the project architect. JS said that the new development looked very good and very accessible however, externally there were only taxi spaces and no drop off or pick up places. JS spoke to the Network Rail Project Manager and he said that the taxi rank area is owned by Edinburgh City Council. AH added that during the project initiation Network Rail seem to have exported the internal issues to outside and that Haymarket had taken the decision to limit parking. He added that issues around taxis, drop off points and pedestrian issues have not been dealt with. The Convener said that they should await the outcome of the next meeting on 24 October 2013 when JS, GL and JB are meeting Chris McGarvey from Edinburgh Council before approaching the policy lead, Chris Clark, , in Transport Scotland or if need be the Minister.

Action point: 9 AH GL and JB to attend meeting with JS and to draft letter for the Convener to send to Chris Clark setting out the workstream's concerns.

7e Roads for All Forum

31. The Convener said that the Rural Transport Corridor report states that although this project is now on hold by Highland Council, discussion has occurred between the forum and council. In particular, in respect of the council not pressing for accessible buses on the route at this time, and this decision is based on not wishing to pass on financial burdens to small operators, the Convener said she was surprised as she thought it was Stagecoach who operate in this area.

Action point: 10 JH to raise at the next Roads for All Forum the issue regarding Highland Council's statement.

7f Forth Replacement Crossing

32. JH said that they were going to replicate the traffic management system employed at the Forth Road Crossing. The meeting for this was to take place on 4 December 2013 at Buchanan House. It will be the first meeting of a possible Access Group for dualling the A9.

7g Creating Places

33. There were no further updates on the submitted report.

7h National Walking Strategy

34. AM said there was nothing further to add to the submitted report. JH informed the committee that Rhona Gibb (National Walking Strategy Manager) would be approaching MACS before the consultation was issued.

Item 8. Oral Update on Workstreams

8a Commonwealth Games Glasgow 2014

35. GL said that he had attended the meeting of the Glasgow 2014 Accessibility Reference Group on 7 October. He also indicated that now that KR had joined MACS there were two members of MACS involved in the group.

36. GL said that the Commonwealth Games Transport Strategy has been published but he was disappointed in the lack of detail in the report. He said that Glasgow 2014 now acknowledge the extent of the problem as around 20,000 people on peak days will require assistance. There are plans afoot to set up an Accessible Transport Board. GL stated that it had been mooted that MACS may be offered a seat on the board. JM stated that MACS were a ministerial advisory body and that any request for them to sit on the board would need to be directed to the minister for his approval. GL said initial drafts of the strategy will be produced and given to the games' venues. The Convener said MACS had been copied into a letter from John Mason MSP to

David Grevemberg which expressed a concern about the lack of a co-ordinated action plan however, the Transport Strategy has superceded this.

37. GL informed the Committee that 2014 Games buses will be taken from other parts of Scotland. The Convener indicated that she was unaware of this and raised concern about how gaps in provision of accessible buses in other areas would be filled and communicated to those affected. Members voiced concern over lack of improvements to the subway network, audio provision on buses and driver training.

8b Rail

38. JS gave an update on responses to supplementary questions asked of SESTRANS which have been responded to by Jennifer Mearns of East Coast Main Line Company and Craig Bowman Network Rail. The questions raised were concerning spoken messages at access points, ramp access at Market Street, accessibility of assistance points at stations, unstaffed Borders stations and a walk through the new Borders stations to look at signage.

39. JS said that MACS were consulted on the potential 200 additional parking spaces at Bathgate and the Rail workstream have sent a detailed response. JS added that the existing 20 disabled parking bays will be retained but their usage monitored.

40. JS said that Scotrail were consulting on sharing some disabled parking spaces with parent and toddler spaces at Bathgate, Uphall and Bishopton stations. Following discussion the Committee concluded that MACS could not agree to this.

Action point: 11 Rail Workstream to let Patrick Namunduyira know that MACS did not agree with this suggestion.

41. JS said that she had received details of the Code of Practice - Accessible Train Stations: Design for Disabled People, the criteria for assessing the stations, the standards for making stations accessible. However, the final decision on which stations would be upgraded with the Access for All money was made by Transport Scotland. She had asked Aiden Grisewood at the Passenger Focus conference who this official was and he had promised to find out. JM said she would chase this up.

Action point: 12 JM to enquire who the Transport Scotland official is who makes the decisions on access for all spending.

42. JS said that the latest updates on TSI-PRM were mostly concerning signalling and the consultation is ongoing. She added that BB would be attending the next SRAF meeting on 13 November.

8c Ferries

43. AM said that the meeting of the Ferries Review Steering Group did not take place in March and another meeting was due to be scheduled but has not happened. The Convener added that AM should approach The Ferries Review Steering Group and say that there are still outstanding issues which we wished to discuss.

Action point: 13 AM to contact the Ferries Review Steering Group to say that there are outstanding issues that MACS wishes to discuss with them.

8c Liaison

44. The Convener said that one of the items on the Bus Stakeholder Group's agenda was Ian Gray's Bill on Bus Regulation and Registration. The Bus Stakeholder Group referred to the Consultation on Ian Gray's proposals and are awaiting the outcome.

Item 9 Agenda items for future meetings

45. Visits by the Minister and Gavin Booth are agenda items at the next meeting.

Item 10. Any other Business

46. The Convener discussed which workstreams the new members wished to be part of. KR agreed to join the Ferries and Disability Equality Workstreams. HP agreed to join the Rail and Bus Workstream, MC agreed to join the Disability and Equality Rights Workstream as well as the Commonwealth Games Workstream. CM to let JW know which workstream she would like to join and MF would be contacted.

Action point: 14 JW to contact MF and draw up new workstream paper.

Action point: 15 JW to send additional claim forms to all members.

47. The Convener requested that new members send their biographies to the Secretariat.

Action point: 16 New members to send biographies to JW.

Action point: 17 JW to set up stand Abilityfest on 31 Oct 2013.

Action point: 18 Secretariat to add the names of any speakers to the agenda in future.

Item 11. Dates of future meetings in 2014

48. The dates were agreed with the exception of the April meeting which will now be held on the 29 April 2014.

Action point: 19 Secretariat to rearrange meeting for the 29 April 2014.

49. The Convener closed the meeting giving thanks to JG for all his work during his period on MACS especially for his contributions in Disability Rights strategies and policies and said that his work was not just based on theory but on how it worked on the ground. She wished him all the best in the future.

**MACS Secretariat
October 2013**