



SCOTLAND'S **TRANSPORT**

SCOTLAND'S TRANSPORT FUTURE: GUIDANCE ON REGIONAL TRANSPORT STRATEGIES

March 2006

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GUIDANCE ON REGIONAL TRANSPORT
STRATEGIES

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ISBN: 0-7559-2977-2

Scottish Executive
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Executive by Astron B45677 03-06

Published by the Scottish Executive, March 2006

Further copies are available from
Blackwell's Bookshop
53 South Bridge
Edinburgh
EH1 1YS

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REGIONAL TRANSPORT STRATEGIES

GUIDANCE

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MINISTERIAL FOREWORD

Regional transport partnerships came into being on 1 December 2005. Their most important task will be to draw up comprehensive transport strategies for their regions by April 2007.

Each regional transport strategy will focus on the travel needs of people and business in their region. Travel plays an important part in all our lives, so policy and delivery must be joined up with, and respond to, the demands of society for access to jobs, to schools, to services, to leisure and recreation and to products and markets. Transport planning must be integrated ever more closely with land-use and development planning. This will support our efforts to boost economic growth in a way that is consistent with our commitment to safeguard our environment, locally and globally.

Regional transport partnerships will be at their best when they work in genuine partnership: between the constituent councils in each region; between councillor and non-councillor members; with planning authorities, economic development bodies, health boards, transport operators, business interests and users.

In 2007 Ministers will be asked to approve the first strategies from the 7 regional transport partnerships. I am confident that, if this guidance is followed, they will all pass that test with flying colours. This devolved government is investing record amounts in transport: high-quality regional strategies, informed by meaningful public engagement, will ensure that these resources achieve the best results.

I look forward to working with the partnerships on this important task.

A handwritten signature in black ink that reads "Tavish Scott". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

TAVISH SCOTT MSP
Minister for Transport

Section 1: Introduction and purpose of the guidance

1. The Transport (Scotland) Act 2005¹ placed a duty on the Scottish Ministers to create regional transport partnerships (RTPs) covering the whole of Scotland. An order to create 7 RTPs was made by the Scottish Ministers on 30 November 2005 following approval by the Scottish Parliament. This fulfilled the commitment made by the Executive in its white paper *Scotland's Transport Future*² to create “new statutory regional transport partnerships to facilitate the planning and delivery of our transport in a more strategic way within local government”. A map of the partnership boundaries is attached as Annex A.

2. The Act places a statutory duty on the regional transport partnerships to draw up regional transport strategies (RTS). This will be one of the first and most important tasks of each partnership and the Act requires RTPs to have regard to statutory guidance given to them for this purpose by the Scottish Ministers. This document contains that guidance.

3. The Act also sets out various specific requirements for regional transport strategies in terms of both their content and the procedures for their production, publication and implementation. These requirements form the basis of this guidance. The Act also places duties on local authorities and designated health boards to perform certain of their functions, so far as possible, consistently with the transport strategies. A full version of the relevant extracts from the Act is attached at Annex B.

4. The aim of this guidance is to help RTPs to draw up regional transport strategies that enjoy broad public support and will lead to improved transport provision in the region for those who need it. RTPs will consult with councils, health boards, other interested parties and the public at large in developing their strategies. RTPs will work with each other, particularly where the transport needs of one region are met by infrastructure or services located or originating in a neighbouring region.

5. The development and implementation of its strategy will require the RTP to focus on some issues more than others. Effective and objective prioritisation will be central to the success of the RTPs.

6. This guidance should assist RTPs in particular by:

- explaining and expanding on the statutory requirements for a strategy laid down in the legislation;
- providing direction for the form and content of strategies;
- providing outline timetables and processes for the completion of a strategy;
- explaining the links with Scottish Transport Appraisal Guidance (STAG) and Strategic Environmental Assessment (SEA);
- outlining linkages with the land-use planning system, the National Transport Strategy, the strategic projects review, local transport strategies and the broader policy objectives of the Scottish Ministers;
- outlining requirements for implementation, monitoring, reporting, evaluation and review;
- providing a route-map for securing approval of the RTS by the Scottish Ministers;
- giving statutory guidance on the form and content of requests for the conferring of functions.

¹ www.opsi.gov.uk/legislation/scotland/acts2005/20050012.htm

² *Scotland's Transport Future*, Scottish Executive, June 2004 (www.scotland.gov.uk/library5/transport/stfwp-00.asp)

7. Provided the guidance has been followed, an RTP should be confident that its strategy can be approved by the Scottish Ministers.

8. The production of this draft guidance has been supported by the Scottish Transport Act Implementation Group (formerly the Transport Bill Reference Group) and informed by a small working group of practitioners set up by it to assist in the drafting³. A draft was issued for public consultation on 4 November 2005. Many helpful comments and suggestions were received and many of those incorporated into this final version. The responses can be viewed on the Scottish Executive's website⁴ and a report on the consultation exercise will appear at the same address in due course. A seminar was held on 22 November 2005 with practitioners from local authorities, the current voluntary RTPs, Strathclyde Passenger Transport Executive and others. This provided further valuable input. The Scottish Executive is grateful for all the many helpful contributions made.

9. The guidance has also been informed by the results of a *Review of Regional Transport Strategies* commissioned by the Scottish Executive from Atkins Transport Planning.⁵ This looked at existing English and Scottish regional strategies. The four voluntary Scottish regional transport partnerships⁶ have each produced a transport strategy and these documents, and the analytical and consultation work that underpins them, will provide useful inputs to the new statutory strategies.

10. There are limits to what guidance can provide. It cannot, for example, override the statutory requirements that Parliament has determined should apply to regional transport strategies although it can seek to explain these. Equally, it cannot anticipate every possible matter or question which an RTP will face. Even more it cannot – and should not – provide every answer. RTPs have been established as autonomous statutory bodies and the Scottish Executive believes they should be given appropriate levels of power to make decisions within the framework provided by the Act and this guidance. Not every issue requires a steer from the Executive and in many cases RTPs, local authorities and their partners in the region are best placed to determine the best way forward. There is a wealth of expertise in local authorities and other partners in the region and experience, in most parts of the country, of working within partnerships. The Executive will continue to provide advice and support during the period of the development of the strategies and beyond.

11. This guidance concentrates on the first set of regional transport strategies. Although much of it will continue to be relevant for future strategies and revisions. The Scottish Executive will keep in mind the need to issue revised guidance as required.

³ The Transport Bill Reference Group brought together representatives of the Scottish Executive, 4 existing voluntary regional transport partnerships, COSLA, SPTE, SCOTS, the academic sector and, latterly, Dumfries and Galloway Council. The group met regularly throughout the Parliamentary process of the Transport (Scotland) Bill 2004. A working group of practitioners, drawn from the same bodies, has provided more detailed input to the preparation of this draft guidance document. A Scottish Transport Act Implementation Group, with a similar membership has been formed to support the implementation of the Act.

⁴ www.scottishexecutive.gov.uk/Publications/2006/02/02115840/0

⁵ www.scotland.gov.uk/Resource/Doc/92668/0022211.pdf

⁶ HITRANS, NESTRANS, SESTRAN, WESTRANS

Section 2: Guidance

A: Purpose of the regional transport strategy

12. The broad purpose of regional transport strategies ought to be consistent across the country, though each partnership will have discretion to determine its own regional objectives according to the challenges and circumstances it faces. All strategies should contribute to the overall vision, aim and objectives set out in the white paper *Scotland's Transport Future* of June 2004 - these are attached for ease of reference at Annex C. Strategies should also contribute towards Ministers' wider policy goals including their top priority of growing the Scottish economy.

13. All strategies should be based on, and plan for, strong partnership working: between the members of the RTP, between the RTP and its constituent councils, neighbouring RTPs, health boards, other regional stakeholders and with the Scottish Executive and other relevant national bodies.

14. The Executive expects all regional transport strategies to serve the following purposes:

- To provide a vision and objectives for transport in the region over a long-term (10-15-year) time horizon and communicate these to stakeholders and the wider community.
- To provide an analysis of the current situation, covering transport needs and problems in the region.
- To set out a programme of activities, projects and interventions by the RTP, its constituent councils and other stakeholders, that is prioritised and costed, and which will contribute to the achievement of regional transport objectives.
- To inform the RTP's implementation and investment planning, setting out how the strategy will be achieved and its programme of activities delivered using funding at the RTP's disposal, including funding already committed from stakeholders (including the Scottish Executive).
- To identify any additional measures that would be dependent on further contributions from a range of possible stakeholders and to make the case for any additional contributions from those stakeholders (including the Scottish Executive).
- To provide a key steer for local transport strategies by setting regional transport objectives, outlining how the exercise of functions is to be shared between the regional and local levels.
- To support the National Transport Strategy and provide an important input to the Strategic Projects Review.

15. Regional transport strategies should be aspirational but also realistic. Ambition needs to be tempered by affordability – RTPs are independent statutory bodies and it is for them to set their budgets, to agree their priorities and to take often difficult decisions. However, the RTPs should aim high and seek to deliver real improvements: for users of personal transport including public transport, for users of freight transport and for people whose travel needs are not currently being adequately met. Where an RTP identifies interventions that require additional funding from the Scottish Executive, or the exercise of Ministerial functions, for their implementation, the RTS should be used to make the case for such interventions to the Scottish Ministers.

16. Regional transport partnerships will need to focus their strategies on particular outcomes and activities. This prioritisation should be driven by the vision and objectives of the strategy (see following sections), and the need to meet the statutory requirements set out in sections 5(1) and (2) of the Transport (Scotland) Act 2005. These provisions are set out in full in Section B.

B: Content

17. This section gives guidance on the content of the regional transport strategies including guidance on the guiding principles, national context, meeting the requirements of the Transport (Scotland) Act 2005, scope, time horizon and the extent to which strategies should cover individual modes.

(i) Principles

18. A number of guiding principles, based on the national aims and objectives for transport and on the Executive's overall policy goals, should underpin the content of the regional transport strategies. These include:

- Promoting economic growth and supporting the needs of business through improvements in physical transport infrastructure and services – linking people to jobs, businesses to suppliers and markets, communities to services – and through the efficiency of transport systems and services.
- Providing and promoting sustainable transport choices for people and goods, including, where appropriate, reducing road traffic - particularly single-occupancy car journeys, increasing freight carriage by rail and water and increasing active travel and public transport patronage. RTPs should work with others to reduce the need to travel – facilitating access to jobs, markets and key services is essential, stimulating general mobility is not.
- Tackling the costs to business and individuals of the delays and unpredictability caused by congestion, through demand management, traffic management and, where necessary, investment in new infrastructure, services and changing behaviour. Demand management can influence behaviour for example through road user charging and bridge/tunnel tolling, traffic management, parking controls, pedestrianisation and the balanced allocation of road space to different modes including walking and cycling.
- Improving access to public services, health, education and training, jobs, shopping, leisure and recreation, particularly for people who are currently excluded from enjoying the benefits of such services, by extending transport services (and where necessary infrastructure) to where people need them, and regenerating particular places by connecting them to economic and other opportunities.
- Addressing transport inequalities, including provision of and access to transport for disabled people and putting into action the (proposed) statutory duty to promote equal opportunities.
- Increasing the safety and quality of transport infrastructure and services, including better information on all modes and improved service and reliability.
- Reducing and mitigating the impact of transport on the environment.
- Ensuring that new and existing initiatives represent value for money, that the value of assets is safeguarded, and that resources are spent efficiently and effectively.
- Improving health through increased opportunities for walking and cycling.

(ii) *Implementing the statutory requirements of the Transport (Scotland) Act 2005*

19. In its discussions of the Transport Bill, the Scottish Parliament took a strong interest in regional transport strategies and the requirements that the legislation would make. Detailed provisions were agreed to: these are set out in section 5 of the Act which forms the basis for this guidance document. Section 5(2), in particular, sets out a series of requirements for the content of the strategies:

Regional transport strategies

5 Formulation and content of regional transport strategies

- (1) It is the duty of each Transport Partnership to draw up a strategy for transport within its region (its “transport strategy”).
- (2) Its transport strategy shall include provision about each of the following matters—
 - (a) the respects in which transport in the region needs to be provided, developed or improved having regard to, among other things—
 - (i) future needs including those occasioned by demographic and land use changes; and
 - (ii) what can be done, taking account of cost, funding and practicability;
 - (b) meeting the needs of all inhabited places, in particular, those which the Partnership considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations;
 - (c) meeting the need for efficient transport links between heavily populated places;
 - (d) how transport in the region will be provided, developed, improved and operated so as—
 - (i) to enhance social and economic well-being and public health;
 - (ii) to promote public safety, including road safety and the safety of users of public transport;
 - (iii) to be consistent with the principle of sustainable development and to conserve and enhance the environment;
 - (iv) to promote social inclusion;
 - (v) to encourage equal opportunities and, in particular, the observance of the equal opportunities requirements;
 - (vi) to facilitate access to hospitals, clinics, surgeries and other places where a health service is provided;
 - (vii) to integrate with transport elsewhere;
 - (e) the order of priority in which different elements of the provision, development and improvement of transport should be undertaken;
 - (f) how the Transport Partnership’s functions will be exercised so as to fulfil its transport strategy and, if the Partnership considers that the conferring of further functions is necessary for that purpose, what those functions are;
 - (g) how the Transport Partnership, so as to enable it to fulfil its transport strategy, will seek to influence its constituent councils or council in the performance of their functions relating to transport;
 - (h) the measuring and monitoring of the achievement of the strategy.

(iii) *Meeting the need of those who use and wish to maximise active travel.*

20. Section 5(2)(a) requires that the RTS includes provision about “the respects in which transport in the region needs to be provided, developed or improved”. This summarises the focus of the regional transport strategy – the remainder of section 5(2) can be read as adding a level of detail to this overall requirement. Annex D gives more detailed guidance on how the provisions of each commitment within Section 5(2)(a)-(d) might be considered by the RTPs. The following paragraphs give a brief overview.

21. In setting out how transport in the region needs to be provided, developed or improved, RTPs are required to have regard to, amongst others things:

- “future needs including those occasioned by demographic and land use changes”;
- “what can be done, taking account of cost, funding and practicability”.

22. Land-use changes are acknowledged to be a key driver in inducing transport demand and requiring transport interventions. More information on the links between the RTS and land use and development planning is given in Section C of this Guidance on ‘Context’. The requirement to have regard to “what can be done” is key to the RTS. This is elaborated in the sections on option identification, appraisal and selection.

23. Section 5(2)(b) and (c) make particular requirements about the scope of the strategies. According to these sections, strategies must include provision for the whole of the region and particular parts of it:

- section 5(2)(b) requires strategies to include provision on “meeting the needs of all inhabited places” – the strategy should therefore aim to enhance well-being in the whole of the region;
- section 5(2)(b) however goes on to require strategies to include provision on meeting the needs of “in particular those which the Partnership considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations;”
- section 5(2)(c) then requires that strategies include provision on “meeting the need for efficient transport links between heavily populated places”.

24. The accessibility of remote and sparsely populated areas has a significant impact on their economic and social well-being. RTPs should consider the general needs of those parts of the region that they have identified as being remote and sparsely populated places, and how these differ from the rest of the region. This should be done at various points during the development of its strategy – when setting objectives and when appraising, selecting and prioritising options.

25. Heavily populated areas are the cities and towns that provide the homes, jobs, schools and services for the majority of Scotland’s people. The majority of our most disadvantaged communities are also found in urban areas. Efficient transport links can connect people to work and other opportunities which enhance their economic and social well-being and can act as a stimulus to regeneration. Regional transport strategies should address the need for transport links into town and city centres from surrounding towns, estates and housing developments; transport links between towns and cities that facilitate the efficient movement of goods and services in support of business competitiveness, linking towns in a region with each other as a complement to the traditional radial routes into major cities.

26. Section 5(2)(d) requires the RTS to set out how transport in the region will be provided, developed, improved and operated in order to achieve a number of objectives.

(i) “to enhance social and economic well-being”

27. The promotion of economic growth is the Scottish Executive’s top priority, and efficient transport networks support the economy in a number of ways. For example by improving access to jobs, thereby increasing employment options and extending labour markets; improving access to education and training opportunities, so improving the skills of the workforce; supporting tourism; and by closing the distances between companies and their customers and suppliers.

28. Social well-being is also a high priority of the Executive. Economic success can often lead to improvements in social well-being for example by enabling more people to access a wider range of goods and services, by improving access to jobs, education and social destinations. However, a growing economy and increased social well-being also increases the demand for travel. This inevitably places a strain on transport infrastructure and services, which will damage economic and social well-being, including health, and the wider environment. The tensions between travel choices that improve the economic and social well-being of individuals but damage the well-being of others and of the community at large are not solely within the gift of RTPs to resolve. Land-use planning has a key role to play – but RTPs will need to address this tension within their strategies and develop objectives and interventions that take a balanced approach to the requirements of the Act and the Executive’s 5 national transport objectives (see Annex C).

(ii) “to promote public safety, including road safety and the safety of users of public transport”

29. Safety is one of the Executive’s 5 national transport objectives and regional transport strategies should make a contribution to the achievement of the Executive’s road safety target to reduce the number of serious and fatal road accident casualties by 40% overall and by 50% for children by 2010 compared with the 1994-98 averages. Many safety issues are likely to fall to local authorities but the RTS can provide a strategic context – for example in terms of promoting improvements to certain strategic roads. RTPs should also address safety issues as part of their wider aim of increasing the use of active travel and public transport.

(iii) “to be consistent with the principle of sustainable development and to conserve and enhance the environment”

30. Social well-being including health is affected by environmental factors: noise, air pollution, visual impact of mass moving and parked traffic, and by the safety risks associated with (particularly car) transport. Protecting the urban and rural environment is also good for business – for example by ensuring that Scotland remains an attractive tourist destination. Scotland also has a part to play in reducing the threat of global climate change, on which transport is having a significant and increasing negative impact.

31. RTPs should consider the policy levers at their disposal to influence road traffic volumes, increase the use of public transport and non-motorised modes, and transfer road freight to rail and water.

(iv) “to promote social inclusion”

32. The Executive is committed to promoting social inclusion and has published a series of objectives in *Closing the Opportunity Gap*.

The need to promote social inclusion should be read alongside the need to enhance social well-being. The latter is a more general objective that can be applied to the population as a whole; the former is focused on those individuals, groups or communities experiencing exclusion due to gaps in transport provision and barriers to accessing transport networks. This may include specific groups of people (see paragraph 34). Strategies should consider the role transport can play in regeneration initiatives. The Executive’s Regeneration Policy Statement will give further guidance on direction and priorities.

(v) “to encourage equal opportunities and, in particular, the observance of the equal opportunities requirements”

33. Strategies should consider how to address particular social inclusion/equality issues, including meeting the particular travel needs of older people, disabled people and their carers, children and young people, women, and people from minority ethnic communities. This is particularly important in the case of disabled people and minority ethnic communities given that Transport Partnerships will be made subject to a statutory general duty to promote race and disability equality (and in due course gender).

34. RTPs should consider the transport needs of those groups of people who experience inequality and exclusion (an equality impact assessment can assist in this), involve specific groups in consultation on the strategy, in the option appraisal and selection stage, take into account the likely impacts on meeting these transport needs, and monitor the impacts of the strategy on those groups.

(vi) “to facilitate access to hospitals, clinics, surgeries and other places where a health service is provided”

35. In their debates on the Transport Bill, MSPs were particularly keen that RTPs and health boards work together on relevant transport issues. Improving access to where healthcare is provided was of particular concern. This was driven by concerns that some decisions on the location of health services were making access more difficult for some people, and that public transport services were not being adjusted to accommodate this.

36. It will be important for RTPs in drawing up and implementing their strategies, and through their ongoing work with health boards, to ensure that transport provision (including voluntary sector provision) is planned and developed alongside healthcare provision. Arrangements should be put in place to ensure that the objectives of the health boards and the RTPs are mutually understood and solutions worked towards which meet both the health and transport needs of people in the region. Health boards will also be under a duty to “so far as possible, perform those of its functions and activities that relate to or which affect or are affected by transport consistently with the transport strategy.”

37. As well as improving access, transport strategies should prioritise policies and projects that improve health, alongside other benefits. Steps taken in the RTS to improve health can include those linked to reducing the harmful effects of vehicle pollution but also those promoting active travel.

(vii) “to integrate with transport elsewhere”

38. Integration of transport is one area where the RTPs should give a lead. The specific requirement of the Act is for the RTS to show how transport in the region will integrate with transport elsewhere. This could be through the development of effective interchanges at railway and bus stations, ports and airports to integrate incoming with onward travel. It could also be through working with neighbouring RTPs and with authorities elsewhere in the UK and beyond to develop proposals for transport improvements such as joint sponsorship of infrastructure projects or joint funding of cross-boundary services. Cross-boundary integration will need to address freight as well as passenger transport, particularly acute when traffic is passing through a region, having a negative impact on the well-being of the region.

39. Later sections set out how these requirements might be addressed by RTPs.

Section 2 (D) (viii) – see paragraphs 93-94 on prioritisation

Section 2 (E) (ii) – see paragraph 114 on functions

Section 2 (E) (v) – see paragraph 123-124 on the duties of constituent councils, health boards and other specified public bodies

Section 2 (E) (vii) – see paragraph 128 on monitoring

(iv) *Scope*

40. The RTS is intended to be a long-term document that will contain strategies and interventions for the short, medium and long term and provide a framework for the transport activities of local authorities and others. Strategies should cover a time horizon of 10-15 years from the date it begins, which should be assumed to be around mid-2007. The strategy should provide the framework and context for subsidiary plans that each partnership will need to draw up according to the specific challenges of implementing its strategy and exercising its functions. These are described in paragraph 95. The scope of the strategy should not therefore be confined to what the RTP can, itself, directly deliver. In the early years, it is expected that most of the partnerships (the exceptions being Strathclyde and the single-authority RTPs) will exercise few functions and then only concurrently with their constituent councils.

41. The scope of a regional transport strategy should cover all regional transport and all modes. In addition, the RTS should look at how transport within the region connects to and is integrated with transport links and services coming into the region from other regions and could consider links to other parts of the UK and further afield. Neighbouring RTPs will need to work together when drawing up and implementing their strategies to ensure that services are integrated for the benefit of people travelling across regional boundaries. The RTS can also make proposals for improvements to services and infrastructure provided by others, including the Scottish Executive Transport Group and Transport Scotland, where these have a regional impact. It is likely, perhaps probable, that the full implementation of the RTS will require additional funding or other action to be taken by the Scottish Ministers. RTPs should use the RTS to make the case to the Scottish Ministers for the inclusion of such proposals in forward investment plans.

42. Many transport activities in the region are undertaken by agencies other than the RTP: e.g. councils, transport operators, community transport organisations, infrastructure providers, the Scottish Executive (including Transport Scotland), other public bodies and non-governmental organisations. The RTS should consider how these various players can and should contribute to the achievement of regional objectives and the fulfilment of the regional strategy. Ongoing engagement and close involvement in the drawing up of the strategy will be key to securing this kind of co-operation and commitment.

43. The vehicle for doing so will be the Strategic Projects Review to be carried out for the first time between 2006 and 2008 and repeated in the future. Whilst it is not impossible for national funding to be granted to regional projects not included in the RTS, this would be exceptional and there would need to be good cause – for example if the need for an initiative has emerged since the completion of the strategy but there is a desire to pursue it before the RTS is next refreshed. It is likely such a scheme would only be supported by the Scottish Ministers if it contributed to the overall objectives of the RTS, and to their own national objectives and to the National Transport Strategy.

44. RTPs will have a strong interest in the national priorities of the Scottish Executive and some issues that are reserved to Westminster or determined at EU-level. The policies of RTPs should be determined in the light of this wider context. RTPs will also wish to seek to influence how such policies develop and are implemented. RTPs should refer to national and UK-wide issues in their strategies where this is relevant to the development or improvement of regional transport services. Provided RTSs are based on an underlying realism they can express aspirations, flag issues and include lobbying as part of the strategy.

(v) *Transport modes*

45. This guidance is based on planning for integrated transport networks that take account of the needs of all users (road, rail, waterborne and air; personal and freight transport) and of the contribution that can be made by all modes, including cycling and walking. Preparation of the RTS should follow the STAG process and be objective-led and outcome-driven. Therefore, when preparing different strategy options (this process is described in more detail later), the contribution of all modes and, importantly, their integration should be carefully considered. Options identified should include a range of possible interventions. RTPs should take into account the order of priority for personal travel set out in SPP17⁷:

- Walking;
- Cycling;
- Public transport (particularly with effective interchange and integrated timetables and ticketing) and including community transport and demand responsive services;
- Other motorised modes (noting that motorised two-wheel vehicles have advantages over cars in terms of roadspace used and some environmental impacts).

46. For freight, the Executive has a general policy of promoting greater use of rail and waterborne transport (including short-sea shipping and inland waterways) and reducing dependency on road haulage.

47. The issues relevant to each mode are set out in some detail in the Local Transport Strategy Guidance⁸ published by the Scottish Executive in February 2005 and those messages remain relevant at the regional level. The application of hierarchies for personal and freight transport has to be informed by the current level of provision and the accessibility of that provision. However, RTPs should look to expand sustainable transport choices wherever possible and where interventions will be most cost-effective. Once again, aspiration has to be balanced with realism.

48. As set out in the Local Transport Strategy Guidance, buses play a central role as they are the most frequently used and the most widely available mode of public transport. As part of RTP consideration of the contribution of all modes, it should be recognised that a key use to which RTP resources should be put must be to improve and revitalise bus services in the RTP area. To maximise the benefit to be secured, RTPs, where they are given the powers, and transport authorities elsewhere will be expected to invoke the legislation on quality partnerships and contracts whenever it is appropriate to do so.

⁷ SPP17 paragraphs 35-43 – see paragraph 50. Although air and waterborne personal travel and not included in this hierarchy, it is reasonable to include waterborne transport in public transport as it has the same mass transit characteristics. Air transport is harder to categorise – it is also usually public rather private transport, and plays an important role in the transport networks of some island and remote mainland communities. However, it is generally considered to have high environmental disbenefits when compared to buses, trains and ferries and can therefore be considered alongside other motorised modes.

⁸ www.scotland.gov.uk/library5/transport/gltpsd-00.asp

C: Context

49. This section provides an overview of the national policy context in which regional transport strategies will be developed. It focuses in particular on the links between transport and planning and between the national, regional and local transport strategies.

(i) Land-use planning – current situation

50. The *National Planning Framework*⁹ sets out the Executive's strategy for Scotland's long-term spatial development. *Scottish Planning Policy 17 Planning for Transport*¹⁰ (SPP17) reinforces the Executive's commitment to the development of integrated land use and transport planning. SPP17 promotes an integrated approach to land use, economic development, social justice, transport and the environment.

51. The development plan system consists of structure plans and local plans covering the whole of Scotland and prepared by local authorities. These set out the land-use planning framework for safeguarding, managing and developing the strategic transport network. Each of these plans outlines the key development priorities for that particular area. The upper-tier structure plan sets out a vision which looks forward at least 10 years but which should be comprehensively reviewed every 5 years. Lower-tier local plans provide the detailed framework against which decisions on planning applications are taken and should also be reviewed on no more than a 5-year cycle.

52. SPP17 requires that structure plans include a development strategy which is prepared in the full knowledge of transport network infrastructure and services, environmental and operational constraints, proposed or committed new transport projects and demand management schemes. So existing structure plans should already be well-informed by the transport situation in the structure plan area. Whilst most of these areas will be smaller than the transport regions, they will be important inputs to regional transport strategies.

53. These will be the arrangements in place when the first set of statutory regional transport strategies are drawn up. These first regional transport strategies should:

- reflect the national spatial priorities identified in the *National Planning Framework* (and, where relevant, the *Regeneration Policy Statement*);
- support the policies set out in SPP17; and
- be consistent with relevant current structure plans (and, depending on the level of detail, with local plans).

54. Joint working between transport and planning teams should be encouraged to ensure that closer integration between spatial and transport strategic planning is achieved. This is an iterative process which both local and regional levels of planning and transportation strategies should benefit from.

⁹ www.scotland.gov.uk/library5/planning/npf04-00.asp

¹⁰ www.scotland.gov.uk/Publications/2005/08/16154406/44078

(ii) *Land-use planning – proposed changes*

55. Proposals for reforming development plans were set out in the white paper, *Modernising the Planning System*¹¹ published in June 2005. The Executive introduced legislation in December 2005 which will remove the current system of structure plans and local plans. In future, local development plans will replace local plans and cover all of Scotland. The intention is that each local authority and National Park Authority will be responsible for producing the local development plan for its area. This local development plan may cover the whole of the council's area or in the case of the larger councils may comprise a number of local development plans. In addition, an upper tier of strategic development plans will be required for the four city regions of Aberdeen, Dundee, Edinburgh and Glasgow. Joint working arrangements will be set up between the local authorities comprising these regions. The exact boundaries to be covered by strategic development plans will be agreed by the local authorities and approved by the Scottish Ministers.

56. Future regional transport strategies are likely to be drawn up once these development planning changes have been made and after the publication of the second National Planning Framework, which will be informed by the Strategic Projects Review and the Executive's Regeneration Policy Statement. The first regional transport strategies will be important inputs to the first round of strategic and local development plans and will help to inform the second National Planning Framework.

57. Transport strategy has to balance and integrate many varied and often competing demands. The development of the RTS should inform, be informed by, and integrate with other relevant strategies, policies, plans and activities. Other Scottish Executive policy documents set objectives and targets that are directly or indirectly relevant to transport. These include:

- The *Scottish Planning Assessment* (covering rail);
- The Executive's overall economic policy direction set out in *Framework for Economic Development in Scotland* (FEDS) and *Smart Successful Scotland*;
- Specific transport targets set out in *Building a Better Scotland* and elsewhere (e.g. national targets for cycling and the high-level aspirational target for road traffic reduction);
- The *Regeneration Policy Statement*;
- Sustainable development indicators in *Choosing our Future* the Scottish sustainable development strategy;
- Social inclusion objectives and targets from *Closing the Opportunity Gap*;
- The UK air quality strategy and forthcoming climate change programme, in relation to reducing emissions and adapting to impacts;
- The national physical activity strategy, *Let's Make Scotland More Active*.

58. More details on these and other plans and the targets they contain, including where they can be found, is attached at Annex E. RTPs should also take note of the transport implications of relevant plans of regional stakeholders.

(iii) *National Transport Strategy*

59. The National Transport Strategy (NTS), once produced, will be a key input to the RTSs. It will provide national policy context and direction on how transport delivery contributes to the achievement of other national objectives e.g. on economic growth, climate change and social inclusion. At the same time, early work undertaken to prepare regional strategies will be an important input into the first national strategy.

¹¹ www.scotland.gov.uk/Publications/2005/06/27113519/35231

(iv) *Local transport strategies*

60. The RTS should provide a framework for the transport activities of constituent councils (i.e. those confined to a council area), health boards and others but not necessarily go into great detail on those delivery issues that will remain outwith their direct responsibility. Therefore, if, for example, an RTP was taking forward regional bus corridors then the RTS would comment on how these would co-ordinate with local bus corridors, local bus services and even, if judged necessary, what might appear to be purely local concerns such as the location or quality of bus stops and bus shelters. Where particular objectives identified by the RTP need purely local activity to achieve them, the RTS need not be heavily prescriptive but would need to make clear (to the council, or whoever else was responsible) that certain activities or outputs were needed in order for certain regional objectives to be achieved. An example could be a regional objective of reducing road accidents outside schools. The RTS could set out a consistent regional approach to this or could leave it to each council, working with its local partners, to determine the best way to contribute effectively to an overall regional target, set in conjunction with others, with the RTP taking on a monitoring role.

61. This equally applies to the strategies of those partnerships that have greater operational responsibilities¹². In these cases, the RTS should remain high-level but other plans and policies will be required to support the RTP's implementation of those parts of the strategy that fall under its direct control.

62. Whilst the RTS will act as a framework for local transport strategies, the existing strategies of the constituent councils will also contribute to the RTS. This relationship should benefit both local and regional strategies. The strategies drawn up by the existing voluntary partnerships and SPT (including the joint SPT-WESTRANS transport strategy) will be important inputs and in many cases form a solid foundation for the drawing up the RTS.

63. When taken together, the national, regional and local strategies will represent a hierarchy of interventions in transport services, infrastructure and travel behaviour and a comprehensive framework for the improvement of transport across the whole of Scotland.

(v) *Community Planning*

64. Regional transport partnerships will, from April 2006, be required to participate in community planning. The requirements for this are set out in the Local Government in Scotland Act 2003. Where community plans are in place, these should also be taken into account during the drawing up of the regional transport strategy. It is important that the RTPs engage with their community planning partners, individually or collectively, during the drawing up of their strategies, and that community plans take account of regional transport strategies once these are in place.

(vi) *Drivers and constraints*

65. The demand and supply of travel and transport services is driven and constrained by a wide range of social, economic, legislative, political and technological factors. These types of trends and changes should be considered in the development of strategies which will be looking forward at least one and perhaps two decades. A list of some of these drivers and constraints is included in Annex F. There will be others which are specific to each region.

¹² The intention is that 3 of the RTPs will have the type of operational responsibilities for public transport that would otherwise be exercised by their constituent councils. They are the Strathclyde, South-West of Scotland and Shetland Transport Partnerships.

D: Process

66. This section sets out the steps expected for the creation of a regional transport strategy.

(i) STAG, SEA and assurance

67. The process follows that set out in the Scottish Transport Appraisal Guidance (STAG) and should meet the requirements of Strategic Environmental Assessment (SEA) legislation. Further information on STAG and SEA can be found in Annexes G and H respectively, which include references to the guidance and support that is available.

68. The RTPs will be supported throughout this process by the Scottish Executive on an ongoing, informal basis and through a formal assurance process. This will enable the Scottish Executive to give feedback to RTPs at key stages of the strategy development process and should give RTPs confidence that their strategies are developing in line with this guidance and are on course to achieve Ministerial approval. The assurance process is set out in Annex I.

(ii) Timetable

69. RTPs are required by legislation to complete their first RTS by 31 March 2007 unless an extension has been approved. A model timetable is attached at Annex J which also indicates where the RTS process links to the key stages of STAG and SEA.

70. An RTP may, any time before 1 August 2006¹³, apply to Ministers for an extension to this deadline. An application for an extension can be a simple written request from the Chair of the RTP to the Minister for Transport, following an affirmative decision by the partnership's board, setting out the additional time requested and the reasons for the request. Ministers will consider the case made and respond in writing setting out the length of the extension granted or the reason why it has not been granted.

(iii) Scoping – challenges and opportunities

71. The first stage of drawing up a regional transport strategy is the initial scoping. This will look at the current situation of transport in the region. In following the STAG process it is imperative to have a detailed and, where practicable, a quantified understanding of the transport problems, constraints and opportunities within the region. In particular it is essential to understand where established policies and objectives are not being achieved as a result of deficiencies within the transport system.

72. When undertaking the scoping exercise, RTPs should have regard to the specific requirements of the Transport (Scotland) Act 2005. Relevant provisions include:

- the requirement to have regard to future needs including those occasioned by demographic and land-use changes;
- the requirement to make provision for meeting the needs of all inhabited places including those which the RTP considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations;
- the need for efficient transport links between heavily populated places.

73. The provisions in section 5(2)(d) of the Act, the 5 national objectives and the principles set out in paragraph 18 should also be kept in mind.

¹³ The Transport (Scotland) Act 2005 enables RTPs to make such a request up to 8 months after their creation. The RTPs were all created on 1 December 2005.

74. In taking stock of the current state of transport in the region, and looking ahead to how trends are likely to develop over the timescale of the strategy, the RTP will need access to a variety of information sources. Annex E provides some suggestions although the RTP will want to carry out its own identification of data sources and data collection. This should include some engagement with stakeholders.

75. The output of this stage should be an Issues and Objectives Report that can form an early chapter of the strategy detailing the current state of transport in the region, the problems that currently exist, the opportunities for development, the predicted state on the basis of identifiable trends, and the outcomes this would lead to.

76. The issues report will enable the RTP to determine which issues need to be addressed, which problems solved, which opportunities realised and at what point in time – and to set objectives accordingly.

77. This report should also contribute to the requirement for an SEA scoping report¹⁴.

(iv) Agreeing the vision

78. Agreeing a vision for transport in the region is not a statutory requirement but is recommended by the Executive.

79. This stage can run in parallel with the scoping. Although the vision needs to be informed by an understanding of the needs and current state of transport in the region, it can be developed without the input of the detailed evidence base required for later stages. The vision should be a general and aspirational statement that is focused more on the future than the current situation (i.e. up to and beyond the timescale of the RTS). It should be consistent with the Executive's vision, aim and objectives (see Annex C) and the principles set out in paragraph 18.

80. To have value, the vision must be owned by the members of the partnership. To be useful – and memorable – the vision should be short and should not try to cover every concern, focusing instead on those issues of most importance in the region.

(v) Setting the objectives

81. Whilst the vision will set a high-level direction for the strategy and the work of the RTP, a series of more specific objectives will also be required. These objectives will steer the appraisal and prioritisation of transport interventions in the region.

82. In line with STAG, objectives should be 'smart': specific, measurable, achievable, relevant and timed. They should also be challenging. They should be written in such a way that it will be clear when they are achieved and that progress can be measured along the way. They can be supported by lower-level targets and performance indicators for particular projects or services. Community planning partners and other stakeholders will be able to make a contribution to the setting of objectives.

83. Objectives should focus on working towards the vision of the RTP, the Executive's 5 broad transport objectives and the emerging aims of the National Transport Strategy. Objectives should also be informed by the needs, problems and opportunities identified through the RTP's work on scoping and by the principles set out in paragraph 18.

¹⁴ The first stage of a Strategic Environmental Assessment would normally be a Screening Report. However, these do not have to be provided for certain sectors' plans such as transport, if they set a framework for development, as the environmental effects are already deemed to be significant. See Annex H.

84. The Issues and Objectives Report produced during the scoping stage should be approved by the RTP board. This is also the stage at which the first progress assurance report should be provided to the Scottish Executive. This will give the RTP an opportunity to receive feedback on the progress of the RTS development to date and on the direction it is taking.

(vi) *Generating the options and initial appraisal/sifting*

85. Once the problems, constraints and opportunities are understood and a set of objectives has been established for the RTS, the next step is to develop a number of different options to achieve those objectives. These are likely to consist of packages of complementary measures and activities covering several transport modes. Whilst this systematically follows on from the scoping, vision and objective-setting stages, in reality options for projects, services and initiatives will be generated throughout the strategy development process.

86. The generation of strategy options should be an inclusive process and draw in ideas from the wider community as well as transport professionals, land-use planning professionals, community planning partners and other interest groups. Option generation should be wide-ranging and bring in ideas for new or improved infrastructure, new or improved services, but also new or improved 'smart' measures such as schemes to promote changes in travel behaviour. (Ideas for reductions and closures might also feature.) Options should include those covering passenger transport, freight transport and those which apply equally to both.

87. However, there is a balance to be struck between inviting suggestions, many of which could fall at the first hurdle of appraisal, and using limited time and resources most effectively. Option generation should be constrained by and steered towards the RTP's objectives. Where strategy options do not appear to fit with the objectives at this stage they should be discounted at the generation stage unless they can be developed into a strategy that can fit with and contribute towards the objectives. This reflects the STAG approach of sifting the possible options to concentrate on those most likely to deliver in practice against the objectives.

88. Strategies can contribute to and make recommendation for outcomes that are not, strictly speaking, transport outcomes but relate to, for example, planning, service provision, economic development or job creation. This will need to be handled carefully in order to minimise conflict with existing policies and strategies in other fields. In the first round of strategies, given the limited timescales, the extent to which an RTS goes far beyond a focus on transport should perhaps be limited.

89. The outcome at this stage should be an Options Report to go to the RTP board for approval. This report will outline the main alternative strategies proposed for further appraisal and wider consultation.

90. The SEA Scoping Report should be sent to the Consultation Authorities (Historic Scotland, Scottish Natural Heritage and the Scottish Environment Protection Agency) at this stage (see Annex H). The SEA Consultation Authorities expect that the SEA Scoping Report will contain more than the issues report produced at the end of the RTS scoping stage and will need to report on the vision (if one is drawn up), objectives and option generation and appraisal. The SEA Scoping Report should include an outline of alternative strategies to be considered. The SEA Scoping Report should also include general details about the RTS, a summary of existing environmental problems in the region associated with transport and an identification of those likely to be significantly affected by the RTS. It should then set out the intended scope of the Environmental Report.

(vii) Appraising the options

91. Each of the strategy options should be appraised against the RTP's objectives and the five STAG criteria. As part of this, the potential environmental impact of each alternative strategy will have to be assessed. Annex H gives details of the guidance available to assist in undertaking an SEA.

92. Appraisal should include engagement with key stakeholders and could include wider public consultation. An assessment of the options should include the practicality and feasibility of their delivery. This should take account of levels of control and influence and levels of stated financial and political commitment. Each option should be subject to at least a provisional assessment of cost and affordability. This should include an identification of what funds (definite, possible, or targeted) are, or could be, available to the RTP.

(viii) Decision on options and prioritisation

93. The strategy option the RTP proposes to adopt should show a clear pathway towards all its objectives and a contribution to national objectives and have at least a reasonable chance of being delivered within known time and cost constraints. So far as possible, component parts of the strategy should reinforce one another and any contradictions or tensions between different initiatives should be minimised. Component parts of the strategy (projects, services, campaigns and other interventions) will have to be prioritised. Given the long-term nature of the RTS and the number of unknowns, particularly on funding, this is essential.

94. Prioritisation should take into account timing, deliverability and impact (favouring those with the most significant contribution to the objectives of the RTP and the 5 national objectives for transport).

95. It is recognised that, at the time of the first strategies being developed, there are a number of proposals for projects and other interventions in each region at various stages of development, including those that have already undergone a full appraisal. The purpose of prioritisation is to decide which of the new and current identified projects should move forward to the next stage of development and which should not (at least not yet). That could mean that a fully appraised project, with identified funding, moves to become a definite commitment that the RTP will deliver. It could equally mean deciding to take a new and only partly appraised project on to the next stage of appraisal, while ruling out for the time being further work on other projects that have lower priority. In order to make these decisions on prioritisation, some further appraisal work on some interventions may be needed, but that should be proportionate to the existing state of development of each idea – the time available to draw up this first set of strategies does not allow for all possible interventions to be developed to the same extent. Some work on comparing and ranking interventions will be required. Although this will involve making comparisons between different types of intervention, this is the essence of the STAG approach, albeit on a different scale. The clearer and more precise (and arguably fewer) the RTP's objectives, the more straightforward the ranking of interventions against these objectives will be.

96. Public acceptability/desirability and the feasibility/deliverability of schemes where these are dependent on other organisations should feature among the criteria used when setting priorities.

97. A second progress assurance report should be submitted around this time to coincide with the completion of a draft RTS and its approval by the RTP board prior to public consultation. The purpose of this assurance stage is to enable the Executive to comment on the emerging RTS before it goes for wider consideration. The assurance report should also give an update on progress against the RTP's timetable and outline how the RTP has arrived at the draft RTS.

(ix) Consultation

98. Meaningful and effective engagement with regional stakeholders and the wider public should have a significant bearing on the overall direction of the RTS. In line with STAG, appropriate engagement and consultation should be carried out throughout the strategy development process, though the length of consultation periods will be constrained by the demands of the overall timetable.

99. Where already available, user feedback will provide a valuable source of information on the public perception of current transport services and infrastructure during the scoping stage. Engagement should also be used, alongside technical appraisal work, in assessing the comparative benefits of alternative strategies.

100. It is expected that the main public consultation will take place on the draft strategy itself. The RTP should therefore give particular attention to views expressed in the consultation exercise and give proper consideration to the consultation responses in finalising the strategy. The SEA Environmental Report should be issued alongside the draft strategy and comments on it also fed into the final decision-making. The period of consultation with the Consultation Authorities needs to be agreed with them in advance. The RTP's proposals in this respect should be set out in its scoping report.

101. A variety of approaches are available for consultation and engagement. For example, key stakeholders can be kept engaged throughout the process through the use of consultative forums. RTPs could consider establishing a consultative forum (where one does not already exist), or focused working groups, to provide input to the strategy; such a forum could then provide a valuable source of feedback on the progress of the RTS implementation. Chapter 13 of STAG highlights different groups that should be considered for specific consultation and also describes some consultation methods. Section 13.5 identifies useful publications.

102. Only the constituent councils and health boards are statutory consultees but other community planning partners will also be key participants in the consultation process. The draft strategy should be made available for comment to any interested party.

(x) RTP sign-off and submission to Ministers for approval

103. When the RTP considers the final RTS it should make reference to a number of supporting documents including the SEA Environmental Report and consultation responses and the outcomes of the consultation on the draft RTS.

104. The RTS has to be submitted to the Scottish Ministers for their approval. For the first strategy, this has to be submitted by 31 March 2007 (see paragraph 70). The strategy should be formally approved by the Partnership and a record of the decision, including the result of a vote, if taken, should be forwarded to Ministers along with the strategy.

105. If this guidance has been followed, then the RTP should be confident of gaining approval. The assurance process should reinforce this.

(xi) Ministerial approval

106. The Transport (Scotland) Act 2005 provides that an RTS has effect when it has been approved by the Scottish Ministers and that, when considering whether to approve a strategy, the Scottish Ministers consider, amongst other things, how far the RTS will contribute to the Executive's own transport objectives – that is, the 5 national transport objectives and the National Transport Strategy. The RTP will also have to demonstrate that the strategy will contribute towards the regional objectives agreed by the RTP.

107. Ministers will not withhold approval of an RTS on the basis of its detailed contents. Instead they will seek assurance that it is a coherent and realistic strategy that is based on sound evidence, an inclusive process and objective appraisal, that will tackle the transport issues of the region and improve services for the people of that region. Ministers will aim to approve or return a submitted RTS within 3 months. This should allow time for minor agreed revisions but not a significant rewrite, should that be required.

108. Ministerial consideration will cover both process and content:

Process

- Has the strategy been developed by strong partnership working and does it plan for this for its implementation?
- Have all statutory consultees (local authorities, health boards) been properly consulted?
- Have people and businesses in the region and other interested parties been adequately consulted?
- Have neighbouring RTPs been involved?
- Is there evidence that the results of consultation have been taken into account?
- Have the issues in the SEA Environmental Report and views expressed upon it during consultation been considered in the decision-making process?
- Have existing relevant development plans (at present, structure plans and local plans) been taken into account?
- Has a meaningful analysis of current position and trends been carried out?
- Have 'smart' objectives been set?
- Have alternative strategy options been identified?
- Have the costs of options been estimated?
- Has the strategy option selected been chosen on the basis of objective appraisal?
- Are spending plans supported by an identification of the necessary financial and non-financial resources?
- Have delivery agents been identified for each planned intervention? Do these agents have capacity?
- Have the additional statutory transport functions that the RTP will itself need to deliver the strategy been identified?
- Are robust monitoring, reporting and review mechanisms in place?
- What outcome evaluation is proposed?
- In general, has the RTS been drawn up in accordance with this RTS guidance?

Content

- Does the strategy provide a clear pathway to the achievement of its stated objectives?
- Does the RTS incorporate and place a high priority on the fulfilment of all statutory obligations including those set out in section 5 of the Transport (Scotland) Act 2005?
- Will the RTS contribute to the Executive's vision, aim and 5 key transport objectives (including the Executive's top priority of growing the economy), help towards achievement of specific Executive targets for transport (including those set out in the National Transport Strategy) and incorporate the principles set out in paragraph 18?
- Does the RTS support the land-use planning priorities of the National Planning Framework and SPP17?
- Does the strategy cover all regional transport and all relevant modes?
- Are there any significant adverse environmental impacts identified in the SEA Environmental Report? What has been done to take account of these?

- What is the balance between the achievable and the aspirational? Does the RTS give priority to interventions that the RTP and its constituent councils can themselves deliver?
- Where relevant, does the RTS make the case for additional financial or policy interventions by the Scottish Ministers?
- Are there likely to be any significant problems arising from contradictions between the RTS and those of neighbouring RTPs or the LTSs of constituent councils?

(xii) Publication

109. Sub-sections 6(6) and (7) of the Act require that when the RTS is approved, Ministers must inform the RTP and the RTP must inform its constituent councils and send them a copy. The RTP must also publish the strategy. The Executive recommends that the strategy be published in such a way that it is widely accessible and that this should include at least:

- publication of the completed RTS on the RTP's website;
- publication of the SEA Statement;
- copies sent or e-mailed to key stakeholders;
- arrangements for those without access to the internet, such as hard copies to be placed in all public libraries in the region;
- inclusion within the publication schedule required of each RTP by Freedom of Information legislation.

110. Consideration should also be given to other means of disseminating the RTS in either an entire or a summarised form. This should include consideration of publication in languages other than English and in other formats whenever requested.

E: Implementation

111. This section sets out some general guidance on the implementation of the strategy, particularly where this is related to the requirements set out in the Transport (Scotland) Act 2005. The RTS itself should include an implementation plan although with only an appropriate level of detail. More detailed (and non-statutory) plans will almost certainly be needed.

(i) *Delivery plans*

112. Each RTP will also need delivery plans consistent with the overall strategy and geared towards achieving interim targets, milestones and agreed levels of performance. These should be distinct from the RTS which is intended to be a high-level document. Those partnerships with stronger operational powers will need more detailed operational and/or investment plans. An example of a hierarchy of plans is below.

- **RTS:** 10-15 year strategy reviewed, revised and refreshed every 4 years in line with the local government electoral cycle.
- **Investment Plan:** investment plan covering the first 5 to 10 years of the strategy that sets out a programme of capital investment required for the successful implementation of the RTS. This would need to be updated when the RTP judged it appropriate.
- **Delivery or business plan:** 3-year plan for the implementation of the RTS, updated annually to reflect local and central government planning and funding cycles. Includes plans for revenue and capital spending and borrowing.
- **Annual report:** Yearly update of progress (see paragraph 133).

(ii) *Transport functions*

113. The RTS should identify leading and supporting delivery agents for each of its component parts.

114. The RTP itself will have powers to perform some statutory transport functions¹⁵. Section 11 of the Act specifies that any functions the RTP has must be carried out in a way that will contribute to the fulfilment of the RTS. All RTPs already have certain powers – for example to give grants or loans to any person for any purposes that will contribute to the implementation of the RTS.

115. The strategy should also identify any other statutory transport functions that an RTP will itself need in order to ensure that the strategy is delivered. These could be transport functions currently exercised by its constituent councils, by the Scottish Executive and Transport Scotland, or by other public bodies. Section 10 of the 2005 Act gives an illustrative list of some of the functions that could be conferred upon an RTP. These are:

- making quality partnership and quality contract schemes;
- establishing voluntary ticketing arrangements or binding ticketing schemes;
- providing bus service information;
- installing bus lanes;
- providing subsidised bus services;
- making and implementing road user charging schemes;
- operating ferry services;
- managing tolled bridges;

¹⁵ The Transport (Scotland) Act 2005 only concerns itself with the conferring of statutory transport functions – that is, any duty or power placed on or given to, for example, a transport authority or a roads authority by legislation. Examples include those listed in paragraph 115. There are other transport-related activities that are not covered by specific statutory provisions – examples would include promoting travel plans or producing integrated timetables. This section of the guidance is only concerned, as the Act is, with statutory functions but it is noted that RTPs could also take forward a range of other activities currently carried out by local authorities, the Scottish Executive or others.

- operating airports and air services;
- entering into public service contracts (e.g. for the provision of ferry and air services).

116. When functions are identified, the RTP should then draw up a request to the Scottish Ministers for an order conferring these functions on the partnership. Functions can be conferred concurrently – so that the RTP can exercise the function without taking it away from whoever currently exercises it – or can be transferred to the RTP. This is clearly an important decision so section 10 of the Act puts in place a number of steps which must be gone through.

- The proposal to confer or transfer a function must clearly flow from the regional transport strategy.
- The RTP must consult specifically on this point with its constituent councils. This is important even if the functions to be conferred are not ones currently exercised by the councils as there could be financial implications. The RTP could also consult with other interested parties.
- The RTP must agree to making the request to Ministers. Only the councillor members of RTPs will be able to vote on this matter.
- The Minister, on receiving the request, will consult with the constituent councils of the RTP and with other interested parties.
- The Executive will submit the draft order to Parliament, who will have the final say on whether or not the conferring or transferring of functions takes place.

117. Once functions have been conferred on an RTP, it should take responsibility for ensuring that relevant providers, users and other stakeholders are aware that this change has been made.

118. Wherever a full transfer of functions takes place, there will be implications for the staff currently employed in the delivery of that function. In such cases, section 15 the Act provides that protection is afforded through the application of the Transfer of Undertaking (Protection of Employment) Regulations 1981. Section 15 also makes provision for the transfer of relevant property, rights and liabilities which are necessary for the continued performance of the function (or, particularly in the case of liabilities, would not be appropriate for the former body to retain).

(iii) *Functions models*

119. *Scotland's Transport Future* stated (paragraph 5.18) that: “We envisage that there will be two or three partnership models with varying degrees of power and responsibility, and we will consult further on these before publishing guidance. Each partnership, once formed, will be expected to agree which of these models they wish to follow.”

120. It is envisaged that model 1 would confer only a limited number of statutory functions on RTPs to be exercised concurrently with local authorities. Model 2 will include some transfers of functions from constituent councils or the Scottish Ministers to RTPs. Model 3 will require a significant transfer of public transport functions from constituent councils to the RTP. This will be the case in the west of Scotland where the Transport Partnership, (as the successor body to SPT), and not the local authorities will exercise the statutory functions relevant to public transport. Those RTPs consisting of just one local authority plus other members (South-West of Scotland and Shetland) will also be model 3 partnerships¹⁶.

¹⁶ In these 3 cases, this is dependant upon the successful transfer of functions from SPT, Dumfries and Galloway Council and Shetland Islands Councils respectively.

121. RTPs will also be able to act as agents of some or all of their constituent councils or of the Scottish Ministers. This would, for example, enable local authorities to achieve economies of scale in the exercise of certain transport functions through the RTP without losing direct political control. Equally, an RTP could delegate the exercise of one of its statutory transport functions to its constituent councils. This would enable policy decisions to be taken at the regional level, with operational management decisions being taken at the local level. However, this would risk the loss of economies of scale and the building of a strong operational capacity in the RTP. It is also questionable whether this offers any benefit over retaining powers with the local authorities who will in any case have to exercise their transport functions consistently with the RTS.

(iv) Functions requests: form and content

122. Section 10(4) of the Act requires an RTP when making a request for the conferring on it of transport functions to have regard to any guidance from the Scottish Ministers on the form and content of such requests. Such a request should be in the form of a written submission¹⁷ from the Chair of the RTP. Requests should specify, with detailed reference to the legislation concerned, which statutory functions are to be conferred on the RTP, what exceptions (if any) are required and what consequential amendments (if any) to primary or secondary legislation are required. Copies of the submission should be sent to the all the RTP's constituent councils.

(v) Duty on councils, health boards and others to perform transport functions consistently with the RTS

123. Section 8 of the Act places a duty on the constituent councils, so far as possible, to perform their transport functions, and other functions which impact on or are affected by transport, consistently with the RTS.

124. Councils will have to aim to perform, so far as possible, any of their functions that relate to transport, affect transport or are affected by transport in a way which is consistent with the RTS. That means that areas of council responsibility other than transport but which, for example, rely on or generate transport should also take close account of the RTS and feed into its development. These include, for example, education (school transport but also decisions on the location of schools and other educational facilities) and land-use planning. It is accepted that there will be times when the RTS cannot, for whatever reason, be strictly adhered to, particularly where other statutory requirements are concerned. However, councils should strive to deliver all their services in line with the RTS and should reflect on this when inputting to the RTS in the first place.

125. In a similar way, there are health boards and other public bodies who provide, generate, demand or otherwise impact on transport in the region and whose actions will help or hinder the achievement of the regional transport strategy. Section 8 of the Act enables Ministers to place an obligation on named health boards and public bodies to adhere to the RTS in the same way as councils are required to. Before bringing forward draft secondary legislation to the Scottish Parliament that sets out the specified health boards and other public bodies that should adhere to each RTS, the Scottish Executive will consult those health boards and public bodies.

¹⁷ For these purposes, a written submission would include a communication received by e-mail or fax. "Written" has been specified to clarify that a phone call, or a resolution at an RTP meeting taken in the presence of a Scottish Executive officer, would not suffice.

(vi) *Funding*

126. The RTP will need resources to implement its strategy and to carry out its functions. Some funding will come from the Scottish Executive to contribute to core staffing and administrative costs. Other funding will come from the Executive to fund particular projects or services – there is already a commitment to provide an additional £35m (in 2006-07 and 2007-08) capital funding to be shared between the RTPs. The Executive has already announced these allocations and has made clear that the regional transport strategies, once in place, will play a part in determining the future level of funding to be received by each Transport Partnership. Each RTS should therefore make the case for funding beyond that currently anticipated – though it should be noted that the approval by Ministers of a strategy does not represent a commitment to funding the whole of the strategy or to be the individual projects or other interventions it contains. Other stakeholders may make contributions. The remainder will have to be provided by the constituent councils. The RTP will decide how much of its remaining funding should be provided by each council. However, this should not be an arbitrary decision and must be informed by the regional transport strategy. Section 3 of the Act provides the mechanism for this and operates in the same way as the provisions applying to Joint Police Boards and Joint Fire Boards.

127. Section 3(7) and Schedule 1, paragraph 15(5) of the Act provides that RTPs may borrow money for the purpose of financing their capital expenditure. They will be able to borrow money under CIPFA's Prudential Code for capital finance in the same way that local authorities can and subject to the same objectives and prudential indicators as set out in the Code. It will also be open to any constituent local authority or authorities to use Prudential borrowing to fund capital projects that form part of the regional transport strategy. An RTP with appropriate functions will also be able to engage in revenue-generating activities. Larger-scale projects may, if they are to proceed after the Strategic Projects Review (see paragraph 43), receive direct funding from the Executive.

(vii) *Monitoring*

128. Section 5(2)(g) of the Act requires that RTPs include in the RTS a plan for measuring and monitoring progress towards its achievement. Section 12(1)(b)(ii) places a duty on the RTP to undertake the measuring and monitoring set out in the RTS. Monitoring should, in particular, track progress against and achievement of objectives, targets and performance indicators adopted in the strategy.

129. The consultation on the National Transport Strategy will include proposals for a series of national transport indicators. If these are adopted as part of the final NTS, it is suggested that RTPs reflect these in their regional indicators.

130. In line with SEA requirements, RTPs will need to monitor the significant environmental effects of the strategy, plan or programme in a manner which enables them to identify any unforeseen adverse effects at an early stage and to enable them to undertake appropriate remedial action.

(viii) *Review*

131. Section 7 of the Act requires RTPs to keep their strategy under review and, as necessary, make modifications or draw up a new strategy from scratch. The RTS should be reviewed and rolled forward every 4 years. If Ministers think a strategy is overdue for renewal, they can instruct the RTP to do this (it is not expected that this would happen other than in exceptional circumstances).

132. When modifying or renewing its strategy, the RTP will need to go through most of the same steps as when it drew up its original strategy – in particular it will need to consult with its constituent councils and others and seek approval from Ministers. It will need to carry out a further Strategic Environmental Assessment. One difference is that there is no timescale fixed in the legislation for the strategy’s production. Certain parts of the original strategy should also stand the test of time – the vision should continue to command support and the objectives may not need a great deal of change, except insofar as some have been achieved during the previous 4 years and some new ones may be needed to reflect changes in the challenges and opportunities arising in the region.

(ix) Reporting

133. Schedule 1, paragraph 14(a) of the Act requires each RTP to provide the Scottish Ministers with an annual report. This should cover the operational and financial year to 31 March. This report should include a report of performance against the objectives, targets and performance indicators set out in the RTS and should also be sent to constituent councils and others who have provided funding.

F: Good practice and information sharing

134. Although each RTS will be different, each RTP will face similar challenges in completing this task. This is also a new task for the Executive officials, who will be advising and assisting RTPs, and the Scottish Ministers, who will be approving the finished strategies. The Executive will look for means to facilitate the exchange of good practice between RTPs and in bringing in good ideas from elsewhere. This will be discussed further with the RTPs.

135. The Scottish Executive will work together with RTPs, constituent councils, and other interested parties to share successes and discuss means of securing improved progress. We will also facilitate regular meetings of Executive and RTP officials to share information, report progress, identify and address issues arising, and discuss matters of mutual interest. Executive officials will make themselves available to attend meetings of the RTPs and liaison meetings at official level. The Minister for Transport will also continue to keep in regular contact with the Chairs of RTPs bilaterally and collectively.

Section 3: Contacts and assistance

136. Listed below are contact details of the Transport Group, Transport Scotland and other Scottish Executive officials who can support RTPs in drawing up their strategies.

Head of Transport Strategy Division

Jamie Ross 0131 244 7269

Local Authority and Partnership Liaison Team

Ian Kernohan 0131 244 0840
Jim Richardson 0131 244 5077
Natasha Farrell 0131 244 4010
Rachel Hunt 0131 244 0631
Bill Brash 0131 244 0263

Issue

Lead responsibility

Strathclyde	Jim Richardson
South-West of Scotland	Jim Richardson
South-East of Scotland	Natasha Farrell
Tayside and Central Scotland	Natasha Farrell
North-East of Scotland	Rachel Hunt/Ian Kernohan
Highlands and Islands	Rachel Hunt/Ian Kernohan
Shetland	Rachel Hunt/Ian Kernohan
Guidance on regional transport strategies	Bill Brash
Equality Impact Assessment	Bill Brash
Guidance on membership of RTPs	Ian Kernohan
Funding	Ian Kernohan

National Planning Framework	Graeme Purves	0131 244 7533
Scottish Planning Policy 17 Planning for Transport	Tom Williamson	0131 244 7531

Scottish Transport Appraisal Guidance	Alan Clark	0131 244 7223
	Hugh Gillies	0131 244 7261

Strategic Environmental Assessment

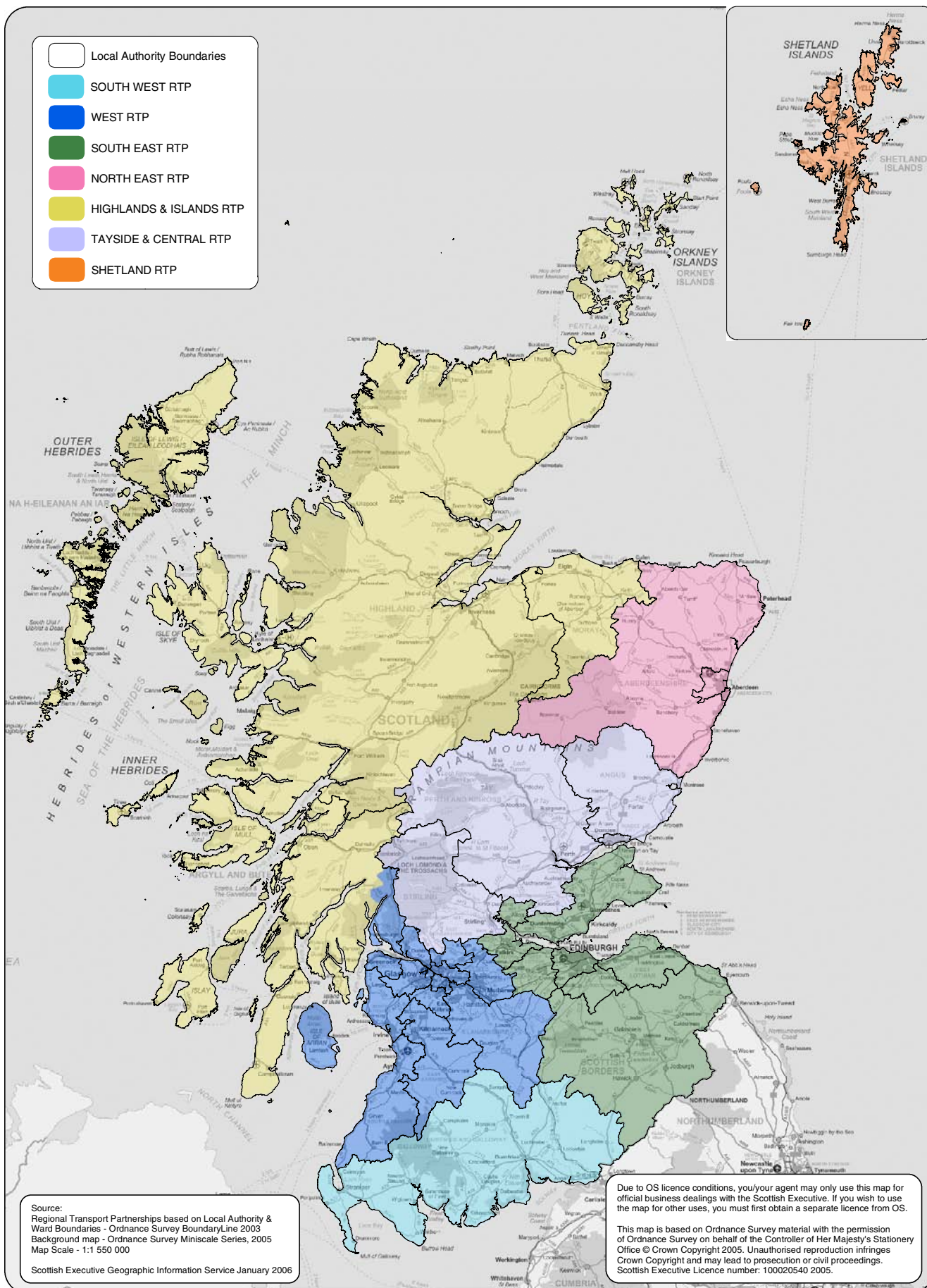
E-mail:
SEA.Gateway@scotland.gsi.gov.uk
Telephone - 0131 244 5094 (helpdesk)

Historic Scotland
hssea.gateway@scotland.gsi.gov.uk

SNH
sea.gateway@snh.gov.uk

SEPA
sea.gateway@sepa.org.uk

Map of regional transport partnerships



Extracts from the Transport (Scotland) Act 2005

Regional transport strategies

5 Formulation and content of regional transport strategies

(1) It is the duty of each Transport Partnership to draw up a strategy for transport within its region (its "transport strategy").

(2) Its transport strategy shall include provision about each of the following matters-

(a) the respects in which transport in the region needs to be provided, developed or improved having regard to, among other things-

(i) future needs including those occasioned by demographic and land use changes; and

(ii) what can be done, taking account of cost, funding and practicability;

(b) meeting the needs of all inhabited places, in particular, those which the Partnership considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations;

(c) meeting the need for efficient transport links between heavily populated places;

(d) how transport in the region will be provided, developed, improved and operated so as-

(i) to enhance social and economic well-being;

(ii) to promote public safety, including road safety and the safety of users of public transport;

(iii) to be consistent with the principle of sustainable development and to conserve and enhance the environment;

(iv) to promote social inclusion;

(v) to encourage equal opportunities and, in particular, the observance of the equal opportunities requirements;

(vi) to facilitate access to hospitals, clinics, surgeries and other places where a health service is provided;

(vii) to integrate with transport elsewhere;

(e) the order of priority in which different elements of the provision, development and improvement of transport should be undertaken;

(f) how the Transport Partnership's functions will be exercised so as to fulfil its transport strategy and, if the Partnership considers that the conferring of further functions is necessary for that purpose, what those functions are;

(g) how the Transport Partnership, so as to enable it to fulfil its transport strategy, will seek to influence its constituent councils or council in the performance of their functions relating to transport;

(h) the measuring and monitoring of the achievement of the strategy.

(3) In performing its duty under this section, a Transport Partnership shall have regard to any guidance in that respect given to it or to Transport Partnerships generally by the Scottish Ministers and to any current national transport strategy established by the Scottish Ministers.

(4) In subsection (2)(d)(v) above, "equal opportunities" and "equal opportunities requirements" have the same meanings as in Section L2 of Part II of Schedule 5 to the Scotland Act 1998 (c.46).

6 Procedure before and after the drawing up of regional transport strategies

(1) A Transport Partnership shall-

(a) before arriving at its transport strategy, consult-

- (i) its constituent councils or council;
- (ii) each Health Board the area or part of the area of which falls within the Transport Partnership's region (or, if that region is coterminous with a Health Board's area, that Health Board); and
- (iii) such other persons as it thinks fit;

(b) subject to subsection (2) below-

- (i) in the case of a Partnership created under section 1 above on or before 31 March 2006, by 31 March 2007;
- (ii) in any other case, within 12 months of its creation,

submit its transport strategy to the Scottish Ministers for approval.

(2) The Scottish Ministers may-

- (a) at the request of a Transport Partnership made to them within 8 months of the creation of the Partnership; and
- (b) if satisfied that there are good reasons for doing so,

authorise the Partnership to submit its transport strategy to them later than the time limit specified in subsection (1)(b) above in relation to the Partnership but not later than such date as is specified in the authorisation.

(3) A Transport Partnership making a request for the purposes of subsection (2) above shall, if so required by the Scottish Ministers, provide them with reports or information of such kind and in such form as they, for the purposes of that subsection, specify in the requirement.

(4) A transport strategy has effect for the purposes of this Act when it is approved by the Scottish Ministers.

(5) In deciding whether to approve a transport strategy, the Scottish Ministers shall include among the matters to which they have regard the extent to which it will contribute to the realisation of their transport policies.

(6) On approving its transport strategy, the Scottish Ministers shall inform the Transport Partnership of that fact.

(7) On being so informed, the Transport Partnership shall-

- (a) inform its constituent councils or council that its transport strategy has effect, specifying the date when it took effect;
- (b) send each of them or, as the case may be, it a copy of the transport strategy; and
- (c) publish the transport strategy in such manner as it thinks fit.

7 Review, modification and renewal of regional transport strategies

(1) A Transport Partnership-

- (a) shall keep its transport strategy under review;
- (b) may modify its transport strategy or draw up a new one;
- (c) shall, within such period as is specified in a direction by the Scottish Ministers requiring it to do so, draw up a new transport strategy.

(2) Sections 5(2) and (3) and 6(1)(a) and (4) to (7) above apply in relation to the modification of a transport strategy and the drawing up of a new one as they apply in relation to the drawing up of a Transport Partnership's original transport strategy.

(3) A direction given for the purposes of subsection (1)(c) above may be given to one or more or all Transport Partnerships.

8 Duty of constituent councils and other public bodies as respects regional transport strategies

(1) A constituent council shall, so far as possible, perform those of its functions which relate to or which affect or are affected by transport consistently with the transport strategy of the (or, as the case may be, each) Transport Partnership of which it is a constituent council.

(2) Each-

- (a) Health Board; and
- (b) specified public body,

shall, so far as possible, perform those of its functions and activities which relate to or which affect or are affected by transport consistently with the transport strategy of the (or, as the case may be, each) Transport Partnership in relation to which it is specified.

(3) The Scottish Ministers shall, as respects each Health Board, specify by order which Transport Partnership's transport strategy is, or which Transport Partnerships' transport strategies are, for the purposes of subsection (2) above, the strategy or strategies consistently with which the Board is to perform its functions.

(4) In subsection (2) above, "specified" in relation to a public body mentioned in paragraph (b) of that subsection means specified by order made by the Scottish Ministers and in specifying a public body for the purposes of that subsection, the Scottish Ministers shall specify the Transport Partnership or Partnerships in relation to which it is specified.

9 Joint regional transport strategies

(1) Two or more Transport Partnerships may together, in the discharge of their respective duties under sections 5 and 6(1) above, draw up a joint transport strategy for transport within their combined regions.

(2) This Part of this Act applies in relation to the Transport Partnerships which draw up a joint transport strategy, to their combined regions and to that strategy as it applies to a Transport Partnership, its region and its transport strategy.

10 Other transport functions of regional Transport Partnerships

(1) The Scottish Ministers may, as respects a Transport Partnership, and by order, provide for any statutory function relating to transport they think fit, to be carried out by that Transport Partnership-

- (a) instead of the person who, immediately before it was so provided, was responsible for carrying it out; or
- (b) concurrently with that person.

(2) In making an order under subsection (1) above after the coming into effect of the Transport Partnership's transport strategy, the Scottish Ministers shall have regard to that strategy.

(3) The person referred to in subsection (1) above may be the Scottish Ministers.

(4) The functions which may be the subject of an order under subsection (1) above may, without prejudice to the generality of that subsection, include any of the following-

- (a) those conferred on local transport authorities by or under Part 2 of the Transport (Scotland) Act 2001 (asp 2) (bus services) and Part 3 of that Act (road user charging);
- (b) those conferred by or under any enactment and which relate to the management and maintenance of a bridge constructed in pursuance of functions conferred by, or by an order made under or confirmed by, any enactment;
- (c) those conferred on traffic authorities by sections 1 to 4 of the Road Traffic Regulation Act 1984 (c.27) (traffic regulation orders) and on local traffic authorities by section 19 of that Act (regulation of use of roads by public service vehicles);
- (d) those conferred on councils by sections 63 and 64 of the Transport Act 1985 (c.67) (securing the provision of passenger transport and related consultation and publicity).

(5) The following are examples of the functions which may be the subject of an order under this section-

- (a) entering into quality partnership schemes;
- (b) entering into quality contract schemes;
- (c) entering into ticketing arrangements and ticketing schemes;
- (d) providing information about bus services;
- (e) installing bus lanes;
- (f) providing subsidised bus services;
- (g) making and implementing road user charging schemes;
- (h) operating ferry services;
- (i) managing tolled bridges;
- (j) operating airports and air services;
- (k) entering into public service contracts.

(6) A Transport Partnership which proposes to request the making of an order under subsection (1) above shall, before doing so, consult its constituent councils or council on what the order might do.

(7) In making such a request, a Transport Partnership shall have regard to any guidance given by the Scottish Ministers as to the form and content of such requests.

(8) Before making an order under subsection (1) above, the Scottish Ministers shall consult-

- (a) except where the order will be made at its request, the Transport Partnership to which the order will relate;
- (b) its constituent councils or council; and
- (c) such other persons as the Scottish Ministers think fit.

(9) An order under subsection (1) above may modify any enactment.

11 Alteration of functions of regional Transport Partnerships

(1) The Scottish Ministers may, by order, provide for any function of a Transport Partnership to be carried out by the person who originally carried it out-

- (a) instead of the Transport Partnership; or
- (b) concurrently with the Transport Partnership.

(2) In so providing, the Scottish Ministers shall have regard to the Transport Partnership's transport strategy.

(3) Subsections (6) to (9) of section 10 above apply to an order under this section as they apply to one made under that section.

(4) In subsection (1) above, the reference to the person who originally carried out a function is a reference to the person who carried out the function immediately before the coming into effect of-

- (a) the order under section 10 above which transferred it to the Transport Partnership; or
- (b) if there have been two or more orders under that section transferring that function, the first of those orders.

12 Manner of performance of functions of regional Transport Partnerships

(1) A Transport Partnership shall-

- (a) carry out its functions so as to fulfil its transport strategy;
- (b) in doing so-
 - (i) comply with any directions in that respect given to it or to Transport Partnerships generally by the Scottish Ministers; and
 - (ii) measure and monitor the achievement of the strategy.

(2) Where a function of a Transport Partnership falls to be carried out before its transport strategy comes into effect, the Transport Partnership shall carry out the function in accordance with such directions as the Scottish Ministers may give it.

CHAPTER 2
TRANSPORT FUNCTIONS: FURTHER PROVISIONS

13 Transfer to Scottish Ministers of certain rail provisions

(1) The Scottish Ministers may, by order, provide for any function of the kind specified in subsection (2) below which they think fit to be carried out by them-

- (a) instead of the person who, immediately before it was so provided, was responsible for carrying the function out; or
- (b) concurrently with that person.

(2) That kind of function consists of any statutory function-

- (a) which relates to the provision or regulation of rail services; and
- (b) which was immediately before the provision referred to in subsection (1) above carried out by-
 - (i) the Strathclyde Passenger Transport Authority; or
 - (ii) the Strathclyde Passenger Transport Executive.

(3) An order under subsection (1) above may modify any enactment.

14 Arrangements for performance by regional Transport Partnership of certain transport functions etc.

A Transport Partnership may enter into arrangements with the Scottish Ministers, a council or any other person having statutory functions relating to transport being arrangements under which the Partnership-

- (a) does, on behalf of the Scottish Ministers, the council or that other person, such things relating to transport as are specified in the arrangements;
- (b) provides such services for the purposes of, or in connection with, transport as are so specified

CHAPTER 3
SUPPLEMENTARY AND CONSEQUENTIAL PROVISION

15 Transfer of staff, property, rights and liabilities

(1) The TUPE regulations apply in relation to any function transferred by virtue of section 2, 10 or 13 above whether or not those regulations would so apply apart from this subsection.

(2) Where, by virtue of the TUPE regulations, whether as applied by subsection (1) above or not, a member of staff (the "employee") of a body, authority or other person (the "former employer") becomes an employee of another body, authority or other person (the "new employer") in consequence of the transfer of a function by virtue of section 2, 10 or 13 above, the employee's period of employment by the former employer counts, for the purposes of the Employment Rights Act 1996 (c.18), as a period of employment by the new employer and the change of employment does not break the continuity of the period of employment.

(3) For the purposes of subsections (1) and (2) above, a function is to be regarded as transferred by virtue of section 2, 10 or 13 above irrespective of how the transfer is described in that section or in the order made under it.

(4) For the purposes of subsection (2) above, a function is to be regarded as transferred irrespective of whether arrangements relating to it are made under section 14 above.

(5) Where, by virtue of section 2, 10 or 13 above, a function of one body, authority or other person (the "original")-

(a) becomes that of another; or

(b) falls to be no longer carried out,

the Scottish Ministers may, by order, provide for the transfer to that other body, authority or other person or, as the case may be, to such body, authority or other person as they think fit of such of the original's property, rights and liabilities as are specified in or otherwise identified by the order.

(6) Subsection (5) above has effect in relation to property, rights and liabilities specified in or identified by an order made under it despite any provision (of whatever nature) which would otherwise prevent or restrict its operation or that of the order; and any provision which would penalise that operation is disappplied.

(7) In this section, the "TUPE regulations" means the Transfer of Undertakings (Protection of Employment) Regulations 1981 (S.I. 1981/1794) (or any regulations replacing those regulations) as from time to time amended.

Scotland's Transport Future – vision, aim and objectives

Vision

An accessible Scotland with safe, integrated and reliable transport that supports economic growth, provides opportunities for all and is easy to use; a transport system that meets everyone's needs, respects our environment and contributes to health; services recognised internationally for quality, technology and innovation, and for effective and well-maintained networks; a culture where fewer short journeys are made by car, where we favour public transport, walking and cycling because they are safe and sustainable, where transport providers and planners respond to the changing needs of businesses, communities and users, and where one ticket will get you anywhere.

Aim and objectives

Our overall aim is to promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system.

Our objectives are to:

- promote economic growth by building, enhancing, managing and maintaining transport services, infrastructure and networks to maximise their efficiency;
- promote social inclusion by connecting remote and disadvantaged communities and increasing the accessibility of the transport network;
- protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy;
- improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff;
- improve integration by making journey planning and ticketing easier and working to ensure smooth connection between different forms of transport.

Meeting the provisions of the Transport (Scotland) Act 2005

Introduction

The following paragraphs seek to give more detailed guidance on how the provisions of each commitment within Section 5(2)(a)-(d) might be considered by the RTPs. It works through them largely in order but also cross-refers between the requirements where this seems relevant.

Section 5(2)(a) “The respects in which transport in the region needs to be provided, developed or improved”

This sums up succinctly the focus of the regional transport strategy – the remainder of section 5(2) can be read as adding a level of detail to this overall requirement. The overall process of drawing up the regional transport strategy should ensure that this requirement is met.

Section 5(2)(b) and (c) make particular requirements about the scope of the strategies. According to these sections, strategies must include provision for the whole of the region and particular parts of it:

- section 5(2)(b) requires strategies to include provision on “meeting the needs of all inhabited places” – the strategy should therefore aim to enhance well-being in the whole of the region;
- section 5(2)(b) however goes on to require strategies to include provision on “meeting the needs of all inhabited places, in particular those which the Partnership considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations;”
- section 5(2)(c) then requires that strategies include provision on “meeting the need for efficient transport links between heavily populated places;”

This approach – both general and specific – is not dissimilar to the way local authorities can exercise the power to advance well-being introduced by the Local Government in Scotland Act 2003: the power can be used to benefit the whole or part of an authority’s area or all or some or the persons in that area.

The pursuit of ‘well-being’ provides a useful starting point for the regional transport strategies and for working through the rest of section 5(2) of the Act. The term is specifically applied to regional transport strategies (“economic and social well-being”) in section 5(2)(d)(i).

The term ‘well-being’ is deliberately not defined in either the 2003 Act or in the statutory guidance that accompanies it: it is assumed that there is a shared general understanding of the term but that authorities may have different views on what constitutes well-being priorities in their area and what needs to be done to improve it.

This guidance on regional transport strategies therefore takes a similar approach. The 2005 Act does not define ‘social and economic well-being’ and it is assumed that most people engaged in the RTS will have a broadly common understanding of what this means and time should not be spent on agreeing an exact definition. Where time will need to be spent is on agreeing the particular objectives of the RTS, many of which, if not all, will bring improvements to economic and social well-being. This is addressed in the section on objectives in the main document.

“Future needs” and “What can be done”

In setting out how transport in the region needs to be provided, developed or improved, RTPs are required to have regard to, amongst others things:

- (i) future needs including those occasioned by demographic and land use changes; and what can be done, taking account of cost, funding and practicability.*

“future needs including those occasioned by demographic and land use changes”

The RTS is also required to address the future “needs of all inhabited places” by virtue of sub-section (i) above. Information on demographics and their likely future trends is available from the General Register Office for Scotland¹⁸. Land-use changes are acknowledged to be a key driver in inducing transport demand and requiring transport interventions: this could be a new or upgraded road to serve a new housing development, a new railway station or bus route and services to bring people to an industrial park, or a new piece of infrastructure to support the desired regeneration of an area through a change in its use (e.g. industrial to residential or retail). The requirement to identify and react to land-use changes should not be seen as suggesting that transport strategies can only respond to planning policy and land-use changes – the RTP should be a key partner in the drawing up of development plans, particularly the proposed strategic development plans and the RTS can be used to support this. More information on the links between the RTS and land-use and development planning is given in Section C of the guidance.

“what can be done, taking account of cost, funding and practicability”

The requirement to have regard to “what can be done” is key to the RTS. This is elaborated on in the sections on option identification, appraisal and selection. The RTS must be rooted in practical actions, mostly ones within the powers of the RTP, its constituent councils and its key partners to deliver. It must also be shaped by affordability and by an assessment of the RTP’s known and likely funding. There is a tricky balance to be struck between aspiration and realism and this could prove to be key to producing a successful strategy.

Section 5(2)(b) Meeting the needs of all inhabited places...

The “needs of all inhabited places” are those, referring back to section 5(2)(a), by which transport in the region needs to be “provided, developed or improved” and the requirement should therefore be interpreted in its narrow sense of transport needs. However, where transport needs can be best met through action in other policy areas (planning, service provision, housing etc) then these can be flagged up in the RTS and the RTP can take these forward with its constituent councils, community planning partners and whoever else is responsible. This requirement relates to the “general” needs of the region as mentioned above. The guidance then addresses two “specific” needs.

...Meeting the needs of remote and sparsely populated areas

The Executive is committed to supporting rural life, rural communities and the rural economy. Government (national or local) is responsible for providing and funding many rural public transport services (bus, rail, ferry and some air services and airports) – low patronage levels and the high costs of providing services over often long distances make it very difficult for such services to be provided commercially.

The RTP is under a specific requirement to address the transport needs of those inhabited places “which the Partnership considers different from the remainder of the region by reason of their remoteness or the sparsity of their populations”.

¹⁸ www.gro-scotland.gov.uk

The Act therefore leaves it to the RTP to determine those places that should be subject to this particular attention. In some cases these will be self-evident but each RTP will need to decide which places in its region do, and do not, fall within this definition. In doing so, however, RTPs will want to take into account the Executive's standard definitions:

- Rural areas in Scotland are defined as settlements with a population of less than 3,000;
- Remote rural areas those with a greater than 30-minute drivetime to the nearest settlement with a population of greater than 10,000;
- Accessible rural areas are those with a 30-minute or less drivetime to the nearest settlement with a population of greater than 10,000.

The 'remote rural' definition can be compared to the references to 'remoteness' and 'sparsity of population' used in the Act. An urban-rural classification map is available on the Executive's website¹⁹.

The requirement in Section 5(2)(b) does not mean that the transport needs of each remote or sparsely populated place need to be identified and addressed – that would be an enormous task. RTPs should, however, consider the general needs of those parts of the region that it has identified as being remote and sparsely populated places, and how these differ from the rest of the region.

Section 5(2)(c) - Meeting the need for efficient transport links between heavily populated places

The Scottish Executive's framework for cities²⁰ emphasises the role of cities as drivers of economic growth. Cities, towns and other heavily populated areas also provide the homes, jobs, schools and services for the majority of Scotland's people. Effective transport links play an essential role in the ability of cities to support economic growth, provide an attractive environment for business and a high-quality of life for urban residents.

The majority of our most disadvantaged communities are also found in urban areas. Efficient transport links can connect people to work and other opportunities which enhance their economic and social well-being. Transport links can also act as a stimulus to regeneration.

Section 5(2)(c) of the Act requires strategies to make specific provision for efficient transport links between cities, towns and other heavily populated places. This is not defined further in the Act but the RTP should apply this requirement to, at least:

- transport links into town and city centres from surrounding towns, estates and housing developments, to support the movement of people from where they live to where they work and access education and services;
- transport links between towns and cities that facilitate the efficient movement of goods and services in support of business competitiveness;
- linking towns in a region with each other as a complement to the traditional radial routes into major cities.

¹⁹ www.scotland.gov.uk/Topics/Rural/rural-policy/16780/6661

²⁰ Building Better Cities (www.scotland.gov.uk/library5/finance/bbcs-00.asp)

Following the general provisions on meeting transport needs in the region, and in specific parts of the region, section 5(2)(d) of the Act then goes on to require the RTS to set out how transport in the region will be provided, developed, improved and operated in order to achieve a number of objectives. These objectives are closely linked to the 5 broad transport objectives of the Scottish Executive (see Annex C).

(i) “to enhance social and economic well-being”

The promotion of economic growth is the Scottish Executive’s highest priority. Efficient transport networks support the economy in a number of ways, for example:

- by improving access to jobs, thereby increasing employment options and extending labour markets;
- by improving access to education and training opportunities, so improving the skills of the workforce;
- by closing the distances between companies and their customers and suppliers, or by enabling them to source materials and distribute goods and services to consumers further away.

However, a growing economy also increases the demand for travel as people travel further to get to work and goods travel further to reach their destination. A growing economy means more people in work or in education, more goods moving in, out and around the country and more leisure travel generated by higher levels of disposable income. This inevitably places a strain on the current level of transport infrastructure and services as demand outstrips supply.

This tension is not one that regional transport strategies alone will be able to address. However, RTPs will be able to consider a number of approaches to help ease the problem:

- improvements to the existing infrastructure that will enable traffic to move more freely;
- proposals for new infrastructure to tackle particular bottlenecks or missing links;
- regulating access to scarce infrastructure through pricing, access restrictions and other tools;
- encouraging the more efficient use of scarce infrastructure by favouring public transport, cycling and walking and high occupancy of vehicles.

Scottish Enterprise have identified a number of key industries with the greatest potential for growth including electronic markets, energy, financial services, food and drink, life sciences, tourism, advanced engineering and enabling technologies.

The particular emphasis will vary in each region and the local enterprise companies, Scottish Enterprise and Highlands and Islands Enterprise, as well as other representative bodies such as chambers of commerce, will have views on which are the established, growing and desired economic sectors in the region. Transport strategies should support the efforts of the Executive, enterprise networks and others to promote an environment in which business overall can be created, grow and maintain competitiveness.

Social well-being is also a high priority of the Executive. This particularly applies to tackling social inclusion and inequality, which are covered in separate points below. Social well-being, however, is important to the whole population of Scotland.

However, such increased social well-being is likely to lead to further demands for travel and place further strains on infrastructure and services and which will damage economic and social well-being and the wider environment. Congestion caused by traffic growth has a negative impact on the well-being of other travellers; easier access to shops and services in larger towns and out of town shopping centres can contribute to the decline and loss of such facilities in smaller communities and even city centres, with a resulting decline in well-being for people dependent on local services and, arguably, for the community as a whole.

RTPs could, through their strategies, explore ways to improve social well-being through, for example:

- improving the attractiveness, availability and reliability of public transport, cycling, walking and high occupancy vehicle use to enable more people to have more choices of mode;
- seeking to ensure that travellers have adequate and up-to-date information to enable them to make informed choices;
- integrating with land-use policy to seek to reduce the need to travel and ensuring that the impacts on the transport system are taken fully into account in development planning;
- using the policy levers available (including infrastructure provision and maintenance, pricing, parking controls, access restrictions, provision of public transport, ticketing, information, marketing etc) to discriminate in favour of those users and those journeys that enhance collective as well as individual well-being.

(ii) “to promote public safety, including road safety and the safety of users of public transport”

Safety is an issue for all modes and RTPs can also address safety by promoting those modes that have the best safety records whilst at the same time working to improve safety for all modes and address the dangers that particular modes pose to other travellers.

(iii) “to be consistent with the principle of sustainable development and to conserve and enhance the environment”

The UK Government, the Executive and the other devolved administrations have signed up to a shared sustainable development framework, *One future – different paths*, which sets a new common goal for sustainable development – “to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations”– and provides a set of framework principles which policies should respect in order to be sustainable: “to live within environmental limits and ensure a strong, healthy and just society by means of a sustainable economy, good governance and sound science”.

Policy levers to influence road traffic volumes, increased use of public transport and non-motorised modes, and the transfer of road freight to rail and water could include:

- Information and marketing to promote sustainable travel opportunities including walking, cycling and public transport but also car-sharing, more efficient vehicles and alternative fuels;
- Action across the region to reduce traffic levels and congestion, particularly on high density commuter routes, through traffic management, provision of park and ride, provision of additional public transport services, increased use of bus lanes on major corridors into and within towns and cities, parking controls and charging;

- Working with the freight industry to identify opportunities for improving facilities for transferring freight from road to rail. This could include funding capital projects or developing proposals for rail projects (such as gauge enhancements) that would be taken forward by the rail industry, but could be at least part-funded by the RTP; similar regional projects for shipping or inland waterway freight could similarly be developed. Some projects such as port or harbour developments could require co-operation between 2 partnerships.

Funding will be made available to regional transport partnerships for posts focusing on Travel Plans: packages of measures aimed at promoting sustainable transport to and at work. As a condition on funding, the development of a detailed Travel Plan strategy for each region is required, to sit beneath the regional transport strategy. The RTS itself should reference Travel Plans in the context of all the ‘smart measures’ that the RTP intends to use (including marketing and communications, direct intervention such as car-sharing schemes and so on) to promote more sustainable patterns of transport in the region.

(iv) to promote social inclusion

Whilst the Executive wants to improve social well-being for all Scotland’s people, it places particular emphasis on addressing the needs of the more disadvantaged people and communities. Gaps in transport provision and barriers to accessing transport networks (which could be for physical, financial, or other reasons) can be a contributory, or in some cases the main, reason for individuals or communities experiencing exclusion.

Many of the ways in which transport plays a part – both as a problem and a solution – are similar to those described in the previous section on social well-being. However, transport, particularly new infrastructure, can also support regeneration initiatives by attracting businesses and residents into formerly deprived areas.

It is important to identify current and potential demand for transport services at the outset. Latent demand, from a social inclusion standpoint, is of crucial importance. The reality might be that people do not travel, as they cannot use existing public transport for various reasons such as cost, fear and accessibility, but wish to use it or wish to have access to demand-responsive transport.

Often changes made to take account of disabled people will make transport more user-friendly for others too. Changes in the way in which transport is provided can also entail an improved standard of staff training and accessibility of information.

The strategy should ensure that mobility/travel training is built in so that investment in services benefits disabled people.

(v) to encourage equal opportunities and, in particular, the observance of the equal opportunities requirements

Although equal opportunities is reserved, there are two exceptions. The first allows the Scottish Parliament to encourage equal opportunities (other than by prohibition or regulation). The second allows it to impose duties on any office-holder with devolved or mixed functions in relation to the equal opportunities requirements i.e. the existing law.

The Scotland Act defines equal opportunities as:

"the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions."

The Scottish Executive's Equality Strategy²¹ notes that:

"While there are differences both within and between groups who experience persistent inequalities and discrimination, there are some common features including:

- restricted access to employment, goods, services, and other material resources that are considered essential to the economic well-being of people in contemporary Scottish society."

As described above, one of the unifying objectives of a regional transport strategy is to promote economic and social well-being, both for the regional population at large and for particular groups within it. Improving access to jobs and services has been previously noted as the principal way in which transport can contribute to improvements in well-being. The needs of those groups who experience more difficulties than most in this regard should therefore be given particular attention.

In developing their strategies, RTPs should:

- consider the transport needs of those groups of people who experience inequality and exclusion; to help with this, RTPs should or may wish to undertake an equality impact assessment see Annex K for suggestions as to the types of questions you should consider;
- involve equality groups in consultation on the strategy;
- in the option appraisal and selection stage, take into account the likely impacts on meeting these transport needs;
- monitor the impacts of the strategy on equality groups, and, where any adverse impact is identified, revise accordingly (this should be done as part of the usual process of monitoring and review required by the Act and described in Section E of the guidance).

Race Equality - General Duty

Among other things, the Race Relations (Amendment) Act 2000 places a general statutory duty to promote race equality on listed public authorities. These bodies must have 'due regard', when carrying out functions, to the need to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good relations between people of different racial groups.

²¹ www.scotland.gov.uk/library3/social/wtem-00.asp

RTPs will shortly be consulted about making them subject to this general duty along with accompanying employment monitoring duties. The final decision will ultimately be a matter for Home Office Ministers since the imposition of the general duty is a reserved matter (although Scottish Ministers are of course consulted).

Race Equality – Specific - Race Equality Scheme Duty

Key public bodies, such as the Scottish Executive, local authorities, Scottish Enterprise, and the Strathclyde Passenger Transport Executive, were also required to publish a Race Equality Scheme setting out how they intended meeting their legal obligations. This was to ensure the better performance of the general duty. Whether it is appropriate to make RTPs subject to this further duty will be considered during 2006. As with the general duty, RTPs would be formally consulted. The final decision is ultimately a matter for Scottish Ministers since the imposition of specific duties is a devolved matter.

Guidance

The Commission for Racial Equality has published a Statutory Code of Practice and supporting guidance for public bodies- see www.cre.gov.uk or telephone the CRE on 0131 524 2000 for a copy.

Disability Duty

The general duty

One of the principal provisions of the Disability Discrimination Act 2005 introduces a duty on the public sector to promote equality of opportunity for disabled people. The Act sets out a **general duty** which will require every public authority in carrying out its functions to have due regard to:

- a) the need to eliminate discrimination that is unlawful under the Act;
- b) the need to eliminate harassment of disabled persons that is related to their disabilities;
- c) the need to promote equality of opportunity between disabled persons and other persons;
- d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably than other persons;
- e) the need to promote positive attitudes towards disabled persons; and
- f) the need to encourage participation by disabled persons in public life.

Specific duties

The Disability Discrimination Act 2005 follows the Race Relations (Amendment) Act 2000 in providing that **specific duties** applying to certain public bodies can be prescribed in regulations. The purpose of imposing specific duties is to assist these public bodies to comply with the general duty to promote equality. The Act gives Scottish Ministers the regulation-making power to impose specific duties on specified Scottish public authorities and cross-border authorities in respect of their Scottish functions.

Specific duties are expected to be imposed as follows:

- Listed bodies must publish a **Disability Equality Scheme**;
- Listed bodies must **monitor** various indicators, including in relation to employment, and **report** annually on implementation.

As with the race specific duties, RTPs would be formally consulted before being made subject to the specific duties for disability. The final decision would ultimately be a matter for Scottish Ministers.

There are many types and degrees of disability, many of which are ‘invisible’. The term ‘disabled people’ includes people with learning difficulties, hearing impairments, mental health impairments or visual impairments, wheelchair users and people with other mobility impairments. Prevalence of disability increases with age, and demographic changes in Scotland are increasing the number of disabled people. About 20% of the population are disabled.

The Mobility and Access Committee for Scotland (MACS) has produced guidance²² to assist authors of transport strategies by identifying key considerations to bear in mind if the transport strategy is to take account of the needs of disabled people.

The Disability Rights Commission produces guidance on implementing the disability duty²³ and on the rights and duties set out regarding transport by the Disability Discrimination Acts²⁴.

Gender Duty

The UK Government’s Equality Bill makes provision for a duty to require public sector bodies to ensure that throughout their functions, their actions promote equality of opportunity between women and men. This gender equality duty will require public bodies to ensure that their policies and practices as employers, as service deliverers and in their other functions, including policy-making, regulatory and enforcement activities, address the different needs of women and men. Public bodies will need to identify the key issues for them in relation to gender equality in their services, employment and policy-making.

In the autumn of this year, the UK Government (in conjunction with the Scottish Executive where the consultation involves devolved matters) will consult on the Government’s plans to introduce this duty and will seek views on these plans. This duty will be similar to the existing duty to promote race equality and the duty on disability.

More information on gender equality is available on the UK Government’s website: <http://www.womenandequalityunit.gov.uk/>

The Scottish Executive has produced guidance on taking account of the needs of women in the development of transport policy.²⁵

(vi) to facilitate access to hospitals, clinics, surgeries and other places where a health service is provided

The Scottish Parliament, in its debates on the Transport Bill, clearly felt that improving access to healthcare facilities should be a shared responsibility of transport authorities, including regional transport partnerships, and health authorities, including health boards.

A number of steps have already been taken to address issues that link transport and health:

- Health boards and regional transport partnerships are both required to participate in Community Planning. Community Planning Partnerships are required to engage the community in the process, with the aim of improving the planning and delivery of services by making them more responsive to the needs and aspirations of communities.

²² www.macs-mobility.org/docs/pubs/ts/index.htm

²³ www.drc.org.uk/businessandservices/disabilityequalityduty.asp

²⁴ www.drc-gb.org/services/

²⁵ *Women and transport: moving forward* – www.scotland.gov.uk/cru/kd01/blue/transport-03.htm

- Guidance from the Executive on *Informing, Engaging and Consulting the Public on the Development of Health and Community Care Policies and Services*²⁶ is being amended to ensure health boards undertake a full transport assessment in the development of new builds or major service changes.
- The Scottish Executive also requires health boards to co-operate with local authorities to draw up travel strategies for ensuring that NHSScotland facilities are accessible to all by public transport, walking and cycling²⁷. This co-operation should be extended to include regional transport partnerships.
- The Scottish Health Council, established on 1 April 2005, is responsible for quality-assuring and monitoring public involvement and consultation processes undertaken by NHS bodies.
- The national policy position on transport to health facilities and the roles of the RTPs and health boards in managing the impact of the development of health services facilities on transport will be clearly stated in the National Transport Strategy.

Specific measures in the RTS could include:

- a programme of travel planning for health service locations starting with the largest (where these are not already in place) looking at the needs of patients, visitors and staff;
- provision of demand-responsive services serving hospitals and other health service facilities as part of an integrated network of such services (whilst ensuring that such an approach is cost-effective when compared with other options);
- examining whether the travel inducement which is an inevitable (and unavoidable) consequence of health service provision can be adjusted to fall less during peak and more during off-peak periods. For example to coincide with the shift patterns of the hospital staff. Whether this could be applied to patient and visitor travel without any negative consequences for health service provision is not immediately clear;
- integration of parking policies of the RTP (and its councils) and of hospitals and other major healthcare providers.

As well as improving access, transport strategies should include policies, projects and interventions that improve health, alongside other benefits. This is consistent with the Executive's 5 broad transport objectives which include:

- protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy;

Steps taken in the RTS to improve health can include those linked to reducing the harmful effects of vehicle pollution but also those promoting the positive health benefits of walking and cycling.

²⁶ *Informing, Engaging and Consulting the Public on the Development of Health & Community Care Policies and Service – Draft Interim Guidance*, Scottish Executive Health Department, March 2004

www.show.scot.nhs.uk/haht/Getting%20Involved/IECGuidance.pdf

²⁷HDL (2002) 77 requires NHS Boards to co-operate with 'local authorities in the planning and implementation of local and regional transport strategies towards ensuring that through integrated transport policies NHSScotland facilities, in particular new developments, are accessible to all by public transport, walking and cycling'.

(vii) to integrate with transport elsewhere

In delivering integration of transport, RTPs can focus on journeys that cross local authority boundaries and which require more than one mode – as many journeys do. Some particular measures that should be considered for inclusion within an RTS include:

- integrated ticketing, to enable people in the region to travel throughout the region, and to enable journeys that require more than one mode or more than one operator to be made with the use of a single ticket;
- integrated infrastructure such as quality bus corridors and park and ride to bring people from surrounding areas into town and city centres; the RTP can also use its capital budget to fund the establishment or improvement of interchanges which will be located in one council area but will be used by residents from a number of local authorities;
- integrated services: the RTP can provide a focus for efforts towards integrated timetabling;
- integrated information: the RTS can promote standardised information for example at bus stops, in order to improve the attractiveness of public transport.

Scottish Executive documents containing targets relevant to transport, key documents setting overall policy directions relevant to transport and useful information sources

National Planning Framework

The *National Planning Framework* (<http://www.scotland.gov.uk/library5/planning/npf04-00.asp>) sets out the Executive's strategy for Scotland's long-term spatial development. The Framework recognises the contribution that physical infrastructure, including transport, makes to attracting businesses and individuals to Scotland and to particular locations.

The Framework sets out the key elements of a spatial strategy for Scotland to 2025. Those particularly relevant to transport are:

- to support the development of Scotland's cities as the main drivers of the economy;
- to spread the benefits of economic activity by promoting environmental quality and connectivity;
- to enable the most disadvantaged communities to benefit from growth and opportunity;
- to strengthen external links;
- to promote economic diversification and environmental stewardship;
- to highlight long-term transport options and promote more sustainable patterns of transport and land use.

Long-term transport planning, such as that required for regional transport strategies, should encourage developers and businesses to take advantage of the opportunities that transport, particularly new infrastructure, can provide. Transport issues need to be addressed from the outset in development planning to ensure that transport capacity is sufficient or can be made available to support future developments. Planning can support sustainability by focusing new developments on sites well served by public transport.

SPP17 Planning for Transport

*Scottish Planning Policy 17 Planning for Transport*²⁸ (SPP17) reinforces the Executive's commitment to the development of integrated land-use and transport planning. SPP17 promotes an integrated approach to land use, economic development, social justice, transport and the environment. It requires the co-ordination of development plans with regional and local transport strategies and steers development towards those locations where the need to travel can be reduced, sustainable transport more easily accessed and car dependency effectively managed.

SPP17 sets a number of specific guidelines that are relevant to RTPs. These include:

- development patterns should reduce the need to use strategic routes for local journeys;
- developments should not adversely effect the safe and efficient flow of traffic on the trunk road network and other strategic roads – in particular, new trunk road junctions are strongly discouraged;
- land allocations and regeneration projects should be related to transport opportunities and constraints;
- planning and development design should allow for the maximisation of use of the sustainable modes: walking, cycling and public transport;
- the provision of infrastructure to support public transport provision and its integration with other modes, including walking and cycling;
- the requirement on each council to adopt maximum parking standards for on-site parking at new developments – these may be set at the regional level in the RTS; otherwise the RTS should support

²⁸ www.scotland.gov.uk/Publications/2005/08/16154406/44078

the achievement of the targets by each constituent council; parking standards can be more restrictive where an area is well served by sustainable modes;

- promote the carriage of freight by rail or water where appropriate, and elsewhere locate development generating road freight to minimise local impacts.

Building a Better Scotland

Building a Better Scotland Spending Proposals 2005-2008: Enterprise, Opportunities, Fairness published on 29 September 2004²⁹ included the following proposals directly relevant to regional transport:

- Increase passenger journeys on the Scottish rail network by an average of 2% each year.
- Increase local bus journeys by an average of 1% each year.
- 70% of the Scottish Executive transport spending to go on public transport over the period of the long-term investment plan.
- Transfer a further 2 million lorry miles per year from road to rail or water.
- To reduce the number of serious and fatal road accident casualties by 40% overall and by 50% for children by 2010 compared with the 1994-98 averages.

Road traffic reduction

The Scottish Executive has set a high-level aspirational target to stabilise road traffic (in vehicle kilometres) at 2001 levels by 2021.

There is an opportunity for local authorities, as members of RTPs, to use the RTS to take a collective approach to the achievement of road traffic reduction targets. This could mean greater co-operation on incentive measures to promote alternatives (park and ride, cycle facilities etc) and measures to disincentivise private, in particular single-occupancy, car use (consistent approaches to parking policies, road charging etc).

Cycling

The Scottish Executive currently has a target, from the UK National Cycle Strategy, to quadruple cycle use between 1996 and 2012.

Framework for Economic Development in Scotland

The Framework for Economic Development in Scotland³⁰ (FEDS) is the overarching framework for the Executive's economic development policy. It sets out the Executive's vision – that economic development should raise the quality of life of Scotland's people through increasing economic opportunities for all – and highlights sustainable improvements in productivity as the key to achieving this vision. The importance of a highly developed and effective transport infrastructure is recognised throughout the Framework. A well-developed transport system is central to joining business to business, consumer to business, and ensuring the efficient movement of goods and people to the right places at the right times.

²⁹ www.scotland.gov.uk/library5/enterprise/babs-00.asp

³⁰ www.scottishexecutive.gov.uk/library5/government/fedsm-00.asp (2004)

Strategic documents related to the needs of specific key sectors include:

- The *Framework for Tourism Change*, due to be published in early 2006, will set out how we will deliver our ambition to grow tourism revenues by 50% by 2015.
- *Going for Green Growth: a green jobs strategy for Scotland*³¹ looks at how we can best exploit the new business opportunities arising from our commitment to sustainable development.
- In partnership with industry and the trade unions, in March 2005 we also published a *Strategy for the Financial Service Industry in Scotland*³², aimed at sustaining the success of Scotland's financial services industry and maximising its impact on the Scottish economy.
- The forthcoming *Energy Efficiency Strategy*.

Smart, Successful Scotland

*A Smart, Successful Scotland*³³, our enterprise strategy and strategic direction to the Enterprise Networks, expands on many of the priorities set out in FEDS, including entrepreneurial dynamism, skills, innovation and research and development. The importance of good transport connections is stressed throughout, as an enabler for economic growth and as a pre-requisite for achieving integration with the world economy. Specific mention is made of the importance of infrastructure, including transport, investment in the development of competitive places and the transformation of areas suffering from decline.

Regeneration Policy Statement

The Regeneration Policy Statement sets out how we intend to promote regeneration, and in turn sustainable economic growth, in Scotland.

Investment in transport should contribute to the objectives and priorities contained in the Statement including how transport investment can act as a catalyst for effective regeneration and how to avoid people, places and communities suffering economic and social isolation because of poor connectivity to areas of economic growth.

Choosing Our Future – Scotland's sustainable development strategy

The trends show that the amount of travel undertaken by road and air is increasing year on year and that this demand is forecast to grow at an increasing rate. The challenge is to identify a comprehensive package of policies, balanced across all relevant sectors, which will lead to a transport system that is compatible with the vision and principles for sustainable development set out in *Choosing our future – Scotland's sustainable development strategy*³⁴. The strategy builds on the joint UK publication *One Future, Different Paths* issued earlier this year.³⁵

To achieve this will require a strong, sustainable economy providing prosperity and opportunity for all while living within environmental limits. To secure that, we must break the link between economic growth on the one hand and rising traffic levels, greenhouse gas emissions and other forms of environmental damage on the other. This is something that we are committed to doing, but it is not straightforward. However, the evidence shows that technological developments, demand management and increased awareness of the need for change have key roles to play.

³¹ www.scottishexecutive.gov.uk/Publications/2005/06/1693437/34386 (2005)

³² www.scotland.gov.uk/library5/finance/sfsis-00.asp (2005)

³³ www.scotland.gov.uk/library3/enterprise/sss-00.asp (2001)

³⁴ www.scotland.gov.uk/Publications/2005/12/1493902/39032 (2005)

³⁵ www.sustainable-development.gov.uk/publications/uk-strategy/framework-for-sd.htm.

The big questions posed by the transport sector's impact on sustainable development are being explored through the consultation on the National Transport Strategy.

Closing the Opportunity Gap

The Scottish Executive is committed to *Closing the Opportunity Gap* as a key cross-cutting priority. The overall aims are:

- to **prevent** individuals or families from falling into poverty;
- to provide **routes out** of poverty for individuals and families; and
- to **sustain** individuals or families in a lifestyle free from poverty.

The Executive announced 6 *Closing the Opportunity Gap* objectives on 12 July 2004:

- to increase the chances of sustained employment for vulnerable and disadvantaged groups - in order to lift them permanently out of poverty;
- to improve the confidence and skills of the most disadvantaged children and young people - in order to provide them with the greatest chance of avoiding poverty when they leave school;
- to reduce the vulnerability of low-income families to financial exclusion and multiple debts - in order to prevent them becoming over-indebted and/or to lift them out of poverty;
- to regenerate the most disadvantaged neighbourhoods - in order that people living there can take advantage of job opportunities and improve their quality of life;
- to increase the rate of improvement of the health status of people living in the most deprived communities - in order to improve their quality of life, including their employability prospects; and
- to improve access to high-quality services for the most disadvantaged groups and individuals in rural communities - in order to improve their quality of life and enhance their access to opportunity.

The 6 objectives are underpinned by 10 targets. Several of these would benefit from targeted improvements in transport provision:

Target A: reduce the number of workless people dependent on Department for Work and Pensions benefits in Glasgow, North and South Lanarkshire, Renfrewshire and Inverclyde, Dundee and West Dunbartonshire by 2007 and by 2010.

Target B: Reduce the proportion of 16-19 year olds who are not in education, training or employment by 2008.

Target G: By 2007 ensure that at least 50% of all "looked-after" young people leaving care have entered education, employment or training.

Target H: By 2008, improve service delivery in rural areas so that agreed improvements to accessibility and quality are achieved for key services in remote and disadvantaged communities.

Target J: To promote community regeneration of the most deprived neighbourhoods, through improvements by 2008 in employability, education, health, access to local services, and quality of the local environment.

Full information on *Closing the Opportunity Gap*³⁶, including detailed information on each target, is available on the Scottish Executive website.

³⁶ www.scotland.gov.uk/closingtheopportunitygap

The Scottish Executive has also produced an Equalities Strategy³⁷. More information on how this affects RTPs is at Annex D.

The Air Quality Strategy for England, Scotland, Wales and Northern Ireland

The Air Quality Strategy published in 2000 and an Addendum published in 2003 set out objectives for a number of air pollutants of particular concern to human health and dates by when they should be achieved. The Strategy includes the following target relevant particularly to transport emissions:

- To work in partnership with local authorities with the aim of meeting the annual nitrogen dioxide objective by 2005 and the objective to cut PM₁₀ emissions in all areas by 2010.

In general, good progress is being made on improvements to air quality and in reductions in local pollutants from transport (largely through cleaner fuels and engines). However, there are hotspots of poorer air quality in some urban areas. Air Quality Management Areas already exist in the city centres of Aberdeen, Edinburgh and Glasgow, plus parts of Bishopbriggs, Chapelhall, Coatbridge, Motherwell and Paisley. It is possible that further objectives covering additional pollutants may be added to the list.

Scottish Climate Change Programme

The Scottish Executive is committed to tackling climate change and is working with the UK Government to meet UK climate change commitments. The UK Government has a Kyoto target to reduce greenhouse gas emissions by 12.5% against Kyoto baselines (1990 for carbon dioxide, methane and nitrous oxide; 1995 for the fluorinated gases). In addition, there is a domestic goal to reduce 1990 levels of carbon dioxide emissions by 20% by 2010, and a longer-term goal to put the UK on a path to reduce carbon dioxide emissions by some 60% by 2050, with real progress by 2020.

Transport, particularly road transportation, is a key contributor to greenhouse gas emissions, accounting for around 20% of Scottish greenhouse gas emissions in 2003. Significantly, transport is one of the few sectors that has seen a growth in emissions since 1990 as increasing traffic levels have more than offset the impact of policies to improve the fuel economy of vehicles. Further measures may be required to address rising transport emissions and, as part of the development of the National Transport Strategy, the Executive is considering transport-related climate change targets and indicators. Further information on the Executive's climate change response is available on its website at www.scotland.gov.uk/climatechange.

In addition to its contribution to the causes of climate change, transport is also vulnerable to the impacts of climate change. Warmer, wetter winters, less snowfall and an increased risk of flooding will impact on transport infrastructure and on the travel choices of commuters. This must be an important consideration in future transport provision. Further information on responding to the impacts of climate change can be found at www.scotland.gov.uk/climatechange, and on the website of the UK Climate Impacts Programme at www.ukcip.org.uk.

Improving Health in Scotland: the Challenge

The Action Plan for *Improving Health in Scotland: the Challenge*³⁸, the Executive's health improvement strategy, sets out a range of practical measures to improve health overall. There are known health benefits from walking or cycling as an alternative to a short car journey or as part of a longer trip including bus or rail travel.

³⁷ www.scotland.gov.uk/library3/social/wtem-00.asp

³⁸ www.scottishexecutive.gov.uk/Publications/2003/03/16747/19929 (2003)

Delivering for Health

Building a Health Service Fit for the Future (the Kerr Report)³⁹ and *Delivering for Health*⁴⁰ suggest new models of healthcare delivery which will require new transport arrangements. This is particularly true for the Scottish Ambulance Service, but improved support in the community for those with long-term conditions or who are liable to need emergency hospital admissions will have consequences for providers of social care and their transport services.

The *Physical Activity Strategy*⁴¹ provides a long-term (20-year) approach, which aims to ensure that 50% of all adults and 80% of all children meet the minimum recommended levels of physical activity by 2022. Further information on this strategy can be found at:

www.scotland.gov.uk/Topics/Health/health/Introduction/Introduction

and on the Sustrans active travel website at:

www.sustrans.org.uk

Information sources

Some sources of information, advice and support are mentioned throughout this document, for example those relating to STAG, SEA and equality issues.

The Scottish Executive produces a range of statistical publications including:

- Scottish Transport Statistics (annually)
- Household Transport: some Scottish Household Survey results
- Transport across Scotland: some Scottish Household Survey results for parts of Scotland
- Scottish Household Survey Travel Diary results
- Travel by Scottish residents: some National Travel Survey results
- Bus and Coach Road Accidents Scotland
- Road Accidents Scotland

Transport Statistics publications may be found on the Scottish Executive Statistics Website:

	www.scotland.gov.uk/transtat/latest	gives access to the "on-line" editions of all publications
or	www.scotland.gov.uk/transtat/sts	for the "on-line" editions of <i>Scottish Transport Statistics</i>
or	www.scotland.gov.uk/transtat/ras	for the "on-line" editions of <i>Road Accidents Scotland</i>
	www.scotland.gov.uk/transtat/sheets	gives access to spreadsheet versions of the tables.

Other useful links can be found by going to www.scotland.gov.uk/transtat and clicking on "Related Areas" and "Links".

³⁹ www.scotland.gov.uk/Resource/Doc/924/0012112.pdf

⁴⁰ www.scottishexecutive.gov.uk/Publications/2005/11/02102635/26356 (2005)

⁴¹ www.scotland.gov.uk/Publications/2003/02/16207/17049 (2003)

Transport drivers and constraints

An important part of the initial work on RTS (under ‘scoping’, below) will be to identify the particular drivers of, and constraints on, transport in the region: what are the factors influencing the scale and nature of demand? There will be some general drivers that apply fairly consistently across the region but others that are particular to corridors or zones.

Those transport drivers of note could (perhaps often will) be associated with growing demand for travel although where a particular driver is reducing demand this can also be important if it is threatening to undermine, for example, a public transport service. They are also more often than not likely to be linked to growth in road traffic, particularly cars and commercial vehicles.

Transport drivers include:

- general economic growth: as the economy grows, more jobs are created, journeys to work increase, more freight (e.g. supplies and finished goods) moves in, out and around the country or region, more service provision is demanded by commercial and residential users, as general prosperity rises, more and longer leisure trips are made;
- specific economic developments associated with e.g. major commercial developments will have impacts at the regional, sub-regional and local level as part of an overall and uneven working out of national economic growth;
- social change such as trends towards and against high-density urban living and suburbanisation; population trends: growth and decline in certain regions/sub-regions;
- demands made/forecast by certain major sectors such as tourism, recreation, retail, that have a strong transport component; demand likely to be generated by new transport infrastructure or services;
- location of public and private services (especially health facilities), employment, housing etc and the likely impact of development plans;
- costs of transport: the relative cost of modes in real terms (flat or declining motoring costs, falling air fares, rising public transport fares – trends which can be interrupted by short-term effects such as peaks in fuel prices); cost of transport to business as a proportion of production costs (influence of e.g. energy costs); cost of transport to people as a proportion of household income; impact of cost on demand;
- trends in logistics and distribution; balance of light and heavy commercial traffic;
- technological change: better information for users, more integrated information; impact of technology on costs, travel time, quality and therefore choice; vehicle technologies and the impact on energy consumption and emissions and the knock-on effects on cost;
- social and cultural factors: evidence of trends towards demand for sustainable modes for non-economic reasons? Cultural factors behind car ownership and use of different modes. Tolerance of increases in commuting time or distance;
- safety and security concerns – perceptions and reality. Expansion of CCTV coverage, safety of pedestrians, differential impacts on groups: gender, age, disability, race etc.

Constraints

What is regional transport policy constrained by? What are the main forces that can ‘oppose’ the strategic development of regional transport?

Transport constraints include:

- physical capacity of existing infrastructure (railway, road, bus and train stations, car parking, airports, ports etc);
- physical limits on the expansion of infrastructure (e.g. cannot always expand the width of urban streets to introduce e.g. dedicated cycle/bus/tram lanes without removing space from other road users or having an adverse impact on adjacent property);
- financial constraints limit the extent to which public transport running costs can be subsidised to reduce fares/improve quality/expand coverage and the extent to which every new road or rail infrastructure scheme can be afforded – hence the need for thorough appraisal and prioritisation;
- cost constraints on individual rather than government spending: e.g. high fuel prices will restrain vehicle usage but high public transport fares will act as a disincentive to modal shift; taxation; inflation; levels of disposable income;
- regulatory constraints – these are wide-ranging and cover everything from speed limits to drivers’ hours to vehicle specifications; also public transport market regulation;
- legislative/political constraints operating at European, UK, Scottish and local level;
- land-use planning constraints – the procedures required to gain planning permission for certain transport projects; national and local planning policies which may rule some transport options out altogether; also the nature of new residential/industrial/retail developments constrains the provision of transport options;
- skills and labour shortages: e.g. drivers, engineers, managers, policy-makers and planners;
- delivery constraints: management capability, planning procedures, security of funding, ensuring projects run to budget and timescale;
- technological constraints: what does the current state (or cost) of technology prevent us doing? What is unproven? What is unaffordable?
- information constraints – optimal regional transport policies depend on the right information available to the right people to support their development. Individual consumers may not have the information they need in order to make optimal choices. Is there sufficient information on e.g. the link between cost and efficiency, or efficiency and driver behaviour, or the availability of alternative fuels?
- cultural constraints: behaviours, aspirations, expectations and perceptions.

Scottish Transport Appraisal Guidance (STAG)

STAG is the Scottish Executive's appraisal methodology for all transport projects. It is based on the belief that good planning and appraisal result in good outcomes. STAG sets out a number of key characteristics for good planning and appraisal:

- objective-led
- open-minded
- pragmatic
- auditable
- inclusive

STAG is also designed to ensure that a wide range of important public policy considerations are taken into account during the appraisal process. The Government's 5 criteria for transport appraisal form the framework for a STAG appraisal and these are:

- environment (similar in scope to SEA)
- safety (accident prevention and security)
- economy (economic efficiency and impact on the wider economy)
- integration (with existing transport, with land-use and with other policies)
- accessibility and social inclusion (promotion of public transport, provision of access to local services for society as a whole and for distinctive groups within it)

The role of STAG in the production of a regional transport strategy (RTS) is to ensure that the objectives for the RTS are established up front, and a number of strategy options generated and their relative impacts appraised against those objectives and the above criteria. This allows the strategy option which is best able to deliver against the objectives set by the RTP to be adopted.

Guidance on developing and assessing strategies or packages of measures is provided in STAG (chapter 4, section 3). STAG will be familiar to most transport practitioners and should be used, alongside this guidance, in the production of an RTS.

The STAG process also aligns with that of SEA (see Annex H). STAG and SEA both require the impacts of alternative strategies to be considered and justification for the preferred option explained. STAG requires alternative strategies to be appraised against all 5 national criteria; whereas SEA requires alternative strategies to be tested against a range of environmental factors only - all of which are also encompassed by the environmental criterion within STAG.

The two-part process which is fundamental to STAG is equally applicable to the development of an RTS. However, Appraisal Summary Tables (ASTs) should be completed for the strategy as a whole, rather than individual elements within it. Some further appraisal of individual interventions may be necessary in order to better evaluate the overall options and ensure that the significant impacts of those components which comprise the strategy are taken into account. It has to be recognised that this will need to be managed carefully given the time and resource constraints.

As a guiding principle, STAG, like SEA, should be applied proportionately in order to give **sufficient information for the RTP to make an informed choice between various alternatives**. That said, RTPs will be responsible for significant budgets that will be spent to implement the RTS. Therefore, the RTS needs to be founded on robust, objective and evidence-led appraisal in order for the RTP and the Scottish Executive to be assured that public money is being invested wisely and to good effect.

A quick high-level assessment (sifting) based on the issues report should enable the RTP to generate a number of realistic, alternative strategies for more detailed consideration during the options appraisal stage. The process of consulting upon and appraising the options, and deciding upon the preferred option should also be used to generate the information required for the SEA Environmental Report.

It may be necessary to spend some time refining what may have been, of necessity, rough cost estimates and to test viability further against the economic criteria in STAG. This may include, if necessary, some high-level modelling so that the RTP can demonstrate with more confidence the projected costs and benefits of the chosen RTS.

More information is available in the STAG document, which can be found on the Scottish Executive's transport analysis guidance website at – www.scot-tag.org.uk

See also the contact details for STAG advice in Section 3 of this guidance.

Strategic Environmental Assessment (SEA)

Strategic Environmental Assessment (SEA) is a systematic process for assessing the likely significant environment effects of public sector strategies, plans and programmes.

In Scotland SEA is provided for by:

Environmental Assessment (Scotland) Act 2005

This legislation is relevant for those strategies, plans or programmes where the first formal preparatory act was taken on or after the date the Environmental Assessment (Scotland) Act 2005 was brought into force. The Act extends the provisions SEA in line with a commitment made in the Partnership Agreement.

Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004

This legislation may still be relevant to those qualifying plans and programmes whose first formal preparatory act was taken prior to 20 February 2006, when the Environmental Assessment (Scotland) Act 2005 was brought into force. The Regulations transposed European Directive 2001/42/EC

In the UK, SEA is provided for by:-

Environmental Assessment of Plans and Programmes Regulations 2004

The UK Regulations are relevant to those plans and programmes which do not geographically relate solely to Scotland.

There is a wealth of SEA guidance already available to SEA practitioners. This includes:

- Guidance on the Directive⁴²
- Environmental Assessment (Scotland) Act policy memorandum and explanatory notes⁴³
- SE Interim Planning Guidance⁴⁴
- SE draft templates and guidance notes⁴⁵
- Consultation Authorities draft information note⁴⁶
- A practical guide to the Strategic Environmental Assessment directive⁴⁷

In addition, the Scottish Executive is intending to publish guidance and templates relating to the Environmental Assessment (Scotland) Act 2005 later in 2006. The Executive aims to keep RTPs up to date with progress on SEA and on the publication of new or updated guidance. This Annex provides a brief overview of SEA and how it relates to the process of developing an RTS. It should not be used in place of the detailed guidance available elsewhere.

In Scotland there are three Consultation Authorities; the Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and Historic Scotland. The Environmental Assessment (Scotland) Act 2005 provides that a Responsible Authority has a statutory obligation to consult the Consultation Authorities at the following SEA stages:- screening; scoping; and Environmental Report. The Consultation Authorities have a statutory obligation to respond to screening requests within 28 days and scoping requests within 35 days. Further guidance on the roles and responsibilities of the

⁴² europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf

⁴³ www.scottish.parliament.uk/business/bills/38-environmentalAssessment/b38s2-introd-pm.pdf

⁴⁴ www.scotland.gov.uk/library5/planning/eadp-00.asp

⁴⁵ www.scotland.gov.uk/Resource/Doc/77843/0018367.pdf

⁴⁶ www.scotland.gov.uk/Resource/Doc/77843/0018806.pdf

⁴⁷ www.odpm.gov.uk/pub/290/APracticalGuidetotheStrategicEnvironmentalAssessmentDirectivePDF776Kb_id1143290.pdf

Consultation Authorities is available on the Consultation Authorities draft information note (see previous page).

As part of the Scottish Executive's implementation of SEA, to alleviate some of the administrative onus on the Responsible Authorities the Executive has established the SEA Gateway as a means to support the SEA process. The SEA Gateway is unique to Scotland and offers Responsible Authorities a single point of contact, where reports and statements for the formal reporting stages can be deposited, for the Consultation Authorities to consider. The Gateway will then co-ordinate the Consultation Authorities' responses and issue the responses under a single covering letter.

SEA Gateway e-mail address: sea.gateway@scotland.gsi.gov.uk

There are a number of stages involved in undertaking an SEA, which can be combined with the RTS process⁴⁸ in order to ensure the assessment is undertaken comprehensively and minimising potential areas for duplication.

Screening Screening reports are a summary of a Responsible Authority's views on whether a strategy, plan or programme is likely to have significant environmental effects.

Responsible Authorities do not have to prepare Screening reports for certain sectors' plans, such as transport, if they set a framework for development, as the environmental effects are already deemed to be significant.

Baseline data collection This establishes the environmental characteristics of the area likely to be effected by implementation of the strategy, plan or programme. CAs may hold some of the baseline data required by RA at this stage in the process. A list of known data holders is provided in 'a practical guide to the Strategic Environmental Assessment directive' and will be available in the Scottish SEA guidance due to be published later in the year.

Scoping Identification of the scope, level of detail and consultation periods for the Environmental Report. RTPs make scoping submission to CAs who have 35 days in which to respond with their views on these matters. RTPs are asked to make their submissions via the Scottish Executive SEA Gateway.

Following receipt of the CAs' views the RTP should advise Scottish Ministers of the proposed consultation period for the CA's and the public. This can be done via the main SEA Gateway.

Environmental Report (ER) An Environmental Report identifies, describes and evaluates the significant environmental effects of implementing a strategy, plan or programme and reasonable alternatives. Typically, the Environmental Report is presented in association with a consultative draft strategy, plan or programme, in a form suitable for public consultation.

There are statutory requirements regarding consultation with the CAs and the public on the Environmental Report. RTPs should refer to the Environmental Assessment (Scotland) Act 2005 for further details.

⁴⁸ See Section D: Process of this guidance and Annex J, Model RTS Timetable

In the preparation of the strategy, Responsible Authorities are required to take into account the environmental report and consultation responses.

Post-adoption procedures	As soon as is reasonably practicable after adoption of the strategy, plan or programme, the Responsible Authority is required to provide an SEA Statement and other specified information to the Consultation Authorities and the public. RTPs should refer to the SEA templates and guidance for further information on these procedures.
Monitoring	The Responsible Authority is required to monitor the significant environmental effects of the strategy, plan or programme in a manner which enables them to identify any unforeseen adverse effects at an early stage and to enable them to undertake appropriate remedial action.

The Scoping Report has to provide sufficient information about the scope and level of detail to be outlined within the Environmental Report, in order to allow the CAs to form a view. This has to include a summary of existing environmental characteristics, including known environmental problems within the scope of the strategy and identifies those areas that are likely to be significantly affected by the RTS, and a description of the relationship of the RTS to existing relevant environmental objectives (including those listed in Annex E of this guidance).

The Scottish Executive SEA templates include a generic model for a scoping report that each RTP may opt to follow. However, as there are likely to be at least some common answers to the questions, there may be value in the RTPs collaborating, along with the Scottish Executive and where possible, depending on resources, the CAs.

The Environmental Report should be proportionate to the strategy to which it relates. Regional transport strategies will be part of a hierarchy of documents along with the National Transport Strategy and local transport strategies. Each environmental effect will be best measured and evaluated at a certain level or levels in the hierarchy. Assessment effort should be focused on those environmental factors on which the RTS will have a significant effect.

The Environmental Report should describe the alternative strategies considered (through the 'Options Report'), assessment methods used (primarily STAG) and the results of that assessment insofar as it relates to the environmental issues addressed by SEA:

- biodiversity, flora, fauna, population, human health, soil, water, air, climatic factors, material assets, cultural heritage and landscape, both positive and negative effects.

The Environmental Report should also describe any measures proposed in the chosen strategy that will help to mitigate adverse environmental impacts identified during the development process. For a full description and guidance on the contents of the Environmental Report please refer to the templates and guidance listed above.

The work that the RTP will in any case undertake to arrive at its proposed RTS should provide the bulk of information required for the Environmental Report.

Assurance process

In order to provide the RTPs with confidence that their strategies are developing in line with this guidance and therefore are on course to achieve Ministerial approval the assurance process will include the provision of feedback to RTPs from the Scottish Executive at key stages of the strategy development process. This will be in the form of brief progress reports to coincide with significant milestones.

Assurance will mostly be achieved through ongoing and largely informal contacts between RTPs and the Local Authority and Partnership Liaison Team (see Section 3 of this guidance for contact details). However, it is appropriate to have a small number of more formal checkpoints when progress can be assessed and feedback given.

The checkpoints will be:

First Progress/Assurance Report (1 April 2006)

The purpose of this short (no more than 2 pages) Progress/Assurance Report is to enable the Executive to assess the extent to which the content of the Issues and Objectives Report is supported by an evidence base and provides an acceptable platform for the next stages in the strategy process.

The report should be produced to coincide with the completion of the Issues and Objectives Report, as set out in paragraphs 75, and 81 of this guidance. The Executive will review the Progress Assurance Report in conjunction with the Issues and Objectives Report.

After having concluded its review the Executive will give feedback on the Report and the Issues and Objectives Report and will discuss these with RTP officials. Feedback will be provided within 14 days of receipt of the Report.

Status Report (end of June 2006)

The purpose of the Status Report is to report on the RTP's progress against its own timetable or project plan. This will enable the Executive to express a view, as to whether or not the RTP should seek an extension to the 31 March 2007 deadline. This is a decision for the RTP so the Executive will be acting only in an advisory capacity.

The Executive will respond within 14 days of receipt of the Status Report.

Second Progress/Assurance Report (early October 2006)

To coincide with the completion of a draft RTS and its approval by the RTP prior to its publication for public consultation.

The purpose of this Progress/Assurance Report is to enable the Executive to see and comment on the emerging RTS before it formally enters the public domain. The Report should also give an update on progress against the RTP's timetable and outline how the RTP has arrived at the draft RTS and how it relates to the National Transport Strategy.

After having concluded its review the Executive will give feedback and will normally want to discuss this with RTP officials.

The Executive will provide feedback within 14 days of receipt of the Report and the draft RTS.

Model timetable for the completion of the first statutory regional transport strategies

Month	Stages in preparation of RTS	Compliance with:	
		STAG	SEA
January 2006	Announcement of preparation of RTS by RTP Board Scoping of issues (paragraph 71) Vision (paragraph 78)		
March	Issues and Objectives Report completed (paragraph 84)	Objectives, and Analysis of present and future problems	
April	Issues and Objectives Report approved by RTP Board		
April	First assurance/progress report to SE		
April/ May	Option generation and appraisal including consultation with key stakeholders (4 weeks)	Option generation, high-level assessment	
June	Options Report approved by RTP Board	Begin options appraisal	Scoping report to SEA Gateway
End-June	Status Report to SE giving consideration to whether an extension to the March 2007 deadline is required		
June/ July	Consultation with key stakeholders (5 weeks) on Options Report	Options appraisal	Consultation with CAs (5 weeks)
August/ Sept	Decision on overall RTS option and drafting of remainder RTS		Drafting of Environmental Report
October	Draft RTS approved by RTP Board	Reporting Produce ASTs	Environmental Report to SEA Gateway
October	Second assurance/progress report to SE		
Oct/Nov/ Dec	Public consultation (8 weeks)	Refining estimates of costs and benefits	Consultation with CAs (8 weeks)
February 2007	Final RTS approved by RTP Board		
31 March	Submission to Scottish Ministers of RTS and supporting documents (e.g. Consultation Report, STAG ASTs, Environmental Report, SEA Statement and Implementation Programme)		SEA Statement and RTS to CAs
June/July	Approval by Scottish Ministers		

Equality Impact Assessment

The Transport (Scotland) Act 2005 requires that regional transport partnerships include provision about how transport will be provided, developed, improved and operated so as to, amongst other things, encourage equal opportunities and, in particular, the observance of the equal opportunities requirements i.e. the existing law.

Therefore, as an integral part of the development of the regional transport strategy, we suggest that each Transport Partnership undertakes an equality impact assessment. This will help to ensure that the strategy does not have an adverse impact on equality groups. There is not currently a set format for this but the following questions should help provide a framework or checklist for such an assessment. It is essential that you consult with representatives of equality groups. The Scottish Executive will be able to provide key contacts for this purpose, please contact Transport Group on 0131 244 0263 in the first instance.

General

- What are the objectives of the regional transport strategy?
- Who is intended to benefit from the strategy (and how) and who will be otherwise affected by it?

Evidence

- What evidence are you aware of on the transport needs of equality groups and have you used this during the scoping and option development/appraisal stages?
- Have you considered what evidence and information is available on the possible impact that the different strategy options might have on different equality groups?
- Based on the evidence and information available, does or could the chosen strategy impact adversely on any particular group? Is the impact significant?

Consultation

- How have you included equality groups and/or their representatives during the consultation phases of the strategy development?
- What was the outcome of the consultation?

Actions

- If adverse or potential adverse impact was identified, what modifications have you made to the strategy as a result, or what other action will you take to address this?
- Who will be responsible for this action and when will this be done?
- What are the intended outcomes of any remedial action?

Monitoring

- How will the impact of the strategy on equality groups be covered by the required monitoring?

Publishing

- How will you make the results of your equality impact assessment known?

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Astron B45677 03/06
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Edinburgh
EH1 1YS

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ISBN 0-7559-2977-2



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