



SPT Responses to Consultations

Committee Strategy and Programmes

Date of meeting 26 November 2021

Date of report 26 October 2021

Report by Acting Chief Executive

1. Object of report

The object of this report is to recommend approval of the key points of draft SPT responses recently submitted on various consultations by the Scottish Government, Transport Scotland, Department for Transport and Glasgow City Council (GCC).

2. Background

2.1 The relevant consultations are noted below, along with their closing date, and the date when SPT submitted a draft response (or propose to) subject to approval by this Committee:

Consultation	Closing Date	Status
Glasgow Low Emission Zone – Glasgow City Council ¹	2 Sept 2021	SPT draft response submitted within deadline.
Workplace Parking Licensing - Consultation on Regulations and Guidance – Transport Scotland ²	6 Sept 2021	SPT draft response submitted within deadline.
Review of Traffic Commissioners for Great Britain function – Department for Transport ³	8 Sept 2021	SPT comments were included as part of a coordinated response by Association of Transport Coordinating Officers (ATCO). ATCO was granted an extension to the deadline by DfT until 30 Sept 2021 and the response was submitted within that timescale.

¹ <https://www.glasgowconsult.co.uk/KMS/dmart.aspx?strTab=PublicDMartCurrent&NoIP=1>

² <https://www.transport.gov.scot/consultation/workplace-parking-licensing-consultation-on-regulations-and-guidance/>

³ <https://www.gov.uk/government/consultations/review-of-traffic-commissioners-for-great-britain-function>

Consultation on Penalty Charge Notices for Parking Enforcement – Scottish Government ⁴	4 Oct 2021	SPT draft response submitted within deadline.
Membership of the National Smart Ticketing Advisory Board – Transport Scotland ⁵	12 Oct 2021	SPT draft response submitted within deadline.

3. Outline of Proposals

Noted below is a brief summary of the purpose of each consultation, along with the key points of SPT’s draft responses.

3.1 Glasgow Low Emission Zone (LEZ) – Glasgow City Council

3.1.1 Purpose of consultation

Glasgow City Council is consulting on its proposals for the introduction of Phase 2 of the LEZ which is due to come into effect on 31 May 2022 with a one-year grace period, which means that enforcement of Glasgow’s LEZ will start on 1 June 2023.

GCC introduced Scotland's first Low Emission Zone in 2018 to address levels of harmful nitrogen dioxide in the city centre, predominantly caused by road traffic.

A phased approach to Glasgow's LEZ has been adopted to give people the chance to prepare for its introduction. The current Phase 1 applies to local service buses only, whereas Phase 2 will include all vehicles entering the zone area, unless exempt. Phase 2 is dependent on legislation, the progress of which was temporarily impacted by COVID-19. This means that enforcement of this Phase 2 is now expected to be from 1 June 2023 which is slightly later than originally anticipated.

A preferred scheme design for Phase 2 of Glasgow's LEZ has been developed, taking into consideration the evidence base, previous stakeholder engagement and the impacts of the pandemic. Proposals include:

- The scheme comes into effect on 31 May 2022 with a one-year grace period, which means that enforcement of Glasgow's LEZ will start on 1 June 2023. An additional one-year grace period for vehicles registered to residential addresses within the LEZ will apply and enforcement of the LEZ for these vehicles will begin on 1 June 2024.
- The LEZ geographical area comprises much of the city centre, bounded by the M8 motorway to the north and west, the River Clyde to the south and Saltmarket/High Street to the east.
- The scheme will operate 365 days a year and 24 hours a day.
- The LEZ will apply to all vehicle types, except for motorbikes and mopeds, and those vehicle types or uses considered exempt in Regulations which have been set nationally.

⁴ <https://www.transport.gov.scot/consultation/consultation-on-penalty-charge-notice-for-parking-enforcement/>

⁵ <https://www.transport.gov.scot/consultation/membership-of-the-national-smart-ticketing-advisory-board-consultation/>

- Applications for a time-limited exemption to LEZ requirements (under circumstances where entry of a non-compliant vehicle is required for a specific, defined purpose) will be determined on merit, but will not be considered for the routine transport of people or goods, or for routine commercial operations.

3.1.2 Key points of SPT's response

SPT's response to the consultation response supports the proposals for introduction of Phase 2 of the Glasgow LEZ. SPT also asked that the following points be considered as part of the Phase 2 introduction:

- Exemption for buses accessing Buchanan Bus Station (BBS). Phase 1 of the LEZ included an exemption for vehicles accessing Buchanan Bus Station via Dobbies Loan. There is no reference to such an exemption in the Phase 2 proposals and SPT would welcome clarification on whether such an exemption will continue. Coaches travel from a wide range of destinations, UK-wide and beyond and are of various makes and models therefore it would be expedient to keep the routing into and out of BBS available for non-Euro VI vehicles as Phase 2 is introduced.
- Time-limited exemptions for Community Transport operators. SPT has requested that Community Transport vehicles should be given a time limited exemption from the LEZ given that they provide an essential service for vulnerable residents. Some Community Transport operators may not be in a financial position to replace or convert non-compliant vehicles in the short term and we would welcome consideration being given to such an exemption.

3.2 Workplace Parking Licensing (WPL) - Consultation on Regulations and Guidance – Transport Scotland

3.2.1 Purpose of consultation

The Transport (Scotland) Act 2019 introduced a discretionary power for local authorities to implement WPL schemes. The Act provides the legislative framework for WPL and confers powers on Scottish Ministers to make regulations in relation to certain elements.

The consultation is not, however, about the principle of WPL but seeks views on the key aspects of proposed regulations and guidance for implementing such a proposal. Nor is the consultation about the design or implementation of any individual town or city-specific WPL scheme as local authorities will be required to undertake a separate consultation on any local schemes they propose to take forward.

The consultation covers issues such as the scope of local authority consultation on any WPL proposals, the nature of the WPL review process, and the approach to penalty charges and appeals processes.

3.2.2 Key points of SPT's response

- WPLs are only one element of the wider 'toolbox' available to promote sustainable transport and reduce emissions. Any scheme proposal therefore should detail what other complementary measures are proposed to be undertaken in tandem with WPL to promote sustainable

transport and modal shift e.g. traffic management, bus priority or on-street parking measures.

- As part of the formal public consultation, Local Authorities should publish details of the business case prepared for the WPL proposal, which should include details of how option appraisal was considered.
- Local Authorities considering a WPL scheme should notify their respective Regional Transport Partnerships as early as possible and continue to discuss their proposals throughout the development process. Further, Local Authorities should be required to consult the appropriate Regional Transport Partnership to help ensure that their proposed schemes fit with and promote the policies in Regional Transport Strategies. Consultation should also include adjoining Local Authorities, Transport Scotland, transport operators, Sustrans, transport user groups, business representatives and Trade Unions.

3.3 Review of Traffic Commissioners for Great Britain function – Department for Transport (DfT)

3.3.1 Purpose of consultation

This DfT consultation is being undertaken as part of a review of the role, current duties, responsibilities and staffing of the Office of the Traffic Commissioner. Specifically, the consultation considers the Traffic Commissioner functions, effectiveness, administration and if any additional responsibilities should be added to their role. SPT contributed comments via a response prepared by the Association of Transport Coordinating Officers (ATCO).

3.3.2 Key points of SPT response

- SPT's comments via the ATCO response support the retention of the functions of the Traffic Commissioner and emphasised the continuing need for appropriate resources to be made available to ensure they can most effectively discharge their responsibilities e.g. monitoring of compliance with registrations.

3.4 Consultation on Penalty Charge Notices (PCN) for Parking Enforcement – Scottish Government

3.4.1 Purpose of consultation

This consultation seeks views on the proposed establishment of penalty charge contravention codes for on-street parking offences. The consultation also seeks views on proposals to increase Penalty Charge Notice charges covering pavement parking, double parking and parking on dropped kerbs.

3.4.2 Key points of proposed SPT response

- SPT's response supported the proposal to create contravention codes. SPT's response also requested consideration being given to the introduction of a specific contravention covering parking that obstructs bus stops, bus stances and the free movement of buses along their routes.
- SPT also supported the proposal to introduce higher PCN charge levels, given that levels have not been increased for many years, and to ensure they remain an effective deterrent. Our response also highlighted the

need for more regular reviews of PCN levels, including consideration of charges being adjusted in line with inflation.

3.5 Membership of the National Smart Ticketing Advisory Board (NSTAB) – Transport Scotland

3.5.1 Purpose of consultation

The Transport (Scotland) Act 2019 includes provisions to establish a body with oversight of smart ticketing in Scotland – the National Smart Ticketing Advisory Board. The role of the proposed NSTAB is to advise Scottish Ministers in relation to:

- Smart ticketing arrangements;
- National technological standard for smart ticketing;
- Development of smart ticketing or payment and smart ticketing schemes in Scotland; and
- In addition, before making any directives to a local transport authority about ticketing schemes, Scottish Ministers will consult the NSTAB.

The consultation document proposed that the following organisations should be represented on NSTAB:

- Public transport operators
- Regional Transport Partnerships
- Local Transport Authorities
- The Confederation of Scottish Local Authorities (COSLA)
- Organisations representing passengers
- Disability organisations
- Active travel organisations
- Other organisations or bodies with an interest in Smart and Integrated Ticketing and Payment

3.5.2 Key points of SPT's proposed response

- SPT's response supported the creation of NSTAB and the inclusion on it of the organisations listed above. In addition, SPT has requested that Traveline Scotland and ITSO⁶ should also be represented given their respective roles in dissemination of public transport information and technological standards for smartcard ticketing.

4. Conclusions

As the Regional Transport Partnership for the west of Scotland and through the Regional Transport Strategy, having a statutory responsibility to ensure our region's transport system is fit for purpose in meeting wider societal needs, a key part of SPT's work is responding to the range of consultations undertaken by national, regional and local organisations every year, on a wide variety of subjects and issues. These responses, often developed in partnership with councils and others, ensure that the interests of the people and communities of the west

⁶ Integrated Transport Smartcard Organisation, the non-profit making, public and private sector membership body which sets standards for smartcard ticketing in the UK. Further information at: <https://www.itso.org.uk/>

of Scotland are appropriately represented in matters affecting them. The development of responses also informs our own policy and project development (e.g. for the Regional Transport Strategy).

While responding to consultations forms only a part of how SPT influences transport matters in Scotland, they are a key tool in that regard, and provide a useful vehicle for agreeing a position on particular matters with our partners. Indeed, very often, our partners look to SPT for guidance on matters relating to transport, and use our responses to consultations to assist in forming their own view, or as is often the case, voice support for SPT's view. The impact of the responses on the matters under consideration can obviously vary, but on the whole, are seen as positive and constructive input into policy development in Scotland.

The development of the Transport (Scotland) Act 2019, the National Transport Strategy and the Local Transport Strategies of our constituent councils are good examples of where SPT's influence and input, including through consultation responses, has made a positive contribution. Officers will continue to monitor the external policy environment and respond to consultations as necessary in line with SPT's remit like those under consideration in section 3 of this report and continue to keep the Committee updated on these and other matters in future.

5. Committee action

The Committee is recommended to:

- Note the contents of this report; and
- Approve the key points of the responses in section 3 of this report.

6. Consequences

Policy consequences	<i>Responses in line with the current and developing RTS.</i>
Legal consequences	<i>None at present.</i>
Financial consequences	<i>None at present.</i>
Personnel consequences	<i>None at present.</i>
Equalities consequences	<i>None at present.</i>
Risk consequences	<i>None at present.</i>

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