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## **SESTRAN – MOVE TOWARDS A MODEL 3 TRANSPORT PARTNERSHIP**

**Report by Service Director Regulatory Services**

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### **SCOTTISH BORDERS COUNCIL**

**30 March 2017**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report highlights a consultation exercise being undertaken by SEStran in relation to a potential transfer of functions to the regional transport partnership**
- 1.2 The South East of Scotland Transport Partnership (SEStran) is a statutory partnership consisting of eight local authorities, namely: City of Edinburgh, Fife, East Lothian, Midlothian, West Lothian, Falkirk, Clackmannanshire and Scottish Borders.
- 1.3 SEStran is currently classed as a "Model 1" Regional Transport Partnership (RTP) which means that the primary function of the partnership is the production of a Regional Transport Strategy.
- 1.4 At a meeting on 2 December 2016, the SEStran Board agreed to undertake a consultation with all constituent local authorities with a view to moving towards a "Model 3" Regional Transport Partnership.
- 1.5 A Model 3 Regional Transport Partnership has additional powers, specifically in relation to public transport, but also could be utilised in terms of potentially managing other services such as ferry services, tolled bridges road pricing, road maintenance and road safety.
- 1.6 There have been discussions on the inclusion of a "Model 3" Regional Transport Authority proposal within the City Deal process. However, the suggestion is not being actively pursued as part of the City Deal at this particular time.
- 1.7 SEStran initially required a response from all constituent Local Authorities which could be discussed at the next SEStran Board Meeting on 3 March 2017. However SEStran has now decided to delay formal consideration of the proposal.

## **2 RECOMMENDATIONS**

**2.1 It is recommended that Scottish Borders Council:**

- (a) Agrees that there is insufficient information to allow members to make a decision on whether Scottish Borders Council should be part of a SEStran "Model 3" Regional Transport Authority at the current time.**
  
- (b) Authorises the Service Director Regulatory Services to respond to SEStran to that effect.**

### 3 BACKGROUND

- 3.1 Regional Transport Partnerships were created by the Transport (Scotland) Act 2005. The Act set up RTPs as "Model 1" authorities where the key statutory function is the development of a Regional Transport Strategy. However, the act also allowed the RTPs to gain additional powers and move to a "Model 2" authority (Additional powers based on the requirements of the Regional Transport Strategy, decided by the constituent authorities) or a "Model 3" authority following agreement by the constituent local authorities.
- 3.2 There are currently seven RTPs in Scotland with four of the partnerships operating as "Model 1" authorities (including SEStran) and three as "Model 3" authorities (including Strathclyde Partnership for Transport and Dumfries and Galloway Council).

The four Scottish "Model 1" partnerships are:

- SEStran;
- Tayside and Central Scotland Transport Partnership (Tactran);
- North East of Scotland Transport Partnership (Nestrans); and
- Highlands and Islands Transport Partnership (Hitrans).

The three Scottish "Model 3" partnerships are:

- Shetland Transport Partnership (ZetTrans);
- South West of Scotland Transport Partnership (SWestrans); and
- Strathclyde Partnership for Transport (SPT).

- 3.3 A Model 3 Regional Transport Partnership has additional powers, specifically in relation to the delivery of public transport services, but also could be utilised in terms of potentially managing other services such as the delivery of ferry services, tolled bridges, developing road pricing proposals, road maintenance projects and aspects of road safety and parking enforcement.
- 3.4 In England the regional transport function is provided by "Combined Authorities" (Previously known as Passenger Transport Executives) which are primarily centred on the old metropolitan areas such as Greater Manchester. These authorities are run by a board consisting of elected Members from their constituent councils. Their role is primarily in the organisation and delivery of passenger transport services, although in the case of Greater Manchester the functions also include regional and local road network functions, the management of traffic signals and other road safety activities.
- 3.5 Combined Authorities have been heavily involved in the development of the City Deal process in England and have been successful in securing additional funding from Central Government.

- 3.6 In June 2016, the SEStran Board discussed the possibility of moving from a "Model 1" to a "Model 3" RTP. This discussion coincided with the Scottish Government's proposals for reforming the planning system and the refresh of the National Transport Strategy. There was also an acknowledgement that the City Deal Process could possibly include a "Model 3" proposal although the prospect of a "Model 3" RTP proposal being part of the City Deal process has now significantly decreased.
- 3.7 At the SEStran Board Meeting in September 2016, the current SEStran structure and governance was discussed. It was agreed that Professor Tom Rye of the Transport Research Institute in Edinburgh be engaged by SEStran to undertake research to help identify the benefits and dis-benefits of SEStran moving towards a "Model 3" authority.
- 3.8 Professor Rye finalised his research on 24 November 2016 and gave a verbal presentation to the SEStran Board on 2 December 2016.  
A copy of the research document is provided in **Appendix A**.

#### **4 CONSULTATION**

- 4.1 The SEStran Partnership Director met with Transport Scotland on 6 October 2016 to seek guidance on the process for a possible transfer of powers from a "Model 1" to a "Model 3" Partnership Authority. Transport Scotland indicated that the procedure to switch was straight forward, with the request consisting of a letter, outlining the proposal for the transfer of powers.
- 4.2 However, officials also indicated that a two stage consultation process in terms of transferring to a "Model 3" RTP would also be required, with the first stage being direct consultation with each constituent authority and a second stage consisting of a 12 week public consultation on the proposals.
- 4.3 A letter from SEStran which initiated the first stage of the consultation process was received by Scottish Borders Council on 9 December 2016.

#### **5 CONSIDERATIONS**

- 5.1 The perceived benefits of moving to a "Model 3" Partnership Authority could include:
- Working in partnership with private operators to improve bus services through the development of quality partnerships or quality contracts;
  - The planning and development of new transport related infrastructure throughout the partnership area;
  - The development of a strategic transport network, designed to provide access to the key employment areas in the city region;
  - The provision of a centralised fare regime throughout the area which could include multi-operator multi-modal ticketing and positive pricing for certain groups such as the unemployed etc.;
  - The provision of specific services and schemes to help cater for the transportation of people with disabilities and the disadvantaged.

- 5.2 The perceived dis-benefits of moving to a "Model 3" Partnership Authority could include:
- The centralisation of transport services to a central location within the city region;
  - The potential loss of autonomy for Scottish Borders Council in relation to the allocation of transport related funding within our area;
  - The potential transfer of existing budgets and staff to a centralised location;
  - A concentration on strategic passenger transport routes within the city region to the potential detriment of services in rural areas;
  - The potential of the regional authority to become involved in road related functions such as maintenance and road safety;

## **6 UPDATE ON PROPOSAL**

- 6.1 At the present time there is a consultation that relates to the Scottish Planning Review which suggests that a closer working relationship between SEStran and SESplan should be developed. Officers believe that this collaboration could be beneficial to regional transport and planning, but does not necessarily need to be connected to a regional transport authority. A consultation response is being prepared by the Chief Planning Officer for submission by 4 April 2017.
- 6.2 There has been some discussion regarding the inclusion of a "Model 3" Regional Transport Authority proposal within the City Deal project. It is the view of some officers within some authorities that the inclusion of a "Model 3" proposal would be beneficial to the City Deal process. While that view is not shared by all parties this helped prompt this consultation exercise from SEStran.
- 6.3 It appears from subsequent discussions in relation to the City Deal process that the inclusion of a "Model 3" Regional Transport Partnership has diminished significantly. Following verbal responses from the constituent Local Authorities, SEStran has decided to delay formal consideration of the proposal at the present time.

## **7 CONCLUSION**

- 7.1 From a review of the available information on the governance of Regional Transport Partnerships it is the view of officers that there are a number of significant implications (as noted in para 5.2) regarding the proposed transfer of SEStran from a "Model 1" to a "Model 3" Regional Transport Authority. These implications have not yet been fully investigated. Therefore our proposed response to this consultation is that there is not enough information provided at this stage to allow members to make an informed decision.

## **8 IMPLICATIONS**

### **8.1 Financial**

It is unclear at the present time what the financial implications of transferring to a "Model 3" would include. However, it is anticipated that the public transport budget for Scottish Borders Council would be transferred to a regional transport authority and there is a possibility that other budgets may be required as part of the transfer of responsibilities.

### **8.2 Risk and Mitigations**

- (a) There is a significant risk that the financial allocation requested by a regional transport authority would be allocated to the strategic transport network within the city region area to the detriment of more rural areas where there are less strategic routes.
- (b) There is also a risk that a regional transport authority could request additional funding in relation to other aspects of transport provision such as road maintenance and road safety.

### **8.3 Equalities**

There are no adverse impacts due to race, disability, gender, age, sexual orientation or religion/belief arising from this report.

### **8.4 Acting Sustainably**

It is uncertain at this stage whether the proposal will have a positive effect on sustainability within the Scottish Borders.

### **8.5 Carbon Management**

It is uncertain at this stage whether the proposal will have a positive effect on carbon management within the Scottish Borders.

### **8.6 Rural Proofing**

It is uncertain at this stage whether the proposal will have a positive effect on the rural environment within the Scottish Borders.

### **8.7 Changes to Scheme of Administration or Scheme of Delegation**

No changes to the Scheme of Administration or Delegation are required as a result of this report.

## 9 CONSULTATION

- 9.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted on the contents of this report and comments incorporated.
- 9.2 In addition, the Chief Executive, Depute Chief Executive for Place, Corporate Transformation & Services Director, Service Director Neighbourhood Services, Service Director Commercial Services and Service Director Capital Projects have also been consulted on the contents of this report and comments incorporated.

### Approved by

**Brian Frater**  
**Service Director Regulatory Services**

**Signature .....**

### Author(s)

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### Background Papers:

**Previous Minute Reference:** None

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [e&translationrequest@scotborders.gov.uk](mailto:e&translationrequest@scotborders.gov.uk).