
To: **INFRASTRUCTURE, LAND AND ENVIRONMENT POLICY BOARD**

On: **29TH AUGUST 2018**

Report by: **DIRECTOR OF ENVIRONMENT & INFRASTRUCTURE**

Heading: **PUBLICATION OF TRANSPORT (SCOTLAND) BILL – CALL FOR EVIDENCE**

1. Summary

1.1 On 8 June, the Transport (Scotland) Bill was introduced in the Scottish Parliament and was published on 11 June. According to Transport Scotland, the Transport (Scotland) Bill will help to empower Scotland's local authorities and establish consistent standards to make transport easier, cleaner and smarter than ever before. It supports its aspirations to deliver a safe, efficient, cost-effective and sustainable transport system for all.

1.2 The Bill is divided into six Parts:

- **Part 1: Low emission zones;**

A low emission zone scheme is a scheme under which individuals driving vehicles which fail to meet specified emission standards will be prohibited from driving those vehicles in contravention of the terms of the scheme within a designated geographical area.

- **Part 2: Bus services;**

This breaks down into four sub-topics which provide new powers to local transport authorities to better manage local bus services:

- Provision of local services by local authorities;
- Bus services improvement partnerships;
- Local services franchising;
- Information relating to services.

- **Part 3: Ticketing arrangements and schemes;**

Makes changes to the existing legislation in the 2001 Act about ticketing arrangements and ticketing schemes for bus travel, including:

- extending the arrangements and schemes to include certain connecting rail and ferry services;
 - gives the Scottish Ministers the power over technology standards and smart ticketing arrangements;
 - sets up a National Smart Ticketing Advisory Board;
- **Part 4: Pavement parking and double parking;**
The Bill proposes to introduce a national ban on pavement (footway) parking and double parking in Scotland. The ban is aimed at promoting, supporting and advancing the rights of pedestrians to ensure that pavements and roads are accessible for all. However, local authorities will have the scope to promote exemptions to the footway parking ban, but there will be strict criteria that must be met which will be defined in the Parking Standards, currently being developed in collaboration with Transport Scotland's Parking Standards Group. The Bill will also provide powers to local authorities to enforce the new parking restrictions and enable local authorities without decriminalised parking enforcement to engage with third parties to enforce the restrictions on their behalf.
 - **Part 5: Road works;**
Provides new powers to the Traffic Commissioner and imposes the same duties on local roads authorities working in the road as have been imposed on private undertakers under previous legislation. This opens the authority to inspection and possible fines for non-compliance. It also introduces measures to make road works safer through better identifying competent supervisors and operatives and requires undertakers to provide more information on the timing of their works and the quality of the materials used.
 - **Part 6: Miscellaneous and general.**
Adjusts the basis on which Transport Partnerships are funded and makes other minor amendments.
- 1.3 The Scottish Parliament's Rural Economy & Connectivity Committee has published an online survey 'Call for Views', advising 28 September 2018 as the submission date for responses on the Transport (Scotland) Bill.
- 1.4 SPT will be responding on behalf of the Council to parts 2 and 3 of the Bill, informed by the comments provided to them as outlined in section 3.4 to 3.5 of this report.

2 Recommendations

It is recommended that the Infrastructure, Land and Environment Policy Board

- 2.1 Approves the Council's submission on Parts 1, 4, 5 and 6 to the Rural Economy & Connectivity Committee's online survey (Appendix A).
- 2.2 Notes that SPT will be responding on behalf of the Council to section 2 and 3 of the Bill, with this response being informed by the comments outlined at 3.4 to 3.5 of this report.
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3 Background, to Proposed Response

- 3.1 On 8 June 2018, the Transport (Scotland) Bill was introduced in the Scottish Parliament and was published on 11 June 2018. The Bill reflects a period of significant public consultation and engagement and brings together a series of measures to improve different aspects of Scottish transport. The Bill takes forward a number of Scottish Government commitments from its 2017-18 Programme for Government.
- 3.2 The Rural Economy & Connectivity Committee has now launched an online survey 'Call for Views' on the Bill with a deadline of 28 September 2018. The Council's proposed responses are included at Appendix A to this report.

3.3 Part 1 Low Emission Zones

- (a) Part 1 of the Bill introduces the concept of low emission zones. A low emission zone prohibits individuals driving vehicles which fail to meet specified emission standards within a designated geographical area. Where a person breaches this rule, a penalty charge will be payable unless the vehicle is exempt. Exemptions will be set out in regulations but are likely to include emergency service vehicles. Scottish Ministers decide the exemptions and set the charges. The scheme itself may also make provision for the local authority operating the scheme to grant exemptions in certain circumstances.
- (b) The Scottish Government published its air quality strategy: Cleaner Air for Scotland- The Road to a Healthier Future in November 2015 which included proposals for Local Authorities to consider utilising vehicle access restriction schemes where traffic has been identified as the main contributor to poor air quality. This includes Low Emission Zones. The first Low Emission Zone is currently being implemented in Glasgow City Council.

Considerations for Renfrewshire

- Within Renfrewshire, there are currently three Air Quality Management Areas in Paisley, Renfrew and Johnstone Town Centres. Based on current understanding of these areas, it is not expected that a vehicle access restriction scheme, such as a Low Emission Zone would be appropriate to address pollutant levels within these areas. However, a screening exercise, which will be undertaken this year, will confirm whether this is the case. The outcome of this screening exercise will be reported a future meeting of the Infrastructure, Land and Environment Policy Board.
- It enables the creation and civil enforcement of Low Emission Zones (LEZs) by Local Authorities and allows the Scottish Government to set consistent standards for emissions, penalties and certain exemptions from such zones. The most polluting vehicles would be banned from entering a LEZ during its hours of operation. Any banned vehicles entering a LEZ would be subject to a penalty charge, with enforcement carried out using Automatic Number Plate Recognition (ANPR) cameras - technology currently used for bus lane, red light and speed limit

enforcement.

- If there is to be a wide roll out of LEZs the funding requirements for both vehicle owners, residents, businesses and Local Authorities need to be considered. For the Council this would be the ANPR and associated enforcement resource.

3.4 Part 2 Bus Services

- (a) Part 2 of the Bill deals with local bus services. This breaks down into four sub-topics:
- Provision of local services by local authorities;
 - Bus services improvement partnerships;
 - Local services franchising;
 - Information relating to services.
- (b) Most bus services in Scotland are provided by bus operators on a commercial basis, though they are subject to regulation to ensure that vehicles meet safety and environmental standards, that operators and drivers are suitably qualified and comply with their legal obligations, that services are operated punctually and reliably and that accurate passenger information is made available.
- (c) A significant minority of services that would not otherwise be viable receive additional financial support from local transport authorities (SPT) to meet social needs in line with their local transport strategies and plans. In some instances, especially where patronage would be too low to justify conventional scheduled bus services, authorities (SPT) provide demand responsive or dial ride services using a mix of providers.

3.4.1 The Provision of Local Services by Local Authorities

- (a) Provision of local services by local authorities - The Transport Act 1985 deregulated bus services in the UK, moving from council-run buses to an open commercial market. The Bill introduces a new exemption into the 1985 Act, which enables councils to decide to run local services themselves (or by means of a company formed by them) in those situations where they think action needs to be taken to meet a local service requirement. However, if commercially operated services are operating without subsidy, the council cannot compete with them. This is an alternative approach to providing a subsidised service that is open to the authority, in order to secure provision of services in satisfaction of its duty.

Considerations for Renfrewshire

- Councils in the SPT area do not benefit from this new power because SPT already has a similar power which it uses it on behalf of its partner authorities to fill the gaps left by the withdrawal of services considered unprofitable by their private operator. The Bill does not allow local authorities to take over the whole bus operation in its area. It only gives them the ability to run services which

private operators have chosen not to run because they are not profitable.

3.4.2 Bus services improvement partnerships (BSIP)

- (a) The Bill introduces an updated quality partnership model for how local transport authorities (SPT) in partnership with Renfrewshire Council can work with operators to improve the quality and efficiency of local services.
- (b) BSIPs involve local transport authorities formulating a plan (called a partnership plan in the Bill) with the operators in their area and then deciding on how best to implement it through supporting schemes (partnership schemes).
- (c) Partnership plans must also make provision for obtaining the views of those in the community using the local services about how well those services are working and make provision for when it is to be reviewed.
- (d) Failure to comply with the operational service standards of the scheme can lead to an operator being deregistered as an operator of a local service.

Considerations for Renfrewshire

- When introduced by the Transport (Scotland) Act 2001, Quality partnerships were not taken up to any large extent. Quality contracts (a form of franchising) were not taken up at all. Bus operators found the terms of Quality partnerships unattractive. The proposed 'Bus services improvement partnership' is an amended Quality partnership which provides authorities with control over service frequency and fares which was not available before. It is unlikely to gain support from bus operators because it dictates the very metrics which the bus operator depends on to make a profit. The complex rules around its introduction and maintenance are equally likely not to appeal to local transport authorities either. Local bus operators can object to the scheme which will also be subject to a competition test.

3.4.3 Local services franchising

- (a) The Bill introduces the option to enable a local transport authority (SPT) to create and operate local bus services under a franchising model. The franchising model adopted is an update on the Quality Contract approach of the 2001 Act.
- (b) A franchising framework may be made in respect of the whole or any part of the local transport authority's area. Those operators who do enter into franchise agreements to provide services within the scheme will therefore have the exclusive right to operate the local services specified in their agreement.
- (c) The local transport authority will be required to carry out a comprehensive assessment of the suitability and viability of adopting the proposed model before it is adopted. The financial implications of any proposed framework must be independently audited and an independent panel appointed by the Traffic

Commissioner must approve the making of the framework. Local services frequently cross between the areas of local transport authorities.

- (d) Once a local transport authority has made a franchising framework, it may start to enter into franchising agreements for the provision of local services under the framework. This process is governed by the procurement requirements set out in both EU legislation and domestic law. Operators who enter into franchise agreements may be paid for providing the services or indeed may pay for the opportunity to provide them. This reflects that in different prevailing market conditions it may be necessary to pay operators and in others that the profitability is such that operators will pay for the exclusive right to provide them.
- (e) Local transport authorities must prepare a detailed assessment of the proposed franchising framework. A local transport authority must prepare an annual report on the effectiveness of the franchising framework on the anniversary of its introduction.

Considerations for Renfrewshire

- The Bill's provisions make franchising an option for any transport authority to pursue should they see fit. A franchising framework under the Bill will have the effect of displacing the standard arrangements for providing local services within the framework area and will prevent operators from providing services in the area otherwise than under a franchise agreement. A franchising framework may be made in respect of the whole or any part of the local transport authority's area. Those operators who do enter into franchise agreements to provide services within the scheme will therefore have the exclusive right to operate the local services specified in their agreement.

3.4.4 Information relating to services

- (a) The Bill inserts provisions to enable any affected authority to obtain specific service information from an operator who proposes to vary or cancel the registration of a local service and, in limited circumstances, share it with other people who may wish to bid to provide a similar service to the one being withdrawn or varied. Where an operator does not provide the information (or does not provide it timeously) the Scottish Traffic Commissioner will be able to impose a financial penalty on the operator.
- (b) These new powers to obtain and share information are designed to facilitate more effective competition in the bus market.

Considerations for Renfrewshire

- The proposals enable the local transport authority (SPT) to obtain information about a service which is about to be withdrawn by the operator. This information will enable the local authority to better understand why services have been withdrawn to seek suitable commercial or subsidised alternatives.

3.5 Part 3 Ticketing Arrangements and Schemes

- (a) The Bill makes changes to the existing legislation in the 2001 Act about ticketing arrangements and ticketing schemes for bus travel. In particular it:
- extends these arrangements and schemes to include certain connecting rail and ferry services;
 - gives the Scottish Ministers the power to set a national technological standard for the implementation and operation of smart ticketing arrangements;
 - sets up a National Smart Ticketing Advisory Board;
 - makes changes to what a ticketing scheme can include and the process for making one;
 - requires local transport authorities to produce annual reports on ticketing arrangements and schemes; and
 - gives the Scottish Ministers the power to direct a local transport authority to make or vary a ticketing scheme.

Considerations for Renfrewshire

- The changes should speed up the introduction of through-ticketing (the ability to use a single ticket on a variety of transport modes run by different operators) and the ability to use smart card or phone apps for this purpose. This ability has been available for some time in London and other metropolitan areas of England and is available on Scotrail and Glasgow Underground services, by virtue of SPT's Bramble smartcard.

3.6 Part 4 Pavement Parking and Double Parking

Pavement Parking prohibition

- (a) This Part of the Bill makes provision prohibiting parking on pavements (footways and footpaths) and double parking (defined as parking more than 50 cm away from the edge of a carriageway). This replaces the need for each local authority to introduce pavement parking restrictions via Traffic Regulation Orders.
- (b) The new duties will require local authorities to assess if necessary, what footways should be exempt from the national prohibition on pavement parking, in accordance with directions to be given by the Scottish Ministers to local authorities.
- (c) The Bill (and regulations to be made under it) provide for enforcement of the new restrictions to be undertaken by local authorities. The Bill confers on local authorities the power to impose penalty charges.

- (d) The Bill provides that a local authority may allow parking on the footway by making an exemption order, as long as the footway or the carriageway with which the footway is associated, has the characteristics that are specified in a direction yet to be given by the Scottish Ministers.

Double Parking prohibition

- (e) A person must not park a motor vehicle in such a way that no part of the motor vehicle is within 50 cm of the edge of the carriageway

Enforcement of parking prohibitions

- (f) A penalty charge is payable where a person parks a motor vehicle in contravention of the pavement parking prohibition or the double parking prohibition.
- (g) The parking prohibitions do not apply in circumstances such as:
- the purposes of the emergency services,
 - road works,
 - the removal of an obstruction to traffic,
 - the collection of waste by or on behalf of a local authority,
- (h) The Bill confers power on a traffic authority to install cameras to enforce the prohibition and to remove vehicles parked contrary to the prohibition from street to street, and to dispose of the vehicle if necessary.

Considerations for Renfrewshire

- While the Bill saves the Council the expense of making TROs to ban parking on all its footways, the Council will still need to promote exemption TROs for all the footways where it wants to allow footway parking because the road is not wide enough to accommodate parking demand and vehicles traveling down narrow streets. However, the direction from Scottish Ministers on the character of roads allowed to be exempted is still unspecified.
- There is likely to be a high demand from residents for the rapid promotion of TROs in their area which will require the provision of adequate Council resources to satisfy. The cost to the Council of investigating streets suitable for exemption and promoting the associated TROs. In addition, the Council will have ongoing maintenance costs for the renewal of signs and lines in Exempt Areas and an increased workload for its parking attendants. The resource implications for this section of the Bill have the potential to be significant for the Council should funding not support this section of the Bill.

3.7 Part 5 Road Works and the Scottish Road Works Commissioner

- (a) Although the Scottish Road Works Commissioner has the power to require roads authorities, undertakers and road works authorities to provide certain

information, the Commissioner currently has no general inspection function and therefore no independent means of establishing levels of compliance with road works obligations. The Bill addresses this by inserting a number of new sections into the 2005 Act, under which the Commissioner will be able to establish the facts in relation to specific instances of suspected non-compliance and to monitor levels of compliance by roads authorities and undertakers more generally.

- (b) The Bill introduces a new concept of compliance notices into the 1991 Act, which will allow the Commissioner to intervene where a person such as an undertaker, road works authority or roads authority fails in the carrying out of their duties. It will also allow the Commissioner to intervene in a way designed to resolve the problem which has arisen, rather than the person merely being issued with a fine.
- (c) The Bill establishes the concept of a compliance notice (a notice requiring someone to take the steps set out in it in order to address their breach of a duty) and sets out the duties in respect of which such a notice may be issued.

Considerations for Renfrewshire

- The extra powers provided to the Traffic Commissioner will make road works safer and will help guarantee the quality of reinstatements. The new powers enable the Traffic Commissioner to impose the same duties on local roads authorities working in the road as have been imposed on private undertakers under previous legislation. This exposes the authority to inspection and possible fines for non-compliance. For Renfrewshire we do not see this as placing extra measures on the authority as all road works are conducted to the standards we expect contractors and utilities to comply with at present.
- It also introduces measures to make road works safer through better identifying competent supervisors and operatives and requires undertakers to provide more information on the timing of their works and the quality of the materials used. These measures are welcomed as it focuses on the quality of works undertaken to improve road reinstatements and resurfacing.

3.8 Part 6 Miscellaneous and General

Regional Transport Partnerships: finance – section 69

- (a) Section 69 of the Bill amends section 3 of the Transport (Scotland) Act 2005 to adjust the basis on which Transport Partnerships are funded, and allows:
 - Partnerships to carry surplus funds between years,
 - Partnerships to hold and operate capital funds in a similar way to Councils, and
 - Partnerships the power to borrow and lend money and to operate a loan fund.

Considerations for Renfrewshire

- The Council is supportive of the proposal. It gives Regional Transport Partnerships (SPT) the same flexibility to manage financial risks through the building up and use of reserves in the same way that Councils do. It removes the risk of councils having to fund an in-year RTP overspend. The proposal provides RTPs with powers which probably should have been made available when they were set up.

Implications of the Report

1. **Financial** – Although the Bill is at an early stage of development there will be an associated financial impact on the Council if the Bill proceeds in its current format. There is limited detail on whether additional funding will be provided to local authorities to introduce the relevant parts of the Bill.
2. **HR & Organisational Development** – None
3. **Community Planning** – None
4. **Legal** - None
5. **Property/Assets** – None
6. **Information Technology** - None
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None
9. **Procurement** – None
10. **Risk** – None
11. **Privacy Impact** – None
12. **CoSLA Policy Position** – None

List of Background Papers - None

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Transport (Scotland) Bill Online Survey

Transport (Scotland) Bill

What is this?

A short survey by the Scottish Parliament's Rural Economy and Connectivity Committee to gather the views of individuals and organisations on the proposals in the Transport (Scotland) Bill.

Why should I respond?

The proposals in the Transport (Scotland) Bill would change the way streets, buses, public transport ticketing and roads works are regulated, including:

- establishing a system for the creation and operation of low emission zones, which may prohibit older vehicles from entering a zone
- changing how bus services are managed and provided
- updating arrangements for the management of public transport ticketing schemes
- creating a prohibition on parking on the pavement and double parking
- improving co-ordination of road works and enforcement of quality standards for road reinstatements

These changes will impact on many people's daily travel choices and the Committee wants to hear your views on these proposals.

How do I find out more about the Transport (Scotland) Bill?

You can find the Bill and associated documents by [clicking or tapping here](#).

I am only interested in part of the Bill

No problem. Feel free to skip any questions that do not interest you. However, you must complete the survey for your answers to be considered - make sure you click or tap on the "Finish Survey" icon on the last page.

Nice to know

You will not be asked to provide your name or any personal information. Your response will be held securely and will only be viewed by researchers at the Scottish Parliament Information Centre. Individual responses will not be published, but a summary setting out key themes we find from looking at all of the responses will be.

You can find more on how we handle the information you provide in our [Privacy Policy](#).

The survey will close at 1200 on Friday 28 September.

Low Emission Zones

Part 1 of the Bill enables the creation, and civil enforcement, of Low Emission Zones (LEZs) by local authorities and allows the Scottish Government to set consistent standards for emissions, penalties and certain exemptions from such zones.

The most polluting vehicles would be banned from entering a LEZ during its hours of operation. Any banned vehicles entering a LEZ would be subject to a penalty charge, with enforcement carried out using Automatic Number Plate Recognition (ANPR) cameras - technology currently used for bus lane, red light and speed limit enforcement.

The Bill would grant Scottish Ministers the power to approve all LEZs and to set national rules for their operation. Do you support or oppose these proposals? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Scottish Ministers must approve all LEZ proposals		✓				
Scottish Ministers' will have the power to specify certain types of vehicle that will be exempt from any LEZ scheme, e.g. emergency service vehicles		✓				
Scottish Ministers' will be able to order a Council to review a LEZ and direct it to implement changes following that review		✓				

The Bill would grant Councils the power to set the rules governing the operation of individual LEZs. Do you support or oppose these proposals? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Councils must specify a grace period of between 2 and 6 years for residents (1 -4 years for non-residents) following the introduction of a LEZ, during which penalties will not be levied		✓				
Councils will be able to suspend a LEZ for an event, held in or near the zone, that it considers to be of national importance		✓				
Councils can grant exemptions from LEZ requirements for individual vehicles, or types of vehicle (up to one year)		✓				

How might the LEZ proposals in the Bill be improved? Please summarise any suggested improvements that you would like to see made in the box below:

Renfrewshire Council has identified a potential consequence of drawing less polluting buses in an operator's fleet towards the routes which cross the future LEZ in Glasgow. Older and more polluting buses may be used on other routes, adversely affecting the air quality in other local authority areas where screening has proved there is no present requirement for a LEZ. Measures should be put in place to protect local authorities from this effect.

Buses

Part 2 of the Bill provides local transport authorities with powers to improve **local bus service** provision through statutory partnership working with bus operators, the creation of local bus service franchises and the ability to operate services themselves - where these are not in competition with commercially operated services.

Part 2 gives Scottish Ministers powers to make regulations setting out what service and timetable information bus operators must make available to passengers and local transport authorities.

The Bill would provide Councils with the following powers, aimed at improving local bus services. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly Oppose	No opinion
Provide bus service(s) where no commercial service is provided						
Work in a formal partnership with commercial operators to improve services						
Specify all aspects of local bus services, which will be provided by commercial operators following a tendering exercise						

The Bill would require bus operators to share information on routes, timetables and actual running times with third parties - to make it easier for passengers to know when their bus will arrive and how much it will cost.

How best could your Council or bus operator improve the ways it provides timetable and route information? (Please put the following options in an order were 1 is your favourite idea and 5 is your least favourite)

<input type="text"/>	Bus operator website
<input type="text"/>	Bus operator app
<input type="text"/>	Bus stop real-time displays
<input type="text"/>	Bus stop paper timetables
<input type="text"/>	Paper timetables

Do you think the proposed changes to bus regulation in the Bill could be improved? If so, could you briefly summarise the changes you would like to see made in the box below:

Renfrewshire Council has contributed to Strathclyde Partnership for Transport's joint response to the Call for Views as set out in Sections 3.4 to 3.5 of the report.

Smart Ticketing

Part 3 of the Bill would create a national technological standard for **smart ticketing** and provide local transport authorities with further powers for smart ticketing arrangements and schemes.

Smart ticketing is the name given to a system where an entitlement to travel (or ticket) is stored electronically rather than being printed on a paper ticket. Most smart ticketing schemes store payment and ticket data on a smartcard, such as London's Oyster card.

Do you support or oppose the following? (which are all proposed in the Bill)

	Support	Oppose
National technological standard for smart ticketing		
National Smart Ticketing Advisory Board		
Requirement for local authorities to produce annual reports on use of ticketing powers		
Power for Scottish Ministers to direct local authorities to implement ticketing schemes		

What are the reason(s) behind your answers above?

Renfrewshire Council has contributed to Strathclyde Partnership for Transport's joint response to the Call for Views as set out in Sections 3.4 to 3.5 of the report.

Pavement parking and double parking

Part 4 of the Bill would prohibit **double parking and parking on the pavement**, subject to a number of exemptions.

Do you support or oppose the proposed prohibitions on:

	Support	Oppose
Pavement parking	<input checked="" type="radio"/>	<input type="radio"/>
Double parking	<input checked="" type="radio"/>	<input checked="" type="radio"/>

What are the reason(s) behind your answers above?

Despite drivers', no doubt good intentions of keeping the carriageway clear, this disadvantages pedestrians by obstructing the footway. This may result in pedestrians access the road to manoeuvre past vehicles.

The Bill proposes a number of exemptions to the prohibition on pavement parking and double parking. These are:

- **Emergency service vehicles responding to an incident**
- **Vehicles used in undertaking road works**
- **Bin lorries**
- **Postal service vehicles**
- **Vehicles used by medical practitioners responding to an incident**
- **Vehicles being used for deliveries**
- **Vehicles in a parking place**
- **Vehicles parked at the direction of a police officer**
- **Vehicles parked for the purpose of saving a life/similar emergency**
- **Vehicle parked to provide roadside assistance**

It is worth noting that the Bill requires vehicles that benefit from an exemption to only use it where it is unavoidable and for the shortest time possible to complete the task in hand (with a limit of 20 minutes on vehicles being used for deliveries).

Overall, do you support or oppose the proposed exemptions? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
Overall view of proposed exemptions	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any concerns about the proposed exemptions, or wish to see additional exemptions added? If so, please briefly summarise what change(s) you would like to see made and why you think these are necessary.

Is it very often the weight of HGVs which damages footways and presents an unnecessary maintenance cost. Legislation should minimise the type and frequency of large vehicles can park on pavements. These vehicles also if allowed to park may create double parking problems.

The exemptions would also need to be enforceable. This may present practical difficulties if these vehicles are unmarked.

The Bill would allow local authorities to exempt any footway from the prohibition on pavement parking, as long as it has had regard to any guidance issued by Scottish Ministers. Do you support this proposal?

- ☒ Support
- ☐ Oppose

What are the reason(s) behind your answer above?

On the assumption the guidance was flexible to local circumstances as local authorities must be given the power to address location specific for exemptions as they see fit. There is further detail required around the traffic regulation order process to introduce and remove exemptions and the associated timescales for doing so. It is anticipated that to introduce, maintain and enforce exemptions will place additional funding requirements on local authorities.

Road Works

Part 5 of the Bill would strengthen the role of the Scottish Road Works Commissioner and improve the regulation of **road works**.

The Scottish Road Works Commissioner is an independent public official who aims to improve the planning, co-ordination and quality of road works throughout Scotland. The Commissioner monitors performance and promotes and encourages good practice across both utility companies and roads authorities. The Commissioner has powers to impose financial penalties on roads authorities who systematically fail in their duty to co-ordinate roadworks and on utility companies who systematically fail to co-operate when undertaking road works.

The Scottish Road Works Commissioner is NOT responsible for works being undertaken in roads on Scotland - which rests with local authorities, utility companies and their contractors. **The Bill would give the Scottish Road Works Commissioner, and Commission staff appointed as inspectors, the power to inspect roads works, documents etc. to establish the facts in possible cases of non-compliance with road works related legislation that falls within the Commissioners remit.**

The Bill would grant the Commissioner, and Commission staff, new powers to investigate and take enforcement action against organisations that failed to comply with statutory road works requirements.

Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
Inspection power	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Power to issue compliance notices	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Power to issue fixed penalty notices for non-compliance	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Requirement to provide annual reports to Scottish Ministers on use of powers	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Given that Local Authorities have responsibility for safety at roadworks on the public road network, proposed extra powers provided to the Traffic Commissioner would be supported by Renfrewshire Council as they could only make road works safer.

The Bill would create place new duties/requirements on those undertaking road works on behalf of a local authority. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No Opinion
New statutory duty on local authority road works to meet fencing and lighting requirements	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ministers can issue a code of practice for safety at local authority road work sites	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
New statutory requirement for local authority road works to be supervised by a suitably qualified person	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Renfrewshire Council would strongly support the requirement for Local Authority works to be supervised by a suitably qualified person. This should be a requirement for any works on the public road and not just local authorities.

The Bill would create place new duties/requirements on those undertaking road works. Do you support or oppose these powers? Please choose the option which most closely matches your opinion.

	Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
New requirement for actual commencement and completion date notices to be placed in the Road Works Register within a prescribed period	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	No opinion
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Anyone undertaking road works, or works to a road (except roads authorities) must have either a site specific, or general road reinstatement quality plan in place	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
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Do you have any comments or concerns about these proposed powers? If so, can you briefly summarise them below?

Renfrewshire Council would strongly support any measures that would improve efficiencies in the road works register and on the public road.

Scottish Canals/Regional Transport Partnership finance

Part 6 of the Bill would give Regional Transport Partnerships more financial flexibility and allow Scottish Ministers to vary the membership and structure of the Scottish Canals Board.

The Bill would allow a Regional Transport Partnership to establish:

- **A capital fund**
- **A renewal and repair fund**
- **An insurance fund**

Do you support or oppose these proposals?

- ☒ Support
- ☐ Oppose

What is the reason for your answer?

Renfrewshire Council is supportive of the proposal. It gives Regional Transport Partnerships the same flexibility to manage financial risks through the building up and use of reserves in the same way that local authorities can.

The Bill would expand the size of the Scottish Canals board, increasing the number of members appointed by Scottish Ministers from "between one and four" to "at least 4 but no more than 9". The aim being to allow the appointment of members with a wider range of skills and experience than at present. Do you support or oppose this proposal?

- ☒ Support
- ☐ Oppose

What is the reason for your answer?

Anything else

Do you have any other comments about the Bill, particularly any changes you would like to see made. If so, please briefly summarise these in the box below.

No further comment