

**To: Infrastructure, Land and Environment Policy Board**

**On: 30 August 2023**

---

**Report by: Director of Environment, Housing and Infrastructure**

---

**Heading: Transport Scotland Act (2019) Update**

---

## 1. Summary

1.1 The Transport (Scotland) Act 2019, which received royal assent on 15 November 2019, contained a number of key provisions on improvements to transport arrangements in Scotland across a number of distinct key areas, including;

- **Public Transport Provision** – There are provisions within the act for local authorities to consider the operation of bus services or investigate franchising models. The Act also allows local transport authorities to form a Bus Services Improvement Partnership (BSIP) with bus operators within their area.
- **Low Emission Zones** – Local authorities were provided with the legal basis to allow the introduction and civil enforcement of low emission zones.
- **Pavement Parking** – The Act also introduced the statutory framework for a national ban on pavement parking, double parking and parking at dropped kerbs.
- **Workplace Parking Levy** – Part 7 of the Act introduced a discretionary workplace parking licensing (WPL) power available to local authorities. It is for each local authority to decide whether they wish to use that power and to shape proposals to suit local circumstances.
- **Smart ticketing** – The Act offers provisions to enable the Scottish Ministers to introduce a national technical standard for smart ticketing, aimed at addressing the inconsistent approaches to smart ticketing to date.

- **20mph Zones** – Not strictly included in the Transport Scotland Act but a recent funded data gathering exercise by Transport Scotland to assess the feasibility of converting all Scotland's urban 30mph streets to 20mph.
- 1.2 Smart ticketing is an area for SPT, and Low Emission zones and the Workplace Parking Levy are not being considered by Renfrewshire Council at this time.
  - 1.3 This report updates Members on the work officers have been progressing on the remaining opportunities afforded by the Act to local authorities on Bus Service provision, the Pavement Parking Ban and 20mph speed limit zones.
  - 1.4 Officers from Environment, Housing and Infrastructure have been involved in a number of these key workstreams as local authorities work to implement the provisions of the Act, where the relevant guidance and associated regulations have been enacted.
  - 1.5 This report provides an overview of progress with each of the topic areas within the Transport (Scotland) Act 2019 and what the relevant next steps are for each area.
- 

## **2. Recommendations**

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

- 2.1 Notes that regular progress updates will be brought to future meetings of the Infrastructure, Land & Environment Policy Board.
- 

## **3. Background**

- 3.1 Transport (Scotland) Act 2019, which received royal assent on 15 November 2019, contained a number of key provisions on Low Emission Zones, Bus Services, Smart Ticketing, Pavement Parking and Workplace Parking Levy. Smart ticketing is an area for SPT and Low Emission zones and the Workplace Parking Levy are not being considered by Renfrewshire Council at the current time. This report updates Members on the work officers have been progressing on the remaining opportunities afforded by the Act to local authorities on Bus Service provision, the Pavement Parking Ban and 20mph speed limit zones.

## **4. Public Transport Provision**

- 4.1 The provisions which are detailed within the Act relating to public transport provision are much longer-term aspirations and cannot be progressed at the current time without appropriate accompanying legislation and guidance to implement the main aspects.
- 4.2 Whilst the options to consider public ownership and franchising models are positive, there is not enough detail or associated guidance for local authorities to make any progress with these agendas until there is the necessary guidance in place to highlight how this could take place.

- 4.3 One of the other aspirations is the formalising of partnerships with Bus Operators through Bus Service Improvement Partnerships and the Council has made a positive start in this area with our joint working with the Glasgow City Region Bus Partnership.
- 4.4 Through this collaboration the Council has been awarded £2million in funding to deliver improvements to bus infrastructure in Paisley Town Centre and details of the planned improvements will be shared with members throughout the Autumn period.
- 4.5 In addition to these planned improvements the Council's Leadership Board approved a review of Renfrewshire's public transport provision, including the role that community transport operators could play in the public transport offering. Officers have conducted a number of visits to community transport operators and have engaged with SPT to conduct analysis of the current public transport network to identify gaps in existing provision.
- 4.6 Council officers have commenced discussions with the other Glasgow City Region authorities in the initial scoping of what a Bus Service Improvement Partnership (BSIP) would look to deliver. A report will be brought back to a future Board meeting for authorisation to enter into a BSIP should that be the position recommended by officers.

## **5. Pavement Parking Ban**

- 5.1 Since the introduction of the Act, parking on the pavement has been prohibited. However, secondary legislation to make the prohibition enforceable is still awaited. The first step towards this involves local authorities being given powers to make exemption orders, specifying certain footways to which the pavement parking prohibition does not apply. This is necessary where the demand for on-street parking is high, the roads are narrow and there are no available car parks for private car owners, such as tenement flats in town centre locations.
- 5.2 A tender for a consultant to assess all of Renfrewshire's roads for those which may be eligible for exemption from the ban was issued to consultants on Scotland Excel's framework contract and awarded in early August. The project also makes an estimation of the cost of introducing the necessary traffic order and all its signs, plus the cost of mitigation measures among other things, to alter pavements to maximise the available parking space by best use of the width of the road. The project is expected to last 12 months after which point all of the pavements in Renfrewshire will have been assessed with a view to implementation in 2025.

5.3 The first set of Regulations relating to the Exemption Order Procedure was laid and came into force in December 2022. Ministerial Directions and Pre-Implementation Guidance were also issued to local authorities in December 2022. Transport Scotland and its Parking Standards Advisory Group are now working on Parking Standards Guidance to allow enforcement by local authorities. Discussions are also ongoing between Transport Scotland and COSLA in relation to further future funding for both road assessments and implementation of exemptions. Officers have recently returned a consultation on Enforcement Regulations for Local Authorities with comment on the proposed way in which offences will be defined and Penalty Charge Notices administered. The responses received will help develop the secondary legislation that will underpin the pavement parking prohibitions but Transport Scotland has not released any dates for the publication of this secondary legislation.

## 6. 20 MPH Zones

6.1 Another project that is complementary to the Transport Scotland Act is Transport Scotland's proposal to convert all Scotland's urban 30mph streets to 20mph. Transport Scotland have provided funding for Councils (£75,000 for Renfrewshire) to assess their road network for areas that may be suitable for 20mph zones. To allow Transport Scotland to review an overall national position, the Council returned information in March 2023 identifying areas of our road network where 20mph zones would not be possible. The default position adopted is that 20mph zones should be adopted unless there is a justifiable evidence-based position that suggests otherwise. We await Transport Scotland's decision on next steps and funding prior to moving forward with implementation plans.

6.2 The Council's proposal to convert its advisory 20mph speed limits to mandatory ones has passed through its first stage traffic order consultation. Comments have been received and responded to. Before moving to the next step of promoting the public consultation with notices online, in the press and on-street, we await Transport Scotland's decision on funding to see if this work may benefit from being included in the national effort.

---

## Implications of this Report

1. **Financial** – Capital funding has been provided for infrastructure improvements from Transport Scotland Bus Partnership Funding. Scottish Government have provided funding for the Policy Development of Pavement Parking and 20mph zones. We await news on funding for the implementation aspects of the Pavement Parking Ban and 20mph zones.
2. **HR and Organisational Development** – none

3. **Community Planning**

**Our Renfrewshire is thriving / Reshaping our place, our economy and our future** – By continuing to support public transport improvements we will continue to facilitate access to employment and economic growth.

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 and Safety** – none.

9. **Procurement** – none.

10. **Risk** – none.

11. **Privacy Impact** – none.

12. **Climate Risk** - Supporting the delivery of public transport infrastructure and striving for an increase in bus patronage will contribute to the Council's Net Zero ambitions by reducing journeys made by private car.

---

**List of Background Papers**

- none

---

**Author** Gordon McNeil, Director of Environment, Housing & Infrastructure  
**e-mail:** [gordon.mcneil@renfrewshire.gov.uk](mailto:gordon.mcneil@renfrewshire.gov.uk)