

## **SOUTH WEST OF SCOTLAND TRANSPORT PARTNERSHIP**

**Meeting of Friday, 24 January 2020 at 10.30am, Cargen Tower,  
Garroch Business Park, Dumfries, DG2 8PN**

### **Members of the Board**

|                                  |                                 |
|----------------------------------|---------------------------------|
| <b>Andrew Wood</b> (Chair)       | - Dumfries and Galloway Council |
| <b>David Bryson</b> (Vice-Chair) | - NHS Dumfries and Galloway     |
| <b>Richard Brodie</b>            | - Dumfries and Galloway Council |
| <b>John Campbell</b>             | - Dumfries and Galloway Council |
| <b>Adam Wilson</b>               | - Dumfries and Galloway Council |
| <b>Ronnie Tait</b>               | - Dumfries and Galloway Council |
| <b>David Rennie</b>              | - Scottish Enterprise           |

### **Future Meetings**

**20 March 2020**

**19 June 2020**

**18 September 2020**

**Douglas Kirkpatrick**

Lead Officer, South West of Scotland Transport Partnership

## SOUTH WEST OF SCOTLAND TRANSPORT PARTNERSHIP

Meeting of Friday, 24 January 2020 at 10.30am, Cargen Tower,  
Garroch Business Park, Dumfries, DG2 8PN

1. **SEDERUNT AND APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF MEETING ON 13 DECEMBER 2019 – FOR APPROVAL**
4. **BOARD MEMBERSHIP UPDATE – LOCAL ENTERPRISE AGENCY -**  
Recommendation – note that on 8 January 2020 approval was received from the Cabinet Secretary for Transport, Infrastructure and Connectivity for the appointment of David Rennie to the SWestrans Board.
5. **REVENUE BUDGET MONITORING REPORT 2019/2020 FOR THE PERIOD ENDING 31 DECEMBER 2019** – Recommendation - note the forecast outturn for the revenue budget as at 31 December 2019.
6. **CAPITAL EXPENDITURE PROGRAMME 2019/20 TO 2021/22 - UPDATE –**  
Recommendation – note the update provided on progress with the Capital Expenditure Programme 2019/20.
7. **RAIL UPDATE –** Recommendation –note the update on the rail matters.
8. **LOCAL BUS SERVICE – DUMFRIES TO SANQUHAR SUNDAY EVENING JOURNEY -** Recommendation - agree the extension of the Sunday 2030 journey from Dumfries and Galloway Royal Infirmary to Kirkconnel at a daily rate of £21.42
9. **CONSULTATIONS –** Recommendations – (i) note the consultations on the regulations and guidance on Scotland’s Low Emission Zones, and the replacement of European Structural Funds in Scotland post European exit; and (ii) agree to delegate authority to the Lead Officer to sign off the consultation responses, following consultation with the Chair and Vice-Chair.
10. **NORTH CHANNEL PARTNERSHIP -** Recommendation – note the re-establishment of the North Channel Partnership
11. **RISK MANAGEMENT UPDATE -** Recommendations – (i) note the update on the United Kingdom’s exit from the European Union; (ii) agree the Risk Register for 2019/20 included as the appendix; and (iii) note future updates will be presented as appropriate.
12. **ANY OTHER BUSINESS WHICH THE CHAIRMAN MAY DECIDE IS URGENT DUE TO THE NEED FOR A DECISION**

**Agenda**

**Agenda**

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Douglas Kirkpatrick  
Lead Officer  
South West of Scotland Transport Partnership

Claire Rogerson  
Secretary to the Board  
South West of Scotland Transport Partnership

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## SOUTH WEST OF SCOTLAND TRANSPORT PARTNERSHIP

Meeting of Friday 13 December 2019  
at 10.30am, Cargen Tower, Garroch Business Park, Dumfries, DG2 8PN

### Present

### Members

|                               |   |                               |
|-------------------------------|---|-------------------------------|
| <b>Andrew Wood</b> (Chairman) | - | Dumfries and Galloway Council |
| <b>Richard Brodie</b>         | - | Dumfries and Galloway Council |
| <b>John Campbell</b>          | - | Dumfries and Galloway Council |
| <b>Adam Wilson</b>            | - | Dumfries and Galloway Council |

### Officials and Advisers

|                            |   |                             |
|----------------------------|---|-----------------------------|
| <b>Douglas Kirkpatrick</b> | - | Lead Officer                |
| <b>Claire Rogerson</b>     | - | Secretary to the Board      |
| <b>Josef Coombey</b>       | - | Policy and Projects Officer |
| <b>Janet Sutton</b>        | - | Finance Officer             |

### Apologies

|                                     |   |                               |
|-------------------------------------|---|-------------------------------|
| <b>David Bryson</b> (Vice-Chairman) | - | NHS Dumfries and Galloway     |
| <b>Ronnie Tait</b>                  | - | Dumfries and Galloway Council |

### Observers

|  |   |                                |
|--|---|--------------------------------|
| <b>Christopher Bradberry Craig</b><br><b>Graham Whiteley</b> | - | Thornhill Station Action Group |
|--|---|--------------------------------|

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## 1. SEDERUNT AND APOLOGIES

4 Board Members present and 2 apologies.

## 2. DECLARATIONS OF INTEREST

**NONE** declared

## 3. MINUTE OF MEETING OF 20 SEPTEMBER 2019

### Decision

**APPROVED.**

## 4. BOARD MEMBERSHIP UPDATE

An Appendix to the report was circulated at the meeting (**Appendix to minute**).

### Decision

4.1 **NOTED** the update provided on board membership as detailed in paragraphs 3.1 to 3.8 of the report with the membership of SWestrans currently being : Andrew Wood (chair), David Bryson (vice-chair), Richard Brodie, John Campbell, Ronnie Tait, Adam Wilson, Local Enterprise Agency vacancy. Substitutes are Katie Hagmann, Davie Stitt, Ian Carruthers, Jim McColm with a vacancy (conservative group on behalf of the Council).

4.2 **APPROVED** the appointment of David Rennie to the SWestrans Board on behalf of Scottish Enterprise, which was subject to the consent of Scottish Ministers; and

4.3 **AGREED** that the Secretary seeks approval of Scottish Ministers for the appointment of David Rennie to the SWestrans Board.

## 5. REVENUE BUDGET MONITORING REPORT 2019/20 FOR THE PERIOD ENDING 30 NOVEMBER 2019

### Decision

The Board **NOTED** the forecast outturn for the revenue budget as at 30 November 2019.

## 6. CAPITAL EXPENDITURE PROGRAMME 2019/20 to 2021/22 UPDATE

### Decision

The Board **NOTED** the update provided on progress with the Capital Expenditure Programme 2019/20.

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## 7. RAIL UPDATE

### Decision

The Board :

7.1 **NOTED** the update on rail matters;

7.2 **AGREED** to reconvene the Lockerbie Station Liaison Group; and

7.3 **FURTHER AGREED** that the Chair write to Transpennine Express (TPE) regarding concerns over timetable changes, performance issues and communication with customers and that TPE be invited to attend a future meeting.

## 8. CLIMATE CHANGE DUTIES – REPORTING 2018/19

The Board **NOTED**

8.1 the summary provided of the information for inclusion in the 2018/19 Climate Change Duties Report for SWestrans; and

8.2 that officers completed the 2018/19 Climate Change Duties Report for SWestrans and submitted it to the Sustainable Scotland Network by the deadline 30 November 2019.

## 9. CONSULTATION: BIG CLIMATE CONVERSATION – THE ROLE OR PUBLIC SECTOR BODIES IN TACKLING CLIMATE CHANGE.

### Decision

The Board **NOTED** the response to the ‘Big Climate Conversation: The role of Public Sector Bodies in tackling climate change’ consultation as shown in Appendix 2 of the report.

## 10. ANY OTHER BUSINESS WHICH THE CHAIRMAN MAY DECIDE IS URGENT DUE TO THE NEED FOR A DECISION

### Decision

The Board **NOTED** that there was no item of business deemed urgent by the Chairman due to the need for a decision.

**PROCEDURE** - The Board **AGREED** to consider the following items of business in private and exclude the Press, members of the public, observers from the meeting given that the reports contained confidential or exempt information in respect of paragraphs 6,8,9, 10 of Schedule 7A of the Local Government (Scotland) Act 1973.

## 11. LOCAL BUS CONTRACTS

Report summary - This report updated the Board on the outcome of the procurement exercise for the provision of local bus services and sought to agree the award of contracts.

### Decision

The Board:

### **NOTED**

- 8.1 the outcome of the procurement exercise and subsequent negotiation;
- 8.2 the outcome of Dumfries and Galloway Council's Public Transport and Travel Transformation Event; and
- 8.3 **AGREED** the award contracts as shown in Table 2, paragraph 5.2 of the report.

## APPENDIX TO MINUTE - ITEM 4

Report

South West of Scotland Transport Partnership

13 December 2019

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**BOARD MEMBERSHIP UPDATE - APPENDIX****1. Reason for Report**

Further to paragraph 3.6 of the report, this Appendix advises the Board of information received after the papers for this meeting had been issued, regarding the vacancy on behalf of Scottish Enterprise.

**2. Background**

2.1. The Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 Schedule 2 – Constitution and Membership of Partnerships, provides the guidance for membership of the SWestrans Board.

2.2 The guidance provides for Dumfries and Galloway Council to appoint 5 board members and 5 substitute board members. There is provision for two external board members – one from the NHS and one from the local enterprise agency.

2.3 All the positions on the SWestrans Board are excluded positions under the terms of the Gender Representation on Public Boards (Scotland) Act 2018.

**3. Considerations****External Member (Local Enterprise Agency)**

3.1 Following the stepping down of Alistair MacKinnon from the Board, Scottish Enterprise would like to nominate David Rennie, Team Leader, Place Directorate to join the Board of SWestrans. David is local to Dumfries and brings relevant Place based knowledge, and regularly represents Scottish Enterprise on Community Planning Partnership Boards, the South of Scotland Alliance Executive Group, and at the Dumfries & Galloway Economy Leadership Board.

3.2 David Rennie also advises that he is familiar with SWestrans having provided briefings to Alistair McKinnon when he was a Board Member.

3.3 In making this nomination Scottish Enterprise have acknowledged the introduction of South of Scotland Enterprise (SoSE) which will be operational from 1 April 2020. As such, they suggest that their nomination is considered as a temporary arrangement, until such time as SoSE is resourced and able to assume this responsibility. To this end, David Rennie would be able to attend the first two scheduled board meetings in 2020, and a view can be taken in April 2020 in advance of the June meeting.

3.4 Scottish Enterprise have noted that their nomination is subject to approval by both the Board and Scottish Ministers.

3.5 Although excluded under the terms of the act a request was made to Scottish Enterprise to consider the gender representation on the board when making their nomination. They recognise that gender balance is a consideration in this matter but

regret that they are not in a position to suggest an alternative arrangement at this time.

#### 4. Consultations

This is a procedural report and appropriate consultation has been undertaken.

#### 5. Implications

|                        |                                 |
|------------------------|---------------------------------|
| <b>Financial</b>       | No financial implications       |
| <b>Policy</b>          | No policy implications          |
| <b>Equalities</b>      | No equalities implications      |
| <b>Climate Change</b>  | No climate change implications  |
| <b>Risk Management</b> | No risk management implications |

#### 6. Recommendation

Members of the Board are asked to:

6.1 approve the appointment of David Rennie to the SWestrans board on behalf of Scottish Enterprise; and

6.2 agree that the Secretary seeks the approval of Scottish Ministers for the appointment of David Rennie to the SWestrans Board.

Report Author: Claire Rogerson  
Secretary to the Board  
Tel: 01387 260024

Date of Report: 10 December 2019  
File Ref:

Approved by: Douglas Kirkpatrick  
Lead Officer  
South West of Scotland Transport Partnership  
Cargen Tower  
Garroch Business Park  
Dumfries  
DG2 8PN

## BOARD MEMBERSHIP UPDATE – LOCAL ENTERPRISE AGENCY

### 1. Reason for Report

This report provides an update following consideration of the vacancy on behalf of Scottish Enterprise at the 13 December 2019 meeting, when it was agreed that David Rennie would be appointed to the Board subject to ministerial approval.

### 2. Background

2.1. The Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 Schedule 2 – Constitution and Membership of Partnerships, provides the guidance for membership of the SWestrans Board.

2.2 The guidance provides for Dumfries and Galloway Council to appoint 5 board members and 5 substitute board members. There is provision for two external board members – one from the NHS and one from the local enterprise agency.

2.3 All the positions on the SWestrans Board are excluded positions under the terms of the Gender Representation on Public Boards (Scotland) Act 2018.

### 3. Considerations

#### External Member (Local Enterprise Agency)

3.1 Following the approval by the Board, the Secretary wrote seeking ministerial approval for the appointment of David Rennie, Team Leader, Place Directorate, Scottish Enterprise to the SWestrans Board.

3.2 It was stressed in the request that both Scottish Enterprise and SWestrans recognise that this appointment is likely to be on an interim basis pending the full establishment of the new South of Scotland Enterprise Agency.

3.3 On 8 January 2020, confirmation was received that the Cabinet Secretary for Transport, Infrastructure and Connectivity had approved this appointment.

### 4. Consultations

This is a procedural report and appropriate consultation has been undertaken.

### 5. Implications

|                        |                                 |
|------------------------|---------------------------------|
| <b>Financial</b>       | No financial implications       |
| <b>Policy</b>          | No policy implications          |
| <b>Equalities</b>      | No equalities implications      |
| <b>Climate Change</b>  | No climate change implications  |
| <b>Risk Management</b> | No risk management implications |

**6. Recommendation**

Members of the Board are asked to note that on 8 January 2020 approval was received from the Cabinet Secretary for Transport, Infrastructure and Connectivity for the appointment of David Rennie to the SWestrans Board.

Report Author: Claire Rogerson  
Secretary to the Board  
Tel: 01387 260024

Date of Report: 10 January 2020  
File Ref:

Approved by: Douglas Kirkpatrick  
Lead Officer  
South West of Scotland Transport Partnership  
Cargen Tower  
Garroch Business Park  
Dumfries  
DG2 8PN

## REVENUE BUDGET MONITORING REPORT 2019/2020 FOR THE PERIOD ENDING 31 DECEMBER 2019

### 1. Reason for Report

To provide the Board with an update on the Partnership's 2019/20 monitoring and forecast outturn position based on the period ending 31 December 2019.

### 2. Background

The Scottish Government provide revenue funding to SWestrans, with Dumfries and Galloway Council also providing funding. SWestrans requisitions funding from Dumfries and Galloway Council in respect of payments required for public bus service contracts.

### 3. Key Points

3.1 The **Appendix** shows the revenue budget summary for SWestrans. The published expenditure budget for 2019/20 of £4,308,789 was agreed by the Board on 10 March 2019. It is vital to the economic wellbeing of the Partnership and its stakeholders that the financial resources are managed effectively, and expenditure and income is delivered in line with the approved budget.

3.2 This report forms part of the financial governance and stewardship framework, which ensures that the financial position of the Partnership is acknowledged, understood and quantified on a regular basis. It provides assurance to the members of the Board that resources are being managed effectively and allows corrective action to be taken where necessary.

3.3 Board Members will note that based on the financial performance to date, it is forecast that a balanced budget will be delivered.

### 4. Consultations

The Proper Officer has been consulted and is in agreement with its terms.

| 5. Implications        |  |
|------------------------|--|
| <b>Financial</b>       | As laid out in the report  |
| <b>Policy</b>          | None.  |
| <b>Equalities</b>      | None.  |
| <b>Climate Change</b>  | None.  |
| <b>Risk Management</b> | Monitoring of the revenue budget relates to known risks:<br>R06 – Overspend.<br>R07 – Revenue Funding. |

### 6. Recommendation

Members of the Board are asked to note the forecast outturn for the revenue budget as at 31 December 2019.

|   |  |
|---|--|
| Janet Sutton - Report Author<br>Finance Officer<br>Tel: 01387 260105<br>Date of Report: 6 January 2020<br>File Ref: | Douglas Kirkpatrick<br>Lead Officer<br>South West of Scotland Transport Partnership<br>Cargen Tower<br>Garroch Business Park<br>Dumfries DG2 8PN |
|---|--|

**APPENDIX** - Monitoring Report 2019/2020 for the period ending 31 December 2019.

**SOUTH WEST OF SCOTLAND TRANSPORT PARTNERSHIP**  
**REVENUE BUDGET MONITORING AS AT 31 December 2019**

|                             | <b>FINAL<br/>OUTTURN<br/>2018/19<br/>£</b> | <b>PUBLISHED<br/>BUDGET<br/>2019/20<br/>£</b> | <b>BUDGET<br/>ADJUSTMENTS<br/>2019/20<br/>£</b> | <b>ADJUSTED<br/>BUDGET<br/>2019/20<br/>£</b> | <b>ACTUAL<br/>EXPENDITURE<br/>TO 31/12/19<br/>£</b> | <b>PROJECTED<br/>OUTTURN<br/>2019/20<br/>£</b> | <b>VARIANCE<br/>2019/20<br/>£</b> |
|-----------------------------|--|---|---|--|---|--|-----------------------------------|
| <b>EXPENDITURE</b>          |  |   |   |  |   |  |                                   |
| Staff Costs                 | 110,924                                    | 110,848                                       |   | 110,848                                      | 48,139  | 105,030  | -5,818                            |
| Supplies & Services         | 191  | 960   |   | 960  | 567   | 2,120  | 1,160                             |
| Transport Costs             | 0  | 2,104   |   | 2,104  | 0   | 2,104  | 0                                 |
| Administration Costs        | 20,647                                     | 20,193  |   | 20,193                                       | 17,890  | 21,672   | 1,479                             |
| Payments                    | 4,372,890                                  | 4,125,934                                     |   | 4,125,934                                    | 3,288,631   | 4,093,321                                      | -32,613                           |
| Central Support             | 44,992                                     | 48,750  |   | 48,750                                       | -1  | 48,750   | 0                                 |
| Capital Charges             | 349,722                                    |   |   | 0  | 247,258   | 0  | 0                                 |
| <b>Total Expenditure</b>    | <b>4,899,366</b>                           | <b>4,308,789</b>                              | <b>0</b>  | <b>4,308,789</b>                             | <b>3,602,484</b>                                    | <b>4,272,997</b>                               | <b>-35,792</b>                    |
| <b>INCOME</b>               |  |   |   |  |   |  |                                   |
| Scottish Government Funding | 259,250                                    | 259,250                                       |   | 259,250                                      | 194,650   | 259,250  | 0                                 |
| D&G Council Funding         | 100,000                                    | 100,000                                       |   | 100,000                                      | 0   | 100,000  | 0                                 |
| Other Contributions         | 4,540,116                                  | 3,949,539                                     |   | 3,949,539                                    | 0   | 3,913,747                                      | -35,792                           |
| <b>Total Income</b>         | <b>4,899,366</b>                           | <b>4,308,789</b>                              | <b>0</b>  | <b>4,308,789</b>                             | <b>194,650</b>                                      | <b>4,272,997</b>                               | <b>-35,792</b>                    |
| <b>NET EXPENDITURE</b>      | <b>0</b>                                   | <b>0</b>                                      | <b>0</b>  | <b>0</b>                                     | <b>3,407,834</b>                                    | <b>0</b>                                       | <b>0</b>                          |

## CAPITAL EXPENDITURE PROGRAMME 2019/20 TO 2021/22 – UPDATE

### 1. Reason for Report

To provide an update to the Board on the Capital Programme for 2019/20 to 2021/22.

### 2. Background

2.1 At its meeting on 20 September 2019, the Board agreed the amended capital programme as shown in Table 1 below:

| <u>SWestrans Capital Programme 2019/20 – 2021/22</u> | <b>Total Budget Allocated 2019/20</b> | <b>Total Budget Allocated 2020/21</b> | <b>Total Budget Allocated 2021/22</b> | <b>Total</b>     |
|--|---------------------------------------|---------------------------------------|---------------------------------------|------------------|
|  | £                                     | £                                     | £                                     | £                |
| Purchase of Accessible Buses                         | 390,000                               | 240,000                               | 300,000                               | 930,000          |
| Bus Infrastructure                                   | 70,000                                | 50,000                                | 100,000                               | 220,000          |
| Rail Station Parking                                 | 554,000                               | 300,000                               | 0                                     | 854,000          |
| Active Travel Projects                               | 231,000                               | 210,000                               | 400,000                               | 841,000          |
| <b>TOTAL</b>   | <b>1,245,000</b>                      | <b>800,000</b>                        | <b>800,000</b>                        | <b>2,845,000</b> |

Table 1 – SWestrans amended Capital Programme 2019/20 – 2021/22

2.3 **Appendix 1** shows monitoring of the 2019/20 spend to 31 December 2019.

### 3. Key Points

3.1 Each of the elements of the Capital Programme for 2019/20 is discussed briefly in paragraphs 3.2 to 3.8.

#### Purchase of Accessible Buses

3.2 As advised at the Board meeting on 13 December 2019, a procurement for the two 29 seat low floor vehicles has been undertaken. Following the submission of an initial order there has been subsequent queries made by the supplier that required clarification and specification changes that have added additional time and cost to their provision. There have also been supply-side issues with vehicle build and both vehicles will now not be delivered this financial year. The total cost is £284,796.

3.3 These vehicles are necessary for the provision of local bus services, within the budget available, from August when they will be leased to an operator(s) in line with the award of local bus contracts made by the Board in December 2019.

3.4 As the vehicles will now be delivered in 2020/21, the additional cost can be managed from slippage from 2019/20 and the £240K allocated for this element of the capital programme in 2020/21. The slippage is reflected in **Appendix 1**.

Bus Infrastructure

3.5 Spend continues on this element of the programme and it is anticipated that the budget available will be fully spent by the end of the financial year.

Rail Station Parking

3.6 Full planning permission will be considered at the Council's Planning Applications Committee. Advice is that, if granted, this will allow for land purchase to be concluded this financial year and initial work to commence. However, there is likely to be a level of slippage, estimated at £154K, on this element which is reflected in **Appendix 1**.

Active Travel Projects

3.7 At its meeting on 20 September 2019, the Board were informed that the following Active Travel projects had been identified to meet the criteria of the Scottish Government grant funding and work was underway on their delivery:

- Dumfries Learning Town – Path works on the link from Dumfries High School to Dumfries Academy/the Bridge and signage across all locations identified in the Dumfries Learning Town Active Travel Strategy.
- Remove Barriers to Active Travel / Disabled Programme – Minor footway works to improve active travel accessibility in Moffat, Thornhill, Lockerbie, Annan, Gretna, Kirkcudbright, Dalbeattie, Castle Douglas and Stranraer.
- Cycle Parking at Interchanges – Covered cycle parking at three locations in Dumfries.
- Signage programme – minor signage upgrades and signing of the link from Dumfries to Mabie.

3.8 Work on these projects continue and latest advice is that they all should be complete this financial year. Additional Active Travel projects, shown below, are also in progress and due to be completed this year:

- New shared path link in Dumfries between Heston Avenue/Waverley Road.
- Minor footway works to improve active travel accessibility in Dunscore, Minnigaff and Garlieston.

| <b>4. Implications</b> |  |
|------------------------|--|
| <b>Financial</b>       | It is intended to bring regular reports to the Board on the progress with the capital programme during 2019/20.  |
| <b>Policy</b>          | No change in policy. This work fulfils SWestrans policy objectives.  |
| <b>Equalities</b>      | Provision of good quality infrastructure will enhance travel choice and experience for those with protected characteristics.   |
| <b>Climate Change</b>  | Provision of good quality infrastructure that enhances opportunity for increased uptake of active and sustainable travel will have a positive impact on climate change objectives. |
| <b>Risk Management</b> | Progression of the Capital Programme relates to two known risks:<br>R02 – Public image.<br>R04 – Capital Funding.  |

**5. Recommendation**

Members of the Board are asked to note the update provided on progress with the Capital Expenditure Programme 2019/20.

Douglas Kirkpatrick - Report Author  
Tel: 01387 260136

Date of Report: 1 December 2019  
File Ref: SW2/meetings/2019

Approved by: Douglas Kirkpatrick  
Lead Officer  
South West of Scotland Transport Partnership  
Cargen Tower  
Garroch Business Park  
Dumfries, DG2 8PN

Appendix 1 – Capital Programme spend to 31 December 2019



| <u>SWestrans Monitoring Capital Programme 2019/20</u>  | Total Revised Budget Allocated 2019/20 | Budget Virements | Total Revised Budget Allocated 2019/20 | Actual Gross Spend Ledger 31/12/19 | Actual Net Spend 31/12/19 | Forecast Net Spend 31/03/20 | (Slippage to) / Acceleration from 2020/21 |
|--|--|------------------|--|------------------------------------|---------------------------|-----------------------------|---|
| Purchase of Accessible Buses                           | 240,000                                | 150,000          | 390,000                                | 192,400                            | 189,550                   | 189,550                     | -200,450                                  |
| Bus Infrastructure (including shelters, PUDOs and RTI) | 70,000                                 |                  | 70,000                                 | 47,675                             | 47,675                    | 70,000                      | 0   |
| Rail Station Parking                                   | 554,000                                |                  | 554,000                                | 35,890                             | 35,890                    | 400,000                     | -154,000                                  |
| STAG Studies re. potential rail station openings       | 10,000                                 | -10,000          | 0                                      | 0                                  | 0                         | 0                           | 0   |
| Active Travel Projects                                 | 371,000                                | -140,000         | 231,000                                | 48,066                             | 48,066                    | 231,000                     | 0   |
| <b>TOTAL</b>   | <b>1,245,000</b>                       | <b>0</b>         | <b>1,245,000</b>                       | <b>324,031</b>                     | <b>321,181</b>            | <b>890,550</b>              | <b>-354,450</b>                           |

### 2019/20 Funding Summary

|  |                  |
|--|------------------|
| Swestrans Allocation as per Full Council 28 Feb 2019 | 1,296,000        |
| Add Slippage 2018/19                                 | 34,000           |
| Less Acceleration from 2019/20                       | -85,000          |
| <b>Total Allocation 2019/20</b>                      | <b>1,245,000</b> |

**Annex to Appendix - Individual Projects greater than £250k**

|                      | <b>Total Revised<br/>Budget<br/>Allocated<br/>2019/20</b> | <b>Budget<br/>Virements</b> | <b>Total Revised<br/>Budget<br/>Allocated<br/>2019/20</b> | <b>Actual Gross<br/>Spend<br/>Ledger<br/>31/12/19</b> | <b>Actual Net<br/>Spend<br/>31/12/19</b> | <b>Forecast Net<br/>Spend<br/>31/03/20</b> | <b>(Slippage to) /<br/>Acceleration from<br/>2020/21</b> |
|----------------------|---|-----------------------------|---|---|--|--|--|
| Rail Station Parking | 554,000   | 0                           | 554,000   | 35,890  | 35,890                                   | 400,000                                    | -154,000   |

## RAIL UPDATE

### 1. Reason for Report

To update Members of the Board on the following:

- ScotRail Franchise
- Nith Valley Fare Information
- TransPennine Express

### 2. Background

The region is served by three railway lines:

- The Glasgow and Southwestern Line (GSWL) which runs down the Stranraer Line which connects the far west of the region into the Central Belt network at Ayr, and with services on to Kilmarnock.
- The Glasgow and Southwestern Line (GSWL) which runs down the Nith Valley. Stations in Dumfries and Galloway include Kirkconnel, Sanquhar, Dumfries, Annan, and Gretna.
- The West Coast Main Line (WCML) passing through the east of the region, with a station at Lockerbie.

### 3. ScotRail Franchise

3.1 Rail franchising in Great Britain was created by the Railways Act 1993.

Franchising allows a private operator to provide rail services on the Scottish rail network on behalf of the Scottish Government.

3.2 In October 2014, the ScotRail franchise was awarded to Abellio. Operations commenced on 1 April 2015. It is the single largest contract let by Scottish Ministers, worth a total value of over £7 billion over 10 years. The previous rail franchise was held by First ScotRail.

3.3 The ScotRail franchise covers all services in Scotland apart from services by other operators that cross the Anglo-Scottish border (Avanti West Coast, East Coast, TransPennine, Cross Country and the Caledonian Sleeper). The franchise operates around 2,400 train services each day, including the services on the Glasgow South West Line to Stranraer and Carlisle.

3.4 The current ScotRail contract was let for 10 years, from 2015 to 2025. The contract provides that in the fifth franchise year (2019) the Scottish Government and the franchisee, Abellio ScotRail, must revisit the cost and revenue assumptions that have provided the basis for Government subsidy levels to date. This process is known as “rebasings”. Therefore, the terms of the contract were for an initial seven years (from April 2015) with an option to extend for a further three years, contingent on performance criteria and review of the level of subsidy for the last five years of the franchise.

3.5 Under the terms of the contract, should both parties agree to rebase, then the contract would continue to March 2025 on the basis of rebased revenue and cost inputs that would determine future franchise subsidy levels. Alternatively, the contract provides that either party may issue a No Rebasings notice, in which case subsidy levels would

remain based on existing revenue and cost inputs. The contract would then come to an end at an earlier point, currently expected to be March 2022.

3.6 The rebasing process commenced on 1 October 2019. Scottish Ministers decided not to rebase the contract as they are not satisfied that:

‘The significant increase in public subsidy which would be required would generate commensurate benefits for passengers, communities and the economy. As such we do not consider that rebasing would secure the delivery of our stated policy objectives.’

3.7 Abellio Scotrail was notified of this decision on 18 December 2019 and a No Rebasing Notice was formally issued.

3.8 Existing Government subsidy levels remain in place and the franchise will come to an end earlier than the 2025 date, currently expected to be March 2022. The Scottish Government have stated that they will work with Abellio ScotRail until the current contract comes to an end to maximise the benefits of the significant investment that has been made in our railways and to provide the best services to passengers possible.

3.9 Transport Secretary Michael Matheson has stated that the Scottish Government’s ‘position that the current franchising regime, which is a matter reserved to the UK government, has failed and it is widely accepted that the rail industry, as a whole, must embrace reform’, and has called for a transfer of all rail powers. The rail industry is currently awaiting the outcome of the Williams Rail Review which is led by the UK Government.

3.10 Members are asked to note the above, and announcements relating to the future of the ScotRail franchise will be reported to the Board.

#### 4. Nith Valley Fare Information

4.1 The issue around the accuracy of statistical information on Nith Valley Line station usage figures was raised by the Board when a presentation was provided by Abellio ScotRail to the Board meeting on 18 January 2019. This was due to multiple known examples of no ticket checks on journeys on this line.

4.2 Councillor Jim Dempster of Dumfries and Galloway Council has requested that the Board be made aware of his recent correspondence with ScotRail on these matters. The text from his letter to senior ScotRail management, dated 13 December 2019, is provided as an **Appendix** to this report.

4.3 The correspondence details examples of journeys where no ticket-check has been undertaken and concerns that, as a “ticket purchase” is being used to determine how many passengers use the railway to travel from Kirkconnel and Sanquhar, that this may affect the accuracy of appraisals on access to Kirkconnel Station and the re-opening of stations on the line.

4.4 At the time of writing this report we understand that no response has been received, however Councillor Dempster has indicated he will share the response with the Lead Officer.

## 5. TransPennine Express

5.1 The Board, at its meeting on 13 December 2019, discussed the serious TransPennine Express (TPE) performance issues and the significant impact that this is having on Dumfries and Galloway residents who use services to and from Lockerbie Station.

5.2 The Board agreed to reconvene the Lockerbie Station Liaison Group and further agreed that the Chair write to TPE regarding concerns over timetable changes, performance issues and communication with customers and that TPE be invited to attend a future meeting. A letter has been sent to TPE from the Chair and work on the Lockerbie Station Liaison Group is underway.

5.3 These performance issues continue and the Board will be updated on communication with TransPennine Express and progress with the Lockerbie Station Liaison Group.

| 6. Implications        |  |
|------------------------|--|
| <b>Financial</b>       | No financial implications associated with this report.   |
| <b>Policy</b>          | No change in SWestrans policy.   |
| <b>Equalities</b>      | A reduction in rail services associated with poor performance will have a negative impact on equity of access and may disproportionately impact those with protected characteristics if mitigation measures not fully compliant. |
| <b>Climate Change</b>  | Decrease in travel choice due to poor public transport performance may result in modal shift to private vehicles and negatively impact on climate change aims  |
| <b>Risk Management</b> | This work relates to one known risk:<br>R02 – Public image<br>R05 – Failure to progress RTS Delivery Plan  |

## 7. Recommendation

Members of the Board are asked to note the update on rail matters.

|  |  |
|--|--|
| Report Author: Josef Coombey<br>Tel: 01387 260372              | Approved by: Douglas Kirkpatrick   |
| Date of Report: 14 January 2020<br>File Ref: SW2/Meetings/2020 | Lead Officer<br>South West of Scotland Transport Partnership<br>Cargen Tower<br>Garroch Business Park<br>Dumfries, DG2 8PN |

Appendix – Letter from Cllr Jim Dempster to ScotRail

I wish to bring to your attention a situation that I feel that you should be made aware of, and that is the frequent non-appearance of ticket collectors on the Nith Valley rail line during journeys in both directions from Sanquhar, and Kirkconnel, which is resulting in lost revenue for your company.

I have personally experienced this situation twice recently, and I have just learned from friends of mine that the same situation occurred on train journeys they have taken.

My first journey was leaving Sanquhar station at 11am, Sanquhar to Carlisle, on Wednesday 4th September 2019, where I boarded the train, along with several other passengers. During the journey we stopped at Dumfries, Annan, and Gretna, before reaching Carlisle, our destination. At each onward stop, a number of passengers boarded the train, and for the duration of our journey we never saw a ticket collector, so the entire journey for every passenger who boarded the train from Sanquhar onwards, was presumably “free of charge”, although bizarrely the tea trolley lady travelled the length of the train on two separate occasions trying to sell tea, but no-one called trying to sell or check rail tickets.

My next journey was on Saturday 9th November 2019, on the 21.20pm, leaving Carlisle, to travel to Sanquhar, (the second leg of a journey from Birmingham), and on this occasion both carriages were nearly full with passengers, and again we stopped at Gretna, Annan, and Dumfries, to allow passengers to leave the train, finally reaching Sanquhar, where myself, and a number of other passengers alighted from the train, not having had our tickets checked on the journey, and no tickets sold or checked by any conductor during my entire journey.

The next time I learned about non-ticket selling was from \*\*\*\*, who took a train journey on Saturday, 23rd November, 2019, leaving Sanquhar at 12.20pm, to travel to Glasgow, when again on the whole length of the journey there was no ticket collection made, despite there being a significant number of passengers on the train, and with the barriers at Glasgow being “opened” because of congestion on the train when it terminated at Glasgow, this resulted in another “free” journey for a significant number of people.

I understand from \*\*\*\* that they e-mailed ScotRail to complain about overcrowding on the train, with as many people standing, as had seats. The situation was so bad that families at the Kilmarnock station waiting for that train, chose not to board the train, but instead waited for the next one, therefore, I would suggest that some investigation is also called for, to ensure passenger safety is fully taken into account, as standing on a moving train for long distances cannot be considered a “safe” way to travel. I believe that a suitable number of additional carriages should be provided to meet demand, including being prepared for increased or seasonal travel. I am led to believe that overcrowding is a regular occurrence on some timetabled journeys, something I would hope you would be aware of.

In discussions amongst individuals within my local community, I have been told by many of my constituents that they have been able to travel on the train from Sanquhar to Dumfries, or onward to Carlisle, on a regular basis, over a period of time, free of charge.

Another good example being ##### from Sanquhar, who tells me that they travelled from Sanquhar to Carlisle, as part of on an onward journey, travelling free of charge from Sanquhar

to Carlisle in June, and only three weeks ago, travelled to Dumfries from Sanquhar in the early afternoon, and returned late afternoon to Sanquhar from Dumfries, on the same day, in a busy train in both directions, having watched Queen of the South play Ayr United at Palmerston Park, and did not pay for travel in either direction, nor did they see a ticket collector during their journeys.

There is clearly a long-term, fundamentally flawed system, regarding collecting fares and checking tickets, being operated by Abellio, or ScotRail, that requires examination and fixing, especially if evidence of “ticket purchase” is the only system being used to determine how many passengers use the railway to travel from Kirkconnel and Sanquhar to other destinations.

My reasons for contacting you are not just about ticket sales, but also the fact that failure by ticketing staff to sell tickets from Sanquhar and Kirkconnel for onward journeys, means that there is no “true” picture of passenger journeys from Upper Nithsdale, and that any statistics produced by ScotRail or Abellio may be “flawed”, which is critical in situations such as the local campaign in Kirkconnel to have “Disabled Access” improved or upgraded at Kirkconnel Station for rail users. This may affect, or compromise, the current application to the “Local Rail Development Fund” by SWESTRANS for an appraisal on problems, and opportunities, in relation to access at Kirkconnel station, especially when we are being advised by senior managers from the Rail industry that there is “no evidence of need” and “low passenger numbers” as reasons for not having already upgraded the “Disabled Access” to the platforms in Kirkconnel, which should not come as a surprise to anyone, if there are never any tickets “sold” from these stations to verify usage.

What is even more concerning is the Stag 2 Appraisal commissioned by SWESTRANS, (South West of Scotland Transport Partnership), to assess the merits of re-opening Thornhill Railway Station, and Eastriggs Railway Station, on the Nith Valley Line, where current usage of the Rail Network will be a key consideration by the Scottish Government, Transport Scotland, and the Rail industry, and flawed statistical information may have a detrimental effect on the eventual outcome as to whether Thornhill or Eastriggs Stations re-open, and again leaves me with serious concerns over the validity of any information provided by ScotRail or Abellio regarding current ticket sales, or passenger footfall.

Clearly an accurate picture of rail travel should be important to your company, for a whole variety of reasons, and continued non-appearance of ticket collection/sales staff is jeopardising that process, as well as compromising any potential future investment in our railway rolling stock and infrastructure on the Nith Valley Line.

I have copied this correspondence to Douglas Kirkpatrick, (lead officer for SWESTRANS), and have asked him to raise the matter at the next SWETRANS board meeting, as there are implications for the accuracy of the Stag 2 appraisal on the Nith Valley Line, and Board members, Transport Scotland, and the Scottish Government should be made aware of this.

I would be grateful for your views on these matters, and I look forward to a response at your convenience.

## LOCAL BUS SERVICE – DUMFRIES TO SANQUHAR SUNDAY EVENING JOURNEY

### 1. Reason for Report

To seek Board agreement to a minor timetable extension on the Sunday commercial 246 local bus service Dumfries to Sanquhar evening journey to facilitate Hospital visiting.

### 2. Background

2.1 At its meeting on 31 October 2018, the Board agreed to a reduction on the evening Monday to Saturday provision of local bus service 221 Sanquhar to Kirkconnel from 4 returns to 3 returns. This removed the need for a driver change-over in Sanquhar and allowed the Monday to Saturday 2030 from Dumfries and Galloway Royal Infirmary to continue through to Kirkconnel at no cost to SWestrans.

2.2 Stagecoach provide a commercial journey on Sunday at 2030 from DGRI to Sanquhar.

### 3. Key Points

3.1 Following requests from members of the public highlighting the lack of a journey back to Kelloholm/Kirkconnel on Sundays, Councillor James Dempster contacted the Lead Officer and requested that consideration be given to extend the Sunday journey to Kirkconnel in a similar manner to the weekday provision.

3.2 Stagecoach was contacted and asked to provide a cost for this extension which would be De Minimus arrangement on their commercial journey. Stagecoach has provided a price of £21.42 per Sunday (approx. £1,100 per annum) to deliver the following service to Kirkconnel:

|               |      |
|---------------|------|
| Dumfries DGRI | 2030 |
| Thornhill     | 2100 |
| Sanquhar      | 2122 |
| Kirkconnel    | 2137 |

3.3 The return journey, currently leaving Sanquhar at 2125, would depart Kirkconnel at 2141 giving the following amended times:

|            |      |
|------------|------|
| Kirkconnel | 2141 |
| Sanquhar   | 2202 |
| Dumfries   | 2247 |

3.4 The price quoted can be managed within the SWestrans revenue budget and the Board are asked to agree the extension of the Sunday 2030 from Dumfries and Galloway Royal Infirmary to Kirkconnel at a daily rate of £21.42.

| <b>4. Implications</b> |   |
|------------------------|---|
| <b>Financial</b>       | The price quoted for this De Minimus extension can be managed within the current SWestrans revenue budget.  |
| <b>Policy</b>          | SWestrans has a statutory duty to determine the policy and provision of socially necessary bus services within the budget it has available. This extension complies with SWestrans policy.            |
| <b>Equalities</b>      | Local bus service provision provides positive advantages for bus users with protected characteristics   |
| <b>Climate Change</b>  | Bus service provision can have a positive impact on climate change objectives   |
| <b>Risk Management</b> | Local bus provision relates to a number of known risks:<br>R02 – Public Image<br>R05 – RTS Delivery<br>R07 – Revenue Funding<br>R08 – Bus Contracts Prices<br>R13 – Lack of Bus Operators and Drivers |

#### **5. Recommendation**

Members of the Board are asked to agree the extension of the Sunday 2030 journey from Dumfries and Galloway Royal Infirmary to Kirkconnel at a daily rate of £21.42.

|   |   |
|---|---|
| Report Author: Douglas Kirkpatrick<br>Tel: 01387 260136<br><br>Date of Report: 13 January 2020<br>File Ref: SW2/Meetings/2020 | Approved by: Douglas Kirkpatrick<br>Lead Officer<br>South West of Scotland Transport Partnership<br>Cargen Tower<br>Garroch Business Park<br>Dumfries DG2 8PN |
|---|---|

## CONSULTATIONS

### 1. Reason for Report

To advise Members of open consultations and to invite comment from the Board, which will be incorporated into a response from SWestrans.

### 2. Background

Two consultations relevant to SWestrans interests are currently live and have submission dates prior to the next Board in March 2020. These are:

- Scotland's Low Emission Zones – A Consultation on Regulations and Guidance
- The Replacement of European Structural Funds in Scotland Post Eu-Exit

### 3. Scotland's Low Emission Zones – Regulations and Guidance

3.1 Transport Scotland published, on 13 December 2019, a consultation on the regulations and guidance on Low Emission Zones, with a closing date of 24 February 2020.

3.2 A Low Emission Zone (LEZ) is defined as a designated area from which a vehicle is prohibited unless it meets the emission standard or is exempt. The Programme for Government (PfG) 2018 committed to the introduction of LEZs into Scotland's four largest cities (Glasgow, Edinburgh, Aberdeen, and Dundee) between 2018 and 2020 and into Air Quality Management Areas by 2023 where National Low Emission Framework appraisals support this approach. The PfG 2017 commitment to put Scotland's first LEZ in place by 2018 was met with Glasgow City Council introducing a LEZ (for buses) on the 31 December 2018.

3.3 There has been significant scrutiny of LEZs and air quality, and this has resulted in the inclusion of LEZs into the Transport (Scotland) Act 2019. Part 2 of the Act contains provisions that will enable the creation, and civil enforcement, of LEZs by local authorities and allows Scottish Ministers to set nationally consistent standards on matters including, but not limited to, emission standards, penalties, and exemptions.

3.4 The purpose of the consultation is to set out the proposed arrangements and options related to the nationally consistent LEZ standards which will be set out in regulations in tandem with guidance. The consultation is available at:

<https://consult.gov.scot/transport-scotland/low-emission-zones/>

- Sections 8 and 9 set the scene for LEZs and outlines the scope of this consultation.
- Sections 10 and 11 outline the proposals for LEZ regulations and guidance, seeking views on a selection of issues such as the emission standards, penalty charge rate, enforcement and exemptions.
- Sections 12 seeks views on assessing the general impact on areas such as equality, privacy and the environment.

3.5 Whilst there is currently no intention to introduce a Low Emission Zone within Dumfries and Galloway, regulations and guidance around them may impact on those

travelling to a city with a LEZ and if any LEZ was to be introduced then it would be influenced and need to abide by the regulations and guidance being consulted on.

3.6 The draft National Transport Strategy places great importance in reducing carbon emissions and improving air quality associated with transport, and SWestrans will need to consider what actions it can take to contribute to the targets associated with these aims. Dumfries and Galloway Council and SWestrans are in discussion about the level of emissions recorded in Buccleuch Street, Dumfries, and officers are currently working with bus operators to reduce idling time.

3.7 The Board is invited to provide comment on the consultation, which will be incorporated into a response from SWestrans. The Board are asked to delegate authority to the Lead Officer to sign off the consultation response, following consultation with the Chair and Vice-Chair. The consultation questions are attached as **Appendix 1** to this report.

#### **4. The Replacement of European Structural Funds in Scotland Post Eu-Exit**

4.1 The Scottish Government published, on 5 November 2019, a consultation on the replacement of European Structural Funds in Scotland post European Union exit, with a closing date of 12 February 2020.

4.2 The Structural Funds and the Cohesion Fund are financial tools set up to implement the regional policy of the European Union. They aim to reduce regional disparities in income, wealth and opportunities. Europe's poorer regions receive most of the support, but all European regions are eligible for funding under the policy's various funds and programmes. The current Regional Policy framework is set for a period of seven years, from 2014 to 2020.

4.3 It is up to the European Parliament and the Council of the European Union to define the tasks, priority objectives and the organisation of the Structural Funds (the Regional Policy framework), through the ordinary legislative procedure and consulting the Economic and Social Committee and the Committee of the Regions (leading to the publication of Regulations).

4.4 When the United Kingdom leaves the European Union it will no longer receive support from the European Structural Funds. The purpose of these funds is to "invest in job creation and a sustainable and healthy European economy and environment."

4.5 In Scotland, they have played a role in reducing disparities across different parts of the country for over 40 years. Under the current 2014-2020 programme Scotland benefits from over £780m of such funding through the European Regional Development Fund (ERDF) and the European Social Fund (ESF):

##### The European Regional Development Fund (ERDF)

The ERDF supports programmes addressing regional development, economic change, enhanced competitiveness and territorial co-operation throughout the EU. Funding priorities include modernising economic structures, creating

sustainable jobs and economic growth, research and innovation, environmental protection and risk prevention. Investment in infrastructure also retains an important role, especially in the least-developed regions.

#### The European Social Fund (ESF)

The ESF focuses on four key areas: increasing the adaptability of workers and enterprises, enhancing access to employment and participation in the labour market, reinforcing social inclusion by combating discrimination and facilitating access to the labour market for disadvantaged people, and promoting partnership for reform in the fields of employment and inclusion.

4.6 The loss of this funding will have a significant impact on the ability of local authorities, community groups, funding bodies and enterprise and skills agencies to deliver as many initiatives that will drive inclusive economic growth and promote wellbeing and cohesion in communities across Scotland. It currently provides investment for key policies such as the Modern Apprenticeship schemes and the Low Carbon Infrastructure Transition Programme. SWestrans has been involved in delivering a number of projects funded in this way, such as the GoSmart project and Rural Transport Solutions project.

4.7 The UK Government has indicated its intention to provide successor funding to European Structural Funds following EU-Exit but without detail as yet on the scale, objectives and allocation of such funding.

4.8 The Scottish Government is keen to develop their own thinking on how any replacement funding vehicle should operate and design a programme that meets Scotland's specific economic and social needs. Scotland has its own framework for driving inclusive economic growth in the National Performance Framework, and the Scottish Government are considering how this new policy development can align with the agreed objectives.

4.9 The purpose of the consultation is to clarify:

- The aim and objectives of post EU Exit funding in Scotland;
- How to maximise its added value;
- The extent to which it should be aligned with Scottish, UK and EU policy priorities;
- Whether and how it should be concentrated thematically or geographically;
- The appropriate arrangements for monitoring and evaluation; and
- The most effective and efficient approach to governance and partnership.

4.10 The consultation paper which sets out the context for the consultation and the objectives of the exercise is available at: <https://consult.gov.scot/economic-development/replacement-of-european-structural-funds/>

4.11 In addition to this written consultation, there will also be a series of consultation events held between now and the start of February 2020 to look in more depth at some

of the questions raised in the attached consultation. SWestrans are attending a consultation event in Dumfries on 6 February 2020 and this will inform a written response.

4.12 Following analysis, the Scottish Government will produce a final report which will set out how Scotland intends to proceed. This is expected to be ready in Spring 2020.

4.13 The Board is invited to provide comment on the consultation, which will be incorporated into a response from SWestrans. The Board are asked to delegate authority to the Lead Officer to sign off the consultation response, following consultation with the Chair and Vice-Chair. The consultation questions are attached as **Appendix 2** to this report.

| <b>5. Implications</b> |  |
|------------------------|--|
| <b>Financial</b>       | Developments will be tracked by Officers.                |
| <b>Policy</b>          | There are potential future policy implications.          |
| <b>Equalities</b>      | Developments will be tracked by Officers.                |
| <b>Climate Change</b>  | We will monitor / implement climate change implications. |
| <b>Risk Management</b> | None at this stage.                                      |

## **6. Recommendations**

Members of the Board are asked to:

- 6.1 note the consultations on the regulations and guidance on Scotland's Low Emission Zones, and the replacement of European Structural Funds in Scotland post European exit; and
- 6.2 agree to delegate authority to the Lead Officer to sign off the consultation responses, following consultation with the Chair and Vice-Chair.

|  |  |
|--|--|
| Report Authors: Josef Coombey<br>Tel: 01387 260372             | Approved by:   |
| Date of Report: 12 January 2020<br>File Ref: SW2/Meetings/2020 | Douglas Kirkpatrick<br>Lead Officer<br>South West of Scotland Transport Partnership<br>Militia House<br>English Street<br>Dumfries DG1 2HR |

Appendix 1 – LEZ Consultation Questions

Appendix 2 – ESF Consultation Questions

### 13. Consultation Questions

| Number | Consultation Question  |
|--------|--|
| 1a     | Do you agree with the proposed <u>present-day</u> emission standards for Scottish LEZs?<br>If not, why not?  |
| 1b     | What are your views on Scotland making a transformative shift to zero or ultra-low emission city centres by 2030? Please be as specific as possible in your reasoning. |
| 2a     | Which of the proposed national LEZ exemptions do you agree with? Please be as specific as possible in your reasoning.  |
| 2b     | Are there any other LEZ exemptions you would propose? If so, what should these exemptions be and why?  |
| 3a     | Do you agree with the proposed base level and subsequent tiers of penalty charges for each vehicle type as outlined in Table 5? Please explain your answer.            |
| 3b     | Which surcharge 'curve' in Figure 1 represents the best approach to designing a surcharge?   |
| 3c     | How should the surcharge approach be applied in order to discourage non-compliant vehicles from driving within a LEZ?  |
| 3d     | How many days should lapse before a registered keeper of a vehicle returns to the base tier of the penalty charge?   |
| 4      | Do you agree with the general principles of the LEZ enforcement regime?<br>If not, why not?  |
| 5      | What are your views on the proposed list of 'other persons' that local authorities must consult with on their LEZ plans?   |
| 6      | If a LEZ scheme review was undertaken, what elements would you expect the review to investigate and how would the review ensure transparency and accountability?       |
| 7      | What secondary objectives should be created for LEZ schemes? Please be as specific as possible in your reasoning   |

| Number | Consultation Question   |
|--------|---|
| 8      | Do you agree with the steps outlined in Figure 2 for enabling a LEZ scheme to come into effect? If not, why not?  |
| 9      | How can local authorities maximise the technological opportunities available from the deployment of approved devices?   |
| 10     | <p>What positive or negative impacts do you think the LEZ proposals outlined within this consultation may have on:</p> <p>(a) particular groups of people, with particular reference to 'protected characteristics' listed above</p> <p>(b) the very young and old</p> <p>(c) people facing socioeconomic disadvantages</p> |
| 11     | Do you think the LEZ proposals outlined within this consultation are likely to increase, reduce or maintain the costs and burdens placed on business sectors? Please be as specific as possible in your reasoning.  |
| 12     | What impacts do you think the LEZ proposals outlined within this consultation may have on the personal data and privacy of individuals?   |
| 13     | Do you think the LEZ proposals outlined within this consultation are like to have an impact on the environment? If so, which ones and how? Please be as specific as possible in your reasoning.   |
| 14     | Do you have any other comments that you would like to add on the Scottish Government's LEZ proposals outlined within this consultation?   |

## Consultation Questions

### A Strategic Aims

#### Objectives

Scottish Ministers want to take this opportunity to design a flexible source of additional funding that drives inclusive economic growth and makes a measurable and significant difference to the lives of people, businesses and communities across Scotland. With this in mind:

1. What are the main aims that this funding should seek to achieve?
2. How could funding be used most effectively to address spatial inequalities between areas and communities in Scotland?
3. Geographically, at what level would the priorities for funding be best set?

#### Alignment with Scottish Policy and Other Funding Streams

Scotland has a set of high-level strategic documents that guide the direction of our policy development and spend. These are focussed on inclusive economic growth and include our National Performance Framework, our Economic Strategy, our Programme for Government and our new Enterprise and Skills Strategic Board approach.

4. How could the use of future funding add value to other sources of funding focussed on similar objectives in Scotland?

#### Alignment with UK and EU Policy

The UK Government has said that the SPF will be aligned with its Industrial Strategy and will focus on increasing productivity. At the same time, the European Union is evolving its Cohesion Policy with a structure of 5 themes: A Smarter Europe; A Greener, carbon free Europe; A Connected Europe; A More Social Europe; and A Europe closer to citizens, to create a more tailored approach to regional development in order to drive EU investments.

5. What practical value would you see in future funding in Scotland being aligned with the UK Industrial Strategy and other spatially-differentiated UK economic policies such as the City and Regional Deals or the Industrial Strategy's sectoral approach?
6. What practical value would you see in maintaining alignment with EU Cohesion Policy?

### **Evaluation and Monitoring Progress**

In order to ensure that any new fund is achieving its aims and objectives, it is important that an evaluation approach is developed in parallel.

7. How could we best evaluate the success of this new fund?
8. What relevant parts of the National Performance Framework should this funding be targeted towards?
9. Which specific aspects of the monitoring and evaluation framework from European Cohesion Policy do you consider would be beneficial to retain for any new fund?

## **B GOVERNANCE STRUCTURES OF FUTURE FUNDING**

### **Allocation and Programme Duration**

Whilst funding allocations will largely be determined by our objectives, we must make sure that our approach is developed in an appropriate manner which is sensitive to differing needs across Scotland. We also need to be clear about the timeframes over which any funding programme would operate.

10. What approach should be used to allocate the funding at programme level - including the most effective duration of the programme that would better support the identified priorities?
11. What would be the most appropriate partnership and governance structure to achieve the strategic objectives of the future funding?
12. What would be the most effective delivery model to ensure maximum leverage of funds from public and private sectors to regional investments?
13. What capacity-building or other support is needed to ensure the ability of local partners and communities to participate in the programme?
14. What can be learned from the design and delivery of the current and previous European Structural Fund Programmes in Scotland?

## NORTH CHANNEL PARTNERSHIP

### 1. Reason for Report

1.1 To inform the Board of the re-establishment of the North Channel Partnership, a collaborative working arrangement between Dumfries and Galloway Council and Mid and East Antrim Borough Council.

1.2 To highlight areas of mutual interest and concern for SWestrans.

### 2. Background

2.1 SWestrans was a member of, and latterly provided the secretariat for, the original North Channel Partnership. The partnership was established in 1999 with its main aim at that time to secure an adequate strategy and investment programme for the landward transport links to the ferry ports of Cairnryan, Belfast and Larne. The partnership last met in 2012.

2.2 At its meeting on 19 November 2019, the Economy and Resources Committee of Dumfries and Galloway Council agreed Terms of Reference for the re-establishment of the North Channel Partnership and to nominate four Elected Members to the Partnership.

### 3. Key Points

3.1 The re-established partnership will be a joint collaborative arrangement between Dumfries and Galloway Council with Mid and East Antrim Borough Council and will include membership of Elected Members and officers of both local authorities. Its function will be to:

- adopt strategic policy and lobbying positions on projects of mutual interest to both Councils.
- work jointly on shared economic, tourism, heritage and cultural projects which provide defined and measured benefits for the respective areas.
- identify and attract funding for joint projects which positively impact on the economy of both regions.
- strengthen the historic links and strong relationships between the respective Council regions.
- share best practice on the development of policy, the economy, tourism culture and heritage.
- identify and prioritise those activities which can create an immediate positive impact on the economy.
- raise the economic profile of both regions.

3.2 Work is underway to prepare a joint action plan, building on early scoping activity and outcomes from initial discussions between the Councils.

3.3 Lobbying has been undertaken by Mid and East Antrim Borough Council, with both UK and Scottish Governments, which is supportive of both SWestrans and Dumfries and Galloway Council's position on the A77 and A75 trunk roads.

3.4 The two authorities have agreed on a small number of opportunities which can 'kick start' the partnership, these are:

- Ports (including Infrastructure)
- Digital
- Food and Drink
- Tourism Offer
- Collaborative Events

3.5 The ten objectives within SWestrans' current Regional Transport Strategy align with the identified function for the partnership and its initial 'kick start' opportunities, these are:

- Improve transport links within Dumfries and Galloway and provide fast, safe and reliable journey opportunities to significant markets, including the national economic centres of Edinburgh and Glasgow, as well as northern England and Ireland.
- Contribute to improved economic growth and social inclusion in the region whilst minimising the environmental impacts of transport.
- Support the national transport target of road traffic stabilisation.
- Add value to the broader Scottish economy and underpin increased sustainable national economic growth.
- Assist in getting visitors/tourists to the region from other parts of Scotland, England, Ireland and beyond.
- Making it possible for more people to do business in and from Dumfries and Galloway by providing sustainable connections to key business centres in the Central Belt and other locations such as Ayrshire and Cumbria.
- Support vibrant places that provide employment, healthcare, educational and other services that people need and want, so that their quality of life is maximised.
- Reduce the constraint of peripherality, both between the region's main settlements and its outlying areas, and between the region and its external markets.
- Capitalise on improvements to critical long distance corridors to create new transport services, nodes and development opportunities for Dumfries and Galloway.
- Pursue certain transport schemes in the context of local and national economic development, while at the same time recognising wider context of economic, social and environmental imperatives.

3.6 Therefore, it will be critical that SWestrans has close links with the re-established Partnership to ensure our position on lobbying for infrastructure links with the ferry ports at Cairnryan is consistent. To this end, SWestrans Officers are involved in the drafting of the joint action plan and there will be regular reports on the Partnership brought to this Board for information and decision as it develops.

|                        |  |
|------------------------|--|
| <b>4. Implications</b> |  |
| <b>Financial</b>       | There are no financial implications.   |
| <b>Policy</b>          | No change in policy. This work fulfils SWestrans policy objectives.  |
| <b>Equalities</b>      | There are no equalities implications.  |
| <b>Climate Change</b>  | Strategic investments should be targeted to boost economic growth whilst supporting delivery of Scotland's low carbon objectives and achievement of climate change targets                                       |
| <b>Risk Management</b> | The function of the partnership relates to a number of known risks:<br>R02 – Public Image<br>R03 – Strategic Direction<br>R05 – RTS Delivery<br>R17 – The United Kingdom's exit from the European Union (Brexit) |

**5. Recommendation**

Members of the Board are asked to note the re-establishment of the North Channel Partnership.

|  |   |
|--|---|
| Report Author: Douglas Kirkpatrick<br>Tel: 01387 260136        | Approved by: Douglas Kirkpatrick<br>Lead Officer<br>South West of Scotland Transport Partnership<br>Cargen Tower<br>Garroch Business Park<br>Dumfries DG2 8PN |
| Date of Report: 13 January 2020<br>File Ref: SW2/Meetings/2020 |   |

## RISK MANAGEMENT UPDATE

### 1. Reason for Report

Members of the Board are asked to consider the information relevant to the organisation in relation to the United Kingdom's exit from the European Union and the update to the Risk Register for 2019/20.

### 2. Background

2.1 At its meeting on 18 January 2019, the Board agreed the inclusion of the United Kingdom's exit from the European Union in the Risk Register for 2018/19.

2.2 The UK will leave the EU at the end of January 2020 and enter into the "transition" period, where the UK will mirror EU rules and regulations until the end of 2020.

### 3. Key Points

3.1 The United Kingdom's exit from the European Union (Brexit) may have significant impact on the region's transport network and its delivery. Officers are working closely with Dumfries and Galloway Council on the identification of such risks and their mitigation.

3.2 Many of the direct impacts remain hard to assess including those to transport networks. However, there may be impacts across the whole of Scottish society, for example, tourism, food and drink export, industry, fisheries, farming, and healthcare. All of which rely on efficient and effective transport infrastructure and networks.

3.3 Locally, there could be an increase in traffic flow on the A75/A77 in relation to access to/from the ports of Cairnryan. Provisional arrangements for stacking vehicles prior to loading and off-loading are in place to mitigate any such impact.

3.4 In 2018, the UK Government and EU Leaders agreed a non-binding political declaration setting out the framework for the future relationship between the EU and the UK. On transport, the political declaration sets out ambitions to create:

- A comprehensive Air Transport Agreement, covering market access and investment, aviation safety and security, air traffic management and provisions to ensure open and fair competition.
- Comparable market access for freight and passenger road transport operators, underpinned by relevant existing international obligations to ensure open and fair competition, with consideration of complementary arrangements to address travel by private motorists.
- Acknowledgement of the intention of the UK and relevant EU member states, in line with Union law, to make bilateral arrangements for cross-border rail services.
- Connectivity in the maritime transport sector, underpinned by the applicable international legal framework, with appropriate arrangements for cooperation on maritime safety and security.

3.5 As indicated to the Board in January 2019, officers would continue to work in partnership with others, particularly Dumfries and Galloway Council, to identify, assess and mitigate risks associated with Brexit. There are a number of high-level risks and/or opportunities identified which relate to the transport sector and which we continue to monitor, these are:

- Staffing (including recruitment, retention and morale).
- Rolling stock and vehicle procurement.
- New international trade arrangements and their impact on ports and associated infrastructure links.
- Implications of leaving the Customs Union on customs arrangements, particularly on cross-border traffic in ports and related transport.
- Legislation (including market access and public-service contracts for various modes; passenger rights; staff and driver working time; greening vehicles and reducing air pollution; integrated technology; public procurement; the Trans-European Transport Network).
- Future funding.

3.6 The Board is asked to note the update provided in relation to the United Kingdom's exit from the European Union and that the Risk Register for 2019/20 has been updated and is included as the **Appendix**.

| <b>4. Implications</b> |  |
|------------------------|--|
| <b>Financial</b>       | There are no direct financial implications from this report. |
| <b>Policy</b>          | Policy implications are included within the Risk Register    |
| <b>Equalities</b>      | No equalities implications from this report                  |
| <b>Climate Change</b>  | No climate change implications from this report              |
| <b>Risk Management</b> | A current Risk Register is critical for managing risk        |

#### **5. Recommendations**

Members of the Board are asked to:

- 5.1 note the update on the United Kingdom's exit from the European Union;
- 5.2 agree the Risk Register for 2019/20 included as the appendix; and
- 5.3 note future updates will be presented as appropriate.

|  |  |
|--|--|
| Report Author: Douglas Kirkpatrick<br>Tel: 01387 260136        | Approved by: Douglas Kirkpatrick<br>Lead Officer<br>South West of Scotland Transport Partnership<br>Cargen Tower<br>Garroch Business Park<br>Dumfries<br>DG2 8PN |
| Date of Report: 14 January 2020<br>File Ref: SW2/Meetings/2020 |  |

#### **APPENDIX – SWestrans Risk Register 2019/20**

## SWestrans Risk Register 2019-20

| Code | Risk Title   | Risk Description   | Potential Effect  | Internal Controls  | Current Risk Rating               | Approach | Related Actions | Target Risk Rating                | Managed By          | Assigned To         |
|------|--------------|--|---|--|-----------------------------------|----------|-----------------|-----------------------------------|---------------------|---------------------|
| R01  | Restructure  | Restructure or dissolution of RTPs by Scottish Ministers | Compromises continuity of delivery of transport functions and Regional Transport Strategy (RTS) | Use of performance management to demonstrate the effectiveness of the existing structure   | Unlikely/<br>Major<br>(Medium)    | Tolerate |                 | Unlikely/<br>Major<br>(Medium)    | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R02  | Public Image | Poor public perception of SWestrans                      | The credibility and authority of the organisation is undermined                                 | Use of Council Communications Unit to manage press relations and to present a positive message<br><br>Use of appropriate media channels to proactively deliver information on SWestrans activities | Possible/<br>Moderate<br>(Medium) | Tolerate |                 | Possible/<br>Moderate<br>(Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |

| Code | Risk Title          | Risk Description   | Potential Effect  | Internal Controls   | Current Risk Rating         | Approach | Related Actions | Target Risk Rating          | Managed By          | Assigned To         |
|------|---------------------|--|---|---|-----------------------------|----------|-----------------|-----------------------------|---------------------|---------------------|
| R03  | Strategic Direction | Change in Dumfries and Galloway Council (DGC) strategic priorities | RTS is put out of alignment   | Strategies Mapping and Alignment Exercise<br><br>Annual monitoring and review of RTS<br><br>RTS is realigned with revised DGC strategic objectives if appropriate | Unlikely/ Minor (Low)       | Tolerate |                 | Unlikely/ Minor (Low)       | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R04  | Capital Funding     | Loss or reduction of capital funding                               | Projects within the Capital Programme are compromised<br><br>The 2018/19 Programme includes purchase of buses, bus infrastructure, Scottish Stations Fund, Rail Improvements and Active Travel projects | Use of Business Plan to project future years requirements<br><br>Close working with DGC<br><br>Adjustment of Business Plan to revised funding profiles            | Possible/ Moderate (Medium) | Tolerate |                 | Possible/ Moderate (Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |

| Code | Risk Title           | Risk Description   | Potential Effect  | Internal Controls                                  | Current Risk Rating                | Approach | Related Actions   | Target Risk Rating                 | Managed By          | Assigned To         |
|------|----------------------|--|---|--|------------------------------------|----------|---|------------------------------------|---------------------|---------------------|
| R05  | RTS Delivery         | Failure to progress the RTS Delivery Plan                      | Delivery of the RTS is not progressed as anticipated  | Performance Management Framework                   | Unlikely/ Minor (Low)              | Tolerate |   | Unlikely/ Minor (Low)              | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R06  | Overspend            | Expenditure commitment exceeds available budget                | Funding is not available to meet obligations<br><br>Third party action could ensue                        | Financial management processes are provided by DGC | Almost Impossible/ Severe (Medium) | Tolerate |   | Almost Impossible/ Severe (Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R07  | Revenue Funding      | Loss of revenue funding due to public sector funding pressures | Procurement of socially necessary local bus services is compromised                                       | Policy and Root and Branch Review                  | Likely/ Severe (High)              | Treat    | Spend to Save initiative  | Likely/ Minor (Medium)             | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R08  | Bus Contracts Prices | Contract prices increase                                       | Existing bus network is unsustainable within current budgets<br><br>Multiplier effect of reducing network | Policy and Root and Branch Review                  | Likely/ Severe (High)              | Treat    | Regular liaison meetings with local bus operators<br><br>Review industry costs to determine future trends | Likely/ Minor (Medium)             | Douglas Kirkpatrick | Douglas Kirkpatrick |

| Code | Risk Title              | Risk Description  | Potential Effect  | Internal Controls  | Current Risk Rating                | Approach | Related Actions   | Target Risk Rating                 | Managed By          | Assigned To         |
|------|-------------------------|---|---|--|------------------------------------|----------|---|------------------------------------|---------------------|---------------------|
| R09  | Loss of Staff           | Loss of Lead Officer  | Operational management of SWestrans is compromised          | Interim arrangements would be put in place pending appointment of replacement  | Possible/ Severe (High)            | Treat    | Identify where interim responsibility lies in partnership with DGC<br><br>Succession planning | Possible/ Moderate (Medium)        | SWestrans Board     | Claire Rogerson     |
|      |                         | Loss of Policy and Projects Officers                                      | Lack of resource to fulfil SWestrans functions              | Initiate recruitment to replace  | Possible/ Moderate (Medium)        | Tolerate | Lead Officer will assume interim responsibility   | Possible/ Moderate (Medium)        | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R10  | Procurement             | Failure to comply with procurement regulations                            | SWestrans is exposed to potentially costly litigation       | Procurement advice and support is provided by DGC  | Almost Impossible/ Severe (Medium) | Tolerate |   | Almost Impossible/ Severe (Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R11  | Contract Disputes       | Contracts are poorly drafted  | Disputes with contractors and potentially costly litigation | Contract law advice and support is provided by DGC   | Almost Impossible/ Severe (Medium) | Tolerate |   | Almost Impossible/ Severe (Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R12  | Third Party Liabilities | Legal action is brought against SWestrans by third parties for any reason | Potentially costly litigation                               | Potential liabilities are transferred to other bodies wherever possible<br><br>Legal advice and support is provided by DGC | Almost Impossible/ Major (Medium)  | Treat    | Ensure insurance cover is adequate  | Almost Impossible/ Minor (Low)     | Douglas Kirkpatrick | Douglas Kirkpatrick |

| Code | Risk Title                           | Risk Description   | Potential Effect   | Internal Controls  | Current Risk Rating     | Approach | Related Actions  | Target Risk Rating           | Managed By          | Assigned To         |
|------|--------------------------------------|--|--|--|-------------------------|----------|--|------------------------------|---------------------|---------------------|
| R13  | Lack of bus operators and Drivers    | Can lead to monopoly of the market and operators prices high due to lack of competition and bus drivers                                | Contract not sustainable as too costly   | Ensure good relations with all local bus companies   | Likely/ Severe (High)   | Treat    | Regular liaison meetings with local bus operators to Identify of areas of concern<br><br>Annual review of local market conditions                            | Likely/ Minor (Medium)       | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R14  | Withdrawal of DGC governance support | DGC no longer supports the work of SWestrans so have to procure services from other sources  | Risk in interim period from withdrawal to appointment of staff or new providers<br><br>Potential high cost of this | Ensure continued good relations with DGC by informing of the work of SWestrans   | Unlikely/ Minor (Low)   | Tolerate |  | Unlikely/ Minor (Low)        | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R15  | Cyber Crime                          | Cyber-attack on digital systems which results in compromised security, reduced business resilience and increased opportunity for fraud | Risk of system failure and impaired organisational function<br><br>Potential data breach                           | SWestrans digital systems are owned and managed by DGC<br><br>SWestrans receive regular communication/ advice from the Scottish Government's Cyber Resilience Unit | Possible/ Severe (High) | Treat    | Regular liaison with DGC's Business and Technology Solutions team operators to identify areas of concern, risk and raise staff awareness of possible threats | Possible / Moderate (Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |

| Code | Risk Title   | Risk Description  | Potential Effect  | Internal Controls   | Current Risk Rating                   | Approach | Related Actions  | Target Risk Rating                         | Managed By          | Assigned To         |
|------|--|---|---|---|---------------------------------------|----------|--|--|---------------------|---------------------|
| R16  | Data Protection  | Failure to comply with data protection regulations                | SWestrans is exposed to potentially costly litigation<br><br>Reputational risk  | Data protection advice and support is provided by DGC   | Possible/<br>Moderate<br>(Medium)     | Treat    | Staff training and awareness<br><br>Full review of business procedures<br><br>Full regulation compliance | Almost Impossible/<br>Moderate<br>(Low)    | Douglas Kirkpatrick | Douglas Kirkpatrick |
| R17  | The United Kingdom's exit from the European Union (Brexit) | Brexit impacts on local, regional and national transport networks | Disruption to transport networks<br><br>Additional costs through reduced access to necessary operational elements (fuel, parts etc) | Ensure continued participation with DGC and other CPP to understand and mitigate any Brexit impacts | Almost certain/<br>Moderate<br>(High) | Treat    | Regular liaison meetings with DGC and partners to identify of areas of concern                           | Almost certain /<br>Negligible<br>(Medium) | Douglas Kirkpatrick | Douglas Kirkpatrick |