

TAYSIDE AND CENTRAL SCOTLAND TRANSPORT PARTNERSHIP**20 FEBRUARY 2007****DIRECTOR'S REPORT**

This report updates the Partnership Board on various matters of interest and relevance to the work of the Partnership and seeks the Partnerships Board's endorsement of responses to two consultations.

1 RECOMMENDATIONS

That the Partnership Board :-

- (i) notes the Dispensations Note issued by the Standards Commission as detailed in Appendix A;
- (ii) endorses the response submitted to the Competition Commission on the Scottish Citylink Inquiry, as set out in Appendix B;
- (iii) endorses the response submitted to consultation on the InterCity East Coast Franchise, as set out in Appendix C; and
- (iv) otherwise notes the updates given in the report and Appendices.

2 DISCUSSION**Dispensations Note to Regional Transport Partnerships**

- 2.1 In the Director's Report of 19 December 2006 it was noted that discussions had taken place between the Scottish Executive, Regional Transport Partnerships and the Standards Commission on the issuing of a general dispensation to allow non-Councillor members to contribute as fully as possible in business dealt with by RTP's. The Commission has now issued a general dispensation which allows non-Councillor members to participate in RTP business dealing with matters where they might otherwise require to declare an interest and withdraw from discussion on the business in question.
- 2.2 A copy of the Dispensation Note is attached for all Partnership Board members' information and awareness at Appendix A. This enables non-Councillor members who have a material interest in the transport industry to participate in discussion, but not vote on matters where they might otherwise have been required to declare an interest and withdraw. The dispensation is subject to the member(s) concerned having declared their interest in the Register of Interests and also declaring their interest at all meetings where matters in which their company or body has an interest are discussed. The dispensation does not apply in respect of matters of a quasi-judicial or regulatory nature, or where the matter at issue relates wholly or mainly to the company or body concerned, unless the RTP resolves otherwise. As indicated above the member concerned may not vote on the matter and the Chair may require the non-Councillor member to leave the room during any

vote. The dispensation applies to all meetings of the RTP, including any Committees or Sub-Committees.

- 2.3 The Commission has indicated that it will write to Partnerships in around 6 months time seeking information on how often and under what circumstances the dispensation has been applied.

Scotland's National Transport Strategy : Buses Action Plan

- 2.4 As Board members are aware, the Transport Minister launched Scotland's National Transport Strategy, along with three associated "daughter papers", Scotland's Railways, an Action Plan for Buses in Scotland, and a Freight Action Plan for Scotland, on 5 December 2006. A Steering Group has been established by the Scottish Executive to oversee the implementation of the Buses Action Plan and the Director has accepted an invitation to be part of that Steering Group.

Strategic Transport Projects Review

- 2.5 An oral update on progress with the Strategic Transport Projects Review (STPR) and consultation on this by Transport Scotland through the Regional Transport Partnerships Reference Group was given at the last meeting on 16 January 2007. At that time it had been understood that a further meeting of the STPR Reference Group would have been held on 12 February, with a further oral update given to the Partnership Board at this meeting. The planned meeting on 12 February has been postponed, pending further work by the Executive's consultants on the current phase of the project, dealing with analysis of existing and future network conditions, which is due to be completed by the end of March. Further developments will be reported to future meetings.
- 2.6 A meeting was held with the Executive's consultants, Jacobs, on 31 January, at which time a presentation was given by them on progress with the STPR to officers of the four constituent Councils. At that time the consultants were provided with copies of the Draft TACTRAN Regional Transport Strategy and were advised of the projects and interventions within the Draft Strategy which are considered to be relevant to the ongoing STPR.

Consultations

- 2.7 **Competition Commission Scottish Citylink Inquiry** – On 1 February 2007 the Competition Commission invited comments on proposals under which the Stagecoach Group would be required to divest itself of Scottish Citylink branded services and/or Megabus branded services on the so-called "Saltire Cross" group of coach services, which operate between Glasgow, Edinburgh, Stirling, Perth, Dundee, Angus, Aberdeen and Inverness. These proposals result from an earlier Inquiry by the Commission into a Joint Venture Agreement entered into between Stagecoach, Scottish Citylink and Braddell PLC on the operation of the "Saltire Cross" coach services in September 2005. Comments on the proposed divestment undertakings had to be submitted by 14 February. The services concerned are key elements of the strategic transport network within the TACTRAN area and it was considered appropriate to respond to this consultation. Divestment of parts of what is an integrated coach network, connecting with other local services at key interchanges such as Broxden Park & Ride site, is not considered to be in the

best interests of service users and the objectives of the Draft Regional Transport Strategy. It is felt that any concerns relating to potential commercial abuse of the current Joint Venture could more effectively be addressed through imposing “behavioural undertakings”, which would set conditions relating to service levels, stopping patterns, fare levels, etc. A response urging the Competition Commission to abandon the current divestment proposals in favour of behavioural undertakings was submitted by the 14 February deadline. This response is consistent with views submitted by constituent Councils. The Partnership Board is asked to endorse the response submitted by the Director, as set out in Appendix B.

- 2.8 **Department for Transport Consultation on InterCity East Coast Franchise** – The current InterCity East Coast rail franchise was let to Sea Containers, trading as GNER, on 1 May 2005. The franchise was scheduled to run until 31st March 2012, with an optional extension to run until 31st March 2015. As a result of financial difficulties faced by the present operator the Department for Transport (DfT) has decided to re-let the franchise. Expressions of interest in running the franchise are currently being sought and tenders are likely to be invited in March 2007.
- 2.9 The DfT has consulted on the base case specification that short-listed bidders will be asked to price, requesting comments by 15th February 2007. The base case specification appears to provide for maintenance of existing services operating through the TACTRAN area to/from Aberdeen and Inverness. The partnership Board is asked to endorse a response submitted by the Director, as set out in Appendix C.

Forum of Chairs of Regional Transport Partnerships

- 2.10 In the Director’s Report of 19 December 2006 it was noted that a forum of RTP Chairs has been established to enable cross-Partnership discussion on matters of joint interest and provide opportunities to improve transport planning and delivery, through sharing of best practice and information. The last meeting of the group was held in Shetland on 9th/10th January and was attended by the Chair and Director. The Draft Minute of this meeting, along with a note of a meeting between RTP Chairs and the Transport Minister, is included at Appendix D for information. The next meeting of the group is to be held on 29th March in Perth.

3 RESOURCE IMPLICATIONS

- 3.1 This report has no direct resource implications.

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Director

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NOTE

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing this Report :-

Joint Venture Between Stagecoach Bus Holdings Limited and Braddell PLC in Relation to Megabus.com, Motorvator and Scottish Citylink - Notice of Proposal to Accept Undertakings Pursuant to Section 82 of and Schedule 10 to the Enterprise Act 2002 and Public Consultation on the Proposed Undertakings (Competition Commission – January 2007)

InterCity East Coast Consultation Document (Department for Transport – December 2006)