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This document is the Council's response to a call for views from the Scottish Parliament Rural Economy and Connectivity Committee about the Transport (Scotland) Bill currently before the Parliament.

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**SUBMITTING EVIDENCE TO A SCOTTISH PARLIAMENT COMMITTEE
DATA PROTECTION FORM**

Name:	Monica Patterson, Depute Chief Executive: Partnerships and Community Services
Date:	25 September 2018
Organisation: (if required)	EAST LOTHIAN COUNCIL
Topic of submission:	TRANSPORT (SCOTLAND) BILL

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RURAL ECONOMY AND CONNECTIVITY COMMITTEE

TRANSPORT (SCOTLAND) BILL

SUBMISSION FROM EAST LoTHIAN COUNCIL

Introduction

On behalf of East Lothian Council, I welcome the opportunity to comment on this Bill. The Council has responded to consultations in the past on several of the topics covered. In this submission I concentrate on issues where I consider that more thought is needed on the workability of individual provisions in the Bill, on how they might affect local communities, and on the Financial Memorandum.

Low Emission Zones

I note that the provisions in the Bill are for local authorities to make Low Emission Zone schemes but that these have no effect until approved by the Scottish Ministers, and subject to such modifications as the Scottish Ministers think appropriate.

I am concerned that there is no clear provision to exempt vehicles belonging to people who, while not resident in a controlled zone, must pass through the controlled zone to access the wider road network. Even within a grace period, many residents will not have the means readily to update their vehicles which, in an area like East Lothian, they may depend on to access work and social opportunities. This may have equalities implications – for example, for older people or families with young children – particularly in areas where population density does not support frequent or comprehensive bus services. **It is not clear whether a local authority could use Section 12 of the Bill as drafted (Time-limited exemptions) to grant access to such residents through means of a permit system, or whether for example the local authority could charge to do so. It would be helpful if such use could be explicitly included or at least committed to by the Scottish Government.**

Section 18 of the Bill contains provision for a local authority to suspend the operation of a low emission zone scheme, where it thinks appropriate, for the purposes of an event which the local authority considers to be “of national importance”. The designation of “national importance” would not cover the gala days and festivals which are very significant to local communities and which I would strongly suggest should also be covered by the provision to suspend the operation of a low emission zone scheme. The Policy Memorandum to the Bill does not explain why only events of “national” importance should be covered, and does not give any examples of an event of national importance. **On behalf of the Council, I therefore suggest that suspension of a low emission zone scheme should be for events which the local authority considers to be of national importance or significant local community importance.**

Smart Ticketing

National Smart Ticketing Advisory Board

I would suggest that local transport authorities should be represented on this Board, and particularly that different geographies should be represented, since for example an urban authority will have very different issues from a more rural authority, and rural authorities can be very different from each other. Further, I would wish to see very close links between a National Board and individual local transport authorities, because of the unique issues that each area may have as we develop (or are affected by) policies which are dependent on the availability of transport.

In East Lothian, for example, we have a policy focus on employability and the mobility of young people – which in this area has to include getting people some distance between their home and the bus stop or rail station. So for example we would be interested in smart ticketing that could include rural taxi services. For other authorities, this will not be such a priority.

Pavement parking and double parking

I anticipate that the proposals would be conducive to making towns and villages more accessible and attractive. However I disagree with the assertion in paragraph 174 of the Financial Memorandum to the Bill that “local authorities who are operating a decriminalised parking enforcement regime should not incur any extra costs”. East Lothian has a relatively small population and a wide area for our parking attendants to cover. There is a level of community interest in these provisions and, once they are in force, we anticipate a level of expectation that we will be responsive to reports of infractions. I anticipate that this will require recruitment of additional parking attendant resource, with associated costs, currently unaccounted for in the Financial Memorandum.

In addition, it is possible in an area with as diverse a streetscape as East Lothian that the Council might well consider it desirable to have a number of exemptions to the provisions. We would of course have to properly “sign and line” these, which again would come at a cost to East Lothian Council.

Road Works

As colleagues responded previously to the Transport Scotland consultation “Raising Standards and Improving the Quality of Roadworks in Scotland”, we consider that current arrangements work well and we consider that we have a good working relationship with the Road Works Commissioner.

In general, the Council as Roads Authority is already largely compliant with the proposed standards, but moving to the regime proposed would incur some level of cost:

- increased costs associated with the administration of the reduced notification period of the Road Works Register;
- cost associated with the training of staff;
- a new burden to the Council to assure compliance of in-house operational staff undertaking reinstatement works – which leads us to anticipate for example a need to employ two further Roads Inspectors, at a cost of approximately £90k. These costs are not accounted for in the Financial Memorandum.