

## **Head of Programmes' Report**

### **1. Introduction**

- 1.1** This report provides updates on activity and engagement through the RTP Chairs Forum on the Planning Bill, reviews of the National Transport Strategy and Strategic Transport Projects Review and Active Travel funding for RTPs and other matters of relevance to the Partnership.

### **2. Meeting of Chairs of Regional Transport Partnerships**

- 2.1** The most recent meeting of the RTP Chairs met in Shetland on 5 September 2018. The draft Minute of that meeting is attached at Item B5.1 of the Board papers.

### **3. Planning (Scotland) Bill (Meeting with Ministers for Transport and the Islands and Local Government & Housing)**

- 3.1** The RTP Chairs met with the Ministers for Housing and Local Government and Transport and the Islands on 3 May 2018, at which time there was further discussion on the Planning (Scotland) Bill and related aspects of the NTS Review. At that time the RTP Chairs reinforced their views and concerns regarding aspects of the Planning Bill. At the meeting the RTP Chairs were invited to send written observations to the Ministers and a copy of that letter and a response from the Minister for Housing and Local Government is included at **Appendix 1** for information.
- 3.2** On 17 May 2018 the Scottish Parliament's Local Government and Communities Committee published its Stage 1 Report on the Planning (Scotland) Bill. It is worth noting that, within its report, the Committee states, 'we do not consider that the current statutory framework for regional planning should be repealed unless a more robust mechanism is provided to that currently proposed in the Bill'. This comment coincides with concerns raised by the RTP Chairs with Ministers regarding the proposed absence of any statutory Strategic Development Plan and the need, in these circumstances, for a statutory requirement on Planning Authorities to address strategic development planning at a regional level, including in relation to cross boundary impacts of development and associated delivery of strategic infrastructure requirements, including through a new Infrastructure Fund proposed in the Bill.
- 3.3** In responding to the Stage 1 Report findings and recommendations on 24 May the Scottish Government stated that 'we will look to amend the Bill at Stage 2 to introduce a clearer duty for local authorities to work together in strategic planning, while retaining flexibility about how they do so and with which other authorities they collaborate'.

- 3.4** The RTP chairs have agreed to continue to engage during the next stages of the Planning Bill process and further developments will be reported to future meetings.

**4. Reviews of National Transport Strategy (NTS) and Strategic Transport Projects Review (STPR)**

- 4.1** A paper outlining the proposed process and timeline for the second Strategic Transport Projects Review (STPR2), which is scheduled for completion by the end of 2020 in line with completion of NPF4, is attached at **Appendix 2**. This confirms that STPR2 will focus on national and regional issues, with the regional focus considering 'the role of the strategic network in the context of regional economic geographies and changes emanating from the Planning Review, Enterprise and Skills Review and city and regional deals'. The paper also indicates that the first tier of engagement for STPR2 will be 'based upon Regional Groups convened by Transport Scotland to demonstrate commitment to work collaboratively', with the first meetings of these groupings to be commenced in summer 2018.

- 4.2** The RTP Chairs have written to the Minister (copy letter attached at **Appendix 3**) expressing disappointment that the currently proposed STPR2 process appears to include no recognition of, or reference to, the existing statutory Regional Transport Strategies (RTSs) which have been approved by the Scottish Ministers and have been developed, collaboratively, with Councils, and have also informed strategic connectivity proposals and aspirations in a number of emerging City Deals. It is, therefore, considered that the RTSs and their associated Delivery Plans should be viewed as important and helpful core documents which can inform both the regional and national focus of STPR2. Concern has also been expressed at the apparent intention by Transport Scotland to establish 'Regional Groupings' for the purposes of engagement on STPR2, thus far without any reference to the existing statutorily constituted RTPs, particularly in the context of the current NTS roles and responsibilities review.

**5. Active Travel Funding**

- 5.1** A joint paper setting out a joint proposal was submitted by the RTPs to Transport Scotland and the Minister for creation of a Regional Active Travel Development Fund to support maximising the benefits across Scotland from the Scottish Government's welcome commitment to doubling of Active Travel funding to £80 million/annum from 2018/19 - 2020/21. This had been the subject of positive discussion between the RTP Chairs and the Minister at their earlier meeting on 23 January 2018.
- 5.2** The Minister responded by inviting each RTP to submit proposals for capital bids of £2 million and £1 million across the 7 RTPs. SEStran's agreed proportion of the bids is £400400 and obviously £200200, respectively.

- 5.3** Proposals for utilisation of additional funding have been submitted, individually and collectively, by the 7 RTPs to Transport Scotland. These were the subject of further discussion at a meeting between the RTPs and Transport Scotland on 3 July 2018 and amended bids were submitted at the end of July. Of particular note from that meeting is that any funding granted will be subject to a match from the RTP, unless it relates to design work.

## **6. Revised Councillors Code of Conduct**

- 6.1** The Partnership Board is aware that the Scottish Government had issued a consultation on possible amendment to Provisions on Conflicts of Interest within the Councillors Code of Conduct. The consultation had sought views on possible amendments to the Code of Conduct, following concerns having been raised with the Standards Commission and Scottish Government by Nestrans in relation to the ability of Councillor members of RTPs to participate in discussion and decision-making on major planning applications which have strategic transport implications.
- 6.2** The consultation proposed amendment to the Councillors Code of Conduct so that Councillors who are appointed as members of an outside body would not be prevented from taking part in their Council's discussion of a matter of a quasi-judicial or regulatory nature in which that outside body has an interest, solely because of their membership of that body. Under the proposed amendment Councillor members taking part in their Council's consideration and decision-taking on such matters would still need to declare an interest as a member of the public body.
- 6.3** Parliament approved the revised code which came into force on 9 July 2018. SEStran awaits a revision to the Model Code of Conduct, which applies to members of the Partnership Board.

## **7. Recommendations**

- 7.1** That the Board notes the content of the report.

Jim Grieve

**Head of Programmes**

11<sup>th</sup> July 2018

**Appendix 1:** Correspondence between RTP Chairs and Scottish Ministers

**Appendix 2:** NTS 2 review

**Appendix 3:** Correspondence between SEStran's Chair and the Minister for Transport and the Islands on STPR2

Policy Implications	SEStran Code of Conduct to be updated
Financial Implications	Potential additional projects funding
Equalities Implications	None
Climate Change Implications	None

## **Appendix 1: Correspondence between RTP Chairs and Scottish Ministers**



Regional Transport Partnerships Secretariat, Nestrans 27-29 King Street, Aberdeen, AB24 5AA

22<sup>nd</sup> May 2018

Mr Kevin Stewart MSP  
Minister for Local Government and Housing  
T3.22  
The Scottish Parliament  
Edinburgh  
EH99 2SP

Dear Minister

Thank you for meeting with the RTP Chairs at the Parliament on Thursday 3 May 2018. It was a very useful meeting in allowing us to share a number of our thoughts with you as you consider the relative merits of potential changes to planning and transport governance.

You suggested that it would be helpful for us to write to you to confirm these thoughts to inform your further considerations. Thank you for that opportunity; hopefully this letter can explain our thinking on the issues that we raised at the meeting.

### **1. Effective integration of planning and transport is essential for Scotland's future sustainable economic growth and delivery**

It is important to recognise one of the key differences between the role of development planning and that of strategic transport planning, and the agencies involved in delivering these. That is that planning authorities are responsible for setting the direction of future development within their area, as well as those policies required to deliver that with implementation of development plans generally carried out others and largely by the private sector. Transport planning on the other hand carries out the function of setting strategic direction but is also, by and large, the delivery vehicle for implementation of the proposals. This differentiates the two issues because of the increased scrutiny and accountability that transport receives because of a direct impact projects can have on people and the spending of what can be very significant sums of public money.

Notwithstanding the difference in roles, the RTP Chairs believe that the greatest possible integration of planning and transports' strategic functions is of critical importance to providing a sustainable best value result for the citizens and communities of Scotland. The Chairs believe that any changes to the nature of both planning and transports' governance and delivery should be carried out with this integration as a priority. Unless land use and transport planning, including in respect of new development, is carried out as one properly integrated process it is likely that sustainable development and related transport policies and practices will not succeed. Therefore, the problems associated with single occupancy cars and other less sustainable travel practices and behaviours will continue to prevail, acting against the

current aims reduce the need to travel and to establish more walkable and sustainable developments, where amenities are within easy reach of communities.

## **2. The need for change to the current planning system has not been fully evidenced**

The RTP Chairs do not believe that the Independent Panel or subsequently the development industry or others have evidenced how the current planning system is 'too bureaucratic' and 'difficult to understand' and are therefore not convinced that these are adequate and appropriate reasons for the fundamental and far-reaching changes proposed. The RTP Chairs consider that the current system clearly and simply brings together national (NPF/SPP), regional (SDPs), and local (LDPs) policies and plans through an agreed and evidence-based process, which has clearly and effectively aligned strategic land-use and transport policies and planning in a way that is relevant to local and regional needs. Many stakeholders and organisations we have discussed the proposed new planning system with, including the Scottish Parliaments Local Government and Communities Committee, remain unconvinced of the need for some of the proposed changes.

The RTP Chairs understand Ministers desire to simplify the system but believe that the loss of regional strategic planning could increase any perceived "difficult to understand" by reducing transparency on regional input into the National Planning Framework. Further, people will understand that the Locality Plans and Local Outcome Improvement Plans from the Community Planning System will influence their Local Development Plan and the Strategic Development Plan for their region but will have a lesser impact on a National Planning Framework due to the scale of that national document.

## **3. The need to build on the successes of the current system**

The RTP Chairs believe that there is considerable advantage in bringing together Councils with a joint interest in a defined region to consider how the NPF and existing and emerging statutory regional and local plans can be integrated to the benefit of the regions and their local communities. We believe that having a statutory document to define agreed regional proposals is helpful, as is the statutory nature of the SDPAs and RTPs. Whilst a statutory NPF will be a valuable document, there needs to be regional strategic planning prepared at a regional level in order to ensure that regional proposals are given sufficient focus. The RTP Chairs and many RTP stakeholders believe that this current statutory relationship and process has worked effectively across large parts of the country and should be built upon to ensure the relatively recent benefits of a more integrated approach to strategic regional planning are preserved and achieved across all parts of the country.

Whilst understanding a desire by some to 'simplify' the system, the RTP Chairs do not believe that removing a statutory duty to be involved in regional planning and replacing this with a vague request to jointly and voluntarily provide regional information to an enhanced NPF will improve or make the planning system more effective in terms of policy or delivery. Where the current system is working well the proposed process could work less well and where it is not working so well, there is a distinct possibility the proposed process could make things worse.

The RTP Chairs believe that, in most cases, bringing Councils together under a statutory duty to agree strategic planning and transport frameworks and policies at a

regional level has benefitted not only consideration of these issues at a regional level but has built a level of trust between Councils. That in turn has fostered closer working between them to create a positive environment and agreement to move forward with City Region Deals and to work closer together with each other and their regional partner bodies on cross boundary issues. A good example of this is in the north east where Aberdeen City Council has agreed through their RTP to part fund a rail station in Aberdeenshire whilst Aberdeenshire Council is contributing through the City Region Deal to the new Aberdeen South Harbour at Nigg. This developed trust has also fostered joint working in the fields of waste and economic development.

The RTPs welcome the review of transport governance being carried out through the NTS Review. Twelve years on from the creation of the RTPs and Transport Scotland, and more than 20 years after establishment of the unitary local transport authorities, this is an appropriate time for a review of what has worked well and not so well. We also welcome the level of involvement of the RTPs in the process being carried out. We are guided that the feedback from our involvement so far has been positive with the RTPs being perceived as contributing positively to the process and bringing an open mind to issues. We do believe though that, in considering the future of transport governance, emerging findings appear to show strong evidence that regional consideration of issues where Councils share a common interest is the most appropriate way forward.

Consideration should be given to what functions are best carried out at a national, regional and local level and while we recognise this is being done in the NTS Review, we believe it is important to remember that regional and local needs and issues differ significantly across the country, and that regionally and locally relevant solutions for different places and circumstances, including the current system where it is working well, may well be the most effective answer.

We would also like to highlight the RTPs' strong democratic accountability, which is often not fully appreciated, and their significant role and contribution in representing transport in the community planning process, and in contributing more generally to community and locality planning. In particular the role and status of the publicly appointed non-councillor Members of the current RTPs will need to be considered within any future models of regional governance. The contribution of these Members has been a strong benefit to decision making and performance of the RTPs, including contributing positively to the RTPs' wider role and contribution in relation to strategic planning and community planning.

The RTP Chairs would strongly urge that the form of future regional governance should be considered after the functionality of that governance has been decided. We believe that the statutory nature of the "management and maintenance" function of the Roads Scotland Act 1984 would likely lead to a conclusion that a statutory regional transport body was essential. (See also item 2 above). Given the cross-boundary issues and relationships for many journeys undertaken, by car, bus, train or freight and the common interest in the usage of some transport forms, trunk roads, national rail, airport and harbours, the RTP Chairs believe that a statutory national transport strategy and regional transport strategies are appropriate and essential. Indeed, there is significant international evidence that the strongest regions are those that have an effective regional transport governance structure. It is also the case that, although journeys by active travel modes are typically short distance and local, the planning and

encouragement of these at both the land-use and transport planning and policy level require to be considered strategically (regionally) as well as being delivered locally.

#### **4. The need for effective delivery**

The RTP Chairs welcome the assurance given by the Minister at the meeting that the Scottish Government is committed to the principle of the implementation of an Infrastructure Levy and understand and support his desire to ensure that it is done so having properly explored all of the relevant issues around it.

We recognise that the Levy will be set and collected by the local authorities in their planning authority role. We also recognise that the Levy will cover a number of infrastructure issues beyond transport. We would however ask that a proportion of the Levy be recognised as being for strategic transport improvements and that provision is included to require that RTPs, as the relevant Key Agencies for such matters, are involved in such decisions. As such, we would ask that the proportion collected by the local planning authority for strategic transport improvements be transferred on receipt to the regional transport body to be used to develop strategic improvements following consultation with local authorities and developers.

We trust that both the meeting and the content of this letter have provided some further food for thought in your own considerations of the future of planning and transport functions and governance. We would be happy to follow up on any queries either through the RTP Chairs' meeting or our officers.

#### **The Chairs of the Regional Transport Partnerships of Scotland**

Councillor Alan  
Henderson  
Chair of HITRANS

Councillor Peter  
Argyle  
Chair of Nestrans

Councillor Gordon  
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Chair of SEStran

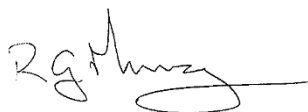
Cllr Martin Bartos  
Chair of SPT

Councillor Andrew  
Wood  
Chair of SWESTrans

Councillor Brian  
Gordon  
Chair of Tactran

Councillor Ryan  
Thomson  
Chair of ZetTrans

Yours sincerely



Derick Murray

RTP Secretariat

(Signed by RTP Secretariat on behalf of RTP Chairs)





Regional Transport Partnerships Secretariat, Nestrans 27-29 King Street, Aberdeen, AB24 5AA

22<sup>nd</sup> May 2018

Mr Humza Yousaf MSP  
The Minister for Transport and the Islands  
The Scottish Government  
St. Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Dear Minister

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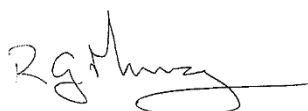
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Yours sincerely



Derick Murray, RTP Secretariat

**Minister for Local Government and Housing**  
Kevin Stewart MSP



**Scottish Government**  
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Derick Murray  
Regional Transport Partnerships Secretariat  
Nestrans  
27 – 29 King Street  
Aberdeen  
AB24 5AA

6 June 2018

Dear Derick,

Thank you for your letter of 22 May regarding the planning and transport matters raised at our meeting on Thursday 3 May. I found the discussion at the meeting very helpful and would be grateful if you would pass on my thanks to those who attended for their time and input.

I note that many of the points discussed on the day and included within your letter have been highlighted and detailed in your previous responses to both the National Transport Strategy and Planning Reform consultations and I can assure you that all of these points will be considered further as we continue to work through the on-going processes to deliver updated policy and guidance. As you are aware, debate on the Planning Bill is ongoing and I am sure you will be following this interest. I welcome your on-going engagement with the wide range of consultations and workshops as well as the feedback you have provided to date. I look forward to continued close working with the Regional Transport Partnerships as we consider and deliver these important changes to the planning and transport landscape over the course of this Parliament.

I am copying this reply to Humza Yousaf MSP, Minister for Transport and the Islands.

Yours aye,  
Kevin

**KEVIN STEWART**

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)



## **Appendix 2: NTS 2 Review**

### **NATIONAL TRANSPORT STRATEGY REVIEW BOARD**

#### **STRATEGIC FRAMEWORK UPDATE**

**Wednesday 9<sup>th</sup> May 2018**

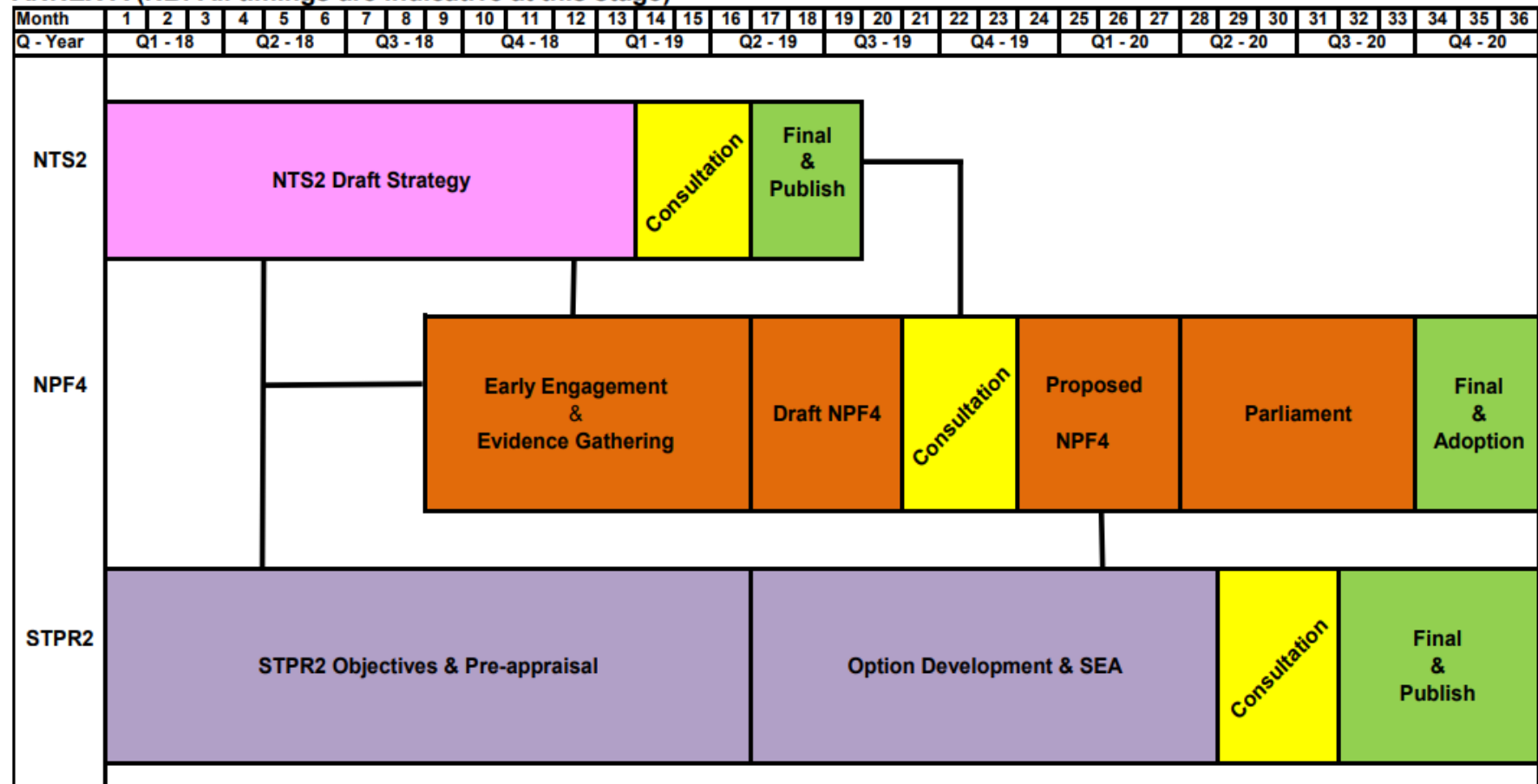


1. The first substantive output from the NTS review process has been delivered with the production of the draft strategic framework by a collaborative working group consisting of SCOTS, CoSLA, SPT, Transport Scotland and academic representation.
2. The vision and outcomes have been extensively tested and refined following feedback from NTS review governance and support bodies, including the Review Board, and all working groups. The strategic framework group has worked systemically through each individual item of feedback to determine a position relative to that feedback and this has resulted in the vision and outcomes framework shown below. Many of the comments were valid and interesting but in a number of cases more relevant to delivering the outcomes than specifying the outcomes and this is the area of work that the thematic groups are taking forward.
3. The latest diagrammatic presentation of the strategic framework is presented below. A brief accompanying narrative document will be finalised by the strategic framework group in the near future (for example, describing what is meant by the term 'we' when used in the vision and outcomes). The expectation is that having gone through this process the substantive content of the draft strategic framework will not change. Wider public engagement giving visibility of the framework will begin in summer 2018.
4. The thematic working groups (see paper 3.2) are producing policy proposals to support the delivery of the strategic framework. The groups will report on their initial policy proposals by the end of June 2018.
5. Next steps for the strategic framework group will be to develop a monitoring framework.
6. The Board is invited to note the draft strategic framework below and the proposed presentation.





**ANNEX A (NB: All timings are indicative at this stage)**



**Outline Programme for Delivery of STPR2 (showing essential inter-dependencies)**

**NTS Review Board – Second Meeting – Paper 3.5  
REPORT TO NATIONAL TRANSPORT STRATEGY (NTS) REVIEW BOARD**



### **Appendix 3: Correspondence between SEStran's Chair and the Minister for Transport and the Islands on STPR2**



Regional Transport Partnerships Secretariat, Nestrans 27-29 King Street, Aberdeen, AB24 5AA

Mr Humza Yousaf  
Minister for Transport and Islands  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

16 May 2018

Dear Humza

I refer to the "Report to National Transport Strategy (NTS) Review Board" covering the approach to STPR 2, which was presented and discussed at our meeting on 9 May 2018 and wish to highlight a number of issues for the RTPs within the paper.

The RTP Chairs welcome the focus on regional groups and recognition of the essential inter-dependencies between economy, planning and transport, in taking forward both the STPR 2 and NTS 2. I would add that I, personally, was particularly encouraged by the discussions around this topic at the last Strategy Board meeting in terms of a future for regional governance.

However, I and my fellow RTP Chairs are concerned by an apparent lack of recognition in the paper of the established regional geographies which the RTPs statutorily comprise, and also an apparent lack of any reference to the seven Ministerially approved Regional Transport Strategies (RTSs). The approved RTSs represent a fundamental function and output of each RTP, having been developed by the RTPs in full consultation with their partner Councils and other key regional and local stakeholders. As you know, these are statutory documents which identify regional and local issues and priorities, including supporting those identified in the current NTS, NPF and STPR. As RTSs are being refreshed these are also being progressively aligned with other regional and local policies, plans and priorities, including through Development Planning, Community and Locality Planning, and emerging City Deals.

In addition to the wide ranging level of collaboration established through the development of the RTSs, a very substantial level of knowledge and expertise has been gained by the RTPs over the years of engagement in the production of these strategies and, crucially, an intimate knowledge of the structure and function of each regional strategic transport network, how that network operates and what needs to be done to improve the network, to promote sustainable transport, is now contained within these statutory bodies and articulated in each RTS.

Whilst we appreciate that the output from the NTS 2 Roles and Responsibilities Group will influence the way forward, the RTP Chairs are very much of the view that this expertise and knowledge should be retained in the future, within a regional partnership and embodied in some form of regional transport strategy, alongside and complementing regional economic development and planning strategies.

I and my colleagues would also suggest that the STPR 2 Objectives & Pre-appraisal and Option Development & SEA stages of the STPR2 process should be linked with and fully informed by the work already done by RTPs and contained in the currently approved RTSs, along with their associated Action Plans/Programmes and SEAs.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Gordon Edgar', with a long horizontal stroke extending to the right.

**Cllr Gordon Edgar**

Chair of SEStran and RTP Representative on the NTS2 Strategy Board