

# **ISSUES OF GEOGRAPHY IN SCOTTISH TRANSPORT GOVERNANCE**

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## **INTRODUCTION**

This paper describes progress on a Scottish Executive-funded doctoral project to observe and analyse the process of change affecting Scottish transport governance. The paper begins with a brief description of the aims and objectives of the project and the strategic aims of transport policy in Scotland before outlining the temporal and spatial context in which the Regional Transport Partnerships (RTP) are situated, before discussing the question of how the new organisational structure impacts on the ability of key agents to achieve the national, regional and local policy objectives. This involves examining issues such as the impact of RTP composition on effectiveness, and whether significant conflicts of interest are operating between agents (political, public and private) and leading to hierarchy rather than partnership and consensus-building. Factors to identify could include, for example, differences in strategic thinking, the forces at work in organisational change, whether a genuinely regional vision is created that is more than the sum of local strategies, or whether strategies are innovative or risk-averse. The paper concludes with a brief overview of how some of these issues are being revealed in the partially completed empirical research and identifies the key focus for the next stage of analysis that will enable the effectiveness of the new regional structures to be assessed.

## **OVERVIEW OF PROJECT AIMS AND OBJECTIVES**

Properly titled “The Changing Geography of Transport Governance in Scotland”, the project commenced in October 2005. The formal aim is to observe the dynamics of change from local to regional structures in Scottish transport governance and make early assessment of strategic effectiveness of new structures. To meet this aim, four objectives have been developed:

- to establish the theoretical basis for analysis of new governance structures for Scottish transport;
- to review and analyse LA/stakeholder experiences in developing and implementing transport strategy;
- to document, observe and analyse the process of transition from the voluntary to the statutory, and from the local to the regional institutional focus in transport planning and delivery;
- to identify and explore principal challenges for new structures in implementing Scottish Executive transport policies.

As is the way of doctoral research, most of the work so far has consisted of meeting the first objective, involving formal academic desk work, conducting a literature review and establishing the philosophical foundation for the methodological approach. Out of this four research questions have been

developed to guide the empirical work involved in meeting objectives two and three. These are:

1. How do the structures constrain or enable the key organisational agents (and the individual agents within them) to achieve the outcomes specified at national level?
2. How does the composition of an RTP impact upon effectiveness?
3. What evidence exists of significant conflicting agendas between agents operating at different scales?
4. What processes are in action and how do they relate to theorizations of governance?

The empirical work is based on qualitative, semi-structured interviews, supported by documentary analysis, and commenced in November 2006. Obviously, it would be impossible to conduct a study of this type that included all seven RTPs due to the number of face-to-face interviews involved. Therefore, three RTPs have been selected as case studies: NESTRANS, TACTRAN and SESTRAN. These have been chosen to encompass variety in geography, composition and institutional history. Alongside interviews with key regional and local stakeholders, a number of national level interviews are being undertaken. At the time of writing nearly half the interviews have been carried out.

## **THE DEVELOPMENT OF STRATEGIC TRANSPORT POLICY IN SCOTLAND**

Following devolution, Scotland's first transport legislation was the Transport (Scotland) Act 2001. This made provision for improving transport planning by putting in place the legislative framework to:

- o enable LA to implement road user charging
- o enable LA to support quality bus measures
- o permit establishment of the Integrated Transport Fund (central government grant funding for support of strategic transport projects)

At the time, social inclusion and sustainable development were promoted as very high-level priorities. Since then, the emphasis has subtly shifted back to economic growth through successive changes of leader, and subsequent to the Labour-Liberal Democrat Partnership Agreement of 2003, and an initial round of national consultation on transport, the White Paper *Scotland's Transport Future* was published in 2004. This contains five objectives which are harnessed to the overall aim of promoting "economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system" (Scottish Executive, 2004, p17):

1. promote **economic growth** by building, enhancing, managing and maintaining transport services, infrastructure and networks to maximise their efficiency;
2. promote **social inclusion** by connecting remote and disadvantaged communities and increasing the accessibility of the transport network;

3. protect our **environment** and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy;
4. improve **safety** of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff;
5. improve **integration** by making journey planning and ticketing easier and working to ensure smooth connection between different forms of transport.

The White Paper clearly signalled the desire to create a stronger, more cohesive system for transport governance in Scotland, recognising a weakened capacity to carry out strategic transport planning following local government reorganisation in 1996. The loss of the regional tier of government is associated with fragmentation of functions, as they were spread horizontally and vertically across 32 LAs and a number of special purpose authorities (Begg and Docherty, 2003). The chief issue for transport has been the difficulty of delivering transport investment across LA boundaries as a result of their strong local focus and inter-competitiveness for economic development and housing, running counter to the national objectives of greater integration and co-operation.

Local Transport Strategies (LTS) were introduced to improve integration, particularly across transport modes, by encouraging better co-ordination between service and infrastructure providers, whether public or private, but also across other important policy sectors, particularly land use planning, health, education, economic development, social justice and environment (Walton and Shaw, 2003). It was in this climate that the work to create Transport Scotland and the RTPs was undertaken. Whilst it is not yet clear how the LTS, RTS and NTS will mesh together in practice, it is undoubtedly the intention that the new structure should address the post-1996 cross-boundary strategy gap that has beset transport. Cross-sectoral communication is also specified, particularly with health and spatial planning, but also through community planning.

### **The Emergence Of The Regional Transport Partnerships**

After the White Paper came the Transport (Scotland) Act 2005 and its associated statutory instruments to set up the RTPs, the creation of Transport Scotland as an executive agency in 2006 and the eventual publication by the Scottish Executive of the National Transport Strategy in November 2006. The new statutory regional structure covers the whole of Scotland, and has replaced the voluntary regional bodies that had developed in some parts of Scotland after 1996 local government organisation, clearly a recognition by the LA involved (and in some cases private sector partners), of the strategic importance of the regional dimension to transport planning.

“The development of four voluntary regional transport partnerships is evidence that regional transport issues are increasingly important” (Scottish Executive, 2004, p18)

A key feature of the 2005 legislation was freedom given to LAs to decide on the level of any powers to be transferred to the new RTPs. Although there is a strong wish by the Scottish government that the RTPs should move away from the weakest model outlined in the legislation, so-called Model 1, only three of the seven have taken the strongest route (Model 3), that is, South West of Scotland, Shetland Islands (STP) (both single authority “partnerships”), and West of Scotland, where the brand name of SPT continues along with many of its powers (excepting rail which has transferred to Transport Scotland). These are all, in their individual manner, exceptional cases. The three RTPs examined in this study are all Model 1 partnerships in terms of powers, as is HITRANS. No RTPs, therefore, have taken the “middle way” of Model 2, which was not clearly defined in the legislation but presumably involves a hybrid of concurrent and sole powers that stops short of the full transfer of all transport powers from constituent LA to the RTP. It should also be mentioned that some powers could, in principle, be transferred from the Scottish Executive or Transport Scotland to the RTP.

Geographically, the RTPs vary widely in land area and population, as well as in terms of LA composition, and there is little similarity of transport geography between RTPs. For example, NESTRANS represents a small, natural city-region comprising two LA, whereas TACTRAN has three small travel to work areas, no major destinations, and four LA. As far as road and rail trunk routes are concerned it is a corridor. SESTRAN and SPT are both metropolitan regions, with large, and growing, travel to work areas, but both RTPs stretch into some quite rural areas, whereas HITRANS is primarily remote rural. STP and South West of Scotland both successfully argued to go it alone on the basis of their difference from their neighbouring RTPs.

The re-scaling of governance that is evident in the creation of statutory regional bodies recognizes the apparent success of the voluntary partnerships that had been established in some parts of Scotland, but this move can also be represented as an effort to fill a strategic gap in transport governance that resulted from an over-devolution of transport powers to the local level in 1996. Such strategic-political change has been theorized as representing a ‘hollowing-out’ of the state (Rhodes, 1997), that must then be compensated for by ‘filling-in’ at another level (Goodwin *et al*, 2005). However, this is called into question by the uneven redistribution of powers across the new partnerships. This ‘variable geometry’ (as one interviewee has described it) could lead to confusion outside immediate transport circles, and thus this complexity could be described more as an example of an over-stuffed, and hence inefficient, institutional landscape.

A key theme underlying these issues is power – where it lies both formally and informally, by whom, where and how it is exercised, and how this influences success or failure in implementing policy. Despite the current policy discourse which stresses new forms of local and regional decision-making and partnership, a new hierarchy around power could develop in two ways, firstly between tiers of governance, i.e. the national, regional and local, but also within the RTPs, between the local authority (LA) partners. This will raise continued questions around subsidiarity and devolution, responsibility without

power, democratic accountability and new internal peripheralities if some RTPs focus resources on tackling the pressing economic demands of large travel to work areas.

The first real step to win a war is to establish a strategy capable of being implemented, and that has been the really slow part for transport. A consultative democracy seems to have emerged for transport, as over the past few years there have been numerous consultations for each individual step in changing the institutional and strategic landscape for transport. The consultation exercise for the establishment of the national transport agency in 2003 received 176 responses, the proposals for Statutory Regional Transport Partnerships consultation had 105 responses, for the 2006 consultation over the national transport strategy there were 314 responses, considered particularly high for a Scottish Executive written consultation exercise (Nicholson, 2006) and indications are that most Regional Transport Strategy consultation has had responses running into the 100s. This represents a considerable investment of time and resources for the respondees, who have repeatedly expressed their views on transport to the Scottish Executive and now to the RTPs. However, the electorate still tends to wait until a particular scheme impacts them directly before resorting to the adversarial mechanisms of the planning system to make their views known, thus undermining regional consensus.

## **ASSESSING THE IMPACT OF INTRODUCING DIFFERENT SCALES AND LEVELS INTO TRANSPORT GOVERNANCE**

Once policy is established, its achievement, at whatever scale, is a matter of resourcing and leadership. However, where policy has been developed which expects strategies to be developed at different scales, there is the additional factor of remit – overlaps or gaps can emerge between the scales - and agenda: it is not hard to imagine that conflicts of interest will emerge, as older organisations try to retain fiefdoms (i.e. their *power*), while newer players attempt to win 'territory' for themselves, potentially at the expense of others. Strategies developed at lower levels of government, in particular, may be intended to follow slightly different policy aims to those laid out at national level, particularly if the local government has a different political colour. These are real matters that RTPs must grapple with, especially as their political membership is now cross-party as well as cross-LA. Whatever the aim however, the policy levers considered available to influence transport are legislation; regulation; investment; persuasion; planning policy; demand management and joint working (Scottish Executive, 2004). In Scotland, where the power lies formally was already variable in transport:

“Achieving our objectives depends critically on setting out a strategy and agreeing on the actions required. Some of the levers necessary are available directly to the Scottish Executive, some rest primarily with its delivery partners in local government, and others, such as vehicle excise duty and fuel duty are taxation matters reserved to Westminster. It is not the role of government to intervene where the market can provide the most efficient solution but transport will continue to require significant public

sector intervention to meet our economic and social policy objectives.”  
(Scottish Executive, 2004a, p25)

The formal landscape of transport powers is now potentially even more variable and consequently, the difficulty attached to achieving the policy aims for transport cannot be overestimated, dependent as it is on changing so many entrenched institutional and individual behaviours that cut across so many policy areas. In relation to spatial planning, which also has a complex institutional landscape, Vigar *et al* (2000) point out that the legacy of adversarial politics, professional monopoly and pressure group politics in British local governance makes it challenging for new institutional relationships to develop that are better able to reflect the new governance paradigm of partnership, and hence succeed. This applies equally to the new RTPs, which must be able to carve niches of different shapes across Scotland in order to deliver their strategic vision within the context of the NTS, and to do this they must be able to make the case that their vision is genuinely regional, and not a bolting together of local aspirations.

## **EMPIRICAL FOCUS**

We now have a geographically comprehensive (if variable) and multi-layered structure for transport governance in Scotland – the supranational EU has some role, a few matters remain reserved to Westminster, rail powers have been devolved to the Scottish Parliament, the national agency Transport Scotland has opened for business, the RTPs are reaching the finishing line for their initial core activity of producing regional strategies and LA remain responsible for the non-statutory LTS system, although skills shortages across the transport units of LA have meant that some second round LTS remain unfinished. The key task, assuming that the Minister accepts the RTS largely as submitted later this month, will be for the active parties to clarify out their spatial and institutional roles in implementing the strategies, this means deciding on functions.

In conducting interviews across case study areas, interest has focused on the context of stakeholders in relation to the RTS process, with particular emphasis on those closest to the process. This is being used to establish a picture of the formal and informal structures that are bounding the processes of agency that must react to and act to further shape the structures to meet regional needs. Associated with this, the interview schedule puts emphasis on exploring the experiences of power and influence that are explicitly or implicitly recognised as existing within RTPs, or impacting upon them during their infancy. For example, Councillor board members of RTPs are democratically accountable, but at the same time, must “think beyond the boundaries of their own local authority” (SE 2006, p5). The inherent tension in this is recognized and not new – it afflicts all joint boards, local authorities, and all the UK parliaments and assemblies, but at this time, all stakeholders seem particularly aware of it, as we draw nearer to the two levels of election due in May.

However, 'other board members', are appointed as individuals, selected for their expertise, and the breadth that they can contribute to the RTPs. Whilst on some RTPs they have full voting rights within the limits set by statute, they are nevertheless weaker in terms of power than the political members, and they must learn to operate in the cumbersome bureaucratic matter of local government whilst being unremunerated. It is not hard to envisage their goodwill being eroded by this if they feel that they are not able to fully contribute to progressing transport in their region although evidence for this view is so far limited. Given that in most cases, their individual expertise derives from current belonging to a public or private stakeholder, they also experience implicit conflict of interest in acting as RTP board members, in putting regional needs ahead of those of their particular constituency.

Such conflicts of interest mean that the conceptual emphasis must be on partnership rather than on authority (in the sense of a transport authority) and thus puts the onus on consensus, rather at the expense of making hard choices, making RTPs weaker than analogous bodies such as Fire and Police Joint Boards, and transport organizations in other jurisdictions (such as Transport for London). Nevertheless, the degree of influence that RTPs will be able to exert, albeit indirectly, should not be underestimated, but for success, the strategies that will be submitted to the Minister at the end of this month must be genuinely strategic – overcoming the fragmentation, competition and wish-listing that tended to emerge in the local transport strategies (Docherty, 2006). Prioritisation is a key element of operationalising the strategies, that can be used to pick a path through the conflicts of interest, but this must be done in such a way as to keep the partners on board to enable implementation, which includes the possibility of agreeing to transfer powers, a key focus for RTPs and LAs in 2007-08 (Cockhead, 2006).

This returns us to questions of power – whilst formally the RTS are not intended to be bidding documents, informally it is hard to see how they can avoid this, as they are expected to inform the spending review and the strategic transport projects review. In addition, the Transport Minister has indicated that future funding allocations to RTPs are dependent on approval of the proposals contained in the strategies, and their concomitant "level of innovation" – as far as the Minister is concerned the RTS is the first test on which he will judge the new organizational structure (Anon, 2006). Whilst officers and Board members of RTPs are relieved to be nearing the finishing line for their RTS, all of which have required Herculean efforts to complete in the timescale allowed, especially for those 'regions' without a history of voluntary partnership, there is a certain amount of uncertainty surrounding the issue of whether sufficient resources will be available across Scotland to achieve the visions, and around how those resources will be channelled, as LA sensitivities have already been raised by a clumsy, and consultation-free, change in the way monies for demand responsive transport, community transport and rural public transport will be distributed. This implies that ultimately, power over transport remains at the highest level in Scotland, and that the power of the RTPs is carefully circumscribed, a situation complicated at this time by the imminence of the elections.

## CONCLUSIONS

These are clearly important issues on which to base the analysis of interview and documentary material, for in this environment, it will be harder for RTPs to gain the trust of their constituent LA to the level at which powers might be voluntarily transferred upwards, as politically this might be seen within local government as 'the thin end of the wedge' towards diminishing the role of local government, especially if the work being done in many service areas to increase co-operation and deliver services in partnership could be used to further an agenda of re-regionalisation or is seen in some political circles to be a precursor to such re-scaling.

Whilst the log jam of lack of investment in transport has been broken, it is essential that the source does not yet dry up as a result of Ministerial *fiat*, and the RTPs must be given space to gain trust within and between themselves, as well as with the other partners in transport governance, such as Transport Scotland, Network Rail and the plethora of private passenger and freight operators. It was not a good start that the high level document intended to inform the developing RTSs, the NTS, was so severely delayed as to appear only once the crucial first stages of the RTS process were all but complete.

If governance of this policy sector is not to run the risk of being over-stuffed and congested clear divisions of responsibility for setting strategy and implementing projects and programmes will have to emerge within the next two years. Over the next six months of this project, the analysis of interview transcripts and documents will be looking for clear signs that this can be achieved, and will be seeking to identify what factors will signal effectiveness for the new regional structure in transport governance in Scotland.

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