

DRAFT TRANSPORT (WALES) BILL**RESPONSE BY NEATH PORT TALBOT C.B.C.****Introduction**

The Council broadly welcomes the measures set out in the Draft Bill, but with some important reservations. The Council accepts that the closing date for consultation of 5th August is reasonable. However, bearing in mind the impact on Council processes of the Local Government elections in June the deadline of 15th June for the submission of written evidence to the Welsh Affairs Committee of the House of Commons and the Economic Development and Transport Committee of the National Assembly for Wales gives little or no opportunity for consideration of that evidence by the newly elected Members of the Council.

General Transport Duty and Wales Transport Strategy

These measures are broadly welcomed. There will clearly be a need for the Wales Transport Strategy to be widely and fully consulted on. Moreover, it will need to be fully embraced both by individual local transport authorities and the regional consortia or Joint Transport Authorities, if established, as they will have a substantial role to play in its implementation. There will need to be clarity in defining “transport facilities and services” to ensure no duplication or misunderstanding as to various roles and responsibilities.

The varying degrees of commitment to co-ordinating transport provision referred to in the Partial Regulatory Impact Assessment are perhaps not surprising in the absence of a unifying, clearly defined National Transport Strategy.

Local Transport Plans

The measures set out in Schedule 1 to the Draft Bill give cause for concern on the issue of content, deliverability and grounds for refusal. A local transport plan by definition takes account of local transport issues and available funding with regard to what it can deliver.

Arrangements for Discharge of Transport Functions and Joint Transport Authorities

These proposed measures give cause for concern because of their potential impact on local democracy and accountability. Clearly there are transport issues which are regional or sub-regional and which therefore cross local authority boundaries. However, there are equally many transport issues which are more local in nature. The regional consortia have evolved in response to the wider transport issues and, appropriately constituted as joint committees of the member Councils, are considered to be the most appropriate means of addressing those issues. The Council is particularly concerned at the prospect of Joint Transport Authorities (JTA's), constituted as corporate and levying bodies and considers them to be an unnecessary additional layer of government. Given the already severe pressure on Local Government finances in Wales the Council considers it not practicable to consider diverting an element of funding into the establishment and operation of JTA's. One of the advantages of Unitary Authority status is that all local government functions, including land use planning, fleet operation, etc. are under a single Authority. A move towards JTA's would involve some separation of transport from those other functions.

The Council does not accept the assessment that staff will simply be transferred to new JTA's without increasing overall staffing levels. It is claimed in the Partial Regulatory Impact Assessment that local authorities are hampered by being too small to attract specialist staff to plan and implement significant transport projects. It is true that most local authority teams in transport related disciplines are small. The transfer of staff into new JTA's can only further deplete local authority specialist staff resources to deal with the residual functions which will continue to require a level of expertise. This will not only apply to front line technical staff but also to areas such as finance if, as suggested, there is to be a lead authority for each JTA or joint working arrangement, through which all funding would be channelled.

The Council is also concerned at the potential adverse impact on relationships with stakeholders which, at best, would need to be re-established by a JTA and which could be more difficult to maintain be an authority operating at a more strategic level.

Financial Assistance: Local Transport Functions

The Council welcomes the clearly stated power for the Assembly to provide financial assistance to local authorities for the discharge of their transport

functions, especially if that assists in addressing cross-cutting issues such as access to health services. However, there is concern that it is repeatedly made clear that no increase in transport funding is proposed. Therefore, by definition, any increase in costs or expenditure in one area must be at the expense of another or others.

Provision of Public Transport Services

The Council questions the need for the Assembly to have this direct power itself and wonders whether it could be exercised through individual local transport authorities, consortia or JTA's. Notwithstanding this, it is also questioned whether section 7(2) of the Bill should be more widely framed to include, for example, having regard to the needs of young people and/or job seekers.

Rail Passengers' Committees

The Council welcomes the National Assembly being able to appoint the Chairman of the RPC for Wales and being consulted by the Strategic Rail Authority on the appointment of other members of the Committee. However, it questions why the whole Committee cannot be appointed by the National Assembly to ensure impartiality and proper representation.

Power to give Directions etc to the Strategic Rail Authority and Agreement with the Strategic Rail Authority on Exercise of Franchising Functions

The Council welcomes the National Assembly being granted these powers in relation to passenger services and welcomes also the duty in respect of freight facilities and services contained in the proposed general transport duty.

Financial Assistance: Air Transport Services

The Council welcomes the National Assembly being granted these powers. However, the exercise of them should not be at the expense of other transport services which may be of wider benefit to the people of Wales.