EXECUTIVE NOTE

DRAFT : The Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006

1. The above instrument will be made in exercise of the powers conferred on the Scottish Ministers by sections 10(1) and 52(4) of the Transport (Scotland) Act 2005 (asp 12). This instrument is subject to the affirmative resolution procedure.

Policy Objectives

2. The Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 created the South-West of Scotland Transport Partnership. The Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 will transfer certain specified transport functions of Dumfries & Galloway Council to the South-West of Scotland Transport Partnership the day after the day on which it is made (expected to be during October 2006).

3. The above order transfers certain statutory functions of Dumfries and Galloway Council to the South-West of Scotland Transport Partnership. These include functions relating to local travel concessionary schemes, making quality partnership and quality contract schemes, ticketing arrangements and ticketing schemes.

4. The order also provides for the concurrent exercise of certain transport functions between Dumfries and Galloway Council and the South-West of Scotland Transport Partnership. These include the functions of making traffic regulation orders and the provision and maintenance of bus shelters.

Consultation

5. The Executive's consultation document "Scotland's Transport Future: Proposals for Statutory Regional Transport Partnerships" was issued on 27 October 2004 to coincide with the introduction of the Transport (Scotland) Act 2005. The document contained questions on what functions could be appropriate for an RTP to exercise concurrently with its constituent councils and what current local authority transport functions could be appropriate for delivery at regional level by an RTP.

6. The draft order was drawn up following extensive liaison between the Scottish Executive with Dumfries and Galloway Council and the South-West of Scotland Transport Partnership. The Scottish Executive sent a draft version of this Order to the Chief Executives/Directors of the South-West of Scotland Transport Partnership, Dumfries & Galloway Council, Scottish Enterprise Dumfries and Galloway, NHS Dumfries and Galloway and the Traffic Commissioner.

7. All the responses were favourable.

Financial Effects

8. The financial impacts of the creation of regional transport partnerships were set out in the financial memorandum to the Transport (Scotland) Bill 2004 and in the Executive Note accompanying the Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005.

9. The financial memorandum identified that there would be transitional costs associated with the transfer from Dumfries and Galloway Council to the new South-West of Scotland Transport Partnership. These are estimated at a maximum of £65,000 and will be met by the Scottish Executive. Discussions are ongoing between the Scottish Executive and the Partnership on the precise level of transitional funding required.

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