



**TRANSPORT  
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CÒMHDHAIL ALBA

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# Consultation

## Membership of the National Smart Ticketing Advisory Board

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## About this consultation and the consultation process

### *Responding to this consultation*

The consultation will run for 9 weeks and we are inviting responses by Monday 4 October 2021

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at [insert link once active on Citizen Space]. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of Monday 4 October 2021.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form and return to:

Email: [smartandintegratedticketingconsultations@transport.gov.scot](mailto:smartandintegratedticketingconsultations@transport.gov.scot)

Post: NSTAB Consultation

Bus, Accessibility and Active Travel

Transport Scotland

Buchanan House

58 Port Dundas Road

Glasgow G4 0HF

### *Handling your response*

If you respond using the consultation hub, you will be directed to the 'About You' page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included at the end of this document.

To find out how we handle your personal data, please see our privacy policy: <https://beta.gov.scot/privacy/>

### *Next steps in the process*

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you can receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us prepare the membership and governance arrangements for NSTAB. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

## ***Comments and complaints***

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or [smartandintegratedticketingconsultations@transport.gov.uk](mailto:smartandintegratedticketingconsultations@transport.gov.uk).

## ***Scottish Government consultation process***

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.gov.scot>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, or by email or post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

## Context

### *The introduction of smart ticketing*

Smart ticketing is an important element of a modern public transport system and is increasingly prevalent in major cities in the UK and in countries around the world. For the purposes of this document smart ticketing means an electronic travel ticket which can be loaded onto a micro-chipped smartcard, mobile phone or other token as well as smartcards or other smart devices used for contactless payment for travel.

### *Smart ticketing policy background*

The Scottish Government has supported the development of smart and integrated ticketing in Scotland for some time. It recognises that improved ticketing arrangements can help make public transport more attractive, easier to use and support people to move away from the use of private cars and into more active and sustainable forms of transport.

The National Concessionary Bus Travel Scheme became smart from 2006 and much activity has been undertaken by public and private sector organisations to enable this growth. The Government continues to monitor developments in smart technology and ticketing arrangements across different types of public transport with a view to offering strategic direction and support to public transport operators, regional transport partnerships (RTP), and local transport authorities (LTA).

In October 2018, the Scottish Government published its second iteration of the Smart and Integrated Ticketing Delivery Strategy. The strategy set out the Government's long term vision **"that all journeys on Scotland's bus, rail, ferry, subway and tram networks can be accessed using some form of smart ticketing or payment"**.

### *The Future of Smart Ticketing consultation*

During 2017, Transport Scotland sought the views of stakeholders and the wider public through a consultation into:

- the scope of smart ticketing schemes in Scotland;
- which modes of public transport should be included;
- how individual smart ticketing schemes operate and the legislation required to facilitate this;
- governance arrangements for smart ticketing in Scotland.

The key findings from this consultation were that the majority of respondents thought that a consistent smart payment option available across Scotland and on all main public transport modes would promote use of public transport in Scotland.

Many respondents highlighted the potential benefits of this scheme, including the convenience of not having to use cash and the ability to seamlessly switch between modes using the same payment method.

In the main, respondents were in favour of new legislation that requires transport operators to participate in smart ticketing schemes.

With regard to governance, respondents thought that Transport Scotland should establish **a single governance group so that the technology implemented across Scotland for smart ticketing schemes is controlled**. Most respondents also believed that this group should be established formally and supported by legislation in addition to having a role in advising on development, implementation or administration of smart ticketing schemes.

This consultation was used as the basis for the development of a new Transport Bill, which received Royal Assent in 2019 and is now the Transport (Scotland) Act 2019.

In addition, in 2018 a public facing survey on smart travel elicited over 2,000 responses and provided an overview of the use of various forms of smart ticketing at that time.

## **The Transport Bill**

As stated above, results from the 2017 Future of Smart ticketing consultation demonstrated that the majority of respondents were in favour of a single governance group supported by legislation. Therefore during the development of the Bill, a number of issues were considered in drawing up the legislation that would establish a formal governance body. The rationale included:-

- Previous informally constituted bodies have not delivered progress on consistent smart ticketing at the required pace;
- A formally constituted entity provides transparency around the set up process and allows the Scottish Parliament to scrutinise the role of the group, and its outputs;
- A legislative approach gives Ministers a greater opportunity to set out their expectations about the advisory body such as who should be on it, how often it should meet, and what its outputs should be.

Legislation was therefore put in place that gave Scottish Ministers the power to establish an advisory board, which would be known as the National Smart Ticketing Advisory Board (NSTAB). As well as providing advice for the national technological standard, it was determined through the legislative process that the Board will also advise Ministers on the strategic direction for smart ticketing in Scotland. The relevant section of the legislation is reproduced below.

### **27C National Smart Ticketing Advisory Board**

(1) The Scottish Ministers must establish an advisory committee to be known as the National Smart Ticketing Advisory Board (“the Board”).

(2) The function of the Board is to advise the Scottish Ministers in relation to their functions insofar as they relate to—

- (a) smart ticketing arrangements, and
- (b) the national technological standard for smart ticketing.
- (3) The Board also has the function of issuing advice and recommendations to the Scottish Ministers in relation to the strategic development of smart ticketing in Scotland.
- (4) The Scottish Ministers may by regulations make provision about the Board, including provision about—
- (a) the appointment, removal and replacement of members,
- (b) the remuneration of members (including as to payment of a member's expenses),
- (c) the process by which the Board makes decisions.
- (5) Before making regulations under subsection (4), the Scottish Ministers must consult—
- (a) all local transport authorities,
- (b) such organisations appearing to Scottish Ministers to be representative of users of local services and connecting rail or ferry services as they think fit,
- (c) such organisations appearing to Scottish Ministers to be representative of operators of local services and connecting rail or ferry services as they think fit,
- (d) such other persons as they think fit.”.

Scottish Ministers will be making regulations under the powers in the above legislation and therefore this consultation seeks the views of respondents as to the membership and governance arrangements for NSTAB.

We are considering the following organisations that may wish to be represented on the Board as:-

- Public transport operators;
- Regional Transport Partnerships;
- Local Transport Authorities;
- The Confederation of Scottish Local Authorities (COSLA);
- Organisations representing passengers;
- Disability organisations
- Active travel organisations
- Other organisations or bodies with an interest in Smart & Integrated Ticketing and Payment

We therefore seek your views on the proposed membership.

## Consultation Questions

### *The role of NSTAB*

The role of the new board will be to advise Scottish Ministers in relation to –

- smart ticketing arrangements,
- the national technological standard for smart ticketing,
- the development of smart ticketing or payment, and smart ticketing schemes in Scotland.

In addition, before making any directives to a local transport authority about ticketing schemes, Scottish Ministers will consult NSTAB.

#### **Question 1**

Do you think the following organisations should be represented?

- Public transport operators
- Regional Transport Partnerships
- Local Transport Authorities
- The Confederation of Scottish Local Authorities (COSLA)
- Organisations representing passengers
- Disability organisations
- Active travel organisations
- Other organisations or bodies with an interest in Smart and Integrated Ticketing and Payment – *please state*

Please briefly explain why you think they should, or should not be, represented

#### **Question 2**

Which other organisations do you feel should be represented on NSTAB? Please list the organisations and briefly explain why you think they should be represented.



## ***NSTAB meetings and voting***

It is proposed that the Board will meet regularly. This may be twice a year, three times a year or quarterly. Board members will have the opportunity to shape the agenda for each meeting as well as there being standing agenda items that allow Transport Scotland and all members to provide updates. It is anticipated that updates would be provided prior to meetings on at the meeting. Any matters that need to be decided between meetings can be dealt with through correspondence. The aim will be to provide an open and safe environment where members feel free to discuss all ideas relevant to the Board.

Initially, meetings may need to be held in accordance with Covid-19 guidelines. When in-person meetings become feasible, these will take place in accessible locations and it is proposed they will be hosted by the Board members' organisations or Transport Scotland/ Scottish Government. Where a member is unable to attend in person, arrangements will be made to facilitate remote attendance.

It is expected that a summary of meetings and NSTAB's terms of reference will be published on the Transport Scotland website in order to ensure full transparency.

A review of NSTAB will be conducted after the first year of operation to ensure that the remit and membership are fit for purpose. In addition, NSTAB will have the opportunity to formally consider and review its remit and terms of reference as required throughout the life of the Board.

The board will require a Chair and a secretariat. Under the proposed terms of reference there is scope for a range of chairing arrangements, This can include a Chair nominated by the Board at the start of each year, the Chair passing to a different organisation at each meeting or another arrangement. Please consider any alternative arrangements when considering your response. Similar considerations will need to be given to the arrangements for the secretariat.

### Question 3(a)

What arrangements should be made for the NSTAB Chair?

- It should be nominated at the start of each year
- It should rotate around members
- Another arrangement. If so, please explain

### Question 3(b)

What arrangements should be made for the Secretariat?

- An organisation should be nominated at the start of each year
- It should rotate around members
- Another arrangement. If so, please explain

As the purpose of NSTAB is to advise Scottish Ministers on the strategic direction for smart ticketing, consideration needs to be given to ensuring that all interests are represented in a fair and equitable way and that no single interests dominates. Question 1 above seeks views on the types of organisations that should be represented which also requires giving consideration to the number of member organisations on the Board to ensure this balance is achieved. It is expected that nominees from member organisation will have sufficient seniority for decision making can attend on their behalf. The quorum for the Board will be based on the number or members and it is expected that this will be stated explicitly in the terms of reference.

### Question 4

How many member organisations should sit on NSTAB?

- Minimum
- Maximum

Please briefly explain the reason for your answer.

There may be occasions where, during a decision making process, there is a group or groups of member organisations whose views do not accord with that of the majority. Where this group feel particularly strongly about an issue and feel unable to agree to their views not being taken into account by Scottish Ministers, provision can be made for these member organisations to be given the right to make a minority representation to the Minister.

### Question 5

Should dissenting members have the right to make written representations to the Minister along with the formal NSTAB advice?

- Yes
- No
- Not sure

Please briefly explain the reason for your answer

Whilst it is proposed that all or most Board member organisations will have voting rights, provision can be made for non-voting members who can advise the board in an expert capacity and who may otherwise be from an organisation that would not be represented on the Board. Non-voting members would not count towards the quorum. Arrangements could be put in place to provide for the appointment of such members by the Board and/or by Scottish ministers.

### Question 6

Should NSTAB have non-voting members?

- Yes
- No
- Not sure

Please briefly explain the reason for your answer

## Remuneration

The legislation gives the Scottish Ministers the power to make Regulations as to the appropriate remuneration for NSTAB members, This remuneration could be on the basis of out of pocket expenses, particularly where these are not provided by a member's organisation or some other form of remuneration.

### Question 7

Should all NSTAB members receive reasonable and/or appropriate out of pocket expenses?

- Yes
- No

Please briefly explain the reason for your answer.

### Question 8

Should NSTAB members be remunerated for serving on NSTAB?

- Yes
- Yes, but for voluntary or third sector groups only
- No

Please briefly explain the reason for your answer.

## ***Governance and oversight***

It is proposed that member organisations will be invited to participate based on their experience of delivering and using services, for their knowledge and understanding of the communities and people to whom services will be provided, or for their relevant technical knowledge.

It is proposed that meetings will be attended by named roles from within the proposed member organisations. It is expected that the attendee is of sufficient seniority to allow them to make decisions on behalf of their organisation. Any nominated delegates attending should notify the Chair and the secretariat in advance of the meeting. Attendees are asked to disseminate the relevant outcomes from NSTAB within their organisations and to wider partners. This will help to build an understanding of the Board and its activities.

Additionally NSTAB member organisations, and attendees, are expected to declare any conflict of interest that may arise in the course of discussions and not discuss or share any confidential information outside of NSTAB.

The legislation provides the Scottish Ministers with the power to make Regulations about the appointment, removal and replacement of members of NSTAB.

Once the Board is established, there may be a need to make changes to member organisations as smart ticketing and allied matters evolve. For example, it may be advantageous to have members who, due to their skills and experience, could make a valuable contribution to initial meetings but then could be replaced as and when

the Board feels different skills are required. The Board would therefore make recommendations to Ministers. However, it could be considered that Ministers are best placed to make any decisions with regard to membership due to their strategic oversight of the transport portfolio.

It is proposed that the Board will have a set number of member organisations. However, there may be instances where the Board feels it needs the flexibility to expand membership and could make these recommendations to Ministers.

### Question 9

Once NSTAB is established, should NSTAB be able to make recommendations to the Scottish Ministers regarding appointing, removing, and replacing member organisations of NSTAB?

- Yes
- No
- Not sure
- If no, please explain your answer

### Question 10

Once constituted, should NSTAB be able to recommend expanding the number of member organisations?

- Yes
- No
- Not sure

Please briefly explain the reason for your answer.

## Other considerations

That is the end of our questions but we invite comments on any other issues not raised elsewhere in this consultation.

### Question 11

Are there any other issues you wish to raise which are not covered in the points or questions above?

## Consultation questions

Number	Consultation question
1	<p>Do you think the following organisations should be represented?</p> <ul style="list-style-type: none"> <li>• Public transport operators;</li> <li>• Regional Transport Partnerships;</li> <li>• Local Transport Authorities;</li> <li>• The Confederation of Scottish Local Authorities (COSLA);</li> <li>• Organisations representing passengers;</li> <li>• Disability organisations</li> <li>• Active travel organisations</li> <li>• Other organisations or bodies with an interest in Smart and Integrated Ticketing and Payment – <i>please state</i></li> </ul> <p>Please briefly explain why you think they should, or should not be, represented</p>
2	<p>Which other organisations do you feel should be represented on NSTAB? Please list the organisations and briefly explain why you think they should be represented.</p>
3(a)	<p>What arrangements should be made for the NSTAB Chair?</p> <ul style="list-style-type: none"> <li>• It should be nominated at the start of each year</li> <li>• It should rotate around members</li> <li>• Another arrangement. If so, please explain</li> </ul>
3(b)	<p>What arrangements should be made for the NSTAB Chair?</p> <ul style="list-style-type: none"> <li>• An organisation should be nominated at the start of each year</li> <li>• It should rotate around members</li> <li>• Another arrangement. If so, please explain</li> </ul>
4	<p>How many member organisations should sit on NSTAB?</p> <ul style="list-style-type: none"> <li>• Minimum</li> <li>• Maximum</li> </ul>

Number	Consultation question
	Please briefly explain the reason for your answer.
5	<p>Should dissenting members have the right to make written representations to the Minister along with the formal NSTAB advice?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Not sure</li> </ul> <p>Please briefly explain the reason for your answer.</p>
6	<p>Should NSTAB have non-voting members?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Not sure</li> </ul> <p>Please briefly explain the reason for your answer.</p>
7	<p>Should NSTAB members receive appropriate out of pocket expenses?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul> <p>Please briefly explain the reason for your answer.</p>
8	<p>Should NSTAB members be remunerated for serving on NSTAB other than for out of pocket expenses?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes, but for voluntary or third sector organisations only</li> <li>• No</li> </ul> <p>Please briefly explain the reason for your answer.</p>
9	<p>Once NSTAB is established, should NSTAB be able to make recommendations to the Scottish Ministers regarding appointing, removing, and replacing member organisations of NSTAB?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> </ul>

Number	Consultation question
	<ul style="list-style-type: none"> <li>• Not sure</li> </ul> <p>If no, please briefly explain your answer</p>
10	<p>Once constituted, should NSTAB be able to recommend expanding the number of member organisations?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No</li> <li>• Not sure</li> </ul> <p>Please briefly explain the reason for your answer.</p>
11	<p>Are there any other issues you wish to raise which are not covered in the points or questions above?</p>



## Free bus travel for people resident in Scotland aged under 19

### RESPONDENT INFORMATION FORM

**Please note this form must be completed and returned with your response.** To find out how we handle your personal data, please see our privacy policy: <https://beta.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

We would like to hear the views of people who will be impacted by these proposals

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference.

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations: The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published. If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No



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