

References to Scotland

A Railway fit for Britain's Future – DfT's Consultation Document

Our plan for change (p9)

We will create a statutory role for devolved governments and Mayoral Strategic Authorities in influencing and scrutinising GBR. This will help to align its activity with devolved transport priorities and drive integration with local services. GBR will work with and alongside the devolved governments in Scotland and Wales, preserving existing devolved responsibilities while ensuring they also have the option to benefit from seeking further collaboration and integration between GBR and devolved operators.

Paving the way: A new Railways Bill (p10)

A clear role for the devolved governments - Ensuring that GBR can deliver the priorities of and be accountable to the governments of Scotland and Wales

Setting direction (p16)

1.16 The Secretary of State will set a long-term strategy, clearly articulating the government's vision and desired outcomes for the railway on behalf of its users and taxpayers.

Scottish Ministers will continue to set the strategy for the railway in Scotland.

Driving delivery (p17)

1.19 GBR will therefore be held to account first and foremost by the Secretary of State through its Chair and Board. The Secretary of State will appoint the Chair and have a clear role in the appointment of Board members as well as continuing to seek the views of Scottish Ministers, as funders of rail infrastructure in Scotland, and engaging with Welsh Ministers on these.

Statutory Advisor with Regulatory Functions (p21)

2.17 Transport Focus and the ORR currently oversee rail services across Great Britain, including Scotland and Wales. We are working closely with the devolved governments in Scotland and Wales to ensure the new passenger watchdog will function effectively with all train operators across Great Britain. Scottish Ministers, the Welsh Government, and the London Assembly will each appoint a member to the Board of the new passenger watchdog as they do for Transport Focus today.

A simpler and better framework for the GBR-run railway (p26)

3.13 GBR will take account of the long-term strategy set by the Secretary of State and will have obligations to achieve targets and deliver milestones in Scotland, England, and Wales in its approved Business Plans. These obligations will enable GBR to reflect funder priorities for the use of the railway on relevant routes.

Financial framework (p33)

4.1 Great British Railways (GBR) will be an integrated organisation bringing together the fragmented elements of today's railways, with oversight across both track and train, and costs and revenue. This will improve day-to-day decision-making by ensuring GBR develops plans in consideration of the full breadth of its activity, meaning benefits and consequences are properly accounted for. In performing its operational duties, GBR's decisions will also be underpinned by long-term strategies for the railway set by the Secretary of State with Welsh ministers, and in Scotland by Scottish ministers.

The new periodic review (p33 et seq)

4.13 The role of Scottish Ministers, as today, would mirror the new process described above for the Secretary of State but for Scotland. They would be able to issue their own HLOS and SoFA (within the wider process) and sign off delivery of the business plan for the parts of the network they are responsible for funding.

Devolution (p39)

6.1 Devolution is an important and positive feature of the railway in Great Britain today, with significant responsibilities devolved to the Scottish and Welsh Governments and the Mayors of London and the Liverpool City Region.

Creating a statutory role for devolved leaders

6.5 We propose to create a statutory role for devolved governments and MSAs [Mayoral Strategic Authorities] in governing, managing, planning, and developing the rail network. This will bring decision-making as close as possible to local communities, while recognising that – as a nationally integrated network – the railway's governance must balance local, commuter, regional, national, international and high-speed services, as well as the role of freight.

6.6 The rail devolution landscape is complex, and the statutory duty will reflect the different roles and responsibilities in Scotland, Wales, London, and other MSAs. Legislation will require GBR to collaborate with devolved governments and MSAs and ensure that national and local strategies are factored into GBR decision-making. This will enable GBR to have bespoke relationships with devolved leaders based on the needs of the local community to deliver the best results for passengers and freight users.

6.7 The statutory role will ensure devolved leaders will be appropriately consulted on GBR's activity (including the development of railway plans, strategies, and services), are able to scrutinise GBR's performance, and that GBR has due regard to devolved transport strategies. The sections below outline the existing legislation where targeted amendments could be made to enable opportunities for devolved leaders to engage meaningfully and work collaboratively with GBR.

Devolved accountability (p40)

6.9 The government recognises the positives that devolution can bring, particularly on discrete networks, through local knowledge and expertise. Existing devolved accountabilities in Scotland, Wales, London, and the Liverpool City Region will therefore remain in place. GBR will work closely with devolved operators, coordinating on timetabling of services and access to operate on GBR infrastructure and vice versa, to

ensure that there is a coherent network across Great Britain. The government will continue to engage with those with devolved responsibilities to further develop the future arrangements they will have with GBR both within and outside legislation.

Scotland

6.10 The Scottish Government is the commissioning body for ScotRail and Caledonian Sleeper services. It also funds rail infrastructure in Scotland and will continue to do so. Scottish ministers will therefore continue to have a separate High-Level Output Specification (HLOS) and Statement of Funds Available (SoFA), as outlined in Chapter 4. The government will engage the Scottish Government on ensuring the relationship it has with Network Rail is transferred to GBR, once established, and delivering Scottish infrastructure on behalf of Scottish ministers.

6.11 The government will work with the Scottish Government to put in place strong joint working arrangements between GBR and ScotRail, building on the existing alliance between Network Rail and ScotRail that has delivered improved performance and cost savings.

6.12 The government intends to legislate in a way that enables the relationship between GBR and ScotRail (and between UK and Scottish ministers) to evolve. We have recently passed the Public Ownership Act, which requires Scottish ministers to secure passenger services from public sector bodies owned by themselves (such as Scottish Rail Holdings), the Secretary of State for Transport (such as GBR) or jointly owned by the two governments. Where relevant railways legislation will need to be further amended to establish GBR, we will preserve the effect of these provisions. This would enable a successor to the existing alliance between Network Rail and ScotRail to be established between GBR and ScotRail, while preserving options for UK and Scottish ministers to agree deeper integration of track and train.

6.13 The government will continue to engage with the Scottish Government on future arrangements set out in this consultation to ensure that Scotland benefits from rail sector transformation and the establishment of GBR.

Questions

Question 15 –

The government intends that GBR's statutory duty in relation to devolved leaders should strike a balance between enhancing their role whilst also ensuring that GBR has the appropriate flexibility to direct the national network. Do you agree with this approach?

Question 16 –

Do you agree with the proposed approach in Scotland on enabling further collaboration between track and train while preserving the devolved settlements?