

# A lack of authority

One might be forgiven for thinking councils have the power to overcome transport problems in a 'single bound'. But, in many instances, they do not control enough of the component parts to allow a co-ordinated approach, reports **Mark Smulian**

**T**here is no lack of potential solutions to reducing road traffic, with smart transport initiatives including everything from on-demand bus services to electric scooters under consideration worldwide.

In Britain, though, there is a relative lack of opportunity for local authorities to implement these solutions because they soon come up against the limits of their powers.

An example of centralised power rare in other advanced countries saw Greater Manchester's walking and cycling commissioner, Olympic athlete Chris Boardman, run into trouble last summer when he

proposed the installation of thousands of zebra crossings across the area only for the Department for Transport (DfT) to block these on the grounds that crossings must have a connected electricity supply, Belisha beacons and zig-zag markings.

Sheffield's tram system notoriously fell victim to competition from deregulated buses in the early 1990s – which the city council was powerless to prevent – and was later taken over by operator Stagecoach.

British local authorities also lack the financial flexibility required, for example, to impose a tourist tax and use the proceeds for public transport.

And this is despite them having what, on paper, looks like extensive powers. The Localism Act 2011 handed English local authorities the power of general competence, which, essentially, permits them to do anything not specifically barred by law.

Powers are less wide in Scotland and Wales though, in both, moves towards a

general competence power are in hand.

The problem is that building transport infrastructure invariably takes a local authority into the sort of sums only the central government can allocate because they are beyond what a council can raise from its own resources.

With council tax increases effectively capped at 2% a year and business rates income also under constraints, a British council cannot just decide that a project is worthwhile and raise the money itself.

Councils do have 'prudential borrowing' powers, but the crucial word is 'prudential'. They cannot just borrow as they please – even at today's low interest rates – and must look enviously at counterparts abroad who can, as a matter of course, finance infrastructure through issuing bonds.

Even when a measure might need little funding, a British local authority cannot always make it happen.

For example, allowing the use of electric scooters would not, in itself, cost much. But it would have no power to authorise them since this is a matter for the DfT and its devolved equivalents.

In other countries, things are different and local governments have led the way in transport innovations. This might turn UK councils green with envy, but over-

leaf are a few of the measures adopted elsewhere.

Strasbourg (detailed on page 27) has published a 2030 transport plan that calls for only 32% of journeys to be by car, with 36% on foot and 16% each by tram and on bicycles.

This compares with half of journeys having been by car in 1988, when there were 10% of journeys by bike, 33% on foot and just 7% by public transport.

The city has successfully brought together the development of its transport network and land use planning. But could such an approach be followed here, at least in places where planning and transport come under the same local authority?

Jonathan Bray is director of the Urban Transport Group (UTG) which represents England's strategic transport bodies in Greater Manchester, the Liverpool City

Region, Greater London, the Sheffield City Region, West Midlands, West Yorkshire and Tyne & Wear.

He says: "We have already seen Nottingham bring in a workplace parking levy and London introduce congestion charging, but city regions need more options at their disposal for raising additional funding for public transport.

"Better mechanisms for capturing some of the increases in land value that new public transport schemes can trigger is one way of doing this. However, it should be remembered that the potential for this varies dependent on how strong local economies are. So, it is not a universal panacea."

UTG said earlier this year in its *The Place To Be* report that transit-oriented developments – effectively what Strasbourg enjoys – "are transforming cities for the better".

Unsurprisingly, though, UTG identified "a series of obstacles and barriers which need to be addressed", before such an approach could be taken in the UK.

City region authorities would need powers to make transit-oriented developments happen and to deliver benefits that could improve health, provide 'clusters' that would promote business growth, reduce congestion and provide new homes without urban sprawl. ▶▶

**We have already seen Nottingham bring in a workplace parking levy and London introduce congestion charging, but city regions need more options at their disposal for raising additional funding locally for public transport investment**

**Jonathan Bray,**  
Urban Transport Group



## ABOUT THE AUTHOR

**Mark Smulian** is a freelance journalist specialising in local government, law, travel, transport, housing, construction and planning. He has featured in a wide range of publications including the *Local Government Chronicle*, *Civil Service*

*World*, *Law Society Gazette* and the *Sunday Telegraph*. He is also a former editor of *Housing Today* and news editor at *Inside Housing* and *Surveyor*.

► **INNISFIL, ONTARIO:**  
A RIDE-SHARE SOLUTION

Innisfil, like many new suburban settlements in North America, was built to a low density with cars in mind and, indeed, was so car-based that it had no public transport at all.

The town of 36,500 residents is about an hour's drive north of Toronto and had long been searching for a solution to its lack of public transport as it sought to reduce car dependency.

Its problem was how could affordable and reliable transportation be brought to a community dispersed across a large geographical area with a small, but rapidly growing, population?

Innisfil's town council decided a traditional system using buses would not work.

As deputy mayor Lynn Dollin says: "There would be a big price tag attached to it and it would serve only a small portion of the municipality."

In May 2017, it introduced what is thought to be the first partnership of its kind with ride-sharing taxi firm Uber, to offer residents an affordable and convenient transport option named Innisfil Transit.

Since its launch, the council says it has provided not only thousands of rides, but given an income to hundreds of local drivers who participate.

According to the council, the idea began when its chief administrative officer Jason Reynar noticed a resident walking along a main road in winter with heavy grocery bags.

He offered her a lift and the women described the problems of getting around Innisfil with neither a car nor public transport. Reynar, as a result, asked council staff to investigate transport options.

Consultants had earlier recommended a traditional bus option with one or two fixed routes. But this would have cost the town C\$231,000 (£137,000) in gross capital costs and C\$330,000 (£196,000) in operating costs. Even this sum was for a service during only working hours and which would have left many areas unserved.

Staff recommended an on-demand



service to cover all of Innisfil and approached Uber.

The council and Uber then collaborated to devise Innisfil Transit, which offers residents flat fare rides to popular destinations.

Innisfil Transit was built 'on top' of Uber's car-pooling service Uberpool, which matches riders going in the same direction so they can share a vehicle and the cost of the ride, making more efficient use of cars.

Uber has said that the council saves C\$8m (£4.75m) a year compared with running conventional bus services with the same kind of town-wide reach, but spent only C\$165,535 (£98,300) on Innisfil Transit rides in its first eight months.

The service claims an average wait time for a vehicle of eight minutes and 48 seconds and is available round the clock.

In its first eight months, Innisfil Transit carried some 3,400 users on 26,700 trips.

Uber had the advantage of being the only bidder which at the time could offer an app-based platform that would facilitate ride-sharing.

▲ **Innisfil's link with Uber has provided income for hundreds of local drivers**

**8**  
minutes  
**48**  
seconds  
-the waiting time for a ride

A separate company, Barrie Taxis, holds the contract for journeys requiring an accessible vehicle.

According to the Commonwealth Local Government Forum, property taxes are the single most important source of revenue for local governments in Canada, which each sets to cover the cost of services not funded by provincial or federal government financial transfers. The latter are mostly grants for specific purposes.

Innisfil's experience has no real UK equivalent since, despite substantial service cuts in many places, there are no towns of Innisfil's size devoid of bus services.

Nor are UK towns, or urban extensions, normally now planned at low density around an assumption of widespread car ownership.

While transport authorities may subsidise bus routes that are judged socially necessary but commercially unviable, a deal such as that between Innisfil and Uber might also raise complications under regulations that govern state aid to private businesses.

**MADRID:**  
ELECTRIC SCOOTER SOLUTION

In February 2019, Madrid City Council took the plunge by authorising 18 shared electric scooter providers to operate in the city.

This amounted to 8,610 scooters being provided for public use and regulated by the council's Sustainable Mobility Ordinance.

Ceilings have been set in each district of the Spanish capital so unreasonable concentrations of scooters are avoided.

Companies authorised to provide scooters must have insurance for users and third parties, offer geolocation and use apps designed so scooters cannot start or finish journeys in areas of the city where they are not permitted.

They must also start each day with scooters in the neighbourhoods and districts for which they have obtained a permit.

Electric scooters are prohibited from pavements, bus lanes, streets with more than one lane in each direction and from most of the orbital motorway. They can use cycle lanes and tracks of which Madrid has 342 kilometres, with another 13km due to be added in 2019.

Scooters must observe speed limits on public roads and while they may travel in public parks [anywhere bikes are allowed], they are confined to five kilometres per hour.

They must be parked in places designated for motorbikes and bikes and where these are not available may be parked on a pavement provided a three-metre gap is left.

Scooter drivers must be aged at least 15. Those aged below may use them in authorised places under parental supervision.

The city used its own powers to launch e-scooters onto its streets, but no UK council could do this since their use is unlawful.

Spain's capital is classed, despite its size, simply as a municipality. But, given it easily exceeds 50,000 inhabitants, it enjoys control over urban passenger transport and environmental protection.

The Ministry of Local Government says Spain's councils have financial autonomy and self-sufficiency.

This means they can make their own decisions on resources and how to spend them. They can raise money from combinations of income from assets, local taxes, public fares and income from fines among other sources.

Could such an operation be matched in the UK? Richard Dilks, chief executive of CoMoUK, a charity that promotes sustain-

able shared transport, says: "It is unlawful to use mobility scooters in the UK except on private land as they are not recognised by law and fall between two stools rather a long way apart for a definition – they are not powered bikes, which are legal, or mopeds.

"To be used they would have to be legally defined as something in micro-mobility but that is difficult as no one knows what might come next. Designers could put electric motors in all kinds of things and so we do not know what micro-mobility might look like in future.

"Ideally, it would need primary legislation written so secondary legislation could be used for new forms of transport yet to be developed."

Dilks suggests e-scooters could have a role for first- and last-mile journeys if they were legal, but that depends on the DfT.

"It is not straightforward, but taking a head-in-sand approach is not the way forward here – e-scooters can play a helpful role in our future mobility and people like to use them," he says.

"We are, though, one of only a handful of industrialised countries where they cannot be used. In western Europe they are legal pretty much everywhere else."

There is clearly an issue of how e-scooters interact with pedestrians and Dilks thinks pavements would not be right for them.

On the other hand, limiting them to the 'public highway' brings a further host of questions since the quality and suitability of such highways for e-scooters can vary enormously.

**18**  
the number of shared electric scooter providers operating in Madrid

▼ **Riding an e-scooter on the street is not yet legal in the UK**

Dilks says: "I'm not aware of anywhere that allows e-scooters only in cycle lanes and, even if they did, those only go so far because cycle lanes only cover relatively small percentages of all highways – even in countries that have lots of them – and you still have to start and finish most journeys on non-cycle-lane roads.

"There are issues with safety and insurance but those can, of course, be more easily overcome in operator fleet systems where people hire them as needed rather than own them for themselves."

**LOS ANGELES:**  
A TRAVEL CARD SOLUTION

Transport for London (TfL) is the UK's most powerful local transport body and the newer regional bodies for the north and Midlands may one day acquire wider powers.

They are, though, not in the commanding position of LA Metro, which controls transport of all kinds in the Los Angeles region, with an independent status granted by the California state government which puts it above any local authority.

Even in such a notoriously car-dependent area, it has been able to use this position to expand its Tapcard – a travel card a little like London's Oyster – from metro trains and buses to other modes of transport.

It has connected Tapcard to a bike-sharing system and is working on connecting with more than 20 other account-based providers, including scooter sharing, micro-transit, car parking and electric vehicle car charging.





Taking a head-in-sand approach is not the way forward here – e-scooters can play a helpful role in our future mobility and people like to use them

Richard Dilks, CoMoUK

▶ LA Metro is moving towards mobility as a service (MaaS) and expects these additional services to be added over the next year, allowing users to have one payment method. This will be a hybrid system that enables connection between the present card-based system and the new account-based system.

Tap cards are also accepted by 24 bus operators within Los Angeles County.

This has been done against a background – somewhat unusual in developed cities – of public transport use falling.

An LA Metro spokesperson says: “This expansion of the Tap programme and usage over the next year hopefully will make it easier and more convenient to use transit. “In the US, there has been a decrease in transit ridership primarily on the bus side, due to economic factors – a good economy, cheaper prices on vehicles, increased vehicle ownership, lower (fuel) prices and ride-share services like Uber and Lyft.”

LA Metro has launched its NextGen Bus Study aimed at reimagining the bus system to attract more riders. It is also continuing to build the region’s rail system.

Metro, more properly the Los Angeles County Metropolitan Transportation Authority, is an agency created by the State of California legislature.

It operates buses, trains and planes and builds infrastructure projects throughout Los Angeles County, a wider area than the city itself.

LA Metro is separate from both the city and county of Los Angeles and serves 88 cities within this area.

It is governed by a 13-member board that includes the mayor of Los Angeles and three of his appointees, the county’s five supervisors and four representatives from the other cities.

Bray says of Los Angeles’ MaaS: “There is a range of options for transport authorities around the world on the role they may want to play on MaaS – from letting the private sector take the lead to taking on the role of MaaS provider themselves.

“There is a challenge on the latter outside London because transport authorities do not control what is the core of any MaaS offer: the local public transport network.

“One reason, of many, why we have called on Government to give all city region transport authorities the power to take control of their local public transport networks is so that all the options are open to them on what role they want to play on MaaS.”

The UTG issued a report on MaaS earlier this year, *MaaS Movement*, in which it said successful schemes could incorporate multiple modes into a single application, giving user benefits such as personalised services, ease of payments and dynamic journey management and planning.

A fully comprehensive MaaS offer could mean fewer people chose to use private vehicles, creating a situation where, as the UTG puts it, “usership replaces ownership”.

▲ Los Angeles’ Tap system works along similar lines to London’s Oyster card

24 bus operators in Los Angeles County accept the Tap card

MaaS Movement looked at various regulatory approaches but concluded “full MaaS regulation required intervention to ensure policy objectives such as air quality and reduced congestion could be met”.

That would mean “substantial regulation is required with either the MaaS scheme operated by the authority and suppliers operating transport services or MaaS schemes being tightly governed in terms of pricing and services offered”.

Deregulation of buses outside London, it noted, hampered the ability of transport authorities to co-ordinate services and ticketing while rail franchising meant that transport authorities could not have full control over pricing.

CONCLUSION

There tends to be a public outcry when local planning and transport authorities send staff and elected members on expenses-paid trips abroad to look at examples of how things are done.

Perhaps though it is time to be brave, given the amount to be learnt from how authorities are tackling smart transport initiatives such as those in Los Angeles, Strasbourg, Madrid and Innisfil.

Some may be irrelevant and some may involve the use of powers so far beyond those available here that they cannot be practically pursued. Others ideas, though, may be ‘borrowed’.

Strasbourg has wider powers than a British local authority, but, with the UK Government keen to sell off surplus public land for housing deals, it may be possible for development on the basis of providing high quality transport.

With e-scooters, given the UK is something of a peculiarity in banning them, it appears sensible to plan for their coming.

If even Los Angeles can plan to reduce car use, then UK authorities can look to creatively use the powers they have and the extra devolved powers for city regions are steps in the straight direction.

It seems fair to say the British policy environment is moving slowly in the direction of being more helpful for smart transport initiatives, but also that it lags behind many other developed countries. **ST**



## Case Study: The transformation of Strasbourg – learnings for UK cities

Andy McDonald, shadow Secretary of State for Transport, reflects on a city that has used development of a modern tram network to replace car dominance and create a highly liveable, vibrant environment

A recent visit to Strasbourg gave me an opportunity to see what the city has achieved through public ownership of its transport network, fully coordinated with a highly strategic approach to land-use planning.

I am most grateful to those I met from the local government and the surrounding Grand-Est region for the information on which this article is based.

Local government has brought together development of the city’s transport network and urban land-use planning with great success – things that are too often disconnected in UK cities.

Strasbourg has invested in a fantastic public transport system based on trams and buses, while, crucially, at the same time deliberately and progressively excluding vehicles from



◀ The Cathedral Square – before (as a car park) and after (as a café square)



the city centre and enhancing safe segregated cycle access.

These successes have only been made possible thanks to the vision and determination of local politicians.

Catherine Trautmann was elected mayor of Strasbourg in 1989 on a promise to transform the city around an entirely new tram system.

She chose to lead public opinion, not just to follow it, even when that carried political risk by challenging the idea that everyone could drive their cars wherever and whenever they wanted.

Her successor, Roland Ries, who is serving his second period as mayor, is continuing that vision.

As Ries, puts it: “The success of Strasbourg’s mobility policy ... is not a technical choice. It is an urban policy choice that promotes one mode of transport over another.”

The vision is not of trams as smart

bits of transport technology, but as the drivers of urban rejuvenation and redevelopment.

PUBLIC OWNERSHIP PLAYS A KEY ROLE

Strasbourg has a municipally-owned company that runs all public transport (trams and buses), and, moreover, the city authority owns the key development sites. This has allowed the creation of an extensive tram network to support the construction of new housing, including social housing, meaning the city is expanding in a sustainable way, prioritising its citizens, not the profits of housing developers or private transport operators.

As Ries, puts it: “The success of Strasbourg’s mobility policy ... is not a technical choice. It is an urban policy choice that promotes one mode of transport over another.”

WHAT HAPPENED / WHAT HAS BEEN ACHIEVED

Strasbourg was once chock-a-block with cars, but the introduc- ▶

► tion of the tram system and the creation of a park-and-rides on the outside of the central zone, it is now a city where residents and visitors can get everywhere just by walking and taking public transport.

The tram system has seven lines, all of which serve the city centre and branch out to different suburbs.

In the city centre, at the Gare Centrale main railway station, where four of the seven lines intersect, a number of the trams pass underneath, allowing for a large, quieter, pedestrian-friendly square outside the station.

**HOW DID THEY PAY FOR IT?**

The mayor used a payroll tax levied only on firms with 11 or more employees. This revenue, 'Versement Transport', is dedicated solely to transport investment.

A maximum levy has been set nationally at 2%, and Strasbourg is allowed to utilise this maximum because it is developing a tram network, its population is in the top band, and because it is classified as a tourist city.

The tax is paid by the companies, but is collected with income tax.

It brings in €100m (£860,000) per annum for Strasbourg and has underpinned the renaissance of tram systems throughout France.

The Strasbourg city-region authority, Eurometropole, encompasses the city centre and its 32 surrounding districts.

Eurometropole has an overall budget of €160m (£138m). On top of the €100m from the Versement Transport, €50m (£430,000) is gathered from fares and €10m (£8.6m) from other sources.

**STRASBOURG'S VISION**

Crucial to the mobility plan is the city authority's ownership of both the public transport network and the major development sites which has allowed for strategic integration of land use planning and transport.

Eurometropole has overseen a transit-oriented expansion of Strasbourg, building compact developments around public transport hubs, so they are all within easy walking distance. As a result, a 'city-of-short-distances' has been



▲ A Strasbourg street – before (spoilt by car parking) and now (a fine boulevard)

created, with compact, mixed-use development, so homes, jobs, shops, facilities, recreation are all close together and easily reached by foot or by bike.

Public transport facilities have been established in advance of property development so new residents can rely on sustainable transport from the moment they move in, and never get into the habit of using a car to get around.



Because Eurometropole owns the land on which the development projects are built, it has been able to capture the uplift in land and property values resulting from the new transport infrastructure.

**BALANCE OF HOMES AND JOBS**

Furthermore, and vital to the sustainability of the expansion of Strasbourg, there is a ratio of 1:1 for the number of new homes built and jobs expected to be created, with 10,000 of both expected to be provided by the current projects.

So, the future looks bright for

Strasbourg, with many choosing to make their homes in the newly-constructed, affordable social housing, where sheltered tenements are interspersed among the developments to create a diverse community, always in walking distance from an accessible, municipally-owned, public transport hub.

Strasbourg has shown what is achievable, with vision and political leadership.

As shadow Secretary of State for Transport, I want to see authorities around the UK given the opportunity to follow its lead.