

EXECUTIVE NOTE

The Transfer of Property, Rights and Liabilities from the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006 SSI/2006/111

1. The above instrument will be made in exercise of the powers conferred on the Scottish Ministers by sections 15(5) and 52(4) of the Transport (Scotland) Act 2005 (asp 12). This instrument is subject to the negative resolution procedure.

Policy Objectives

2. The Regional Transport Partnerships (Establishment, Constitution and Membership) (Scotland) Order 2005 created the West of Scotland Transport Partnership. The Transfer of Functions from the Strathclyde Passenger Transport Authority and the Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006 will transfer the functions of the Strathclyde Passenger Transport bodies to the West of Scotland Transport Partnership on 1 April 2006.

3. The transfer of the SPTA and SPTE's property, rights and liabilities to the West of Scotland Transport Partnership is consequential to the order transferring the functions; it cannot be laid until the transfer of functions order is made. That Order was made on 01 March 2006. The above order also transfers all property, rights and liabilities of the Strathclyde Passenger Transport bodies associated with the Transfer of Rail Functions To The Scottish Ministers Order 2005 to the West of Scotland Transport Partnership.

Consultation

4. On 8 December the Scottish Executive sent an early draft version of this Order to the Chief Executives of the West of Scotland Transport Partnership, the constituent councils of the West of Scotland Transport Partnership, the Strathclyde Passenger Transport Authority, the Strathclyde Passenger Transport Executive and WESTRANS. The early draft was issued along with the draft Transfer of Functions Order, a further draft was issued on 24 February 2006.

5. We received 2 responses to the final draft, both of which were favourable.

Financial Effects

6. 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.

7. The financial memorandum identified that there would be transitional costs associated with the transfer from SPTA and SPTE to the new West of Scotland Transport Partnership. These were estimated at a maximum of £1m 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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