

Rail

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Ms Ellie Harrison

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Ms Harrison

Thank you for your email of 10 January addressed to Keith Brown, Cabinet Secretary for Infrastructure, Investment & Cities, regarding public ownership of Scotland's railways. I have been asked to respond as my team are leading on the Smith Commission conclusions as they apply to Scotland's rail network.

The Scottish Government submission to the Smith Commission included proposals for full responsibility within rail transport, which would enable public sector and not-for-profit models, more integrated railway services and services designed to meet local needs. Paragraph 65 of the Smith Commission states that 'the power will be devolved to the Scottish Government to allow public sector operators to bid for rail franchises funded and specified by Scottish Ministers'.

The UK Government published a Command Paper in January named 'Scotland in the United Kingdom: An enduring settlement' which is available to view here - <https://www.gov.uk/government/publications/scotland-in-the-united-kingdom-an-enduring-settlement>

In this paper, the UK Government has outlined its proposal to bring the Smith Commission conclusion in to effect by an amendment to the Railways Act 1993, Section 25. In effect this will mean that the Scottish Ministers will in future be able to appoint a UK public sector body to deliver passenger rail services for Scotland, including a body it had set up.

We are now analysing in detail the draft clauses in the Command Paper and a series of meetings is underway to discuss these matters with the UK Government. In addition, new powers would be enhanced greatly if there was an additional amendment to the 1993 Act to enable Scottish Ministers to use a direct award of contract in circumstances where the arrangement would best meet the needs and interests of the passenger and tax payer in Scotland.

The Scotland Office is organising a series of stakeholder events across Scotland during February and March relevant policy leads from across the Scottish Government will be attending to hear the discussion and views of stakeholders.



The Devolution (Further Powers) Committee is also planning a number of public events as part of its consideration of the draft clauses. You may therefore wish to engage with the Scotland Office and the Devolution (Further Powers) Committee to present your views on the draft clauses. Rachel Irvine is the Constitutional Team Leader in the Scotland Office and can be contact on the following email address - rachel.irvine@scotlandoffice.gsi.gov.uk

I note your strategy to continue to lobby for the early breaking of the ScotRail contract which was awarded to Abellio. The Abellio contract, which has been let for 10 years, will deliver many benefits for the people of Scotland including faster services between all our cities, an increase in seats at peak times, improved reliability and punctuality, and value for money for passengers. However, as you indicate, while the franchise is being let for 10 years, it contains a break option which both parties can activate, shortly before the 5th anniversary of the Franchise Commencement Date. If exercised, this will bring the ScotRail franchise to an end at the expiry of its 7th year.

I hope this response is helpful.

Yours sincerely

Amanda McDonald
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