

Report to Partnership Meeting 15 September 2017

CONSULTATION

Consultation Arrangements for Current CHFS Contract (post October 2016)

PURPOSE OF REPORT

The purpose of this report is to set out the proposed terms of reference and structures for Ferry Service Stakeholder Engagement processes that HITRANS officers have developed through discussion with CalMac Ferries Limited colleagues.

An earlier version of these was presented to the Spring 2017 Ferry User Group meetings to test key elements of the recast arrangements for the Ferry User Group tier of engagement and received broad support / endorsement at the time.

CONSULTATION PROCESS

The new Clyde and Hebrides Ferry Services Contract (CHFS) requires:

- the Operator to take part in shipping services consultation meetings with the representatives of the relevant Regional Transport Partnerships, Western Isles Council, Highland Council, Argyll and Bute Council and North Ayrshire Council from time to time throughout the Grant Period as required by the Scottish Ministers and/or the relevant Regional Transport Partnership and/or Council.
- as and when requested by the Scottish Ministers and as otherwise required under this Contract, the Operator must take part in local community liaison throughout the Grant Period with representatives of users of the Services and the public and must provide the Scottish Ministers with copies of minutes of such meetings. The Scottish Ministers are entitled to be represented at such meetings and their representatives entitled to speak at such meetings.

The consultation arrangements set out in this report are designed to eliminate overlaps and ensure that each layer has a distinct role and focus. These effectively fall along the lines of having a tier that is operational that will have a relationship with a tactical tier.

The consultation tiers are set out in detail below but can be summarised as:

Tier 1 – Ferry Committee (CHFS Operator Led)

Tier 2 – Ferry Stakeholder Groups (RTP Administered)

The proposed terms of reference of the Regional Ferry Stakeholder Groups are included as Appendix A to this report. These have been prepared as an evolution of the processes that Members will be familiar with from the previous CHFS contract.

The arrangements set out in Appendix A represent incremental development on past arrangements and the Membership of the Ferry Stakeholder Groups will be similar to the Ferry User Groups that have existed in the past. The most significant changes proposed from past arrangements are:

- a.) A proposal that the Ferry User Groups will be rebranded to Ferry Stakeholder Group to clarify their role and membership and underline the role of the Ferry Committee tier as the first point of engagement ferry users will have with their local service.
- b.) A proposal that an independent Chair be appointed who has responsibility for Chairing each of the 4 FUG meetings. This is proposed to help provide consistency across the FUG Groups, and to integrate with the Communities Board structure that CalMac Ferries Limited are separately establishing as a Contractual Commitment.
- c.) That every community within the CHFS network will be encouraged to identify a form of Ferry Committee. This function might formally rest with an existing organisation such as a community council but there will need to be a formal identification of their role in the ferry consultation process for an island area.

Establishing the Ferry Committee Structure CHFS Wide

The discussion at the Ferry User Group meetings earlier in the year focused attention on the need to ensure consistency in how the operator could engage communities directly, rightly identifying gaps in current structures that meant communities including the Isle of Lewis with the largest island population served by CHFS had no such equivalent to a Ferry Committee to call on for this first point of contact on operational ferry service issues. This is the case across most of the Western Isles and for a number of Argyll islands. It was agreed that some work should be undertaken to formally identify arrangements for the Tier 1 engagement in a number of islands to empower these communities to be represented in a similar fashion to the successful ferry committees that have been developed elsewhere on the CHFS network such as Arran Ferry Committee, Mull Ferry Committee and Islay Ferry Committee. This will enable a clear process by which CFL consult in key areas particularly the first point of engagement on timetable setting and to support operational decision making. This might not be achieved through the establishment of new committees with the appropriate vehicle potentially being through a formal engagement with an existing forum examples of which include Barra Transport Group, Association of Community Councils and Harris Transport Forum.

HITRANS will work with colleagues in our partner Council to support the work to facilitate Tier 1 ferry committee arrangements across the network with an expectation that these would be self-administered in common with existing Ferry Committees. It will be important to ensure the new Tier 1 groups have a means of sharing information with the Tier 2 Ferry Stakeholder Groups through the nomination of a representative that would attend the Tier 2 group.

CalMac Community Board

The establishment of a Community Board formed part of CalMac's franchise bid for the Clyde and Hebrides Ferry Service. This commitment was accepted by Transport Scotland. This commitment stated:

"We will establish a new Community Board comprising 10-12 communities that are users of the ferry service, nominated in accordance with the geographic organisation of the FUGs. This will ensure that we hear local representation and understand the views of those people that rely on the service.

The Director of Community and Stakeholder Engagement will be responsible for overseeing the creation of this strategic partnership, and the Community Board will be able to input directly into decision making over asset investment. We will prepare Terms of Reference, which state the purpose of the Community Board and its relation to the CFL Board.

The creation of a community board with local representation will enable us to hear the views of those that rely on the service daily."

The CalMac Community Board will be established in year one of the contract commencing 1 October 2016. The CalMac Community Board is being facilitated by CalMac Ferries Limited and chaired by an independent member of the community. Its primary purpose is to be the voice of the communities and provide the community view to CalMac.

Angus Campbell the former Leader of Comhairle Nan Eilean Siar was announced as the first Chair of the Communities Board on 1st September. Mr Campbell was born in Stornoway and had an early career in the Merchant Navy before returning to Lewis to run his own business. He was closely involved in local politics becoming a local councillor in 1999 going on to be leader of Comhairle nan Eilean Siar between 2008 and 2017. Speaking after his appointment Mr Campbell said,

“I am delighted to be given the opportunity to chair the new community board. This initiative will enhance communication between the company and the communities it serves and will bring wider benefits to all. I look forward to working with the new board members to ensure we reach into all parts of our geography and all areas of interest to our communities.”

The remit of the Community Board is to collate and inform CalMac Ferries Limited (CFL) of the community view to ensure a greater involvement of the communities served by the Clyde and Hebrides Ferry Service (CHFS) for the delivery of the Ferry Service, over the 8-year contract. The Community Board is separate to the CalMac Board and will:

- give direct representation of key sectors within the communities to the CalMac Ferries Board
- advise on the best form(s) of engagement with the community to share and engage on aspects of the Clyde and Hebrides ferry services, including frequency of engagement
- provide a forum to seek opinions as required and reflections on ministerial strategic direction to the CalMac Board.

The voice of the communities will be captured for the CalMac Board in the form of a biannual report. The Community Board will work with the Director of Community and Stakeholder Engagement to produce the report.

RISK REGISTER

RTS Delivery

Impact – Positive

Comment – The report sets out a process for better stakeholder engagement on Clyde and Hebrides Ferry Services.

Policy

Impact – Positive

Financial

Impact –Neutral

Equality

Impact – Positive

Comment – If the establishment of Ferry Committees across the CHFS network is true to the Community Empowerment Act it will provide an opportunity to ensure that the process is reflective of all sections of society offering broadly equal gender balance and offering representation to local access groups and young people.

RECOMMENDATIONS

1. Members are asked to note the content of the report.
2. Members are asked to consider the CHFS Consultation arrangements set out in Appendix A.
3. If content with the arrangements set out in Appendix A Members are asked to approve these.

Report by: Ranald Robertson
Date: 5th September 2017
Background Papers: Appendix A – Ferry Service Stakeholder Engagement Arrangements for CHFS

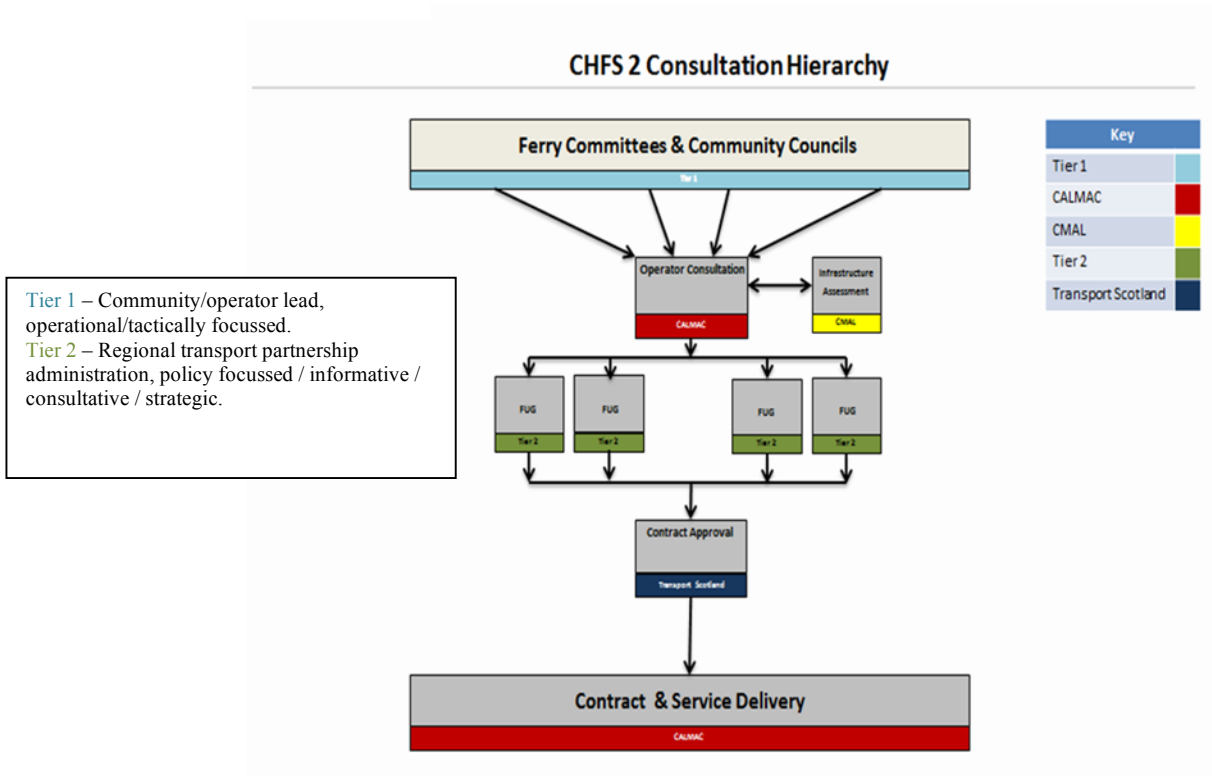
Appendix A – FERRY SERVICE STAKEHOLDER ENGAGEMENT ARRANGEMENTS For Clyde and Hebrides Ferry Services (CHFS)

Purpose of Document

The purpose of this document is to set out the Ferry Service Stakeholder Engagement processes as they relate to the new Clyde and Hebrides Ferry Service Contract which commenced on 1 October 2016 and set the terms of reference of the Ferry Committees and Ferry Stakeholder Groups. Individual Ferry Committees may seek to develop more specific terms of reference but the purpose of this document is to set out the consultation arrangements to eliminate overlaps and ensure that each layer has a distinct role and focus. Whilst this allow for a clear demarcation between an operational and tactical tier, the structure is designed to be both supportive and collaborative.

The consultation tiers are set out in detail below but can be summarised as:

- I. Tier 1: Ferry Committee (CHFS Operator supported and Community led)
- II. Tier 2: Ferry Stakeholder Groups (FSGs) (RTP administered)



Ferry Committees / Community Councils (Tier 1)

Ferry Committees / Community Councils (or sub groups of Community Councils) are the first line of consultation between the island and peninsular community user representatives and the Operator. These will be focused on operational issues of concern to the individual communities served by a route or pair of routes, which should be capable of being resolved without requiring changes to the Operator's contract or having any impact on another community. Any proposed changes to contract would require escalation to the CHFS Contract Manager, who will then liaise with Transport Scotland.

Issues to be discussed at the Tier 1 meetings will include requests for any timetable changes or amends relating to integration with other forms of transport, facilities on board or ashore, service performance and information services for users. Tier 1 will be the first point of contact on timetable setting discussion with the previous year's timetable considered the baseline for each year, and change requests will be considered by exception only and with specific and clear justification. The timeline for the consideration of any alterations to a ferry timetable are set out in Fig. i

In order to ensure credibility and representation, the Ferry Committees should - where possible and practical - include a minimum of two elected members from the area. One of whom could be elected as chairperson, although this is not essential and the Ferry Committee will define their own constitution.

The Tier 1 Ferry Committee will determine and be the sole decision maker to represent community timetable change requests to CalMac Ferries Ltd, who consult on behalf of Transport Scotland. Note that fares are a matter for Transport Scotland and timetables are also all approved and authorised by Transport Scotland.

Where issues cannot be resolved at the Ferry Committee (Tier 1) level they can be discussed at the relevant Ferry Stakeholder (Tier 2) level. For example:

- A timetable issue cannot be resolved at the Tier 1.
- Where a shared asset serves multiple communities, and a proposed change cannot be resolved at the Tier 1 level.

CalMac will, at all times, attempt to respond to all issues raised and requests within a timely manner. Consultation and responses can be undertaken by conference call, email and or face to face meetings. Once timetables have been agreed at the Tier 1 level, these will be formally approved at the Tier 2 FUG level.

The Tier 1 consultation forum will exist separately from, but will work in conjunction with the Ferry Stakeholder Groups (Tier 2). There may be representation from Tier 1 on the Tier 2 Groups although this might be in the form of a local elected member who serves on both groups.

Frequency of Tier 1 Meetings -

Ferry Committee / Community Council (Tier 1): Agenda

1. Minutes of previous meeting and Actions
2. Requests for future timetable adjustments
3. Route Performance
4. Service delivery
5. AOB
6. Date of Next Meeting

Ferry Stakeholder Groups (Tier 2)

The purpose of Ferry Stakeholder Groups (FSGs) is to provide an opportunity for key groups representing users of the CHFS services, the associated infrastructure, and linked services and facilities, to engage on the operation and development of ferry service on a twice annual basis. They will facilitate consideration of operational developments on multiple routes including where there are shared vessels and infrastructure between routes/island communities. They enable discussion on the operation and development of ferry services on a regional basis, supporting a more focussed and collaborative discussion on relative issues.

When required to do so the FSG will work collaboratively to resolve any issues that have been escalated from Ferry Committees / forums etc. Their main purpose is to represent one united voice of the community they represent and, when required, to resolve any issues that have been escalated from Ferry Committees. This may involve integration of services with other transport operators, strategic development of the network and infrastructure, operational and performance updates, and promotion and marketing of the services.



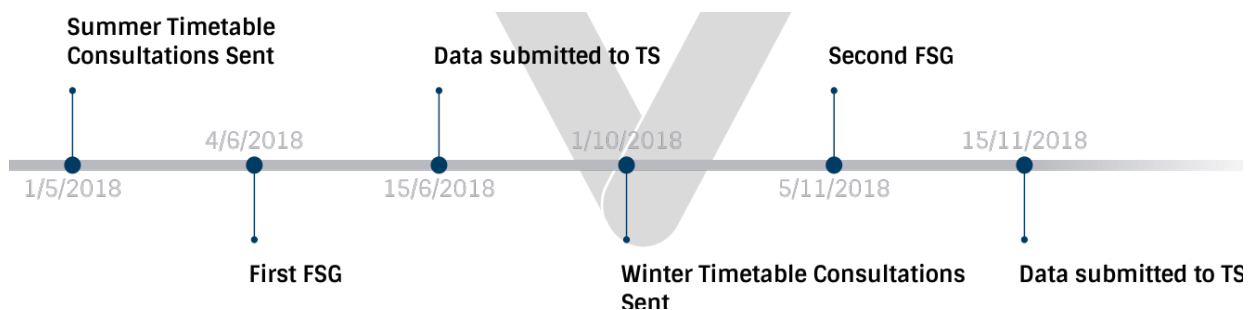
Frequency and Geography of Ferry Stakeholder Meetings

Two meetings will be held each year, in June and November respectively. Attempts will be made to hold these on the first full week of these months.

Given the large geography of each group, the aim will be to provide members with an opportunity to participate through the use of tele or video conferencing facilities wherever possible.

The FSG meetings are held in private to afford a freedom of discussion and allow information to be shared on a confidential basis.

Fig. i - Timetable Engagement Timeline:



There will be four Ferry Stakeholder Groups. An independent venue will be selected for each of the two meetings per annum to rotate its location, to balance the travel time for the attendees. The geographic arrangements are set out below:

1. **Argyll Group** is concerned with services operated in the Campbeltown, Islay, Jura, Gigha, Colonsay, Oban, Mull, Iona, Lismore, Coll & Tiree area.
2. **Clyde Group** is concerned with services operated within the Arran, Bute, Campbeltown, Cumbrae, and
3. Cowal area.
4. **Hebrides Group** is concerned with services operated within Barra, South Uist, North Uist, Harris and Lewis.
5. **Skye, Raasay, Lochaber and Small Isles Group** are concerned with services operated within Skye, Raasay, Lochaber and Small Isles area.

Membership

It is important that the Membership of Ferry Stakeholder Groups remain accountable and representative of key stakeholders in the areas they cover. The following list sets out those that are expected to attend but there will be a mechanism in place for new Members to be appointed following discussion with HITRANS and the operator:

- Representatives from Transport Scotland
- Local Authority elected Members and/or representatives from the relevant Local Ferry Committees
- SPT Board Member and or SPT officer (Clyde only)
- Local Authority Officers
- CHFS Operator – CalMac Ferries Ltd propose their representatives be the Area Operational Managers, Heads of Service Delivery (North & South), Transport Integration Manager and other representatives as required.
- CMAL
- HITRANS officers
- HIE
- Freight Transport Association (FTA Member from the relevant area)
- Road Haulage Association (RHA Member from the relevant area)
- Port/Harbour Authorities
- Tourism, Food and Drink
- Business (FSB and/or local business rep, OHCG)
- Agriculture (NFU, SCF)
- Public Transport Operators

There is a **responsibility** for each Member of a Ferry Stakeholder Group to consult / inform the group / sector / community / body which they represent with any information arising from the work of the Ferry Stakeholder Groups to help ensure better communication and transparency of information as an output of this process.

Chairperson

An independent Chair will be appointed who has responsibility for chairing each of the meetings. This is to provide consistency and impartial representation throughout all four regions. This arrangement will be reviewed after two years and the FSG will be consulted before a decision is

made to make this permanent or to revert to the previous practice where Ferry User Groups were chaired by the local HITRANS or SPT Member or a relevant local elected member.

In the absence of a Chair being available, a member of staff from the Regional Transport Partnership will assume the role of chair for that particular meeting.

Secretariat

The groups will be administered by the Highlands & Islands Transport Partnership (HITRANS).

Agenda

The agenda will be agreed and shared in at least 1 week advance of the meeting to allow members to be prepared. Meetings should be chaired in a way that ensures all views are considered. It should not become a confrontational or negative environment.

The standing agenda is as follows:

Engage	
Inform	1. Minutes of previous meeting and Matters Arising
	2. Marketing/Commercial Update
	3. Ports/Harbours Update
	4. Performance Update
	5. Operational Update
	6. Regional VRDP update
	7. Transport Integration update
	8. Transport Scotland Update
	9. Timetables Overview
	10. On-going Projects
Consult	11. Unresolved issues from Ferry Committee for resolution
	12. Regional Issues and Current challenges or service issues
	13. Next steps, Timescale, Actions and confirm pre-agreed Date of Next Meeting.

Minutes

These will be published on the HITRANS website. This will support awareness and transparency of any decisions affecting the services for communities and stakeholders.

Follow up

Members will be provided with a survey to feedback their comments from the meetings. This will allow for continuous improvement & development of these groups and enable HITRANS to gauge the value Members place on the meetings and support continuous development to ensure they remain relevant to the Membership.