

**Clyde and Hebrides Ferry Services**

**Tier 1 Ferry Consultation Groups**

**Terms of Reference**

**JULY 2007**

## **FORMATION AND TERMS OF REFERENCE OF TIER 1 FERRY CONSULTATION GROUPS**

### **1 STRUCTURE OF GROUPS**

1.1 There are five Tier 1 Ferry Consultation Groups covering the Caledonian MacBrayne ferry services for the Clyde and Hebrides areas. Consultation arrangements for the ferry services to the Northern Isles are dealt with separately.

1.2 The **TIER 1 FERRY CONSULTATION GROUPS** are as defined below:

a) The **KINTYRE AND IT'S ISLANDS GROUP** is concerned with services operated within the **Islay, Kintyre, Jura, Gigha, Colonsay** area.

b) The **ARGYLL GROUP** is concerned with services operated in the **Oban, Colonsay, Iona, Lismore, Coll, Tiree, Barra, South Uist** area.

c) The **SMALL ISLES, SKYE, RAASAY, KILCHOAN, LOCHALINE** Group is concerned with services within this area.

d) The **CLYDE** Group is concerned with services operated within the **Arran, Bute, Cumbrae, Cowal** area.

e) The **HEBRIDES** Group is concerned with services operated within the **Barra, South and North Uist, Harris, Lewis** area.

### **2 OBJECTIVES**

The purpose of the Tier 1 Groups is to provide an opportunity for stakeholder groups representing users of the Caledonian MacBrayne ferry services, the associated infrastructure, and linked services and facilities, to raise concerns regarding the operation of ferry services which have not been able to be resolved at a local level.

### **3 FUNCTIONS**

The **TIER 1 FERRY CONSULTATION GROUPS** will consider and discuss matters affecting the operation and performance of the services within their area, and when considered appropriate, refer unresolved matters to the Scottish Executive for its consideration in their role as client for the delivery of Clyde and Hebrides ferry services under the proposed public service contract starting in October 2007.

In addition, if requested by the Scottish Executive, the Groups will consider and comment on any changes to services proposed by either the Scottish Executive or the ferry Operator

#### 4 **COMPOSITION OF GROUPS**

4.1 The TIER 1 CONSULTATION GROUPS consist of:

- a) Members representing the users of the shipping services and
- b) Members representing the ferry Operator, those responsible for provision of the vessels, the associated piers, harbours and slips, and associated public transport services.

4.2 The members representing users shall be appointed in such numbers and by their Local Authorities and other representative bodies as detailed in Appendix 'A'.

4.3 The members representing the ferry Operator will be appropriate full time officials of the Company with a normal representation at any meeting of not more than 2 .

#### 4.4 **CO-OPTION**

A TIER 1 FERRY CONSULTATION GROUP may agree to co-opt additional members to represent other bodies not included in the foregoing lists. Such co-option shall be for such a period as the Group may agree.

#### 4.5 **SUBSTITUTION**

Members of the Group may arrange for a substitute representative to attend on their behalf. Substitute representatives must be members of the organisation represented by the member of the Group who is unable to attend. Notice of the intended substitution should be received and approved by the Group Chairperson prior to the meeting.

#### 4.6 **ATTENDANCE BY BUS/RAIL OPERATORS**

When discussing matters such as integration with connecting bus or rail services, the Group may invite representatives of the bus operators or the Rail Companies to attend the meeting.

## **5 CHAIRPERSON**

The Chairperson of the GROUP 1 FERRY CONSULTATION GROUP will be a Member of the Board of the Strathclyde Partnership for Transport or the Highlands and Islands Transport Partnership appointed as appropriate to the area served, or, in their absence, an employee of either Organisation as instructed by the Chairperson so to act.

## **6 SECRETARY**

Strathclyde Partnership for Transport or the Highlands and Islands Transport Partnership shall be responsible for the appointment of Secretaries to the Groups.

## **7 MEETINGS**

7.1 Two ordinary meetings of each TIER 1 FERRY CONSULTATION GROUP will be held per year.

7.2 One combined meeting of all five TIER 1 FERRY CONSULTATION GROUPS, and the TIER 2 GROUP, which consists of representatives of the Boards of the two Regional Transport Partnerships, will be held each year to discuss the performance and future development of the Caledonian MacBrayne ferry services in the area.

7.3 Special meetings may be called by decision of the Chairperson or Secretary.

## **8 SUB-COMMITTEES**

Groups may delegate any of their functions to Sub-Groups as agreed by the Groups to be necessary.

## **9 NOTICES AND AGENDAS**

9.1 The Secretary will give not less than 14 days notice of all meetings. An Agenda of the items for consideration shall be circulated at least 14 days before the meeting.

9.2 Members of the Group wishing to introduce subjects for discussion, must, for the purpose of inclusion in the Agenda, submit particulars of the item in writing to the Secretary 21 days prior to the date of the meeting.

**10 MINUTES**

Copies of all Minutes of Meetings shall be circulated to all members of the Committee.

**11 'TIER 0' FERRY OPERATOR CUSTOMER CONSULTATION**

The Ferry Operator should, through its Regional Management Structure, consult on and discuss matters affecting the operation and performance of the services within their area, within the framework of the contract existing between the Operator and the Scottish Executive. This consultation forum (Tier 0) will exist separately from, but will work in conjunction with, the scheme of Tier 1 consultative arrangements.

CalMac Ferries Limited (CFL), anticipates that most customer-related issues can be dealt with locally and within short time-scales. There should ordinarily be no substantive delays in resolving matters which have affected customers or communities. CalMac proposes to visit communities served by individual services on a regular basis, normally every four to six months, to consult on service issues.

The first line of consultation on all issues should be between the users of services to island and peninsular communities and the Operator. At this level, the consultation will be focused on operational issues of concern to the individual communities served and the Operator, which should be capable of being resolved without requiring changes to the Operator's tender specification.

Issues to be discussed at Tier 0 include: timetables, integration with other forms of transport, facilities on board or ashore, provision and development of terminal facilities, service performance, information services for users and matters of overall planning, development or economic strategy affecting the operation of the shipping services (e.g. marketing, and fares). These discussions will all take place within the context of the new arrangements for the provision of ferry services to the Clyde and Hebrides whereby the assets are owned by Caledonian Maritime Assets Limited and leased to the operator, in this instance CalMac Ferries Ltd. This also includes vessels which may be chartered by the operator.

Unresolved matters may be referred to the appropriate Tier 1 Group for consideration through the channels provided.

## 12 **'TIER 2' CLYDE AND HEBRIDES FERRY COMMITTEE**

The HITRANS and SPT Regional Transport Partnerships have agreed to establish a 'Tier 2' Ferry Committee to

- a. adjudicate on ferry related complaints passed to it by the Scottish Executive,
- b. consider unresolved service issues raised by ferry users through the Tier 1 Groups and subsequently referred by them to Tier 2 rather than the Scottish Executive due to their nature,
- c. consult on, discuss and recommend improvements to ferry services across the network which are consistent with the National Transport Strategy and the Partnerships own Strategies aimed at improving economic development and social inclusion within the communities served.
- d. respond as appropriate if invited by the Scottish Executive to comment on ferry-related matters

The Committee will consist of the Chairs of the two Regional Partnerships or their nominated substitute, the Chairpersons of the five Tier 1 Groups, and a representative from Highlands and Islands Enterprise.

The Tier 2 Committee will not meet on a defined regular basis, meetings will be arranged at the request of either Regional Transport Partnership Chair as and when considered necessary. The meetings will be administered by either of the Partnerships as agreed.

## 13 **UNRESOLVED MATTERS**

Any unresolved matters supported by a Tier 1 Group relating to service or contractual issues will be referred by the Group to the Scottish Executive for their consideration by the Chairperson.

Wider service issues will be referred to the appropriate Regional Transport Partnership who will either pass the matter directly to the Executive with the support of the Partnership, or include an item on the agenda of a meeting of the Tier 2 Committee, for its consideration and agreement as to the appropriate action.

**APPENDIX 'A'**

**TIER 1 FERRYCONSULTATION GROUPS**– Members representing users of the shipping services shall be appointed as follows:

**Table 1 Proposed Tier 1 Group Membership**

Organisation	Clyde	Kintyre and its islands	Argyll	Raasay, Small Ardnamurchan and Mull	Skye, Isles, Hebrides
Hitrans	1	1	1	1	1
SPT	1				
Council – A+B	2	1	1	1	1
Council – HC			1	3	1
Council - CNES			1		5
Council – NA	2				
Council - I	2				
Community Councils		1 (plus 1 rep from individual CC where specific issue)	1 (plus 1 rep from individual CC where specific issue)	6	
CFL regional managers	2	1	1	1	2
CFL management	1	1	1	1	1
HIE	1	1	1	1 max 2	1 or 2 (local economic forum)
FTA	1	1	1	1	1
RHA	1	1	1	1	1
NFU	2	1	1		
Scot Crofting Foundation		1	1	1	1
Tourism	2	1	1		1
Bus Operator (SPT)	1				
Bus Operator (CPT)	1 (to be confirmed by	1	1	1	1 (citylink)

	SPT)				
Rail Operator	1		1	1	
Port Authority (CMAL)	1	1	1	1	1
Port Authority (A+B)	1				
Port Authority (Tarbert)		1			
Port Authority (Stornoway)					1
Port Authority (Ullapool)					1
Port Authority (Highland)					1
Port Authority (CNES)					1
Business		1	2	2	
<b>TOTAL</b>	<b>23</b>	<b>15</b>	<b>18</b>	<b>22/23</b>	<b>21/22</b>

In addition to the membership as above, the Groups will be supported by appropriate representation at Officer level from Councils.



## **NOTES ON TIER 1 FERRY GROUPS**

### **1 OBJECTIVES**

1.1 The exchange of views and information, and consideration of issues between users and providers of transport facilities is an essential aid to the development of efficient and satisfactory services.

1.2 The Ferry Operator is bound to consult regularly with users on individual ferry routes within the area as agreed with the Scottish Executive, and consider issues relating to the delivery and improvement of the service they are contracted to provide. Representatives of individual ferry service user groups may wish to have any unresolved issues between themselves and the Operator or infrastructure provider considered by an independently managed party, who in turn may refer any matter to the Scottish Executive where they consider this appropriate

1.3 The Regional Transport Partnerships have therefore established the TIER 1 FERRY CONSULTATION GROUPS to provide this facility, and in addition to offer the Scottish Executive the opportunity to obtain feedback from ferry users on possible operational changes to services.

1.4 There is a continuing need for flexible contact on specific and local ferry matters. The TIER 1 FERRY CONSULTATION GROUPS are intended to supplement rather than replace these channels of communication and recognise that the Operator will continue to consult on operational matters on an individual route basis.

1.6 A wide range of topics may be discussed by the Tier 1 Groups including : Timetables, Co-ordination and integration with other forms of transport, development or curtailment of services facilities on board or ashore, provision and development of terminal facilities, service performance and information services for users.

### **2 REPRESENTATION**

2.1 To provide an effective and meaningful representation of users' views, the Committees will comprise persons nominated by Local Authorities and other interested bodies.

2.2 The elected members of Local Authorities with their interest in transport facilities and their knowledge of local needs are a vital element in the consultative process. Those appointed as representatives on the Group will, therefore, play a primary role.

2.3 The Community Councils are "grass roots" bodies close to the population and able therefore to reflect local opinion. While transport will probably be one of the matters in which they will be interested, their

involvement in shipping questions is difficult to forecast. Having regard to this and to the probable number of Community Councils within the operating territory, no specific provision is made in all Groups for their representation. Their input into issues to be discussed at Groups should be sought by the local Councils and related to the Meeting through the Council representatives where Community Councils are not Members of the Group.

2.4 Highlands and Islands Enterprise has an interest in transport matters in their area reflected by the liaison between the Board and the operators which will be strengthened by the inclusion of a representative of HIE in the Group.

2.5 Agriculture and Tourism are important economic activities in the area served by the shipping service.

2.6 Agricultural interests will be represented on each Group by a member nominated by the local branches of the NFU and Scottish Crofters Union as appropriate.

2.7 Tourism will be represented on each Tier 1 Group.

### **3 OPERATOR REPRESENTATION**

3.1 Operator representation at the TIER 1 FERRY CONSULTATION GROUP Meetings will normally be the Manager or Managers responsible for delivery of the ferry services in the area and one other senior member of the Management of the Company. This representation may be increased with the agreement of the Chairperson prior to the date of the Meeting.

### **4 PERFORMANCE MONITORING**

The Scottish Executive is committed to detailed monitoring of performance regimes under the Northern Isles and Clyde and Hebrides ferry contracts and has advised that whilst the operators should supply individual reports to TIER 1 Groups on their performance in delivering these contracts, the Executive is also considering what further reports it might offer the Groups to summarise the operators' contractual performance.

### **5 VENUE**

The venues for meetings of each committee will be decided at the preceding meeting by the decision of the members. It is useful to vary venues within respective areas.