

Summary of findings: Legal and Regulatory frameworks

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|  | Norway | Germany | Scotland | Belgium |
| 1. Governance Structures | | | | |
| Key actors | State-level: portfolio of climate change sits with Ministry of Climate and Environment. Fylkeskommune (County Councils). Transport operators (public-private partnerships). | Central government play a role only in setting the budget for the federal governments. Federal governments. Rural districts. Municipalities. Private transport providers. | Local authority (Council), RTPs (Regional Transport Partnerships), privately-owned commercial operators. | National government, provinces, municipal governments, Taxistop (NGO). |
| Institutional organisation | Railways are operated by central government. Other forms of PT (buses, ferries) are mostly  operated on county-level via their own public-private transport companies. | Central government designate the budget to the federal state. Federal state can then apportion the funding  per sector within its jurisdiction. It is up to each rural district to plan and organise PT within its municipalities, with funding from federal government (although federal governments are reluctant to hand over too much power to the district level). Private providers then operate the PT services under the legal framework given by the districts. | The key role of the local authority is to identify unmet social needs, and provide services to fill these gaps.  Regional Transport Partnerships responsibility is to provide specialised knowledge in transport, prepare regional transport strategies and transport planning. They bring together local authorities (a number of members of the council’s transport department will also hold a seat at the RTP), and other key stakeholders in the region to ensure smooth cooperation and facilitate cohesive transport strategies and policies within a defined region. Private operators provide the vehicles and ensure that they are well-maintained and meet safety standards and carbon efficiency targets outlined in national law. | All public transport networks in Belgium are currently state-owned, so costs for the end user are low,  especially when compared to other European countries such as the UK. The rail network provider is nationalised NMBS. Bus travel is operated by 3 companies according to region: De Lijn (Flanders), TEC (Wallonia) and STIB (Brussels metropolitan region, and STIB also operates the metro and tramlines). Taxistop is a NGO which receives government funding on the grounds that it is a mobility-related organisation. |
| Public policy priorities | Norwegian government is most proactive towards energy efficiency. Following the Paris Agreement, Norway has identified the transport sector (and to a lesser extent agriculture) as the main focus of emissions cuts. Car ferries on Norway’s West coast (where many inhabitants live on islands) are the biggest source of pollution, so replacing them with hydrogen fuelled ferries is a government priority. | Focus of policy direction is towards increasing accessibility to PT in rural areas, rather than cutting carbon emissions. The pressure to cut carbon emissions in the transport sector are mainly on the transport departments in urban areas. | Following deregulation, public transport in the UK is run on a for-profit basis. The public sector in the UK has also faced deep cuts to spending in recent years, so a major task of local councils is to find ways to make up for funding gaps. | Main priority of PT in Belgium is broadening accessibility while keeping costs down for the end user. Therefore, PT transport policy in Belgium viewed mobility as a social issue, and the policy aim of rural transport is to prevent social isolation through increased mobility. Belgian roads are currently among the most congested in Europe, so the aim is also to make PT the preferred option to reduce the economic impact of road congestion, rather than environmental concerns. |
| 1. Trends | | | | |
| Social trends | Apps not integrated across different PT networks, so not effective for end user if more than one mode of PT is required to complete the journey. Reflection of the disjointed landscape of PT. | Number of people using PT is increasing year-on-year nationwide. Biggest increase is in urban areas, where “peak car” has been reached and young people are opting to rely solely on PT and not purchase a private car. In rural areas however, the average household owns 2 private cars. The challenge is therefore in a large part to change cultural norms whilst widening accessibility to PT. Historically, PT routes have been planned around school routes, and schedules aligned with schooldays (i.e. minimal service on weekends and school holidays). Changing demographics (ageing population, high number of refugees arriving in Germany in recent years) also contribute to a need to widen accessibility to PT in rural areas, as more people are no longer able to rely solely on a private car (due to e.g. age or economic reasons). | Passenger numbers continue to fall year-on-year. The reasons for this could be due to the economic downturn in North East Scotland following the crisis in the oil sector, which is leading to falling population, especially in rural areas. | Patterns of urbanisation in Belgium are such that settlements tend to be linear, and dispersed over long distances. Compared with for example the Netherlands, which has a similar population density but cities are more compact, with more rural zones between cities, the Belgian patterns of urbanisation have lead to large semi-rural suburban zones. At the heart of Belgian transport policy is that idea that each citizen has the right to be mobile, even if they do not own a private car. It is therefore up to the state to create a transport network that is as broad and accessible as possible. |
| Technology and innovation | R&D is focused on the maturation of hydrogen fuel cell technology. The hydrogen ferry is already under development in Møre and Romsdal county and will be commissioned in 2021. Due to Norway’s maritime history there is already a wealth of knowledge and experience in the maritime sector. | Bundling of services according to passenger demands, for example arranging transport schedules around medical appointments, or PT on demand. Also a key strategy of the lighthouse project is to identify ways in which local transport services, schools and e.g. medical / social care services can work together more closely and align on schedules. | The informal, collaborative approach which Aberdeenshire council has towards the two major bus operators in the region, Stagecoach and First, has led to an integrated ticketing system where “Grasshopper” tickets can be used on both networks. | Taxistop contributes to the burgeoning Belgian sharing economy.   Testing a new transport vision to increase mobility in rural areas which are currently “dead zones.” This consists of transport sharing hubs, Mobihubs, where citizens can pick up and use shared transport (such as bicycle), or MobiTwin, a service for the elderly and/or mobility impaired, who can call a volunteer-run pick-up service on demand. |
| 1. Regulatory, Legal and Financial Frameworks | | | | |
| Legal landscape | Act of Parliament on Climate Change (2017), establishes under domestic law Norway’s objectives for greenhouse gas reduction. | The legal / regulatory environment governing PT in Germany is notoriously complex. Legal environment frames public transport as a social good, rather than commercially driven (although de-regulation and liberalisation have occurred to an extent, albeit less so compared with other European countries). In rural areas, it is treated as a social issue primarily, eve ahead of reduction of carbon emissions. | Transport Act 1985, which legislated the deregulation and privatisation of public transport services. This is the main legal framework within which public transport across the UK (except London) is governed. The main driver is commercial success, and private companies operate services at their own risk, largely free of intervention from the state (except in extreme cases).  Alongside the Transport Act 1985, the other key legislative act is the Transport (Scotland) Act 2001 and following amendments. Also domestic and EU procurement and competition legislation. | According to Belgian law, transport operators are obliged to provide school transport, and every child in Belgium has the right to public transportation. There is a separate law governing the right of public transportation for adults, where operators are obliged to provide public transport for all citizens, and do their utmost to make it as accessible as possible for all. |
| Regulatory landscape | Implementation of measures related to the Climate Change Act fall mainly to transport departments of county councils, although it is owned by the Ministry of Climate and Environment. As it is not directly included in the Ministry of Transport’s portfolio, informally often the implementation of creating greener transport solutions falls to Energy departments in the County Councils. The Transport departments are mainly concerned with safety, quality and liability. | PT sector highly regulated in Germany, and network of regulation systems is complex and multi-layered. Regulation for rail-bound services (trains, metros, trams etc.) follows a separate framework for road services (buses, taxis etc.) The passenger transportation act is the main regulatory framework for the latter. | The only regulation in place for the bus network is regarding quality (such as safety), rather than environmental or access concerns. Bus operators set their own fares without intervention from the local council.   There are also three regulatory framework options regulating the relationship between local councils and the private transport operators. The first is “Voluntary Quality Partnership”, which is the scenario in effect in Aberdeenshire. This provides a framework in which to divide responsibility between the public and the private sectors, and is entered voluntarily. The local authority is responsible for providing ticketing  systems and bus stop infrastructure,  and the private operators provide and maintain vehicles, and ensure that they are accessible and include measures to reduce carbon emissions. This framework is governed by the Transport Act 2000. | Regional decrees regulate the operation of public transport in the 3 regions of Flanders, Wallonia and Brussels. |
| Funding landscape | PT is funded centrally by taxation raised by the state. | Budgets for PT determined by federal state based on budgetary allocation from central government. Municipal authorities handle the planning of PT, and regulate the private companies which operate the services. Funding deficits are made up by the municipalities. Local services are cross-subsidised through a variety of public companies, funded projects and private investment. | Funding comes largely from private investment (Capital funding), in combination with local councils who subsidise services. Infrastructure such as bus stops, bus lanes etc. is provided by the local authority. | Funding of Taxistop is from the Flemish government, although this is on a somewhat informal basis and is not ringfenced, therefore could potentially be precarious if any significant change to the political climate occurred. |
| 1. Highs and Lows | | | | |
| Key successes | Positive will of Norwegian government on the whole towards tackling climate change and meeting the targets set out in the Paris Agreement. Good local infrastructure and well-developed marine sector. Willingness of government to invest in necessary measures to tackle climate change. Good use of abundant local natural sources of power (wind, hydro). | There is room within the current model for looking at e.g. franchise models.   Main issues have been identified – and innovation has been demonstrated in the pilot schemes to bundle services together. | There is revenue support in place for socially necessary bus-services.   The volunteer group managing the community-run transport group are strong, and maintain a good relationship with Aberdeenshire council. | A holistic attitude to transport planning has been prevalent in recent years, where 4 pilot schemes have been rolled out since 2015 to test transport strategies covering “Transport areas” rather than following provincial boundaries. This is beneficial as it mitigates against the risk of a misaligned structure. There is also a general strategy to keep the rail network as the “spine” of the Belgian PT network, and try to integrate other modes of transport (e.g. bus) with train timetables. Although in reality this is not always successful, measures have been taken to aim for this, and the  bureaucratic systems are in place to allow for a fully-integrated transport network. |
| Limiting Factors | Lack of coordination across different government departments is the biggest barrier. The technology is already in place and the knowledge and skills are readily available in the local workforce, but the bureaucracy and clear division of responsibility on implementation solutions to meet the criteria outlined in the Climate Change Act cause most resistance. | Biggest challenge is trying to promote a cultural shift in rural Germany away from car culture and towards the idea of collective transport. Due to decades of reliance on private mobility, the patterns of settlement have developed accordingly and have become increasingly dispersed and distances from social and technical infrastructure have increased. Second issue is that most rural transport services are based around the school run, so not only is service limited on weekends and school holidays, but the majority of ticket sales are through season passes. | The volunteer group is successful in many ways, but there are also a number of unintended consequences such as new barriers to inclusion which were not previously anticipated. For example, it is only accessible to the most policy literate individuals. | Currently the political climate in Belgium is causing resistance, as there are upcoming local elections in autumn 2018, and local governments are reluctant to make any budget commitments until after the election period has passed.   There is also reluctance of Flanders and Wallonia to implement schemes created by Brussels. |