

# Consultation on changes to bus registration in Scotland



## RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

### 1. Name/Organisation

Organisation Name

South Lanarkshire Council

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Park

Forename

Colin

### 2. Postal Address

Roads and Transportation Services

Montrose House

154 Montrose Crescent

Hamilton

Postcode ML3 6LB

Phone 01698 453653

Email colin.park@southlanarkshire.gov.uk

### 3. Permissions - I am responding as...

Individual / Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Transport Scotland web site)?

Please tick as appropriate  Yes  No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Transport Scotland web site).

Are you content for your **response** to be made available?

Please tick as appropriate  Yes  No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Transport Scotland to contact you again in relation to this consultation exercise?

Please tick as appropriate  Yes  No

## **CONSULTATION QUESTIONS**

**Question 1: do you agree with the proposal to extend the pre-registration notice period from 14 days to 28 days?**

Yes  No

Increasing the period of notice allows more time for meaningful and constructive dialogue and discussion. It is, unfortunately, a fact that in the current economic climate public transport authorities increasingly have fewer resources available to deal with increasing workloads, so allowing more time is likely to result in proposed changes receiving more considered thought and discussion. Given the commercial outlook of bus operators, however, it remains to be seen whether such dialogue would change the original intention.

In the west of Scotland currently it is the Regional Transport Authority, Strathclyde Partnership for Transport (SPT), who act as the Public Transport Authority (PTA) responsible for the registration of bus services. South Lanarkshire Council (SLC) has liaised with SPT and has seen their proposed draft response to this consultation. SLC endorses the approach taken by SPT in their Ten Point Plan for Bus on which a number of the proposals in this consultation are based. SLC concur with SPT's response to this question.

**Question 2: Do you agree with the proposal to replace the duty to inform the relevant authorities before making an application for registration with a duty to consult with the relevant authorities?**

Yes  No

A duty to inform effectively means that a proposal is a "fait accompli". A duty to consult would allow for meaningful dialogue and for the pros and cons of a proposal to be discussed, hopefully resulting in changes which do not adversely affect service provision or customers. Again SLC concur with SPT's response, and in particular agree that 'Relevant authorities' should be clearly defined as PTAs which in some cases may refer to the Regional Transport Partnership, such as is the case with SPT, or the local council.

Furthermore the term 'to consult' should be clearly defined as meaning 'to discuss, take into account and action agreements made between both parties'. The exchange and extent of information provided between an operator and the PTA must, therefore, be clearly defined and scoped prior to discussions taking place.

SLC agree with SPT that this proposal will ensure that a more co-ordinated approach to public and private sector network planning and development is put in place, which will be to the benefit of passengers and communities.

**Question 3: Do you agree that relevant authorities should be encouraged through guidance to draw potential concerns about new registrations to the attention of the traffic Commissioner for Scotland and/or Transport Scotland?**

Yes  No

By bringing potential concerns to the attention of the relevant body SLC feel, as SPT do, that this is likely to help ensure compliance with the revised registration process, as well as ensuring that full and meaningful consultation is undertaken with the PTA in the first instance. Once again SLC concur with SPT's response to this question, and in particular that it should relate to all registrations, be they new, varied, withdrawn or short notice services registrations.

**Question 4a: Do you agree with the proposal to reduce the period of registration from 56 days to 42 days? What difficulties (if any) do you consider such a change might present and how might these be addressed?**

Yes  No

A shorter registration period will result in beneficial changes being introduced sooner, for the good of the passengers. It may, however, place more pressure on PTA when disseminating relevant information regarding the changes. If the proposed increase in pre-registration notification is implemented this would help offset this.

**Question 4b: An alternative option would be to reduce the registration period from 56 days to 42 days only where Electronic Bus Service Registration (EBSR) is used. Do you agree with this?**

Yes  No

SLC consider that, to avoid confusion, registration periods should be the same length. In this day and age it is considered that all registrations should be electronic, via EBSR, which would simplify and streamline their processing; reducing the registration period for all registration should help to encourage this.

**Question 5: Do you agree that we should require operators to detail within registered hourly frequency bands any services that are registered as frequent services?**

Yes  No

Again, as with SPT, SLC believe that this may make it easier for new operators to provide services on routes with existing services provided by other operators and deter "predatory" behaviour which may be associated with this.

**Question 6: Do you agree that if the proposed changes set out above are adopted, they will improve the bus registration process in Scotland ?**

Yes  No

With the exception of the proposal outlined in Question 4b above and 7 below, South Lanarkshire Council supports the proposals outlined. SLC believe that by improving engagement and dialog between operators and LTAs, with a new requirement to consult, rather than just inform, it is likely that the process of registering services, and hence the provision of services themselves, will be improved. It further believes that by encouraging all operators to move to EBSR the process can be further improved.

**Question 7: It is possible that much of what is proposed above could be achieved through Guidance and/or a Code of Conduct to facilitate engagement between operators and relevant authorities rather than changes to the legislation. Do you have any views on this?**

Yes  No

Experience since the deregulation of bus services, as well as in many other fields of local and national government, shows that generally self-regulation and adherence to guidelines is difficult to achieve. In order to ensure that there is effective and meaningful engagement between operators and PTAs, and that the results of this engagement are delivered appropriately and consistently, SLC believe that statutory legislation, to be applied by either the Traffic Commissioner, Transport Scotland, Regional Transport Authorities, PTAs or any combination of the foregoing, is required.

As outlined in response to Question 1 SLC has liaised with SPT prior to formulating its response to this consultation, as SPT has a deeper, broader, knowledge of the issues involved. SLC believes that its response is broadly aligned to SPT's and, as previously stated, generally endorses SPT's position and approach to these issues.