

# 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

The Highlands and Islands Transport Partnership (HITRANS)

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

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### 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

This will ensure Transport Authorities are given reasonable time to react to service change proposals and fully understand the impact these registrations could have on local networks. It should be noted that in some cases the Transport Authority will be the local authority and in others the Regional Transport Partnership.

**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

The proposal to replace duty to inform with a duty to consult relevant authorities will be a step forward that should make a real difference in terms of how discussions are framed around the registration process. This change should ensure that the relevant transport authorities are informed and consulted on changes in advance and to make a contribution into the detail of the changes as they develop.

Thought needs to be given to the “relevant” authorities. Local authorities are the most obvious responsible transport authority in the Highlands and Islands but HITRANS as the RTP will have a real interest in many circumstances in terms of transport integration and wider strategic policy. In other areas the RTP is performing the transport commissioning and specifying function (SPT in 12 local authority areas, ZetTrans in Shetland and Swestrans in Dumfries and Galloway) so they will be the main transport authority but the 14 local authorities covered in these circumstances still have an interest in the detail of bus service changes that can have real impacts at the local level.

**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

This will be a useful opportunity for transport authorities to bring significant issues to the attention of the Traffic Commissioner. This should not be restricted to new registrations as there could be situations where changes to existing registrations have a significant impact that should be highlighted with the Traffic Commissioner.

Some guidance on this will be aspect of the process will be necessary and it is important to stress that issues should only be escalated to the Traffic Commissioner once agreement cannot be reached in the consultation process between transport authorities and operators.

**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

The 56 day registration period affords transport authorities the time needed to consider the impact of service changes. In the Highlands and Islands this is particularly important as the withdrawal of a commercially operated service could require the transport authority to consider whether there is a need to replace the lost mileage through a contracted service. Arriving at this decision requires time in terms of understanding possible impact and the time taken to achieve the necessary internal approval which is often constrained by Council Committee / RTP Board timetables.

A reduction from 56 to 42 days could be supported where the appropriate transport authority deems the consultation process to have been concluded satisfactorily and has a positive public service impact. An alternative scenario that could support a reduction from 56 to 42 days would be in the event of submission of registration by EBSR as covered under 4b.

**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

EBSR registration would be a welcome development and the opportunity of a shorter registration period would potentially incentivise operator take up of EBSR. This would have a positive impact for key services including Traveline Scotland. It would also benefit transport authorities including HITRANS by helping reduce work in the manual handling of data used to populate timetable databases such as those that provide the foundation for roadside information, real time passenger information and printed timetables.

**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

There are few bus services that operate on the every 10 minutes or less basis in the Highlands and Islands but HITRANS would support the proposal that the frequency of these be precisely detailed within the registration to help address issues of predatory practice between operators.

**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

Those proposals to which HITRANS has responded “Yes” above would improve the bus registration process in Scotland. In general terms this Consultation and the work of the Bus Stakeholder Group are welcome interventions and represent a real attempt at achieving progress in partnership with operators.

**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

It is difficult to see how a real improvement can be guaranteed without legislative change. Guidance and / or a code of conduct would be at risk of not being adhered to and bypassed. The only way that changes to practice can be achieved with certainty is if these are set out in a binding way and legislation is needed to ensure this. Enshrining change in legislation will help deliver greater network stability and in the event of network change transport authorities will have the opportunity to react to change.