

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

Strathclyde Partnership for Transport

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

Surname

Kiloh

Forename

Bruce

2. Postal Address

Strathclyde Partnership for Transport

Consort House

12 West George Street

Glasgow

Postcode G2 1HN

Phone 0141 333 3470

Email bruce.kiloh@spt.co.uk

3. Permissions - I am responding as...

<p>Individual / Group/Organisation</p> <p><i>Please tick as appropriate</i></p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(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)?</p> <p><i>Please tick as appropriate</i> ✓ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis</p> <p><i>Please tick ONE of the following boxes</i></p> <p>Yes, make my response, name and address all available <input checked="" type="checkbox"/> <input type="checkbox"/> <i>or</i> <input type="checkbox"/></p> <p>Yes, make my response available, but not my name and address <input type="checkbox"/> <i>or</i> <input type="checkbox"/></p> <p>Yes, make my response and name available, but not my address <input type="checkbox"/></p> <p>(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).</p> <p>Are you content for your response to be made available?</p> <p><i>Please tick as appropriate</i> ✓ <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(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?</p> <p><i>Please tick as appropriate</i> ✓ <input type="checkbox"/> Yes</p>

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

SPT strongly supports this proposal. In our view, a statutory two-way dialogue in the period before a registration is submitted will enable the PTA to advise the operator of the likely result of the proposed service changes, the response (if any) of the PTA and, as at present, any technical faults within the document.

We feel that there would be significant two-way benefit in a more comprehensive, meaningful and outcome orientated 'discussion'.

We believe that this proposal would also mean that the operator's knowledge of the response of the PTA may influence their final proposals, thereby avoiding the requirement to tender services, the submission of successive registration documents, and excessive disruption to the passenger.

Overall, this proposal will ensure that a more co-ordinated approach to network planning and development is in place, which is to the significant benefit of passengers and communities.

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

SPT strongly supports this proposal. Effective consultation on new registrations is essential and will promote greater and more effective dialogue between PTAs and operators. SPT would welcome clear guidance on the following:

- What the term "relevant authorities" constitutes? This must include Regional Transport Partnerships.
- What the respective operator and transport authority obligations and responsibilities are in relation to the treatment of information exchanged and discussed during the consultation phase?
- What precisely the nature of "to consult" means? SPT would welcome the introduction of the term "to consult and take into account"

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

SPT strongly supports this proposal but we would wish to see it extended to include all registrations and not simply to new 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

SPT strongly supports this proposal. While there would be implications for PTA's such as SPT in preparing timetable information (and the production and display of same), the allocation of stances / bus stops, and the provision of electronic information in a timely manner for dissemination through Traveline Scotland, the benefits to the traveling public and the 'public purse' of the proposal far outweigh any process-related issues which may arise therein.

Furthermore, SPT consider that more power should be available to the Traffic Commissioner in considering registrations. SPT would like to see the law in Scotland amended to provide the Traffic Commissioner with powers to reject a registration in cases where the applicant fails to consult with the PTA, and/or where the PTA evidences legitimate concerns regarding safety, network coverage, road network capacity, compliance issues, improper conduct, service deliverability, and / or that a service is not in the public interest. To enable this, SPT has suggested a 'Tick Box' for the PTA on forms 350/A to advise the TC if registration requires 'additional information' as part of its consideration, e.g. this may simply be predatory operation, no public benefit, known special events, infrastructure activities or registration non-compliances.

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

SPT does not support this proposal. We consider that reducing the registration period from 56 days to 42 days will have the effect of incentivising operators to move speedily to EBSR and that a reasonable but binding timescale should be built into the statutory framework .

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

In principle, SPT supports this proposal as it would provide an easier route to market entrance for new operators wishing to provide a service on a route with an incumbent operator and will also deter predatory behaviour. Furthermore, we agree that it is operators who are best placed to define which of their existing services are 'frequent',

However, a degree of flexibility should be built in to allow operators to react to demand. It may be worth considering how this proposal could be further refined to achieve improved gap management of services, as 'equidistant' timings between services is very much in the passenger interest.

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 at Q4b above and Q7 below, SPT strongly supports the proposals outlined. However, the success or otherwise of this opportunity to vary the registration process will be critically dependent on identifying a more flexible mechanism to procure bus services. The current tendering process is often expensive, unwieldy, overly bureaucratic and results in unnecessary additional costs to the public purse. Development of "best value" / de minimis solutions (with appropriate limits) should run concurrently with the work of the BSG to maximise the benefit of these proposals.

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

No. While guidance is welcome this must be in addition to a clear statutory underpinning and not instead of. Public concern about both the lack of both bus services serving local communities outwith peak periods and the inconsistent and variable reliability of bus services makes statutory underpinning essential.