

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

Nestrans

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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

Nestrans supports the opportunity for greater dialogue between operators and transport authorities where this doesn't already occur. The current 14 day notification period can already be very tight for transport authorities when there is an extensive network or corridor review. An extension of the notification period would allow a more rigorous consideration of registration documents, particularly when received 'in bulk'.

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

Agree that greater dialogue and consultation with transport authorities will be beneficial and allow for feedback to be considered before finalisation. A high degree of consultation between operators and transport authorities will already exist in some places, for example Aberdeenshire Council and Stagecoach Bluebird already have a good working relationship and a high level of consultation on any proposed changes already takes place. This proposal should simply formalise good practice where it is already taking place rather than placing additional requirements on those that are already carrying out high levels of consultation. It should allow local solutions to consultation to be developed rather than specifying a prescriptive approach.

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 ✓

There is already the opportunity for transport authorities to raise concerns with the Scottish Traffic Commissioner if it is considered that a registration is in breach of the legislation / regulations. To provide other comments on registrations to the Scottish Traffic Commissioner and / or Transport Scotland, such as concerns over levels of service provision or timing of services, would be of little benefit if neither recipient have the legislative power to address the concerns raised. Such actions could prove counter-productive and potentially undermine partnership working arrangements.

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

After consultation with our respective local authorities, it is felt that the current registration period of 56 days is already tight, particularly when large numbers of registration documents are received at the same time and given that timetables and / or routes can be significantly amended during the notification period. A reduction in the period of registration from 56 to 42 days would reduce the time period available for processing the relevant data from 35 to 21 days and create significant challenges for transport authorities to be able to meet these timescales.

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

Whilst we agree with measures that will incentivise the use of electronic bus service registration to make the process more efficient, the majority of service registrations received in the north east are already electronic. We do not therefore feel that there would be any significant time savings to be achieved through this proposal and, in line with our response to question 4a above, feel that reducing the overall registration period would not be beneficial.

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

As recommended by the Competition Commission, legislation should be amended to preclude the opportunity for operators to increase frequencies immediately and with no recourse to the Scottish Traffic Commissioner, in response to a new competitive service.

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

In those areas where there is already a good working relationship between operators and transport authorities we feel that the proposals will provide minimal benefit to the registration process. To reduce the period between lodging a registration and the date of implementation will, in fact, have a potentially detrimental impact on transport authorities and their ability to respond to service changes, procure replacement services / journeys and inform the public either directly or through Traveline Scotland.

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

Where possible it would be our preference that the proposals, if implemented, be progressed through non-mandatory guidance rather than regulation / legislation. This approach would provide transport authorities and operators with more flexibility to adapt registration processes and procedures to the benefit of local situations. Notwithstanding this point, if alternative registration timescales are to be made available, it must be clear and unequivocal to which timescale/period any operator must adhere.