

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

Tayside and Central Scotland Transport Partnership (Tactran)

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

Surname

Cairns

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Michael

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3. Permissions - I am responding as...

Individual / Group/Organisation

Please tick as

(a) Do you agree to your response being made available to the public (in Scottish Government library

(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

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

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

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

No

Yes

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

Comments

This will allow the appropriate transport authorities more time to react to proposed changes to bus services. In some cases this 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

Comments

This will ensure that the “relevant” transport authorities are properly informed of proposed service changes by operators and have the opportunity to suggest improvements and/or react to service revisions. Clarity is required on the term “relevant authorities”. In many areas this will be the local authority but in a number of areas the public transport responsibility rests with the relevant Regional Transport Partnership and consultation with the appropriate transport authority (local and/or regional) must be assured. Clarity is also required on respective operator and transport authority obligations and responsibilities in relation to treatment of information exchanged and discussed during the consultation phase and also on what constitutes compliance with the consultation requirement, as distinct from simple extension of the present notification requirement. It is considered that guidance on these issues to support the statutory obligation to consult should be provided.

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

Comments

This will allow the appropriate transport authorities (local authorities and/or RTPs) to inform the Commissioner of wider ranging issues. However, it is considered that this should apply to **all**, not only new, registrations. It is also recommended that the registration process should be extended to allow flexibility for the Traffic Commissioner to approve early reinstatement of, or amendment to, bus services, without observance of the full Registration period in the event of unintended or unforeseen inconvenience being caused to the public, and where the operator and appropriate transport authority agree that early reintroduction of a service or journeys would be in the travelling public's interest.

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

Comments

The longer time period is preferable as it allows more reasonable timescales for the appropriate transport authorities (local authorities and/or RTPs) to react where service changes have implications for the provision of socially necessary services and/or have other transport authority impacts or implications, such as provision or revision to bus stops, travel information for the public etc., and also enables reporting within local authority/RTP committee/Board timescales. A reduction from 56 to 42 days could be supported where the appropriate transport authority deems the consultation process to have been concluded satisfactorily (see answer to Q2 above) and has a positive public service impact.

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

Comments

Similar considerations apply as per the answer to Q4a regardless of the medium in which the information is supplied. As per the answer to Q4a above, a shorter timescale could be supported where the prior consultation process has been deemed by the appropriate transport authority to have been satisfactorily concluded and has a positive public service impact.

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

Comments

This can help address the predatory nature of some competition between operators and also support improvements in information for the travelling public.

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

Comments

The proposed changes to which Tactran has responded “yes” above should generally improve the registration process and give transport authorities more opportunity to react to proposed changes to bus services. However, other proposed revisions raise potential concerns and/or need for clarification and additional protections and guidance, as referred to in answer to questions 2; 3; 4a; and 4b above.

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

Comments

It is difficult to see how the intended network stability and wider public service benefits the proposals are designed to introduce can be guaranteed through non-statutory Guidance or any voluntary Code of Conduct. Legislation is needed to ensure that operators follow the prescribed registration procedures and if they fail to do so can be subject to appropriate action, including by the Traffic Commissioner. In an earlier request for views on proposed changes to the service registration process mention was also made of a Code of Conduct for fixed dates for service changes and further consideration of this would be supported.