



22 October 2014

Mr Keith Brown MSP
Minister for Transport & Veteran Affairs
Scottish Government
St Andrews House
EDINBURGH
EH1 3DG

Dear Keith,

Please accept this letter in response to the Consultation on changes to bus registration in Scotland. The COSLA Development, Economy and Sustainability Executive Group discussed the Consultation on Thursday 2 October and mandated me to respond. A Respondent information form is appended to provide contact details.

COSLA welcomes the consultation and believes the overarching principle of improving the process of bus registration would be of benefit to the travelling public. COSLA is strongly supportive of the proposals contained within questions 1, 2, and 3 of the consultation, takes an ambivalent view on the proposals contained within questions 4a, 4b, 5, and 6, and does not support the option contained within question 7.

With regard to the proposal to extend the pre-registration notice period from 14 days to 28 days (question 1), this would give Local Transport Authorities more time to react to proposed changes to bus services and to advise any travel planning/advice services, thus ensuring proposed additions to the bus network will have the best chance of success. This would also allow more time for authorities to work with operators to eliminate errors from final registrations.

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 (question 2), would encourage a collaborative approach between the authority and operator, and would ensure authorities are properly informed of changes to bus services and give them the opportunity to suggest alternatives. However, COSLA believes that supporting guidance is required and should include clarity on what the nature and purpose of such consultation would be. It must also be ensured that the duty to consult does not give the public the impression that local transport authorities have been granted decision making powers.

Question 3's proposal to encourage relevant authorities through guidance to draw potential concerns about new registrations to the attention of the Traffic Commissioner for Scotland and/or Transport Scotland will allow local transport authorities to inform the

Traffic Commissioner of wider ranging concerns, however this should also apply to existing registrations.

With regard to question 4a, COSLA sees good arguments in both keeping the period of registration at 56 days and reducing it to 42 days. Reducing the period to 42 days would mean that the introduction of favourable service changes would not be delayed, but leaving the registration period at 56 days would give local transport authorities more time to react to changes to services and revise bus stop/travel information. The shorter period could be supported if the transport authority felt the consultation period (question 2) had been concluded satisfactorily.

On the proposal to reduce the registration period from 56 days to 42 days only where Electronic Bus Service Registration (EBSR) is used (question 4b), similar considerations apply as to question 4a, but it is felt that this proposal should be considered as part of the review of the EBSR system.

The proposal to require operators to detail within registered hourly frequency bands any services that are registered as frequent services (question 5), it is believed that this could address anti-competitive practices by bus operators. However some degree of flexibility would be required in order to allow operators to react to peaks and troughs in demand, which it is believed is more important to the travelling public.

Regarding question 6, COSLA believes that the proposals contained within questions 1, 2, and 3 should lead to an improved registration process.

COSLA does not support the option contained within question 7 of the consultation. Our members support the need for some change in legislation and it is believed any benefits the above proposals would introduce could not be guaranteed through a voluntary code of practice or non-statutory guidance.

I hope you can consider these views and please do not hesitate to contact Kieran Jackson, Policy Officer (kieran@cosla.gov.uk) with any questions.

Kind Regards

A handwritten signature in cursive script that reads "Stephen".

Cllr Stephen Hagan
COSLA Spokesperson for Development, Economy & Sustainability

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

COSLA

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

Surname

Kieran

Forename

Jackson

2. Postal Address

19 Haymarket Yards

Edinburgh

EH12 5BH

Phone 0131 474 9212

Email kieran@cosla.gov.uk

3. Permissions - I am responding as...

<div style="display: flex; justify-content: space-around; align-items: center;"><div style="text-align: center;">Individual <input type="checkbox"/></div><div style="text-align: center;">/</div><div style="text-align: center;">Group/Organisation <input checked="" type="checkbox"/></div></div> <p style="text-align: center;"><i>Please tick as appropriate</i></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> <div style="display: flex; justify-content: space-between;"><div>Yes, make my response, name and address all available</div><div><input type="checkbox"/></div></div> <p style="text-align: center;"><i>or</i></p> <div style="display: flex; justify-content: space-between;"><div>Yes, make my response available, but not my name and address</div><div><input type="checkbox"/></div></div> <p style="text-align: center;"><i>or</i></p> <div style="display: flex; justify-content: space-between;"><div>Yes, make my response and name available, but not my address</div><div><input type="checkbox"/></div></div>	<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 checked="" 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 style="text-align: right;"><i>Please tick as appropriate</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</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 ☐

Comments

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

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

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

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

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

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

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