

Future of Transport Regulatory Review: Comments by MACS

The Mobility and Access Committee for Scotland (MACS) welcomes the opportunity to respond to this consultation. In view of the large number of questions posed, we confine our comments to a few points under the following headings.

1) Micromobility

New ‘micromobility’ modes such as e-scooters have some potential to reduce short car journeys and connecting bus journeys i.e. the first and last mile and inter modal connections. However, we see little benefit in them for most disabled people, and significant risks.

The chief risk is that they will be used on pavements; this would have (indeed has already begun to have) significant adverse impacts on disabled, older and less confident pedestrians, both through their use and by adding hazardous clutter to pavements.

They therefore must not be used on pavements. Any regulations permitting their use must be accompanied by a credible plan to ensure that this is effectively enforced.

The best place that such modes could be used is on segregated cycle lanes where users are protected from other, heavier motor traffic but do not mix with pedestrians. However, there are insufficient continuous cycle ways in most cities, towns and villages. Gaps in cycle networks will encourage users to use them on pavements. MACS has recently commented in detail on specifications for micromobility.¹

2) Buses, taxis and private hire vehicles

We feel that the comment that “flexible bus services should not be conflated with community transport or dial-a-ride services” (p31) is a significant error. The South East Scotland Regional Transport Partnership (SEStran) has recently published a study of demand responsive transport services: [bit.ly/37uZTov](https://www.transport.gov.scot/our-approach/accessible-transport/mobility-and-access-committee-for-scotland-macs/#42413). This notes that most DRT services are run by third sector

¹ (<https://www.transport.gov.scot/our-approach/accessible-transport/mobility-and-access-committee-for-scotland-macs/#42413>)

community transport organisations and there is significant potential to innovate around dial-a-ride type services, if there is appropriate investment in them (for example in improving vehicle fleets, booking systems etc).

The UK-wide licensing requirements (S19, 22 of the 1985 Transport Act) for such services may well need to be reviewed and should be taken account of in this study; it is not a separate field of mobility.

The role of travel concessions needs to be thought through carefully, as they could offer new cost-effective options for people with limited mobility. This has been noted in Scottish Government strategies such as the 2019 National Plan for Scotland's Islands²

There may be scope for more transport to be provided in rural areas by adopting a more flexible approach to 'hire and reward'. This could encourage people in rural areas to use their own vehicles to give lifts to neighbours (and receive some income) without having to go through full taxi or phc licensing regulation. This may encourage rural 'Uber-style' transport, including ones using apps (current or new).

3) Mobility as a Service (MaaS)

Central Government has a role in providing legislation/regulation and start up funding. Local government has a potential role in considering MaaS part of their transport plans, including ensuring plans meet Equality Act obligations (PSED, and EqIAs etc). This is needed to ensure people with protected characteristics don't get overlooked or left behind and to ensure there are options for everyone including how we reach those not digitally connected and how we make MaaS options affordable.

We are pleased to see the role of inclusion and access highlighted. However, we are concerned at the scenario on P43 where a wheelchair user or assistance dog owner may not be carried because their mobility needs were not communicated to the operator. This should not be possible (or legal) under the Equality Act.

The document is right to note (p46) that a major consideration (and problem) may lie in responsibility for assisting passengers transferring between modes.

²<https://www.gov.scot/publications/national-plan-scotlands-islands/pages/7/>

This is often a weakness in the 'journey chain' for disabled people and the responsibilities of service providers must be clearly defined.

Overall however, we believe that the investment of time, money and policy promotion in MaaS has been disproportionate to the benefits which have been realised, or even promised, to date. MaaS has been over-hyped.

4) General

The role of the Equality Act, of Public Sector Equality Duties, Equality Impact Assessments and 'Democracy Matters' agenda are all crucial. So too (as part of these) is involving disabled people at concept stage to prevent inequalities and discrimination.

We believe that public investment in innovative transport services needs to be focused firmly on evidence of passenger needs. Too often investment appears to focus on fostering technical or technological innovation for which there is an uncertain market. We believe that most business models which have failed to date have done so because they do not meet a significant customer need at an acceptable cost, rather than because of restrictive current regulation. We note, for example, that the Oxford PickMUp service - highlighted on p32 - has been withdrawn.

MACS
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