

Annex B – Summary of Consultation Responses

David Howarth MP

Chapter 3

Q1: What are your views on the proposals relating to:

(a) voluntary partnership agreements;

It should be possible to introduce cross-company ticketing so that passengers buying i) a ticket for a single journey including transfers and ii) a daily/weekly/monthly travelcard are not limited to using one bus operator.

(b) quality partnership schemes;

I welcome the introduction of schemes which would give local authorities the power to set minimum frequencies, timings and maximum fares.

(c) quality contracts schemes;

The public interest criteria should be replaced by a requirement for a local authority wishing to introduce a Quality Contracts Scheme to be required to issue a consultation document to the public explaining why they intending on taking this option.

(d) bus punctuality;

(e) community transport; and

(f) other measures?

Reform of bus competition rules should address the situation of time period (day/week/month/year) travelcards issued by near-monopoly operators in unregulated areas. These travelcards are profoundly anti-competitive, preventing a new operator gaining passengers because passengers' marginal travel costs are zero for all local routes provided by the travelcard provider. On the other hand, the abolition of such travelcards would leave many regular passengers worse off and would mean that we lose one incentive to using public transport regularly. The solution would be to require that travelcards can be used on all services run by all local operators.

Q2: What are your views on the specific questions relating to competition legislation (Box 3.4)?

Q3: Do the proposed “public interest” criteria for quality contracts schemes cover the right issues (Box 3.5)? Do they strike the right balance between making schemes a realistic option and protecting the legitimate interests of bus operators?

Public interest criteria should be replaced by a public consultation document spelling out pros and cons of the approach.

Q4: How can the proposed new bus punctuality regime (paragraphs 3.32 to 3.39) best be designed to achieve the desired benefits at minimum cost, particularly for smaller operators?

Q5: Do the proposals to amend the existing powers relating to subsidy contracts provide sufficient flexibility to meet local authorities’ needs (paragraph 3.47)?

This does not go far enough. The bill should restore the power of local authorities to set up and run their own buses and bus companies if they so wish.

Chapter 4

Q6: Do you agree that governance arrangements in the metropolitan areas outside London require reform?

Q7: Do you agree that there is a need for flexible arrangements which allow for variation in the governance developed for different areas?

Yes

Q8: Do you agree that the cities themselves should be asked to publish proposals on revised governance? Do you have views on which body or bodies should be asked to prepare those proposals?

Q9: Do you agree that the Bill should enable broad changes, or should there be limitations on what change might be allowed?

Broad changes should be allowed so that individual areas can set up arrangements that will best suit local conditions.

Q10: Do you think that the power to review and amend governance arrangements should allow development over time, or should the powers lapse after an initial review?

Q11: Do you agree with the changes we are proposing to the powers and duties of PTAs in all the metropolitan counties?

Q12: Do you agree with the proposed changes to Local Transport Plans described in paragraphs 4.43 to 4.45? Should these changes be applied only

to the metropolitan counties, or should they be applied elsewhere, for example to other city regions?

Chapter 5

Q13: What are your views on the proposals relating to:

local freedom, flexibility and accountability (paragraph 5.18), including the proposals in Box 5.1;

consistency and interoperability (paragraph 5.22); and (c) information (paragraphs 5.26 and 5.29)?

Chapter 6

Q14: To what extent is there a problem of 'inconsistency' between the approaches of the different traffic commissioners, and what costs does this impose on PSV and goods vehicle operators?

Q15: Do you agree that the proposals outlined here would help to reduce those costs.

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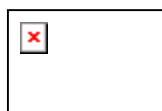
**STRENGTHENING LOCAL DELIVERY: THE DRAFT LOCAL TRANSPORT
BILL CONSULTATION**

As you know, the Department for Culture, Media and Sport (DCMS) has a proactive tourism and hospitality industry sponsorship agenda. We encourage and help the tourism industry to improve what it has to offer for all visitors and to promote a positive image abroad.

Tourism is one of the largest industries in the UK, accounting for 3.5% of the UK economy and worth approximately £85 billion in 2005. The UK received 30 million overseas visitors in 2005, who spent £14 billion, 2005 was a record year for UK inbound tourism both in terms of volume and value. The 2005 Leisure Day Trips Survey of domestic visitors showed that cities and towns are the most popular destinations, with 674 million trips and spending of £31.2 billion.

The provisions of the Draft Local Transport Bill are generally welcome as improvements to the transport network will be beneficial to all users. However, we would wish to highlight to local authorities when considering proposals, particularly on road pricing, to take into account the needs of visitors, both domestic and from overseas, as tourism contributes greatly to the economic well-being of their cities and towns. Events which attract a large volume of visitors, such as the Olympic Games in 2012, will put enormous pressure on our transport system, not only in London but throughout the UK as overseas visitors take the opportunity to explore our country. It is likely that many will opt to bring their own car - especially those from near Europe - or to use hire cars.

If we are to continue to attract visitors to our inner cities, but



Tourism

encourage them to limit their car usage, local authorities and their partners will need to provide clear information on the benefits of public transport, including information on reliability, cost and accessibility (in fact, the proposals for improvements to local bus services could potentially benefit more sustainable tourism). Similarly, whatever road pricing schemes local authorities propose will need to be simple, easy to understand and hassle free if they are to help maintain a healthy visitor economy.

Yours sincerely

Pam Bunston
Tourism Policy Officer

Draft Local Transport Bill - DfT Devon County Council Response

Introduction

1. Devon County Council welcomes the opportunity to submit a response to the Draft Local Transport Bill. In order to provide a focussed response the structure of the Draft Local Transport Bill Consultation document has been followed, with each question posed being answered in turn.
2. As 2006 Local Transport Authority of the Year, and a Centre of Excellence in Local Transport Delivery, it is hoped that the enclosed response will add value to the ongoing debate on the draft Bill.

Chapter 3 - Improving the quality of local bus services

Q1: What are your views on the proposals relating to:

(a) voluntary partnership agreements;

3. Whilst strengthened voluntary agreements are a positive it is considered that other factors beyond minimum frequencies and maximum fares should be considered. Ticketing arrangements and fare structures could be included. In some instances, for example, operators do not have to accept return tickets purchased from different operators; this is a frequent source of frustration for the travelling public, and a major obstacle to an integrated transport system, which only legislation can rectify. Such instances are often nonsensical to passengers and potentially act as a barrier to usage by potential passengers. It is felt that significant increases in bus usage will only follow if the Bill works to eliminate these barriers to an integrated system.

The problem of maintaining a partnership approach when commercial imperatives inform operator actions are understood. However there continues to be a real question over the long-term benefits of a voluntary partnership when commercial imperatives may lead to an operator raising fares well above inflation or withdrawing commercial services. Such actions can work against (a) the need for stability, consistency and fairness to the travelling public, and (b) the LTA aims of improving patronage, and (c) a realistic partnership approach. Unless local transport authorities have more powers to ensure continued stability in such circumstances, it is unclear how their responsibilities (on e.g. increasing patronage and building bus service quality so that that it can be a realistic alternative mode of travel) can in fact be properly exercised when such commercial decisions can undermine this.

(b) quality partnership schemes;

4. The ability to phase in improvements over time is welcomed as it will allow greater flexibility and is more realistic in terms of current investment programmes. The factors raised in reference to Q1)a above are also relevant here.

5. It is considered that it is not helpful if quality partnerships need to be approved by the Traffic Commissioner, as such a decision could have a far reaching impact on LTP or other improvement plans, effectively putting them on hold for a significant period. Rather a set criterion could be required to be followed by local authorities and operators when developing partnerships. Only when an appeal is made on a decision, on the grounds that it may not be within the criteria, would this need the direct involvement of the Traffic Commissioner. Once established Quality Partnerships and the routes they cover should be protected from new services in order to ensure the fair functioning of the partnership.

(c) quality contracts schemes;

6. The 'public interest test' is welcomed although greater detail could be provided. Quality Contracts should also consider non-transport policies e.g. health and education, where policy delivery requires good public transport inputs.
7. Removing the Secretary of State from the approval process is supported. However, it is still recommended that any new approval process should be kept streamlined. Once a contract is signed between operators and the local authority the time it takes for approval should be minimised, in order to all improvements to be made quickly.
8. It is considered that the ATCO model of Tendered Network Zones would be a realistic and more workable alternative to quality contracts in rural areas. Please also see comments in paragraph 3. above.

(d) bus punctuality;

9. It is agreed that there needs to be more accountability of Local Transport Authorities and operators when punctuality/reliability performance is poor. There is, however, a need to balance what is actually achievable against any sanctions when holding authorities to account. In some instances it may be that congestion is not a problem easily solved and in some cases even small incremental improvements could actually be a significant step forward.
10. It is difficult to understand exactly how the Traffic Commissioner will judge how well the Local Transport Authority (or indeed the bus operator) has performed when holding them to account for poor performance.
11. Bus Punctuality Improvement Plans (BPIP) allow local knowledge to be deployed in order to tackle problems, and are seen as the preferred method of tackling bus reliability. Underpinning the BPIP would be both qualitative and quantitative analysis for which performance could be measured against.

(e) community transport;

12. The proposals for community transport are broadly welcomed. The current system for permits is potentially acting as a barrier to operating small schemes.
13. It is considered that a lack of revenue support is perhaps hampering the expansion of this sector.

(f) other measures?

14. There is potential for greater recognition of accessibility issues to be included in the Local Transport Bill. There is a need for greater education for operators, passengers

(and particularly potential passengers) in order to minimise barriers to usage which exist. Examples might include educating drivers of public transport vehicles on different disabilities which exist, improving education in schools and workplaces on how to use public transport, etc.

15. It is considered that the draft Bill could have been used as an opportunity to revisit Bus Service Operators Grant (BSOG), to create a more effective measure to support the objectives of the Local Transport Authority.

However the earlier proposals to link the new BSOG to passenger loadings could prejudice the retention of some bus services in rural areas. This is where financial support is needed most and where even a small increase in costs could have a very significant adverse effect on viability, and therefore long term service levels, due to the very marginal nature of services in these areas.

Q2: What are your views on the specific questions relating to competition legislation (Box 3.4)?

16. The proposals need to ensure that the OFT is not acting against the ability of Local Transport Authorities to co-ordinate fares, timetables or routes as is currently the case. It is felt that this is perhaps more important to stress than information on specific clauses. See also paragraph 5 above.

Q3: Do the proposed “public interest” criteria for quality contracts schemes cover the right issues (Box 3.5)? Do they strike the right balance between making schemes a realistic option and protecting the legitimate interests of bus operators?

17. This is broadly a positive move as it balances the issues in a reasonable way.

Q4: How can the proposed new bus punctuality regime (paragraphs 3.32 to 3.39) best be designed to achieve the desired benefits at minimum cost, particularly for smaller operators?

18. Para 3.35:

i) patronage data: while some data is required to be provided by operators to the Traffic Commissioner, there is no such requirement to provide data to Local Transport Authorities, yet Local Transport Authorities are required to provide data on patronage to DfT. It would be recommended that some form of requirement should be included to make it essential for operators to provide accurate data to Local Transport Authorities for example - patronage by route, and where required, broken down into individual fare stages or sections of route. Clearly the Local Transport Authority must respect confidentiality in return and only use such data for network planning purposes.

(ii) punctuality data: operators should be required to share any data with Local Transport Authorities, as (a) Local Transport Authorities may be held to account by the Traffic Commissioner in future re. bus punctuality and (b) as DfT is encouraging Local Transport Authorities to set up Bus Punctuality Improvement Plans - which rely on the quality of data.

Q5: Do the proposals to amend the existing powers relating to subsidy contracts provide sufficient flexibility to meet local authorities’ needs (paragraph 3.47)?

19. All aspects of these provisions are welcomed.

Chapter 4 - Reforming Local Transport Governance

Q6: Do you agree that governance arrangements in the metropolitan areas outside London require reform?

20. Officer level discussions with metropolitan authorities would suggest that changes are needed. It is considered that in certain non-metropolitan areas there is scope for similar reforms in governance. Many City Regions include both metropolitan and non metropolitan areas as well as across county boundaries.. PTAs should be able to be set up in non-metropolitan areas across local administrative boundaries where there is a clear need to co-ordinate services across the area concerned.

Q7: Do you agree that there is a need for flexible arrangements which allow for variation in the governance developed for different areas?

21. There is a need for more flexibility in governance arrangements. However, it is paramount that all authorities are appraised in a uniform way when determining performance.

Q8: Do you agree that the cities themselves should be asked to publish proposals on revised governance? Do you have views on which body or bodies should be asked to prepare those proposals?

22. Initially the cities should be approached for their views on what changes are needed. It would be suggested that DfT should then work in partnership with the cities to shape appropriate future governance arrangements relevant to them.

Q9: Do you agree that the Bill should enable broad changes, or should there be limitations on what change might be allowed?

23. Any changes should be focussed upon what is actually needed. If cities/authorities consider broad changes are required then this should be pursued.

Q10: Do you think that the power to review and amend governance arrangements should allow development over time, or should the powers lapse after an initial review?

24. In order to provide stability and continuity it would be recommended that governance arrangements should develop over time with the chance to revisit proposals after a set time period.

Q11: Do you agree with the changes we are proposing to the powers and duties of PTAs in all the metropolitan counties?

25. Any change to governance which improves local transport delivery at both the national and local level is welcomed. Clearly though it is paramount that there is a level playing field for all authorities (metropolitan and non metropolitan) when determining performance and any subsequent funding reward.

Q12: Do you agree with the proposed changes to Local Transport Plans described in paragraphs 4.43 to 4.45? Should these changes be applied only to the

metropolitan counties, or should they be applied elsewhere, for example to other city regions?

26. The Devon Local Transport Plan 2006-2011 took approximately two years to reach a final form and required at least three members of staff working on its creation full time during this period, in conjunction with numerous other officers feeding in to the document's development. It is felt that a move towards a less onerous system focussing mainly on local transport strategy could potentially be more beneficial. While the shared priorities and associated mandatory targets are important for comparing performance across the UK, they do not necessarily reflect the priorities of the local area. A slightly less rigid approach, focussed mainly upon local priorities, could potentially be more beneficial.
27. A longer term 'Strategy' (10 years) supplemented with shorter 'Implementation Plans' could be beneficial; however provision for schemes spanning 'Implementation Plans' would be needed, e.g. larger schemes which take many years to develop.
28. There is a definite need for increased revenue funding to support the ongoing success of capital funded schemes. It may perhaps be beneficial to allow capital budgets to be used for ongoing maintenance if deemed necessary by the Local Transport Authority.
29. There is also a clear need to shift capital funding towards a 100% grant as opposed to the current system of part grant, part approval to borrow. In some instances Local Transport Authorities are unable to take up their full local transport borrowing allocations.
30. The recently announced Local Government Review, (especially where individual districts have been granted unitary status) could severely hamper effective local transport delivery. Existing economies of scale could be eroded and duplication in roles occur, resulting in weakened value for money for the tax payer. Likewise there will be increased need for authorities to work across administrative boundaries, potentially slowing the progress of delivery (please see comments in paragraph 20 above).

Chapter 5 - Taking forward local road pricing schemes

Q13: What are your views on the proposals relating to:

(a) local freedom, flexibility and accountability (paragraph 5.18), including the proposals in Box 5.1;

31. The increased freedom and flexibility to introduce road pricing schemes is welcomed. The proposals to ensure any revenues are hypothecated to local transport indefinitely is seen as a positive move as this will provide potentially longer term financial guarantees in business case development. The decision to remove Secretary of State approval and Public Inquiry as a prerequisite to any scheme is also particularly welcomed as it could speed up the introduction of potential schemes on the ground.
32. 'Local Freedom' should include the freedom to shape schemes which could include Work Place Parking Levy. At present the Transport Innovation Fund appears to have heavy bias to local road pricing schemes, the Fund should include all truly 'Innovative' means to tackle congestion, not just Road Pricing.

(b) consistency and interoperability (paragraph 5.22);

33. Ensuring consistency and interoperability across not just the UK but potentially the EU, is vital. Road users should be able to have the same method of payment irrespective of where they travel. Likewise harmonising factors such as encryption of data, standard data formats and equipment is a positive as this would potentially result in easier tendering and re-tendering of service provision/maintenance of systems.

(c) information (paragraphs 5.26 and 5.29)?

34. Should the appropriate national body charge for the supply of specific information necessary for introducing road pricing, for example DVLA , it is felt that this would increase the costs of operation of any road pricing scheme, therefore potentially eroding the local transport benefits a scheme could accrue.
35. Local Transport Authorities are being encouraged to develop local road pricing schemes to inform national policy debate and therefore would have no objection to the sharing of information which is not commercially sensitive or of personal confidentiality.

Chapter 6 – Traffic Commissioners

Q14: To what extent is there a problem of ‘inconsistency’ between the approaches of the different traffic commissioners, and what costs does this impose on PSV and goods vehicle operators?

36. Devon County Council is not aware of this being an issue in the South West region.

Q15: Do you agree that the proposals outlined here would help to reduce those costs?

37. Any proposals aimed at reducing those costs which may exist elsewhere are clearly beneficial. Any proposals should be uniform across the country to ensure consistency.

Summary

38. On the whole the Draft Local Transport bill is seen as a positive step forward. However, it is considered that some fine tuning is needed before it is enacted. Devon County Council broadly agrees with the findings of the Transport Select Committee response.
39. It can not be stressed enough the potential conflict which the recently announced Local Government Reorganisation could bring to effective delivery of local transport schemes, potentially undermining the positives of the Draft Local Transport Bill. The creation of some unitary councils will result in a fragmentation of development and transport planning responsibilities with potentially increasingly divergent rural/ urban perspectives which will serve to undermine an integrated transport planning approach.

DPTAC response to Department for Transport consultation on the Draft Local Transport Bill

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Introduction

1. The Disabled Persons Transport Advisory Committee (DPTAC) is pleased to have the opportunity to the Department for Transport's consultation on the Draft Local Transport Bill.
2. The Transport Act 1985 established DPTAC to advise Ministers on disabled people's transport needs. Our aim is to ensure that disabled

people can travel where everyone else goes, with the same quality of travel experience, at no greater cost, and encountering no additional barriers. We want to ensure that significant changes occur to transport before 2020.

3. DPTAC has identified four overarching principles on which we base our advice to government. Those principles are that:
 - Accessibility for disabled people is a condition of any investment
 - Accessibility for disabled people must be a mainstream activity
 - Disabled people should be involved in determining accessibility
 - Accessibility for disabled people is the responsibility of the provider
4. These principles are the basis of our response to this consultation. We have also included some essential statistics relating to the numbers and nature of disabilities at Annex A to this response.
5. We have tried to answer the specific questions in the consultation but begin with some general comments.
6. Past legislation regarding disability discrimination has resulted in considerable advances in the development of accessible transport infrastructure and services. However, there is a long way to go before many of the current barriers to movement by disabled people are eliminated. Until this occurs, the quality of life of many disabled people and their ability to access services and opportunities will continue to be seriously impaired.
7. Inaccessible transport means that disabled people are less able to secure and retain employment, obtain medical treatment, enjoy a full social life, or travel with whom they want, where they want and, especially when they want. Compared to others, disabled travellers may need to plan further ahead, pay more to travel, experience embarrassment and stigmatisation when they do so, and find themselves more tired at the end of a journey. This will have a significant effect on their preparedness to travel in future.
8. DPTAC welcomes the process of publishing a draft Local Transport Bill. This enables stakeholders to consider not only the policy changes but also the legislative means of bringing them about. It holds out the prospect at best of developing a broad consensus on the way forward, and at worst clarifying and reducing areas of disagreement between stakeholders, ensuring a far easier passage for the Bill than might have otherwise have been the case.

9. We are pleased to report that the Department for Transport consulted us on the formats in which the consultation package would be produced, helping to ensure that accessible copies were made available in more formats and earlier than in some past consultations.
10. We are pleased to note on Page 29 of Volume One of the consultation that the Government remains “committed to an accessible transport system in which disabled people have the same opportunities to travel as other members of society.”
11. We also welcome the recognition of the role of Community Transport.

Improving the Quality of Local Bus Services

Q1 (a) - Voluntary Partnership Agreements

12. The consultation proposes developing scope for voluntary partnership agreements to be made between councils and groups of bus operators, rather than single operators as at present. The benefits of these agreements could include the provision of better quality vehicles.
13. Disabled people (and indeed many other passengers) would benefit from the faster introduction of vehicles that meet the Public Service Vehicles Accessibility Regulations 2000 (PSVAR). These specify minimum technical accessibility requirements designed to make buses and coaches accessible to disabled people, including wheelchair users. PSVAR applies to all new buses and coaches with more than 22 passengers used on local or scheduled services and introduced since 31 December 2000. All single deck buses will need to be compliant by 1 January 2016 and all double deck buses by 1 January 2017.
14. While 50% of the full size bus fleet is already accessible, we are concerned that this is concentrated in the metropolitan areas and particularly in London, whose fleet is already 100% wheelchair accessible.
15. DPTAC believes that the PSVAR ought to cover other important features, such as the provision of audible and visual information systems on vehicles and at bus stops. DPTAC believes regulations requiring such systems to be installed for all bus routes are long overdue. These would greatly increase the accessibility of buses and coaches for people with visual, hearing and learning disabilities. They would also benefit people whose first language is not English and they would benefit tourists and other visitors and older travellers. Transport for London are obviously convinced of the social and economic benefits of such a system as they are, as you will be aware, in the middle of fitting audio/visual to its entire fleet.

16. Voluntary agreements offer the potential to speed up the roll out of PSVAR compliant buses across the country. This would give an opportunity to local groups of disabled people to influence bus operators at a much earlier stage. As a result, the roll out of compliant buses could have greater impact upon disabled people. The involvement of local groups of disabled people would also to give bus operators a greater understanding of disability issues.
17. However, there could also be some inconsistency across the country as disabled people in some local authority areas may have to wait many more years for accessible vehicles than other people do. For this to happen, bus routing and frequency would need to reflect the needs of disabled people. Infrequent bus services, especially in rural areas, mean that disabled people are often not able to get to realise the benefit of accessible vehicles.
18. Moreover, there is a risk that a council's agreement with a few large operators could act against smaller operators, including but not restricted to community transport providers, that also provide scheduled services. Whilst the goal of through ticketing and other partnership proposals should be beneficial for the passenger, it needs to be done in a way that protects competition. Partnership agreements therefore need to be transparent and need to be open to new players as well as existing ones in specific areas.

Q1 (b & c) - Quality partnerships / Quality contracts

19. The proposals should make it easier to introduce quality bus contracts which replace competition on the road with competition to deliver a range of bus services. The fact that, as we indicated above, London buses have high levels of accessibility for passengers with mobility impairments we believe is because Transport for London has effectively been able to exercise compulsory use of quality bus contracts when these powers were not readily available in other parts of the country.
20. We note that the test will include that a scheme should increase use of bus services rather than being "the only practicable way" of delivering them as at present. Contracts will be approved by an Approvals Board rather than by the Secretary of State as at present.
21. The potential advantages for disabled people are that the ability for local authorities to set targets for the punctuality of services will create more reliable services for disabled people, though the targets will need to be sensitive to the needs of disabled people. Reliability goes hand in hand with clear communication, such as advertising which routes/buses on any given timetable will be fully accessible. Affordability may also be an issue for some of the proportion of disabled people who do not fall within the

definition of disabled people that is used for the purposes of concessionary bus fares.

22. However it is possible that the emphasis on increasing bus patronage could lead to authorities going for "quick wins" such as commuter services rather than more challenging services which might be of more benefit to disabled people. Low levels of patronage in rural areas (for example) do not mean that a service is not vital for the few people who use it. In some rural areas, bus frequency can be as low as one bus a day to the local town centre. It could also divert attention from increasing the numbers of more accessible vehicles.
23. We therefore recommend that any public investment in Quality Partnerships or Quality Contracts must have full accessibility for disabled people as a condition of this investment.
24. Similar concerns to those expressed above in respect of competition apply to Quality Partnerships. More accessible bus stops and information systems would be welcomed as would the introduction of accessible vehicles and increase frequencies but this should not unduly restrict new entrants into the market.
25. We propose that where local authorities propose to include Quality Contracts in their transport strategies, then they should have a statutory duty to consult either the Disabled Passengers Transport Advisory Committee (DPTAC) or the consultative mechanism for local disabled people that they have set up in connection with its disability equality duty. We recognise that DPTAC would need to be resourced to undertake any such role.
26. Local authorities need to ensure that the public money being used to purchase a public service quality contracts should conform to best practice on accessibility issues. The procurement potential is vast, without adding significantly to the overall cost. The introduction of audio visual announcements on buses, the use of the new DPTAC specification for small buses and a requirement on minimum levels of training and customer care would significantly enhance the travelling experience of people with disabilities.

Q1 (d) - Bus punctuality

27. Punctual and reliable public transport is particularly important for disabled people. This obviously applies to wheelchair users relying on the arrival of a wheelchair accessible vehicle. However many disabled people find it distressing standing for a long time (especially if there is no shelter and no seating at bus stops) and people with hearing or sight impairments or with learning difficulties have more problems coping with disruption to services.

However, it is also important to ensure that the way that punctuality is defined and managed allows for service considerations such as the deployment of ramps for wheelchair users, the use of audible and visual announcements between stops and allowing passengers to reach seating before buses move off.

Q1 (e) - Community transport

28. We note the proposals to remove some restrictions to the current regulatory regime for community transport relating to the payment to drivers, the size of vehicles, and the issuing of permits throughout Great Britain. We believe this could have the potential to greatly increase the range and flexibility of community transport services. This form of transport is of great importance to the significant numbers of disabled people who live in areas which are not served by a traditional bus route, such as those in very rural areas, or those who live in streets which are too narrow to accommodate a standard bus, or who cannot make the journey to their nearest bus stop. It is also likely to increase the accessibility of the network as a whole as it will bring in more disabled passengers to the transport network.
29. However it is also possible that expectations could exceed resources. It is possible that the current voluntary driving workforce may have a reasonable expectation to be paid and this could affect driver supply. Moreover demand for community transport often exceeds supply in peak times as it is booked up. This puts those disabled people who wish to travel at peak times (to their place of work, for example) at a disadvantage.

Q1 (f) - Other measures

30. It is proposed that Private Hire Vehicle operators could be eligible for a special licence to operate a taxi-bus. This may increase the supply of such services and could therefore increase the supply of vehicles that would be available to certain disabled people. Services would need to be consistent with Part 3 of the Disability Discrimination Act 1995 in relation to the supply of goods and services. This could help to provide public transport to some of those who do not currently have access to standard bus services. However this should not be used as an excuse to delay the introduction of fully accessible standard buses.
31. The consultation refers to provision for increased flexibility for local authorities to subsidise bus services in order to provide better frequency, hours, vehicles and routes. We consider that this could lead to greater numbers of PSVAR compliant buses sooner. Authorities would also have the scope to set services to a timetable which better meets the needs of more disabled people, especially those who live in outlying areas, and

those who wish to travel outside of the core bus operating hours. As we have noted above in respect of Quality Contracts, subsidy should take account of the needs of disabled people, and be carried out with regard to the authority's disability equality duty. It is also important that appropriate links are established between neighbouring authorities to ensure that cross border services are also delivered to appropriate standards.

Q3 - Public interest criteria

32. We would expect the introduction of PSVAR compliant vehicles to be an essential element of any quality contract. They would be a necessary complement to the provision of accessible bus stop infrastructure by the local transport authority. There is therefore considerable potential benefit to disabled people from the introduction of such contracts and we would expect local transport authorities to recognise this in their consultation documents.

Q4 - Role of Traffic Commissioner re bus punctuality

33. We note the proposal to give stronger powers for the traffic commissioners to require performance data from local authorities as well as participation in hearings, and a power to make recommendations for future performance. If performance scrutiny has to be carried out in the light of the Commissioner's disability equality duty, as we believe it should, we would expect the bus service needs of disabled people to be taken into account. We believe that this requirement should be clarified and emphasised in any guidance.

Q5 - Powers regarding subsidy

34. As indicated in our response to Q1(f), we see considerable scope to improve conditions for travel by disabled people in this provision through the early deployment of PSVAR compliant vehicles.

Reforming local transport governance

Q6 - Need for reform

35. We believe in the need for review of all arrangements from time to time and we have made reference above to some of the benefits of the Transport for London regime regarding the exceptional investment in accessible buses. One of the key barriers to movement by disabled people is the variation in investment in accessible transport infrastructure what they can expect from one local authority area to another. Disabled people need to have confidence that certain minimum provisions will be available

at all stages of their journey. However, the review needs to cover the coordination of all modes of transport (road and rail based).

36. We note that this aspect of the proposed legislation is applicable in England only. However, we are also aware that all local authorities in Scotland are members of regional transport partnerships involving various numbers of adjacent authorities and we are surprised that, in terms of case studies, no reference has been made to this or indeed to the different regimes that prevail in Wales and Northern Ireland. We also see a considerable interaction between planning policy and transport policy and would expect to see this reflected in any subsequent guidance or directions that may arise from this proposed legislation.

Q7 - Need for flexibility in arrangements

37. There major differences both in the nature of development patterns and local authority structures in England. It would therefore seem sensible that the arrangements should be able to reflect local circumstances. We understand this is a feature of the system that applies in Scotland.

Q8 - Lead body on proposals for revised governance

38. The draft Bill states that major cities must and other authorities can review and propose changes to transport governance, with new powers to be decided on a case by case basis, which could include additional Passenger Transport Authorities, based on guidance on the process issued by the Secretary of State. Economic activity and retail, education, social and health facilities tend to focussed in cities and it would seem natural that the cities that lie at the centre of city conurbations would wish to take a lead in their journey to work area. However, the situation seems less clear where the city in question does not have an associated conurbation. The answer would seem to lie in the flexibility of arrangement promulgated by the preceding question. From the point of view of DPTAC, we would wish to be assured that whoever took the lead, that body was fully aware of the need to involve disabled people in the decision making process.

Q9 - Limitations on the extent of change that might be permitted

39. We note that the Secretary of State would have the power to direct authorities to prepare a scheme containing provisions for the establishment of a Passenger Transport Authority, even if the authorities concerned were not minded to do so of their own accord.
40. There is evidence that Passenger Transport Authorities have the potential to offer better organised and coordinated and less fragmented transport services. This can be helpful to disabled people, who research has shown,

suffer particularly when changing modes or travelling between individual authority areas.

41. In the spirit of the proposed legislation, it would seem inappropriate to limit the extent of change that might evolve (bearing in mind that government has the ultimate control where change of legislation is required in order to enact the change). It would therefore seem more appropriate to specify the minimum expectations of any review. From the point of view of DPTAC, we would expect that any proposals would reflect the four key principles outlined in our introductory comments.

Q10 - Development over time

42. There is a risk that initiatives in transport, including those to improve the accessibility of transport, may drift during the period when governance changes are being considered. Guidance should refer to the disability equality duty on all such authorities.
43. It is also possible that there might be inequality where some local authorities in an area did not wish to step up to proposing changes to the way transport in their area is governed.

Q11 - Changes to powers and duties of Passenger Transport Authorities

44. We note the intention to amend the powers of existing Passenger Transport Authorities with reference to climate change and to powers of well being. We are also concerned about the implications of the current move by Government towards the concept of equal opportunities. There is a very specific disability dimension when it comes to consideration of transport and this applies irrespective of the ethnic origin, gender, beliefs or orientation of the disabled traveller.
45. The Disability Discrimination Act 2005 represented a marked advance in the promotion of the interests of disabled people – not least in the fact that it introduced a duty on public authorities to publish a disability equality scheme and action plan by December 2006. We see this Bill as an opportunity to reinforce this aspect of the duties of Passenger Transport Authorities.

Q12 - Integrated transport strategy

46. We have previously expressed our concern about the effects of the fact that not all local authorities are required to produce a local transport plan in terms of the impact on the Disability Equality Duty and the associated action plans. We also note the separate consultation on the local transport plan process and will be responding to that in due course. We believe that it is impractical for a local authority to demonstrate that it is meeting its

obligations under the Disability Equality Duty with regard to the transport function if it does not prepare and publish a local transport plan.

47. We note the intention to replace the current duty on Passenger Transport Authorities to produce a local transport plan and a bus strategy by a duty to provide an integrated transport strategy and implementation plan.
48. DPTAC hopes that this will lead to better coordination of buses and other modes of transport. DPTAC reserves its position on the implications of this for the enhancement of rail services further consideration in the light of further information that is to be provided.
49. Integrated transport strategies have however had a chequered history, and some modes of transport will remain outside the control of those drawing up the plan. This may lead to aspirational statements in the integrated transport strategy (particularly where these are long term covering periods of up to 15 years), rather than deliverable and measurable targets and objectives, with a clear strategy of how to reach them. We are also concerned that initiatives to improve accessibility could drift in the transition from the old to the new planning scheme.
50. In developing local transport strategies, we consider that Passenger Transport Authorities should have a statutory duty to consult either the Disabled Passengers Transport Advisory Committee (DPTAC) or the consultative mechanism for local disabled people that it has set up in connection with its disability equality duty. We again recognise that DPTAC would need to be resourced to undertake any such role.

Taking forward local road pricing schemes

Q13(a) - Local freedom, flexibility and accountability

51. DPTAC has published a position paper on road pricing which we have sent to the government and to all local authorities involving in the Transport Innovation Fund pilot schemes. We commend this guidance to government in taking forward road pricing schemes and have attached it to this response at Annex B.
52. DPTAC anticipates that, as in the London congestion charging scheme, any discounted charging regime would be based on exemption from charges for Blue Badge Holders in recognition of the reduced mobility of disabled people. We recognise that there are concerns about the enforcement of the Blue Badge Scheme but measures in hand and under consideration by the Department for Transport will significantly improve the enforceability of the Scheme. DPTAC would commend any scheme for traffic demand management and road user charging that went beyond

discounted charges and actually delivered positive benefits to disabled people.

53. In particular in any road user charging scheme, DPTAC would expect the following

- Extensive, full and early consultation with local groups representing disabled people
- Consultation and participation that continues right through the development and implementation of the scheme and in subsequent monitoring and review processes
- Information that is available in large print, tape, electronic and Braille formats (applies to all stages from consultation to operation, monitoring and review)
- Eligibility for discounted charges that is common to all schemes to aid understanding and ensure equality of service for disabled people
- Investment in high quality accessible public transport alternatives that precedes the introduction of road user charging
- Accessible public transport vehicles that are accompanied by accessible bus/tram stops and stations and by well maintained and accessible footways with appropriate use of tactile paving
- Avoidance of cluttered street environments on footways and other pedestrian areas
- All buses, trams and trains to have operational visual and audible announcements
- Operatives who are trained in the use of accessible information systems and dealing with disabled people
- Where shopmobility forms part of any road user scheme, that this is promoted as a supplement to and not a substitute for direct access by Blue Badge Holders
- Any road user charging scheme to lead to enhanced mobility for disabled people with no increase in the cost of travel

54. It is proposed that there would be local accountability for road pricing plans rather than approval by Secretary of State, though he/she would issue guidance on the approval process. DPTAC agrees that there is potential benefit in developing schemes that are appropriate for local people in faster and more locally accountable ways. However, there could also be inconsistency between schemes, varying interpretations of the guidance, and schemes which make different assumptions about and provision for disabled people. We are already concerned about other emerging differences in transport service provision for disabled people, for example in the fees that can be charged for a Blue Badge in Scotland, compared to the rest of the country.

55. We need to ensure that not only are disabled people are not subject to unacceptable additional costs as a result of road pricing but that they actually receive a positive benefit. We suggest that any authority that puts forward proposals on road pricing should have a statutory duty to consult both with the Disabled Persons Transport Advisory Committee (DPTAC) and with the consultative mechanism for local disabled people that it has set up in connection with its disability equality duty. We recognise that DPTAC might need to be resourced to undertake any such role but we do not anticipate a major rush of schemes at any one time.
56. DPTAC also considers that the term "local accountability mechanisms" is vague and that this needs full and urgent clarification.
57. It is noted that it is the intention that revenues from road pricing schemes be used for transport purposes throughout the life of the scheme rather than in only the early stages. If proper account is taken of the disability equality duty then this could give a boost to continuous improvement with respect to disability and access issues, keeping routes accessible and at a high standard.
58. However if such resources are not properly allocated and safeguarded, it could be unclear where these revenues actually go and who will benefit from them. The Secretary of State's guidance would be essential to ensure that the revenue is spent efficiently and that the work done is monitored.
59. The consultation proposes that road pricing schemes should have regard to the environmental impact of road pricing schemes. There are demonstrable links between some aspects of environmental quality, health and disability, for example for people with breathing difficulties. It is important that these issues are considered both inside and outside the charge and even the local authority area.
60. However, the need for such a specific provision should be clearly demonstrated. Authorities should already be taking account of environmental consequences and considerations in all that they do and we feel that the case for additional legislation could be more effectively stated.
61. It is proposed that the Secretary of State will no longer be able to require a public inquiry into a road user charging scheme, though it will still be possible for one to be held. While this could speed up the process by which people, including disabled people, enjoy the benefits of such a scheme, it is essential that local people, including disabled people, are still fully consulted.

Q13(b) Consistency

62. Existing road user charging schemes vary considerably in terms of the nature of the scheme and the concessions that may be offered. If road pricing schemes are to become more prevalent, consistency of on-vehicle equipment, vehicle classifications, signing and concessions is essential in the interests of disabled travellers. Disabled people tend to have lower household income; they are often reliant on the use of the private car for travel and less able to use public transport alternatives; they are less able to use some methods of payment; and the vehicles they may be obliged to use vary depending on the nature of their disability and the size of their family.
63. The consultation includes a proposal to vary the price of a road user charging scheme by the method of payment chosen. This will only be acceptable where all payment methods are equally accessible to disabled people.

Q13(c) Information

64. The information that may be required by the operating authority will presumably include estimates of the likely number of disabled users. We also assume that any concessions for disabled travellers will be based on the ownership of a valid Blue Badge. The risk of abuse and hence loss of revenue to operators is such that we see the need for a nationally accessible database of Blue Badge holders as an essential complement to the development of road pricing schemes. We would draw attention to our continued campaign for such a database to be established and indeed Government accepted this recommendation in 2002.
65. We would also expect Government to be interested in the uptake of concessions in connection with its duties under the Disability Discrimination Act 2005.

Payment of DPTAC members

66. Finally, DPTAC welcomes the provision for the payment of DPTAC members, many of whom are putting in considerable time and effort as unpaid advisers to and on behalf of government. At present DPTAC is only one of two Non Departmental Public Bodies for which the Department of Transport is responsible whose members are not paid. Disabled people working on other such bodies, for example Equality 2025 and the Disability Rights Commission, are also paid.
67. We are however concerned about the impact that accepting a paid position might have on the benefits of disabled people, even if the payment

is declined. This issue does not seem to have yet been resolved by the Department for Work and Pensions in respect of any of the bodies for which disabled members are currently paid and needs urgent consideration.

Concluding comments

69. The proposals for the better delivery of bus and community transport, the governance of local transport, and for road user charging, raise a number of issues relating to the delivery of services for disabled people and their involvement in the decision making process. We believe that, if strengthened and referred to appropriately, the disability equality duty will achieve what is necessary. It has the potential to help ensure: that public investment takes place with full account taken of accessibility to disabled people; that those who provide transport services make accessibility for disabled people part of the main stream of their activity; and that those who provide transport services fully involve disabled users and non-users in determining the accessibility of transport services and are responsible for accessibility for disabled people.

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Date: 9 September 2007

Annex A

Disabled People in the Population

1. The principal concern of DPTAC is to ensure accessibility for disabled people. By this, we mean inclusive transport systems that are easy to reach, use and understand by all, in safety and comfort.
2. Disabled people and those with long-term illnesses make up about 17% of the population or about 10 million people, including people with limiting longstanding illnesses. Of these 4.6 million are over state pension age and 700,000 are children.¹ While higher numbers of children are being born and living with impairments than ever before², disability levels do increase with age.
3. Currently 985,000 people live with learning disabilities³, of whom 796,000 are adults over 20. The adult figure will increase to 855,000 (plus 7%) in 2011 and 891,000 (plus 11%) in 2021. It has been estimated that some 7 million adults have literacy problems⁴.
4. Using a broad definition of disability, a survey by the Department of Social Services reported that the provisions of the Disability Discrimination Act 1995 covered approximately 11.7 million people, including 6.5 million people of working age. The Disability Discrimination Act 2005 will have increased the figure, as it classes AIDS, cancer and multiple sclerosis as disabilities from the point of diagnosis. Multiple disabilities were common, as illustrated by prevalence figures indicating that a third reported sensory deficits, a third learning difficulties, half mobility problems and roughly as many impaired physical co-ordination. Long-term illnesses such as Alzheimer's disease and mental illness were included in the estimated total number of people affected by disability.⁵

¹ Department for Work and Pensions press notice 9 February 2006 - "Updated estimate of the numbers of disabled people including people with limiting longstanding illnesses, and their associated spending power", at <http://www.dwp.gov.uk/mediacentre/pressreleases/2006/feb/drc-015-090206.asp>

² Improving the Life Chances of Disabled People 2005 at http://www.strategy.gov.uk/downloads/work_areas/disability/disability_report/pdf/disability.pdf

³ Foundation for People with Learning Disabilities 2006, at http://www.learningdisabilities.org.uk/html/content/need2know_lives_ld.pdf

⁴ http://www.dfes.gov.uk/pns/DisplayPN.cgi?pn_id=2002_0276

⁵ K Williams, T Savill and A Wheeler "Review of the road safety of disabled children and adults" 2002, available at http://217.118.128.203/store/report_detail.asp?srid=2710&pid=211

5. Disabled people are not an homogenous group with identical needs. The needs of people with mental health problems or learning disabilities are distinct from those of wheelchair users for example. Even among people with similar impairments, needs vary, for example, profoundly deaf people will not benefit from induction loops. The needs of disabled people may be best met by any, all or combinations of: adapted forms of communication, attention to light and sound levels, easy to read signage and wayfinding, planning for assistance dogs, the presence of suitably trained and empowered staff, and appropriately designed physical infrastructure such as ramps, lifts and surfaces.
6. Disabled people live throughout the community. One in four households has a disabled resident.⁶ The need for access for disabled people is not limited to specific areas, but is present throughout the wider transport system.

Population Trends in Disability

7. The number of people over state pension age is projected to increase by 11.9% from 10 or so million in 2002 to 12.2 million in 2011 and the population aged 80 and over is projected to grow from 2.5 million in 2002 to nearly 5 million by 2031.⁷ The proportion of the working population will increase, as retirement ages advance. Over the same period that will bring about these changes in the population profile, the overall population will increase by about 9%.
8. The Department for Work and Pensions estimated in 2004 that disabled people have a spending power of around £80 billion each year⁸. Planning strategically to design transport facilities that meet the needs of disabled people is likely to further increase this amount, as more disabled people become creators of the national wealth, rather than consumers of its state benefits.
9. Meeting the transport needs of disabled people by providing inclusive transport policies and infrastructure will be of considerable economic benefit to the country; both allowing them to exert this spending power and enabling them to become or remain part of the country's workforce.
10. The mobility of disabled people is also a precondition for the achievement of a wide range of government objectives such as safe and

⁶ James Ruppert, Independent June 15, 2004

⁷ DRC Report for Party Conferences 2004

⁸ www.dwp.gov.uk/mediacentre/pressreleases/2004/dec/spending.asp

independent living; full participation in civil society; and the maintenance of good physical and mental health through access to recreational and cultural facilities. Some of these links were brought out in the Prime Minister's Strategy Unit's report "Improving the Life Chances of Disabled People"⁹, and in our response to it¹⁰.

⁹ 2005, at http://www.cabinetoffice.gov.uk/strategy/work_areas/disability/

¹⁰ 2005, at <http://www.dptac.gov.uk/consult/11.htm>

Annex B

DPTAC Position Statement on Road User Charging

1. This position statement sets out the position of DPTAC with regard to road user charging schemes. It is intended to give guidance to government, local authorities, private operators and consultants involved in considering, promoting and running such schemes.

Introduction

2. The cost of maintaining and developing the road network in the UK is currently secured through national and local taxation. Vehicle users contribute through vehicle excise duty, taxation on the purchase of vehicles, transport services and fuel and through parking fees.
3. Congestion imposes further costs on society in terms of delays, unreliable journey times, road safety and atmospheric pollution.
4. At present the costs to the road user of using roads are not directly linked to the cost to society of providing and using roads. Road user charging is being championed by Government and others as a fairer and more transparent way of funding transport expenditure and of managing the way our roads are used. Road user charging, however, has implications for the interests of disabled people. This statement represents the views of DPTAC on the subject.
5. The relevant DPTAC objectives on this matter are;

The provision of timely, focused and credible advice to Government on the transport needs of disabled people

- ***The provision of guidance and advice to the transport industry and others on how best to meet the needs of disabled people***
- ***The promotion of the interests of all disabled people in relation to transport and the built environment***

Why Road User Charging?

6. Road user charging is seen as offering benefits in terms of managing the use of the road network and encouraging the use of public transport alternatives. The benefits include:-
 - Influencing the number of vehicle journeys and the time at which they are made
 - Reduced congestion through use by fewer vehicles at peak times
 - Reduced and more reliable journey times
 - Reduced exhaust emissions (particularly where charges discriminate against more polluting vehicles)
 - A fairer and more transparent way of charging road users for the use they make of roads
 - A more transparent way of raising revenue for paying for the maintenance and development of transport infrastructure.

7. DPTAC recognises that disabled people potentially have as much to gain from this as anyone. Disabled drivers and passengers will benefit from reduced and more reliable journey times. Disabled passengers will also benefit from investment in public transport and disabled pedestrians and those who live near roads will benefit from reductions in atmospheric pollution. Road user charging also has the potential to offer positive financial benefits to disabled people.

Existing Road User Charging Schemes

8. Road user charging is not a new concept and there are various existing examples to be found in the UK.
 - Charges are made for the use of many major bridges and tunnels (e.g. the Forth Bridge, Tyne Tunnel, Dartford crossings)
 - Charges have been levied for entry to the historic core of Durham city centre since 1 October 2002
 - Congestion charging was introduced in February 2003 in the central area of London with a flat rate charge for vehicles entering the charging zone between 0700 hrs and 1830 hrs.
 - The M6 northern bypass to Birmingham was opened as a toll road on 9 December 2003

9. In some cases, the charge is made to help in paying for cost of constructing and maintaining the bridge, tunnel or motorway. In the case

of Durham and London, the purpose is to limit the number of vehicles entering the core area.

10. The London scheme has seen a substantial reduction in delays and the number of vehicles entering the central area. Journey times for buses and taxis have greatly improved and travellers have shifted from car to public transport. Travel by disabled people has been helped by concessions for Blue Badge Holders (who are not charged) and by complementary investment in new low floor buses.

Future Developments

11. A proposed scheme for a city wide congestion charging scheme in Edinburgh was abandoned in February 2005 when it failed to gain public support in a referendum. There are, however, other proposals in other parts of the UK. These include more congestion charging schemes and a further section of toll motorway.
12. Despite the setback in Edinburgh for the proponents of road user charging, government in England and in Scotland has indicated a continuing interest in road user charging. The technology to support road user charging is also developing rapidly both in the UK and elsewhere in Europe.
13. The Secretary of State for Transport has said that he wishes the UK to move towards a national system of road pricing. There is an emphasis in the distribution of the new Transport Innovation Fund in England towards those local authorities that included traffic demand management measures such as road user charging in their submissions.

Accommodating the Needs of Disabled People in Road User Charging Schemes

14. DPTAC recognises that road user charging is increasingly likely to feature in transport policy and financing in future. In considering road user charging schemes DPTAC believes that
 - ***Access for disabled people should be a condition of any investment***
 - ***Access for disabled people should be a mainstream activity***
 - ***Disabled users should be involved in determining access for disabled people***

- ***Achieving and maintaining access for disabled people is the responsibility of the service provider***
15. Any scheme for road user charging which increases the costs of travelling by car is likely to have a disproportionate effect on the lives of disabled people. The reasons are that;
 - households including disabled people tend to have lower than average incomes
 - public transport or taxis may not be viable options because they are physically inaccessible or unaffordable
 - for many disabled people, only the car gives essential mobility
 16. A key feature prior to the introduction of the London congestion charging scheme was extensive consultation with different user groups including groups representing disabled people. This led to the introduction of concessions for Blue Badge Holders and for vehicles that are not liable for Vehicle Excise Duty (such as Dial a Ride vehicles).
 17. Concessions in other existing road user charging schemes also tend to be based on possession of a Blue Badge and/or exemption from Vehicle Excise Duty and/or receipt of the higher rate of the mobility component of the Disability Living Allowance.
 18. In Durham, the primary objectives of the County Council included improving access for disabled people. However, it is noted that in fact existing disabled parking bays were removed from the Market Place and replaced with Loading Bays for use at any time. There are no general exemptions for Blue Badge Holders. Provision for disabled people is made through subsidy of the local Shopmobility Scheme and through the provision of a high quality easy access bus service linking the station and various car parks to the city centre. While parking on street is free for Blue Badge Holders, there is a charge for off street parking.
 19. The introduction of the London congestion charging scheme was accompanied by major investment in new low floor buses. However for buses, trams and trains to be fully accessible to all disabled people, it is essential to ensure that not only the vehicles but also the bus/tram stops and stations and the associated footway approaches are accessible and well maintained. Information about transport options needs to be accessible. Public transport vehicles have to be fitted with visual and

audible announcements and operatives need to have appropriate disability equality training.

20. However, there is also a danger that as travel by private car is made more expensive, there is an opportunity for public transport service providers to increase their charges. This would lead to a double impact on disabled people. We therefore believe there is a need for some form of equity audit associated with all road user charging schemes to ensure that the benefits are locked in and so that any increases in costs for disabled travellers are offset (by say reductions in transport related taxation or the introduction of mileage allowances). The technology now becoming available for implementing and enforcing road user charging schemes could be used to promote such concepts of social inclusion.

21. In any road user charging scheme, DPTAC would therefore expect the following
 - Extensive, full and early consultation with local groups representing disabled people
 - Consultation and participation that continues right through the development and implementation of the scheme and in subsequent monitoring and review processes
 - Information that is available in large print, tape, electronic and Braille formats (applies to all stages from consultation to operation, monitoring and review)
 - Eligibility for discounted charges that is common to all schemes to aid understanding and ensure equality of service for disabled people
 - Investment in high quality accessible public transport alternatives that precedes the introduction of road user charging
 - Accessible public transport vehicles that are accompanied by accessible bus/tram stops and stations and by well maintained and accessible footways with appropriate use of tactile paving
 - Avoidance of cluttered street environments on footways and other pedestrian areas
 - All buses, trams and trains to have operational visual and audible announcements
 - Operatives who are trained in the use of accessible information systems and dealing with disabled people
 - Where shopmobility forms part of any road user scheme, that this is promoted as a supplement to and not a substitute for direct access by Blue Badge Holders
 - Any road user charging scheme to lead to enhanced mobility for disabled people with no increase in the cost of travel

22. DPTAC anticipates that, as in the London congestion charging scheme, any discounted charging regime would be based on exemption from charges for Blue Badge Holders in recognition of the reduced mobility of disabled people. DPTAC recognises that there are concerns about the enforcement of the Blue Badge Scheme but measures in hand or under consideration by the Department for Transport will significantly improve the enforceability of the Scheme.

23. Finally, we would commend any scheme for traffic demand management and road user charging that goes beyond discounted charges and actually delivers positive benefits to disabled people.

August 2006

References

In preparing this position statement, the following references have been of particular assistance.

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9. Transport for London website
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04th September 2007

Dear Sir

New Transport Bill

I am a small country bus operator in rural Herefordshire running ten vehicles on contract and local bus services. My business has changed over the years one time being a coach operator involving UK and Continental tours now operating full time as a local bus operator.

I am a member of the CPT and agree with the majority of their policies from a varied membership. I believe they have, and along with other companies submitted their responses to your proposed change in legislation.

Myself, I sit on the Bus Commission, School Bus Committee, and attend regular Parliamentary Road Passenger Transport Group meetings. In addition I am the vice chair of the West Midlands Region of CPT and represent locally Herefordshire area operators when speaking on their behalf at County Councils meetings.

Having always had an inkling for local bus services both here and overseas I manage to produce innovative ideas, when launching new or altered services, such as free travel, and launch events with public and Council people present.

Over the years I have had bus regulation, Herefordshire trial area where anything went as long as it was reasonable for the passengers, now we have partial regulation and I believe you are wishing to change matters, yet again.

My local bus services business has developed through good service at fair prices, running mainly low floor modern Scania vehicles. I have developed my main route over a period of 30 years when it was given up by the National Bus Company. Presently I run a timetable for a rural location which is second to none, with an hourly service operating seven days a week in competition with the train and other bus companies. I offer excellent reliable friendly staff with the back up facilities in house. My life revolves around buses, being 63 years old and my intention is not retire but continue with my venture.

Bearing in mind the above why are you wishing to change my life and that of the travelling public in rural areas with yet another change in policy.

As bus operators, we need stability with some change to cope with the modern travelling public. Many Companies are very large, or County Council owned and they have their own agenda and can look after themselves, but I am known to speak up for the small operator such as the likes of myself and others. What we need, is already established that is, BSOG, Concessionary fares, the overall number of elderly passengers is slowly increasing because of the age profile of the people in the area I serve. The re-introduction of rural bus grant for population of fewer than 20000 should also be considered

Utilisation of vehicles to carry general public and students together, so that the student can have access to my services at other than school times so they can attend early morning or after school clubs and extra curriculum activities. This also helps with behavioural problems.

I would like to operate bus services over 50km but this takes into account a whole new set of regulations e.g. drivers hours, BSOG, this stops me from running such services.

The introduction of further government legislation in respect of driver's holidays and training has both its good and bad points. The negative aspect is both the costs and availability of drivers. Whilst I appreciate that trained drivers represent our best asset any operator could have a productivity element to consider.

I would not wish to be under the regulations of a small country coach operator.

Some of my own fact and figures are as follows:

Pence per passenger subsidy: 40p per passenger journey travelled.

Lost Mileage: Unable to be calculated as figure is so minimal due to the fact I use high quality low floor buses. However Friday July 20th this year my operating area was flooded. I had 4 buses out overnight, school children slept the night in a farmhouse, my own garage, office, and house was under three foot of water but we ran all services where roads permitted on the Sunday

Utilisation. This is my preoccupation that buses must carry out as many journeys as possible to reduce costs.

Late running: This is caused mainly by road works and traffic congestion, although we have turnaround time. However I have to say this is not normally a problem.

Satisfaction from passengers - This is evident from the increasing number of people we are carrying per journey. and additional journeys. This can be confirmed by Herefordshire County Council or the West Midlands Traffic Commissioners

Foreign workers: We have an increasing number of foreign workers involved in the agricultural fruit picking. Because they do not have their own transport we are called upon to provide a seven day bus service with an hourly frequency to meet their travelling needs.

I would welcome a visit from your department as one look is worth a thousand words on how we operate. Some of the staff from CPT including Steven Salmon has already taken the opportunity of seeing my operation first hand. Currently I am in the throes of publicising the introduction of a free bus service for the month of September for the people of Bromyard and other villages, wanting to travel to Hereford some 15 miles away.

As you will appreciate I am against too much change that will affect the travelling public and my service. Therefore I would ask you to consider the small rural bus operator in with your proposed changes.

For your information I am enclosing a couple of timetables showing my main services and how I promote my business.

Yours faithfully

Signed D R Morris

Copy to S Posner (CPT)

Brain Wilcox Cabinet Member Transport Herefordshire.

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1 November 2007

Dear Sir/Madam,

Draft Local Transport Bill

Durham County Council welcomes the Draft Local Transport Bill and supports the government's objectives of improving public transport and tackling congestion. We are generally in favour of the provisions included within the draft Bill but would seek to have the following comments and concerns addressed in order that we can make the most effective use of the legislative changes and deliver the anticipated improvements in County Durham:

Clause 1: Traffic Commissioner

We welcome the proposed changes to Traffic Commissioner powers to ensure consistency of approach across the country. However, we consider that the traffic commissioners should be given the resources to enable them to fulfil the additional duties proposed by the Draft Bill.

Clauses 3 to 24: Voluntary Partnerships, Quality Partnerships and Quality Contracts

The County Council support the strengthening of local authority powers with regard to partnerships and welcome the proposed changes to allow timing, frequency and fares to be included in partnership arrangements. With regard to Quality Contracts, we consider that the proposed relaxation of the criteria does not go far enough to make them a realistic option for the majority of local authority areas. We therefore have some concerns that the remaining options from the "tool-kit" may not provide the necessary teeth to compel operators to work in partnership.

Clause 25: Appeals relating to traffic regulation conditions

We support the proposal for appeals to be heard by the Transport Tribunal. This brings it in line with the procedure for appeals against other functions of the traffic commissioner.

Clause 26: Taxi Bus Operation

We support the extension of taxi bus licensing to include private hire vehicles. However, we would wish to ensure that safety and driver standards are not compromised by this move and suggest that the Bill addresses this through revisions to the restricted PSV licensing regime.

Clauses 27 to 30: Community Transport

The County Council supports the control of permits by the traffic commissioner. We believe this will provide a more consistent set of standards, rather than each Transport Authority implementing their own standards. We would also recommend the inclusion in the Bill of a requirement for existing permit details to be passed to the traffic commissioners. This would ensure that all records of vehicles engaged in the carriage of passengers are available to those enforcing the appropriate regulations.

We welcome the proposal to allow smaller vehicles to operate on Section 19 permits, but would support the views put forward by the CTA that the requirement to collect separate fares on these services is an unnecessary constraint.

We support the government's thinking that the CT sector can provide a greater role in delivering the local transport network. However, in order to provide assurances and safeguard passengers in this expanded role we would wish to see CT operations fully included in the VOSA vehicle safety and maintenance regime but in a way that does not act as a deterrent to existing and potential CT operators.

Clauses 31 and 32: Punctuality

The County Council supports the enhanced punctuality regime and welcomes the involvement of local authorities in addressing punctuality. We suggest that it should be a requirement for the local authority and operators to jointly agree and publish annual performance data, such that reliability and punctuality information are made available to the public (similar to the rail industry). We also consider that the traffic commissioners should be given the necessary additional resources to make these changes effective (see comments under clause 1).

It is important to recognise the work currently being done by DfT on the Economic Evaluation of Bus Priority measures. It can sometimes be difficult to make out an economic case for major schemes in which cars are significantly delayed because priority is being given to buses. We would request that the work on this evaluation enables bus priority schemes to be easier to implement.

Clauses 33 to 37: Subsidised bus services

We are pleased that the supporting evidence for the draft Bill recognises that longer contracts can provide better value for money and encourage investment by operators. We fully support the move to allow longer contracts for secured services.

Whilst clarification of the powers to subsidise services (clause 34) is welcome, we do not consider this to be a material change in terms of giving additional flexibility to local authorities.

Clauses 38 to 55: Local Transport Governance Arrangements

The County Council supports the proposal to review the transport responsibilities and functions in PTA areas and consider that this ties in with the transport agenda around city regions and 'sub national review' proposals. We welcome the inclusion of possible boundary changes to PTAs but suggest that the Bill should be amended to allow for the possibility of part of a local authority area joining a PTA, as we feel this better reflects the objectives of co-ordinating local travel to work patterns.

Clauses 56 to 63: Transport Planning Duties

The proposal to replace Local Transport Plans with Integrated Transport Strategies and Implementation Plans in PTE areas is not applicable in County Durham. However, we welcome the department's consultation on the future of LTPs in other areas and would have some concerns if these were to be obviated by the move towards Local Area Agreements.

Clauses 64 to 70: Involvement of Passenger Transport Authorities

The proposal for road charging schemes to be made jointly by a PTA and one or more eligible local traffic authorities is not applicable in County Durham but would seem a sensible and logical way of improving local transport delivery.

Clauses 67 and 71: Environmental effects of local charging schemes

The requirement for charging authorities to have regard to the likely environmental effects of the scheme is welcomed. This fits well with our current commitments to reduce the environmental impacts of traffic within County Durham. Unlike many local authorities we currently publish our annual predictions of vehicular emissions and would have extended this to include the effects of charging in any event.

Clauses 72 and 73: Confirmation and consultation

It is the local authority which is responsible for the introduction of what are ostensibly local transport solutions and is ultimately accountable to local residents, we therefore welcome the changes to the approval mechanism for charging schemes. Although limited national guidance will be necessary to ensure consistency and interoperability between schemes, a degree of flexibility should remain to enable transport services to be provided to meet local needs.

With regard to consultation and the ability to hold a public inquiry, then this again is best determined at a local level and the proposed change is welcomed. Any local authority with a genuine intention of meeting the needs of local residents would ensure that full and open consultation is undertaken.

Clause 74: Charges

We support the proposed change to permit local authorities to vary the charge according to the method or means of recording, administering, collecting or paying the charge. This will allow local authorities to give incentives for motorists to elect the method of payment which is both cost effective and consistent with local circumstances. Failure to allow such incentivisation could lead to unnecessary and ill proportioned administrative costs which could ultimately undermine smaller charging proposals.

Clause 78: Power to require information from charging authorities

It is recognised that potential exists for public confidence in congestion charging to be undermined by the issues surrounding the retention of personal data. However, it is considered that this issue should be addressed within the appropriate statutory guidance rather than within the Bill.

Clauses 79 and 80: Information

It would seem reasonable that existing data providers, such as the DVLA, are able to recover costs to allow the continuation of existing services in the face of expected increased demand.

Clause 82 and Schedule 5: Use of revenues

We fully support the principle that all the net proceeds of all local charging schemes should be used for local transport purposes. As the revenue from a local charging scheme represents an additional payment made by local users of the transport network it is essential that this should be retained and reinvestment in local facilities. If this were not to be the case then the acceptance of a local congestion charge would be fundamentally undermined.

Other General comments

Probably the most noticeable omission from the draft Bill is any changes to Bus Service Operators Grant. We acknowledge that the department has promised to keep this matter under review but consider that the omission of changes to BSOG in the draft Bill is a missed opportunity.

The current system of rewarding operators based on the amount of fuel they use does not link with any of the government's transport objectives of increasing patronage, tackling congestion or improving accessibility.

We strongly recommend that the Government undertakes an urgent review of BSOG and would suggest that alternatives could include a proportion of BSOG being controlled by local transport authorities. Local Authorities are best placed to determine the transport needs of communities and it is these requirements that should be setting the agenda for local service delivery, rather than the commercial decisions of operators.

The draft Bill proposes more powers for the County Council to work with operators in partnership arrangements, but they fall short of giving control over the public transport network. The equivalent of BSOG funding would be used as a disincentive to removing routes/reducing accessibility and could reward operators for working in partnership, providing a level and quality of local service in a planned and co-ordinated public transport network.

Whilst reviewing the Draft Bill, it was very clear that it is possible to improve the standard and therefore the patronage on reasonably well used bus services through 'pump priming' investment. We would welcome the return of 'Kickstart' type of grants to be made available to boost improvement in services.

It should be noted that the operation of public transport in rural areas will always require public subsidy and the provisions of the draft Bill will not significantly alter this situation. In addition, measures to improve the quality and travelling experience (such as real-time information) also put pressure on local authority revenue budgets. It is therefore important for government to consider the need for increased revenue funding alongside the above measures.

In summary, we welcome the overall content of the draft Bill and trust that you find the above comments useful. We would be happy to expand on any of the issues and trust that we can look forward to legislation that will allow us to make a positive difference to bus services for the communities of County Durham.

Yours faithfully

Councillor Bob Pendlebury OBE
Cabinet Member for Transport, Environment & Tourism

Inc- Letter of support from the County of Durham Joint Scrutiny Members Network

STATEMENT FROM :
COUNTY OF DURHAM
JOINT SCRUTINY MEMBERS NETWORK

RESPONSE TO THE LOCAL TRANSPORT BILL

SEPTEMBER 2007

Overall members of the County of Durham joint scrutiny member's network welcome the direction of travel in the transport bill with its stated purpose of tackling congestion and improving public transport through empowering local authorities to develop local solutions to transport challenges.

It is supportive of the key stakeholder response (attached) facilitated by Durham County Councils Integrated Transport Unit as these comments related to:-

- Powers of the Traffic Commission
- Voluntary Partnership and Quality Content
- Taxi Bus Operators
- Community Transport
- Punctuality
- Subsidised Bus Services
- Governance Arrangements
- Environmental Effect of Local Charges, Schemes, etc.

An important consideration for the network is the need for Members to ensure that their community leadership role through Overview and Scrutiny function is recognised so that Local Authorities are actively engaged in holding bus companies to account.

COUNTY OF DURHAM JOINT SCRUTINY MEMBERS
NETWORK