

Amendments for the Local Transport Bill – Committee Stage, House of Lords, 6 December 2007

Campaign for Better Transport, formerly Transport 2000, is an independent campaigning and research body that represents the key transport interests of around 40 environmental groups, transport organisations and transport unions. We bring together people who seek to reduce the environmental and social effects of transport through encouraging less use of cars, lorries and planes and more use of rail, buses, trams, cycling and walking.

We welcome the Local Transport Bill, but we feel there are some key changes to be made if it is to lead to serious improvements in the provision of sustainable local transport.

We support amendments that will make Quality Contracts a realistic option for all local authorities, but others are leading on these amendments.

1) Watchdog with regional offices, powers and funding, supported by the traffic commissioners

We were delighted to see that the Government has made provision for a new passenger watchdog for bus users in the Bill. We want to make sure this watchdog is independent, statutory, government-funded, and that it has the regional offices it needs to be effective.

Amendment: Public Transport Users' Committee for England to have regional branches and to be easily accessible to all bus users

The effect of this amendment is to ensure that the bus passenger champion will be able to improve bus services for passengers by dealing with complaints and development work at the regional level (not only the national level).

Insert at the end of Part 4, 64, 125A as (8)

'The Public Transport Users' Committee will have regional offices as well as a national office.'

Insert at the end of Part 4, 64, 125A as (9)

'The contact details of the Public Transport Users' Committee (the relevant regional office) will be available on every bus used for stage carriage services in England.'

Amendment: Traffic commissioners to support the champion by setting national minimum standards

The effect of this amendment is to give the senior traffic commissioner a duty to set and police national minimum standards as appropriate, in response to information from an annual passenger survey carried out by the Public Transport Users' Committee for England, and the Committee's recommendations.

Insert at end of Part 4, 64, 125B as (12)

'The Public Transport Users' Committee for England shall make recommendations to the senior traffic commissioner on appropriate national minimum standards for bus services.'

Insert at end of Part 4, 64, 125B as (13)

'The Secretary of State, the senior traffic commissioner and transport authorities shall have regard to the recommendations of the Public Transport Users' Committee for England.'

Insert at Part 1, 3, 4A (2) as (c)

'The senior traffic commissioner shall have regard to recommendations made by the Public Transport Users' Committee for England in setting appropriate national minimum standards for bus services.'

Amendment: Guidance from Secretary of State on bus speeds

As part of the new punctuality performance regime, the Secretary of State should be given a duty to produce guidance on appropriate bus speeds and journey times for different areas. The traffic commissioners should use this information to regulate timetables put forward by operators.

The effect of this amendment is to ensure the new bus punctuality performance regime is effective, by enabling traffic commissioners to recognise the importance of journey times and frequent services, as well as punctuality and reliability. Timetables will be realistic – not padded by operators to ensure they don't get fined.

Insert at the beginning of Part 4, 54 as (1)

'The Secretary of State shall give guidance to the traffic commissioners on appropriate minimum and maximum speeds and journey times for buses in urban and rural areas and the traffic commissioners shall have regard to this guidance when registering timetabled services.'

Probing amendment:

The effect of this amendment is to clarify whether the DfT will pay for the increased resources needed for a Public Transport Users' Committee and effective traffic commissioners.

Insert at the end of Part 4, 64, 125A as (10)

'The Secretary of State shall report annually on the sources and amounts of the funding provided for the Public Transport Users' Committee and the traffic commissioners.'

2) Competition law that enables bus companies to cooperate in the interests of the passenger

Amendment: Schedule 10 competition test applies to agreements between bus operators, whether or not the local authority is involved.

The effect of this amendment is to enable bus operators to cooperate in the interests of the passenger. This would make it easier for bus operators to coordinate regular services and provide joint ticketing and other benefits to passengers.

Insert at Part 3, 40, 153, (1) as (d)

'agreements between local bus operators for the benefit of local passengers where there is no local authority involved'

3) More tools for local authorities to plan bus networks

We believe the Bill needs to offer more tools to local authorities who want to plan bus networks better, but without introducing Quality Contracts.

Probing amendment:

The effect of this amendment is to clarify what constitutes an 'admissible objection' to the inclusion of frequencies, timings and fares within a Statutory Quality Partnership. We believe that this amendment to the draft Bill is likely to put a significant obstacle in the way of effective partnership working, but would like to see further guidance on this before we take a firm view.

Insert at Part 3, 12, 6 as (6C)

'"Admissible objections" shall be defined in guidance from the Secretary of State, and shall be reviewed every 5 years.'

Amendment: local transport plan/ITS to include framework for introduction of long term, area wide Quality Partnerships

We believe that the local transport plan/ITS should include a framework for introducing long term, area wide Quality Partnerships with a 10-15 year planning framework appropriate for improving bus policies.

The effect of this amendment would be to allow a range of stakeholders (including bus passenger watchdog) to link bus policies with wider long term policies within an area-wide Quality Partnership framework. This would enable long term planning without Quality Contracts.

Insert at Part 2, 9, 4 as (2C)

'(a) In preparing their local transport plan, the authority may create a Bus Partnership Scheme.

(b) A Bus Partnership Scheme shall agree guidelines for bus routes, frequencies, fares and other matters that shall be agreed, for the period of the local transport plan.

(c) In constructing this partnership, the authority shall consult all operators of registered services in the specified area.

(d) In exercising their statutory functions under the Town and Country Planning Acts, the local planning authority shall have regard to the Bus Partnership Scheme and guidance contained therein.'

Amendment: Introduction of Tendered Network Zones

We support the ATCO proposal for Tendered Network Zones, which would enable a local transport authority to coordinate one clearly identified network of bus services, encompassing commercial, tendered and de-minimis local bus services. A 'network' would be more than one route and there would be some synergy between the services included in that they should connect with each other or interwork. Existing local bus services would not be affected by Tendered Network Zone designation except that they would only be able to make changes on dates agreed by the local transport authority, and any changes would be expected to be in accord with the supporting criteria.

The effect of this amendment would be to enable local authorities in areas where most services are tendered to provide some coordination by integrating all bus services in an overall network.

Insert an extra section 'Tendered Network Zones' at beginning of Part 3 as 12

- '1. (a) Where the majority of route miles are subject to tender by the local transport authority, the authority may designate the area covered by these routes a "Tendered Network Zone".
 - (b) In designating an area as a "Tendered Network Zone" the authority shall propose a network of bus services encompassing commercial, tendered and de-minimis local bus services.
2. (a) If an authority or authorities propose to designate a "Tendered Network Zone" they must give notice of the proposed network scheme in at least one newspaper circulating in the area to which it relates.
 - (b) The notice must either contain full details of any registration restrictions and registration criteria, or state where such details may be inspected.
 - (c) After giving notice of the proposed network scheme, the authority or authorities must consult-
 - (i) all operators of local services who would, in the opinion of the authority or authorities, be affected by it,
 - (ii) such organisations appearing to the authority or authorities to be representative of users of local services as they think fit,
 - (iii) any other relevant local authority any part of whose area would, in the opinion of the authority or authorities, be affected by it,
 - (iv) the traffic commissioner for each traffic area covering the whole or part of the area to which it relates,
 - (v) the chief officer of police for each police area covering the whole or part of that area, and
 - (vi) such other persons as the authority or authorities think fit.
3. For the purposes of subsection 2 the following are relevant local authorities-
 - (a) local transport authorities
 - (b) metropolitan district councils
 - (c) London transport authorities, and
 - (d) councils in Scotland
4. In designating the "Tendered Network Zone" the authority shall define the registration restrictions and registration criteria for local bus services in that area.
 - (a) If the authority or authorities consider that it is necessary or expedient for any restrictions to be imposed on the registration of-
 - (i) any local services, or
 - (ii) any local services of a particular descriptionthey may impose those restrictions ("registration restrictions") by specifying or describing them in the scheme.
 - (b) Any restrictions so imposed must be for the purpose of preventing or restricting-

- (i) the provision of local services
- (ii) the variation or withdrawal of local services

in cases where the authority or authorities consider that any such provision, or (as the case may be) variation or withdrawal, of services might be detrimental to the provision of services under the scheme.

(c) Where a scheme includes any registration restrictions by virtue of subsection (a), it must also specify the criteria ("registration criteria") by reference to which the traffic commissioners are to decide whether or not to accept an application for registration.

(d) In subsections (a) to (c), "registration", in relation to any service,-

(i) means registration of prescribed particulars of the service under section 6 of the Transport Act 1985 (registration of local services), and

(ii) includes a reference to the variation or cancellation of any such registration.

(e) The standard of services which may be specified in a scheme includes-

(i) requirements as to frequency or timing of the services

4) Democratic Integrated Transport Authorities

We believe ITAs must democratically represent their regions and as such maintain the current PTA arrangements. Voting members of ITAs should be made up of councillors who have an opportunity to take advantage of outside expert knowledge as advisors or contributors.

Amendment: ITA to include democratically elected members only

The effect of this amendment is to ensure that Integrated Transport Authorities are democratically accountable (as Passenger Transport Authorities are), by ensuring that the Secretary of State cannot impose non-elected nominees to sit on an ITA.

Part 72, (3)(a)

Replace 'a majority of the members' with 'all of the members'.