



CONSULTATION RESPONSE FORM

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Company name or organisation (if applicable)	Bus Users UK <i>Please note:</i> these comments also represent our colleagues in Bus Users Scotland, Hopetoun Gate, 8b McDonald Road, Edinburgh EH7 4LZ
If you would like your response or personal details to be treated confidentially please explain why:	

Question 1: for example - Do the guidance and directions provide sufficient clear details to inform industry and other stakeholders? If not, what changes would you make and why?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Answer 1: As my colleague at Bus Users Cymru has suggested the clearer definitions of local bus services in the earlier draft brought welcome clarity which is absent in this latest version.		

Question 2: for example - Do any parts of the guidance and/or directions require clarification? If so, please refer to the paragraph number and explain why.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Answer 2: Paragraph 6 clearly confuses time between stopping points and frequency. Services with intervals between <i>journeys</i> of 10min or less are frequent services; intervals between stopping points have no bearing on frequency (for instance a weekly shopping service is likely to have stopping points less than 10min apart but could not in any terms be considered 'frequent'). However even the 10min frequency definition does not fully describe a 'frequent' service, as the definition reiterated in Paragraph 35 allows service intervals of up to 15min so long as there are six journeys in an hour. Paragraph 9 suggests the acceptance of short-notice registration is 'a delicate balance'. This is probably true. However Bus Users UK would like clearly stated that the traffic commissioners can accept a short-notice registration where this is clearly in the passengers' interest. For example a new or improved service being introduced to give a better service (rather than just for competitive gain) could give the required benefits in a shorter timespan if a short-notice registration were granted. We have recently been aware of a case (1) where a small operator of a supported Monday-Friday service in a deeply rural area realised he could run a Saturday service commercially, but missed out on Christmas shopping revenue and was unable to fulfil demand for the service for some weeks due to having to wait for the registration period; and (2) where another operator needed to introduce network revisions to improve reliability and had to continue to run the existing network for the registration period. The revised guidelines seem to suggest that such provisions should be allowable; in case (1) it is conceivable that the operator may have been reluctant to 'push his luck' by asking for a short-notice registration to be considered: in case (2) we were assured by both the operator promoting the service changes and by the local authority which		

provides support for the services, and was prepared to support the short-notice application, that it had been made clear by the traffic commissioner that a short-notice application would not be considered acceptable. We accept the need for full-term registrations to ensure fair competition, to promote network stability and to give adequate time for changes to be publicised adequately, but the use of short-notice registrations where the benefit is unequivocal should be permitted in our view. We note that Paragraph 53 would appear to support that view, at least as far as alterations to improve reliability are concerned.

In paragraph 13 it is not made clear whether evidence in electronic form is covered by the requirements not to alter/destroy/withhold etc evidence.

In paragraph 28 we would prefer to see services with local authority funding referred to as 'supported' rather than 'subsidised'.

Paragraph 30 subsection g is welcomed: passengers do not want services that are 'padded out' to ensure compliance, and inherent in such timetables is a greater likelihood of early running. There does however need to be a little give and take here, so that operators are not 'damned if they do and damned if they don't'.

In paragraph 47 we would like to see greater emphasis placed on the importance of providing paper information on buses and at bus stops; the guidance could give the impression that social media/website information is a suitable alternative to paper information, whereas in our experience many bus users are not yet comfortable with electronic media. 3G coverage is not universal so smartphones don't always work in every bus stop location, even where bus users have access to that technology, and again in our experience many people rely particularly on information at the bus stop rather than any other form of information. It enables passengers to be informed of diversions etc at the point where they can do something about it.

We are often told by bus companies that notices are not posted at bus stops due to local authorities not permitting them to post notices at stops, and some provision is needed to allow bus companies to do that (with sensible safeguards to ensure they don't, for example, obscure information about competing services) where the local authority fails to post such notices itself.

In paragraph 99 it needs to be made clear that the performance measurement on frequent services needs to be 'based on the concept of *average* excess waiting time'. Otherwise, as drafted, an individual who has just missed a bus on a 10min service could be justified in claiming the service was non-compliant if they have to wait more than 6.25min.

Paragraph 111: a simple typographical error; it refers to 'public inquires' rather than 'public inquiries'.

Question 3: for example - Are there any aspects of guidance and directions which, as drafted, should not be included? If so, please explain why.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Answer 3: We are surprised by the sudden inclusion of an extended window of tolerance. The previous draft suggested a reduced window of tolerance. We would not support an increase in the window of tolerance; 5min late seems reasonable, but any longer than that for 95% of services would suggest timetables need redefining. Also the requirements to work with local authorities to sort out 'pinch points' and ensure adequate enforcement of parking and bus priorities should lead to an ability to run more reliably (and is of course welcomed). We would also be concerned that if the proposed 8min window of tolerance then proves difficult to meet, later guidance might allow say up to 10min late running. We already find some operators telling us 'we're allowed to run 5min late' and indeed		

will not usually pursue complaint cases where late running is 5min or less. Our colleagues in Scotland add: 'We agree that there is no reason to extend the window to 8mins, 6mins is well understood by the industry and the public tolerance towards this threshold remains positive. Increasing it would only aggravate bus passengers and also send out the wrong message that bus services cannot be provided in a punctual manner'.

We consider the current provisions are sensible and pragmatic and do not need to be slackened.

Question 4: for example - Are there other provisions not included in these guidance and directions that should be? If so, please explain what they are.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Answer 4:
 We note that there is no body providing independent bus compliance monitoring in England as there is in Wales and Scotland; paragraph 57 states 'Actual observation on the ground of what is happening is invaluable.'

Question 5: for example - Are there aspects of these Guidance and Directions which seem likely to increase your financial or administrative burdens? If so please explain what they are and, if relevant, what changes would reduce the increase.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Answer 5:

Beyond the scope of these five questions, Bus Users UK endorses much of what is in the suggested guidance. We particularly welcome suggestions that

- operator performance statistics should be in the public domain;
- operators are required to discuss timetables of tendered services with local authorities to ensure they are realistic even where specified by the local authority;
- monitoring requirements on operators seem to be realistic and are welcomed;
- daily logs should be kept;
- information gathered, including from daily logs, is communicated effectively to passengers (eg where roadworks will affect their journey);
- local authorities need to do their part to ensure bus services run reliably and effectively;
- a pragmatic approach needs to be taken to registration times and to difficulties faced by operators, with the proviso that operators need to be able to produce evidence of the causes of difficulties genuinely beyond their control.

Please send your completed form to: sstcconsultations@otc.gsi.gov.uk or by post to:

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Please ensure that if you submit your response by post it is clearly marked for the attention of Sarah Davies.

The deadline for responses is: 19 May 2014