

## **Response from Bus Users UK to the Inquiry into the future of UK-EU Transport**

### **Background**

At Bus Users UK, our mission is to bring people and communities together, through socially inclusive transport.

Bus Users is an approved Alternative Dispute Resolution (ADR) Body for bus and coach passengers, and the nominated body for dealing with complaints under the European Passenger Rights Regulation 2013 / (The Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) (Amendment) Regulations 2017). Bus Users UK Charitable Trust is a Registered Charity number 1178677 and a Company Limited by Guarantee Registration Number: 04635458

We have worked closely with the Department for Transport to advise on passenger rights, the passenger involvement aspects of the Bus Services Act 2017, the detail of the proposed Accessible Information Regulation and all other matters where input on behalf of passengers is needed.

We deal with complaints from bus and coach passengers and work alongside communities to try to make the case for continuing service provision and subsidy. We also hold regular events in rural and urban settings to enable residents to make local transport providers and policymakers to understand their needs and the impact of poor transport on people at risk of social exclusion.

International passenger transport by road is a significant and relatively low-cost means of overseas travel by UK-based people, with over 35,000 journeys per year being undertaken. It is on this aspect of UK-EU Transport that our response will focus.

**Q Is a post-Brexit agreement on passenger transport by road in the mutual interest of the EU and the UK?**      Yes

**Q If so, what provisions would be necessary for such an arrangement to be effective?**

- Simple cross-border planning arrangements, including an agreed system for pre-authorization of passenger passports to avoid delays.
- Clear published information about special arrangements for passengers and staff in vehicles if delays in boarding occur at ports or interchanges, either in the UK or the EU, to enable them to wait in comfort and with access to catering and sanitary facilities.
- Reciprocity of arrangements and agreements to enable a smooth transition and make it simple for passengers to understand their rights.

- Arrangements should take into account the problems which would be caused, especially to older or disabled passengers if coach transport involved changing vehicles at a border crossing, to a third party carrier whose vehicles may not meet the originator's accessibility standards. Uncertainty on this front could prove to be a barrier for many passengers and reduce the likelihood of people deciding to travel by this mode.
- Changes which increase administrative costs for passenger transport operators will inevitably be passed on to customers. As the low cost of coach travel makes it the choice of travellers on more limited incomes, any significant increase could render this option unattractive to a substantial number of passengers. This in turn would impact on the viability of some services, result in a reduction in passenger choice and possibly endanger the survival of some coach operators, which would also make it harder for passengers to travel.

### **Q What opportunities and challenges does Brexit present for passenger rights?**

- The European Passenger Rights Regulation 2013 is already transposed into GB and NI law (2014 and 2017) as the Rights of Passengers in Bus and Coach Transport and will be in force until altered by further regulatory action.
- There is an opportunity to simplify some of the more convoluted aspects of the Regulation in due course. There is one important issue which needs urgent consideration is to ensure that UK Traffic Commissioners are expressly given the power to enforce action on operators carrying out passenger transport services within the UK even when they do not have a registered office in this country, as that is currently being perceived as a loophole by non-compliant overseas operators trading in the UK. This denies passengers the rights guaranteed in EU and UK law and must be rectified.
- The Regulation as currently enacted involves a number of requirements for domestic services, some of which are unhelpfully worded and suggest a level of compliance which is perceived as over-complicated and onerous. There is therefore an opportunity to ensure that requirements for domestic operators are clear and accessible to operators of any scale, while still protecting the rights of passengers as the Regulation intended. It is not practical to impose the more extensive requirements intended to support and protect the rights of passengers, particularly those with disabilities, travelling long distances and cross-border on all services carrying people for a few miles. Clearly passenger rights are important and disability awareness and assistance need to be in place for all operators, domestic or international, but a distinction should be made between the two categories of operators and what measures are proportionate in each instance.
- Bus Users UK is already the nominated body (outside London and Northern Ireland, which have their own designated bodies) for complaints in this regard and is working hard to ensure that UK operators are aware of all their responsibilities with regard to passenger rights, with particular reference to passengers with disabilities. Brexit does present an opportunity for more awareness-raising to be carried out among bus and coach operators to overturn the prevailing idea that these rights will disappear post-Brexit. It would be helpful if DfT was given a specific brief to promote these rights and their continuation post-Brexit.

**Q How prepared is the Department for Transport and UK transport agencies and bodies for Brexit, including the potential implications of 'no deal'?**

- Bus Users UK is a small and flexible charity, cognisant of its responsibilities in Passenger Rights and able to respond to change swiftly.
- We have been discussing the post-Brexit options with our contacts DfT since the referendum result was announced.
- Our experience is that all those with whom we have dealings have been discussing a variety of options for how they might proceed in future, including under a 'no deal' scenario. This is clearly difficult in the present climate of uncertainty but our view is that the bus and coach industry will move as swiftly as possible to comply with any new requirements, as they always have, but some flexibility is likely to be needed as the implications of various scenarios are complex and will need time, effort, energy and money to resolve.