

Appendix A

CONSULTATION – PROPOSED PROVISION OF BUS AND COACH SERVICES LEGISLATIVE COMPETENCE ORDER

1. Do you agree with the principle that legislative competence for “the provision of bus and coach services” in Wales should be conferred on the National Assembly for Wales?

Please give the reasons for your answer.

No, the Vale of Glamorgan believes that the provisions set out in the Local Transport Bill are sufficient for the Assembly and the regional transport consortia in Wales to introduce the reforms needed to modernise the existing framework for local bus and coach services. For example, the measures being developed by Sewta as part of its Regional Transport Plan, to encourage modal shift along the key radial routes into Cardiff, as well as reduce social exclusion amongst residents in the more isolated parts of the region, can all be implemented under these provisions.

The Vale of Glamorgan believes that affordable, high quality and a comprehensive network of local bus and coach services is vital to the social, economic and environmental wellbeing of the communities in Wales and it supports the Assembly's aims to create a fully integrated public transport system – in line with the Wales Transport Strategy, 'Connecting Wales'.

The delivery of this Strategy will require the Assembly to work in partnership with a number of stakeholders and within an appropriate regulatory and financial framework.

2. If you agree with the principle, do you think that the wording of the proposed legislative competence order is correct, or do you think it is too broad or too narrow?

Please give the reasons for your answer.

Not applicable as the Vale of Glamorgan does not agree with the principle.

3. Do you think that the National Assembly for Wales should be given competence over some or all of the exceptions listed below in relation to the provision of bus and coach services in Wales?

Information note from Assembly - Schedule 7 of the Government of Wales Act 2006 sets out the legislative competence that the National Assembly would have following a referendum supporting the commencement of Assembly Act provisions.

Subject 10 is Highways and Transport. This is defined as:

Highways, including bridges and tunnels. Streetworks. Traffic management and regulation. Transport facilities and services.

Exceptions to Subject 10 include the following:

Regulation of use of motor vehicles and trailers on roads, their construction and equipment and conditions under which they may be so used, apart from regulation of use of vehicles carrying animals for purpose of protecting human, animal or plant health, animal welfare or the environment.

Driver licensing

Drivers' hours

Public service vehicle operator licensing

Please give the reasons for your answer.

No. The 'exceptions listed above' in the consultation document relate to the health and safety aspects of bus and coach operation. If a consistent approach is not taken across the UK then the Vale believes that, due to the extensive cross border transport links that exist between Wales and England, this situation will result in extra bureaucracy and costs for both local authorities and operators. The changes will also be difficult to monitor and enforce if the legislation is applied differently in Wales to that in the rest of the U.K.

4. What are your views on the main objective of the proposed LCO which is to introduce a bus franchising system in Wales?

The Vale of Glamorgan and Sewta are in the front line of the public transport agenda and they recognise that, in a number of instances across Wales, the current regulatory framework has not delivered the quality and co-ordinated network of local bus and coach services that passengers expect. This framework is mainly derived from the Transport Act 1985 and it is reasonable to say that opinions differ widely on the effectiveness of this Act.

However, the Vale believes that unless the various issues affecting bus and coach services externally are addressed, such as tackling traffic congestion in urban areas, decisions over sustainable development and land use and introducing more bus priority measures to enable the bus to compete more effectively with the car, then the benefits of conferring more powers to the Assembly, over the provision of bus and coach services in Wales and the creation of a fully integrated public transport system, will be limited.

Whilst it may be possible for the London style franchising system to be adopted in Wales, there are a number of factors present in London which may

make comparisons with the situation elsewhere in the UK misleading. It is certainly the case that passenger numbers in London have increased substantially since 1985 but the traffic policies that have been implemented during this period, such as Red Routes, Congestion Charging and the Enforcement of On-Street Parking Restrictions, have all made the bus and coach a more realistic alternative to using the car.

It is also the case that the London style franchising system has created a relatively stable and integrated network in the capital with Transport for London specifying the route, timetable, fares and vehicle standards for each bus service. However, this system requires TfL to commit a substantial amount of subsidy to support the network and, if adopted in Wales, it is likely to have resource implications for the Assembly. Furthermore, due to the topography and settlement pattern in Wales, it may also stifle the development of more innovative services to better meet the needs of passengers.

Market research studies have consistently shown that the key features highlighted by passengers which comprise a quality bus service include reliable journey times, overall journey times and fares which are competitive with the private car, courteous and helpful staff, comfortable and clean vehicles that are easy to board and alight, frequent and stable services, safe and pleasant stops and stations to wait for the buses and clear and up-to-date information on journeys. These features are all incorporated in the proposals drawn-up a while ago on behalf of the Assembly to create a Welsh Quality Standard for Buses. These proposals, which are endorsed by Sewta, could be implemented under the provisions of the Local Transport Bill and would not require a London style franchising system.

5. What are your views on the use of the proposed LCO to provide the Assembly with the necessary powers to improve school transport safety?

If the proposed LCO is used by the Assembly to gain the necessary powers to improve school transport safety, these powers should apply to all forms of school transport in Wales (i.e. commercial local bus services, subsidised local bus services and dedicated school contracts). Otherwise, a 2-tier approach to school transport safety will be created. However, this would be difficult and costly to implement. It is considered that this issue unnecessarily confuses this LCO and school transport safety should not be used as a lever for approving this LCO.

6. Other Views

If despite comments made the LCO proceeds, the Council would wish to discuss in detail with the Welsh Assembly Government a significant number of detailed legal and implementation issues.