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Roisin Kelly, Committee Clerk
Committee Office, Room 402
Parliament Buildings
Ballymiscaw
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Dear Roisin

Comments on the Transport Bill

Thank you for the invitation to comment on the Transport Bill, now at Committee Stage. My detailed comments are attached.

I wish to comment on:

- Clause 1, which relates to provision of public passenger transport services in general; and
- Clause 6, which relates to matters to which the Department must have regard in granting or refusing service permits.

In preparing my comments I have drawn upon, in particular:

- The Department's own published reports regarding Public Transport Reform Consultation:
 - Detailed Policy Proposals (November 2009);
 - Final Report on Public Consultation (May 2010);
- Local Transport Act 2008 (GB);
- Public Transport Regulation Act 2009 (Ireland);

- and my own experience as a Transport Planning Professional, including my role as a principal technical author of the Regional Transport Strategy 2002 – 2012 and the principal author of the Sub-Regional Transport Plan 2015.

In summary I propose that the Transport Bill is amended to include specific reference to the Department's commitment to prepare local public transport plans and to refer to these plans and other relevant policies and plans in issuing or refusing permits. I believe it is essential that a statutory transport planning process is established in Northern Ireland. This transport planning process will greatly assist the planning and delivery of an efficient and sustainable transport system.

Finally I would welcome the opportunity to provide oral briefing to the Committee to provide further explanation and background.

Yours faithfully



Stephen Wood

Comments on

Transport Bill

(http://www.niassembly.gov.uk/legislation/primary/2009/niabill29_09.pdf)

COMMITTEE FOR REGIONAL DEVELOPMENT

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1. Changes Proposed

Clause 1 Provision of public passenger transport services, states

1. (1) The Department must secure the provision of public passenger transport services with due regard to economy, efficiency and safety of operation.

Before subclause (2) I propose that wording should be added to the effect that the Department must prepare local public transport plans.

Clause 6 Matters to which Department must have regard, states

6. (1) In deciding whether to issue or refuse a permit or to attach conditions to a permit, the Department shall in particular have regard (where appropriate) to the following matters-

Before (a) I propose that reference is included to relevant local public transport plans.

Clause 6 Matters to which Department must have regard, also states

(2) The Department shall also take into account-

Before (a) I propose that reference is included to relevant policy documents, such as the Regional Development Strategy, the Regional Transportation Strategy, Local Development Plans and any relevant documents relating to sustainable development and transport.

2. Rationale for Changes Proposed

a) The proposed Transport Bill offers the opportunity to integrate the specification and delivery of public transport into local transport and land-use planning practice as is currently applied in GB and Ireland as outlined below.

In the South, the Public Transport Regulation Act, clause 10 states

10.—(1) In considering an application for the grant of a licence the Authority, having regard to the general objectives established under section 10 of the Act of 2008—

- (v) the National Spatial Strategy,
- (vi) the Sustainable Travel and Transport Action Plan for Ireland,
- (vii) relevant regional planning guidelines under Chapter III of Part II of the Act of 2000,
- (xi) local authority development plans.

Further provision has been made recently in the South to integrate public transport:

- the newly constituted National Transport Authority is to be consulted on transport aspects in the development of Regional Planning Guidelines, Development Plans and Local Area Plans (source <http://www.nationaltransport.ie/landuse.html>);
- The Smarter Travel Policy 2009 – 2020 includes a number of specific actions to improve bus planning and levels of service (Actions 12, 13 and 14), and to develop (local) transport plans (Action 42).

In GB, The Local Transport Act 2008 Clause 9. Local transport plans states:

(1) For subsection (3) of section 108 of the TA 2000 (duty to prepare local transport plan) substitute—

“(3) Each local transport authority whose area is in England must prepare a document to be known as (or two or more documents to be known together as) the local transport plan containing—

- (a) their policies under subsection (1)(a);
- (b) their proposals for the implementation of those policies.

2. Rationale for Changes Proposed (continued)

Further information is given in the Local Transport Act 2008 Explanatory Notes which also refers to the Transport Act (TA) 2000 and states:

12. At present, responsibility for setting overall strategies for transport services for a particular area in England (outside London and the six metropolitan counties) lies with the county council or unitary authority, which is also the local highways authority and local traffic authority for that area. Under section 108 of the TA 2000, these local transport authorities are required to develop policies relating to local transport, and to prepare and publish a local transport plan.

15. The Act amends provisions in Part 2 of the TA 2000 concerning local transport policies and plans. These changes will apply in all local authority areas outside London. The Act expands the existing duty on local transport authorities to develop policies relating to transport, so that these policies must cover all aspects of transport, rather than the currently more limited requirement relating only to transport facilities and services, and must take the protection and improvement of the environment (including mitigation of, and adaptation to, climate change) into account.

2. Rationale for Changes Proposed (continued)

b) The Department is aware of the need for the development of local public transport plans, as stated in the Final Report on Public Consultation (May 2010):

“In addition, and as a result of this consultation, the Department will consider placing on the agency a statutory duty to consult on local public transport plans. This approach was influenced by a widespread demand at the public meetings and in the written responses from Councils, organisations representing rural and section 75 groupings and from stakeholders generally, for meaningful consultation and involvement in the production of the proposed local public transport plans.”

The Department notes the advantages of including a statutory duty to consult on local plans. However, most strangely, there appears to be no statutory provision for the Department to prepare local transport plans in the Bill itself.

c) It can be argued that the lack of a statutory requirement for transport plans in particular and for a clearly defined transport planning process in general has contributed to ongoing problems of policy ‘slippage’. For example the balance of highway and public transport currently being implemented has ‘slipped’ from the balance proposed under the Regional Transportation Strategy.

With recent further delays to the Reorganisation of Public Administration process and a need for financial austerity, there is an added danger that as there is no statutory ‘owner’ for local transport plans, then their production will not be given sufficient priority. This would work against the planning and delivery of an efficient and sustainable transport system; clearly a prerequisite for a successful Northern Ireland.