

**WRITTEN SUBMISSION ON THE CLAUSES OF THE
TRANSPORT BILL**

To

The Committee for Regional Development

By

The Consumer Council

August 2010



INTRODUCTION

1. The Consumer Council welcomes the opportunity to represent the voice of passengers in the development of the Transport Bill.
2. The Consumer Council's legislative role is to give consumers a voice - and to make sure that voice is heard by those who make decisions that affect consumers. A Non-Departmental Public Body, the Consumer Council was set up by statute in 1985 to promote and safeguard the interests of all consumers in Northern Ireland.
3. The Consumer Council campaigns for better public transport for Northern Ireland passengers and handles complaints from passengers travelling by bus, train, air and sea. We help individual passengers with their complaint and also work with companies at a policy level to improve systems and procedures that cause complaints in the first place. The Consumer Council holds operators to account to ensure public transport services deliver for passengers. We have established relationships with all the main transport providers and Government Transport policy divisions in Northern Ireland.
4. Passenger involvement in how public transport is governed, designed and delivered in the future is key to ensure we can develop a passenger-focused, value for money and better integrated public transport system.

The Consumer Council's position

5. The Consumer Council plays a key role in representing the role of consumers in relation to public transport. It is essential the new arrangements have the voice of the passenger embedded at every level to ensure it remains passenger focused and can meet the growth in passenger numbers required to meet the various transport and sustainable development strategies.

The Consumer Council continues to support the principles agreed by the stakeholders for moving forward in bus regulation:

- Fully support the principles and the targets set out in the Regional Transportation Strategy and other strategies including the Belfast Metropolitan Transport Plan (BMTP), Sub-Regional Transport Plan and Accessible Transport Strategy;
- The three tier structure with consumer representation embedded at each level;
- The development of a well-planned bus network designed to maximise patronage within resources available;
- Identify 'commercial' and 'subsidised' elements of the network and ensure contributions from operators with routes on the 'commercial network' are reinvested into better services and frequencies to deliver passenger growth;
- Ensure full integration of commercial and subsidised networks in terms of network design, timetables, connections, ticketing, information, branding and marketing;
- Introduce controlled competition within the context of a planned and regulated network, to ensure value for money from public funding;
- Develop a more 'commercial' approach to network design in order to achieve patronage growth and encourage innovation; Recognition that in urban areas bus use growth is dependent on future car demand management (e.g. parking supply/ tariff) and comprehensive, effective and enforced bus priority measures;
- The new structure should provide for the separation of the 'design' and 'delivery' functions of NITHC/ Translink to prevent any conflict of interest in relation to 'defining service levels' and 'delivery of services'.

The Consumer Council's involvement in the Public Transport Reform Process

6. The Consumer Council has played an integral role in the Stakeholder Forum. Along with NITHC / Translink, Federation of Passenger Transport, Department of the Environment and the Department for Regional Development the Consumer Council has informed the development of these proposals, ensuring that the needs of consumers are integrated into the future delivery of public transport services in Northern Ireland.

7. The Consumer Council also contributed to the public consultation process on the Reform of Public Transport. Throughout this process we engaged directly with consumers, groups representing older passengers and those with disabilities and local government. This process also allowing for a range of other stakeholders and the public to become involved and influence the process. The Consumer Council views this as vital to ensure buy in from passengers and stakeholders and to allow for the development of a robust and future proofed system for the delivery of public transport.

The Consumer Council's response to the Transport Bill

8. In our response to the Transport Bill, we have emphasised the issues and needs of consumers in our response. Where a clause is not listed, the Consumer Council has no further comment to add.

Article No	Consumer Council Comment	Consumer Council Proposed Amendment
Article 1: Provision of public passenger transport services (1)	The clause does not state that the provision of public transport should meet the needs of passengers.	“The Department must secure the provision of public passenger services with meets the needs of the public”
Article 7: Duration (4)	The Consumer Council supports the provision for expired permits to continue to be in force where an operator has an application for a new permit to allow for the continuation of services for passengers in the interim period.	
Article 11: Disqualification (1)	<p>To ensure the protection and standard of service for passengers, the Consumer Council welcomes the provision for the Department to disqualify operators from holding or obtaining a permit where they have previously been disqualified “either indefinitely or for such a period as the Department thinks fit”.</p> <p>To ensure that both passengers and transport providers can have confidence in the system, this will be need to undertaken in a transparent and consistent manner in all situations and provide a process for operators to challenge.</p>	
Article 23 Consumer Council – Forward Work Programme	The Consumer Council welcomes the opportunity to consult with the Department and other stakeholders in the development of Forward Work Programmes to deliver the most benefit for passengers.	
Article 24:	The Consumer Council	

<p>Co-operation between the Department and the Consumer Council</p>	<p>welcomes the opportunity to develop a Memorandum of Understanding to establish arrangements which ensure that the consumer voice is embedded within the design and delivery of public transport services.</p> <p>The Consumer Council will ensure that the parameters for information sharing are clearly defined and that the Consumer Council will challenge the Department and hold them to account in the spirit of a positive and pro-active working relationship to ensure the voice of consumers is heard. We aim to facilitate our respective roles through cooperation and understanding of responsibilities (examples of how this could be developed exist with recent agreements such as the protocol for public transport fare revisions).</p> <p>The Consumer Council requests that the agreed memorandum be laid before the Assembly.</p>	
<p>Article 33: Services for certain sections of the public</p> <p>Article 34: Services in certain areas</p>	<p>The Consumer Council supports the provision for the Department to fund services which facilitate travel by members of the public with a disability to allow for the provision of specialised services as part of the overall public transport network.</p> <p>Lack of public transport in rural areas has a major impact on the ability of many people (including older people and those with a disability) to access services such as healthcare, education and</p>	

	<p>employment.</p> <p>Ensuring the Department has the ability to provide grant funding for services which are not commercially viable will allow for the provision of socially-necessary routes in future.</p>	
<p>Article 42: Conduct of persons at bus stations:</p>	<p>Improving safety (and the perceptions of safety) in bus stations will help to increase patronage on services and ensure passengers are aware of both their rights and responsibilities within these shared facilities.</p> <p>Passenger required clear and concise information on their rights and responsibilities to be made available in a timely and accessible manner. The Consumer Council welcomes the opportunity to work with the Department to promote awareness of these to passengers.</p>	
<p>Article 43: Shared transport facilities</p>	<p>The Consumer Council supports the clause to allow for passengers facilities to be made available for use by all licensed bus operators. As facilities have been funded by public funds, the public should be able to avail of the use of these facilities regardless of which operator is providing the service they are using.</p>	