

Your ref:

Our ref: Misc/1 M/L 9309

Date: 16th August 2010

Being dealt with by: Chief Executive's Department

Email: daniel.mcsorley@omagh.gov.uk

Committee for Regional Development
Committee Office, Room 402
Parliament Buildings
Ballymiscaw
Stormont
BELFAST
BT4 3XX

Dear Sir/Madam

RE: Call for Evidence on the Transport Bill

I am writing on behalf of Omagh District Council in response to the call for evidence on the Transport Bill.

The Council asks that its response to this consultation is considered in conjunction with its previous responses to the consultation on 'Public Transport Reform' in February 2010 and the 'Future of Bus Operator Licensing in Northern Ireland' in July 2010. It also wishes to advise that it concurs with the response to the call for evidence on the transport Bill made by NILGA, the Northern Ireland Local Government Association.

The Council has a particular concern regarding the lack of public transport infrastructure in the rural areas which has resulted in a significant dependency on private cars and which has adversely impacted on social inclusion and economic prosperity. The Council wishes to see rural transport given priority and being adequately resourced within the reform process and the implementation of the Transport Bill.

The Council is also keen to promote sustainable development and would hope that the Department through the implementation of the Transport Bill will give due consideration to the economic, social and environmental factors associated with a more sustainable future. To this effect, the Council would seek assurance that joined up cross-departmental and cross agency working is undertaken so that public transport reform is not taken forward in isolation.

The Council wishes to make the following comments relating to the Clauses of the Bill:-

Part 1 - Public Passenger Transport Services

Clause 1 – Provision of Public Passenger Transport Services

The Council notes that this Clause imposes a duty on the Department to secure the provision of public transport services in Northern Ireland and provides the mechanisms for it to do so. The Council welcomes the provision in this clause to create an offence to operate unregulated services.

The provision of public passenger transport services needs to be on an equitable basis across Northern Ireland and priority needs to be given to the provision of such a service in those rural areas where the current infrastructure is poor. A more integrated approach to strategic and local level transport planning needs to be undertaken to make this happen and to create the confidence of the public to make greater use of public transport.

Clause 2 – Service Permits

The Council notes that this Clause provides the power to make regulations as to the content of service agreements. The Council is keen to see contracts being targeted at filling the gaps in service provision and therefore it welcomes the inclusion of the provision of public service contracts.

Clauses 3 – 12 Service Permits

The Council notes that Clauses 3 -12 relate to the process for granting service permits and it welcomes the need for the Department to take into account recommendations made by the Consumer Council and District Councils among others. Whilst the Review of Public Administration is stalled, the responsibility for Community Planning is still to be given to local Councils. In this context, the need for greater consultation and involvement of Councils as a key stakeholder in the development of regional and local Transport Plans is essential to ensure they are compatible with and complimentary to Community Plans and Local Development Plans.

Clause 13 - Fees

The Council notes that Clause 13 relates to Fees for permit applications and would ask that fees are set at a fair and reasonable rate so as to be affordable to small and reputable operators.

Clause 14 – Permits not to be transferable

The Council notes that Clause 14 relates to Permits not being transferrable and is in agreement with the content of this clause.

Clause 15 – Holding Companies and Subsidiaries

The Council notes that Clause 15 permits the making of regulations to provide service agreements with and service permits held by a company or other body corporate to also apply to services provided by any of its subsidiaries. It welcomes The potential to provide public service contracts as this should provide a meaningful way to fill gaps in service provision.

Clause 16 – Forgery and Clause 17 – False Statements

The Councils fully agrees with Clauses 16 and 17.

Part 2 – Buses, Taxis and Trains

Clauses 18 – 20 Bus Operator’s Licenses

The Council notes the content of clauses 18 -20 and is content with the details outlined.

Clause 21 - Taxis

The Council notes the content of clause 21 and is content with the details outlined.

Clause 22 – Railway Services

The Council notes the content of clause 22 and is content with the details outlined.

Part 3 Consumer Council

Clause 23 – 24 Forward Work Plan and Co-operation between Department and Consumer Council

The Council notes the content of Clauses 23 and 24 and is supportive of the role of the Consumer Council as a voice for the customer. It agrees there is a need for consultation and co-operation between the Department and the Consumer Council on the transport projects to be included in the Consumer Council’s annual forward work programme. However, the Council is concerned that the Consumer Council may not have the voice of all communities or Section 75 groups and it is concerned also that there is no reference to the role of local government in relation to consultation or co-operation between Councils, the Consumer Council and the Department on such transport related projects. The Council would ask that these issues of representation are given due consideration.

Part 4 - Enforcement

Clauses 25 – 31

The Council notes the details of clauses 25-31 and is content with the enforcement details outlined.

Part 5 - Grants

Clauses 32 – 37 Grants

The Council notes that clauses 32 – 37 relate to the payment of grants by the Department in relation to the provision of capital expenditure for the purchase of vehicles or facilities for passenger transport, public transport services and the provision of advice, information or training relating to passenger transport. The Council welcomes the payment of grants by the Department and would seek assurance that the criteria for payment of grants give a priority weighting to the distribution of grants for the provision of such services in the areas of greatest need.

Part 6 – Miscellaneous and Supplementary

Clauses 38 – 40 Acquisition and Disposal of land

The Council notes that clauses 38 – 40 relate to acquisition and disposal of land by the Department and it is content with the details set out.

Clause 41 – Appointment of Directors of NI Transport Holding Company

The Council notes that clause 41 relates to the appointment of Directors of NI Transport Holding Company and to include powers to remove or suspend persons from appointments and it is content with the details set out.

Clause 42 - Conduct of Persons at Bus Stations

The Council notes that clause 42 relates to the Department's ability to make regulations for dealing with the conduct of persons at bus stations and it agrees with the details set out.

Clause 43 – Shared Transport Facilities

The Council notes that clause 43 relates to shared transport facilities and would seek assurance that community transport providers particularly in rural areas, will have access to bus stations and their facilities to ensure the integration of service provision.

Clause 44 – Application of Act to Partnerships

The Council notes that clause 44 relates to the provision within the Act to apply to partnerships and it is content with the detail set out.

Clauses 45 – 50 Miscellaneous and Supplementary

The Council notes that clauses 45 – 50 relate to miscellaneous and supplementary provisions and it is content with the details set out. The Council notes the Act's short title of 'Transport Act (NI) 2010.

Financial Effects of the Bill

The Council notes the total staffing costs of £3.5m for the new Public Transport Agency. It is essential that in the current economic climate, value for money is a priority and that funding is appropriate and properly apportioned to the delivery of an effective and efficient public transport system. Funding must be apportioned towards local transport plans which are integral to and should be developed in conjunction with community plans.

There needs to be a focus on areas of greatest need and in particular the rural areas which are heavily reliant on public transport but are poorly served. The West of the Province for example does not have a railway infrastructure and the bus service is limited in the more rural hinterlands. Priorisation of funding for transport planning should be towards such under-provided for areas and the Elected Representatives should be heavily involved in the development of both regional and local transport plans as they are best place to inform the Department what is required to meet the needs of the people they represent.

Conclusion

The Council welcomes the opportunity to respond to this consultation as public transport is of particular concern in the rural West where there is a significant dependency on private cars due to the lack of public transport infrastructure. This Council is keen to promote sustainable alternative transport from an environmental and health promotion perspective. However, the difficulty in encouraging people to use public transport as an alternative to cars is compounded in the rural areas by the connectivity gaps in the bus service and the absence of rail transport in this area. Until such times as priority is given to and adequate funding is targeted at the rural towns, villages and hinterlands to develop the public transport network, it will be difficult if not impossible to get people living and working in these areas to use public transport instead of private cars. It is therefore impacting on the ability of this part of the region to promote and act positively towards sustainable development now and into the future.

On behalf of Omagh District Council, I would like to thank you for the opportunity to respond to this consultation and we await the outcome of the call for evidence process and the final Transport Bill.

Yours sincerely



D McSORLEY
Chief Executive