

REFERENCE: WP001

dear sir / madam

I would like to offer some feed back as part of the consultation to the Improving public transport
WG36240

With regards to increasing the number of passengers and reducing the number of car journeys.

I feel that by removing the free bus travel concession for those currently 60yrs and over and replacing
it with one for those of retirement age will infact

decrease the number of bus passengers and increase the use of cars.

in answering your

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory
concessionary fares pass with a woman's pensionable age?

A No as per above

Q19. Do you agree that an incremental change is the most appropriate method?

A.No

yours

Mr Morris

REFERENCE: WP002

I think by putting up the age for free bus passes to 65 is wrong because all you will do is increase the carbon foot print of a lot of people they will ditch the bus and get into their CAR's they won't stay on the bus's as for 1 it's to expensive this is my opinion

yours sincerely

Carol Hughes

Part 1 – Bus services

Joint Transport Authorities (JTAs)

Q1. Do you agree that it is important for local authorities to work together with regard to local bus services?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

To provide consistency, economies of scale, cut down on bureaucracy and red tape. Pool knowledge and experience.

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?

National JTA and 3 regional JTA's to access local knowledge, economies of scale - consistency and to standardise tendering procedures.

Q3. Is there another organisational structure for JTAs that we should consider? Please explain your answer.

Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

yes, needs to be accountable.
The process has to be overseen, Targets need to be set in a strategic framework.

Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

yes, needs to be accountable.

Proposed JTA Functions in relation to buses

Q6. Is the proposed division of national and regional functions appropriate?

yes, national function needs to set the agenda. Regional function to carry through proposals.

Q7. Should any other transport functions be transferred to a JTA? Please describe.

Should include school & additional learning needs transport so all transport functions can be fully integrated.

Enhanced Quality Partnerships (EQP)

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

yes, to ensure compliance by the operators, some of whom act as a monopoly.

Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

There needs to be joined-up thinking & representation by all parties.

Franchising

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

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Q11. Do you think there should be a requirement for the assessment to be subject of to an independent audit?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

<i>Needs to be accountable and subject to scrutiny</i>
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Q12. Do you have any other comments on the proposed process for franchising?

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Franchising in practice and Permits

Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

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Impacts of franchising on small and medium sized bus operators (SMEs)

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process?

Yes	
No	

Please explain your answer.

Franchising Transition Arrangements

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

Local authority bus services

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?

yes.

Q16a. In what circumstances do you think this would be appropriate?

where there is a social need.

Q16b. What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

none required.

Q17. Do you think that local authorities should be able to set up arms length companies to operate local bus services?

yes.

Q17a. In what circumstances do you think this would be appropriate?

as above.

Q17b. What, if any, safeguards do you think should be put in place with arms length bus companies to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

none required

Eligibility age for the mandatory concessionary fares

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age?

No, this is discriminatory. Existing pass holders who have recently attained the age of 60 would have 6 to 7 extra years of free travel. Women/Men on the cusp of 60 would have to wait 6/7 years. This will alienate the older vote.

Q19. Do you agree that an incremental change is the most appropriate method?

No, as above. Why should people have free travel. If it is unsustainable financially, why not have free off-peak travel, or pass-holders paying a proportion of the cost i.e. 1/3 off.

Public transport information and monitoring

Q20. Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

accountability.

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied, and where appropriate, disclose this information as part of tendering process?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

as above.

Part 2 – Taxis and private hire vehicles (PHV)

National standards

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

as explained in the statement.

Q23. Are there any matters which you would like to see contained in any national standards?

standardising driver requirements and drivers pre-ten records.

Q24. Are there any matters which you think should be excluded from any national standards?

no

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

Too much variation in existing standards.
Too much local interests

Q26. What would be the best approach for determining the content of national standards?

Take examples of best practice from each of the Local Authorities.

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

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Enforcement

Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

<p>should be accountable to the local area, the vehicle is operating in</p>

Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

<p>yes, as above</p>

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

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Information-sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

Information should be shared quickly and efficiently.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

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Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority (Option A)?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Please explain your answer.

more accountability
less local interests

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)?

Yes	
No	<input checked="" type="checkbox"/>

Please explain your answer.

No, should be accountable in one public body.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

Q36a. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

no difference

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

WELSH GOVERNMENT - 2
(- 4 JAN 2019

REFERENCE: WP004

Dear Sir/Madam, whatever you do, please, please, please, please, please, I beg you, DO NOT RAISE THE ELIGIBILITY AGE FOR A BUS PASS IN WALES. I am 56 and hope to be 57 in July and think it is GROTESQUELY UNFAIR that a friend of mine who'll turn 60 this year will get a bus pass in 2019, whereas I, according to these ridiculously unfair proposals, would have to wait another 8, 9 or even 10 years in spite of only being 3 years younger!!!!

How can that possibly be fair? Why should people be penalised for being born in the 1960s?

How can you possibly even think of doing something so unfair by taking away something, which might be the only positive thing they have to look forward to, as in my case, from people my age only because they had the misfortune to be born in the 60s rather than the 50s or earlier? I say "taking away from" rather than "making wait longer" because there is a good chance I and many others won't reach 65; there is, of course, no guarantee, that we'll reach 60 either, but at least the odds are slightly better. I know several people who died in their 50s in spite of this rubbish you hear about people living longer.

You may think it's rather pitiful that a person of my age would say that receiving a bus pass at 60 is the only positive thing he has to look forward to, but what else is guaranteed for people my age but grief as they say see their parents sickening and dying, loneliness, a greatly chance of developing cancer or suffering strokes or heart disease or any number of other horrendous illnesses, and one's own decay and death, while retirement is still too far away (67!!!! thanks to the Westminster Government) to be looked forward to with any degree of confidence.

I have heard of surveys saying that one's 50s are the time when one is at one's happiest-complete and utter drivel for the reasons I outlined in the previous paragraph-I can't think who they interviewed to reach such an absurd conclusion. I have had a particularly horrific time since reaching 50, since my father became ill and died and I am now extremely concerned about my mother's health-quite frankly, if I do get to 60, I feel I deserve something just for getting through this and not slashing my wrists or taking an overdose in despair, but I'm sure many people my age have had similar experiences-all the more reason for not penalising people who were born in the early 60s and are now approaching 60.

So please leave me and people like me with something to look forward to-that isn't too many years away. Getting a free bus pass at 60 may seem trifling and insignificant to people like yourself, but it is the only thing I and others my age like me have to look forward to rather than dread. Very sad but what other good things are guaranteed to come at my age? Plenty of bad things are guaranteed though, as I pointed out.

PLEASE, PLEASE, whatever you do, KEEP THE AGE FOR A FREE BUS PASS IN WALES AT 60!!!!

I will come to Cardiff and beg you on my hands and knees if it'll do any good, don't take away the only thing I hope (as there's a fair chance I won't get to 60) I have to look forward to, DO NOT RAISE THE ELIGIBILITY AGE FOR A BUS PASS IN WALES,

A. Richards

REFERENCE WP005

Please DO NOT raise the eligibility age for a bus pass in Wales from 60. If you were to do this it would mean that someone like myself, born in 1962, would not get a bus pass till he was 67 whereas someone born in 1958-only 4 years older- has got one at 60. Can you explain to me how that is fair?

Perhaps fairness is unimportant to you but I hope that that is not the case. You would, quite rightly, get in trouble if you discriminated against black people by making them wait longer for a bus pass, so how is it right for you to discriminate against people like myself for being born 3 or 4 years later than others? Is that our fault? To raise the age for a bus pass would be MORALLY WRONG. I do feel very strongly about this; God knows, there's precious little for people my age to look forward to. PLEASE PLEASE, if you have any shred of decency in you, don't raise the age for a bus pass, ...A. Richards

REFERENCE: WP006

Please, please don't raise the minimum age limit of 60 to get a Bus Pass. Wales (unlike our English counterpart) has led the way by handing out free bus passes to the over 60's and this has enabled so many of our older generation to travel without worrying about the cost of a journey. More importantly, It has also encouraged the over 60's to use public transport and as well as traveling to see friends and family, also going on shopping trips to our towns and cities.

Yours sincerely,
Geoff Crawford

Part 1 – Bus services

Joint Transport Authorities (JTAs)

Q1. Do you agree that it is important for local authorities to work together with regard to local bus services?

Yes	✓
No	

Please explain your answer.

The four Regional Transport Consortia set up by Carl Sargent and disbanded by Edwina Hart were, at least in part, trying to answer all these problems. JTAs could be based on this footprint, although I would suggest that Meirionnydd stay in North Wales, rather than being relocated to Mid Wales. In North Wales, the six Local Authorities are still operating together, with regard to subsidised services and community transport

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?

See above. People need to travel across borders to access services, so regional JTAs responsible to the local people and to a national body would be more efficient and answerable to their communities

Q3. Is there another organisational structure for JTAs that we should consider?
Please explain your answer.

These should include stakeholders such as Bus Users UK, representatives from the community transport field, as well as commercial and Local Authority transport providers

REFERENCE: WP007

Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

I think that there should be Welsh Government representation on these bodies, to ensure that regional JTAs are working towards the national goals, and to share examples of practice, both good and bad (you learn more from bad practice than you do from good) so that everyone learns what works best.

Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

My immediate reaction is that this would be fine, **provided** there is evidence to support ministerial intervention, both in terms of the issues that provoked that intervention, and the actions taken.

Proposed JTA Functions in relation to buses

Q6. Is the proposed division of national and regional functions appropriate?

Once again, people travel across borders in order to access the services they need.

Q7. Should any other transport functions be transferred to a JTA? Please describe.

The RTCs were responsible for funding community transport, and I think the regional JTAs should have that as part of their remit.

Enhanced Quality Partnerships (EQP)

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working?

Yes	✓
No	

Please explain your answer.

Quality partnership would ensure standards are maintained, and consistent across all regions. However, consideration should be given to the level of compliance required by the very small transport suppliers, compared to the very large ones, with massive resources.

Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs?

Yes	
No	

Please explain your answer.

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Franchising

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services?

Yes	✓
No	

Please explain your answer.

It makes sense that local solutions can be aimed at local problems

REFERENCE: WP007

Q11. Do you think there should be a requirement for the assessment to be subject of to an independent audit?

Yes	✓
No	

Please explain your answer.

It is all too easy for people to give answers that are expected of them, rather than proving that they have done what is required. Independent auditing would stop this, although the auditing process should be more robust than that shown by the Carillion auditors!

Q12. Do you have any other comments on the proposed process for franchising?

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Franchising in practice and Permits

Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

Exactly what permits are being discussed here? With the current DfT discussions about the “licensing” of community transport, would these be sections 19 and 22 permits, and would community transport be able to carry concessionary fare passengers with proper recompense, rather than a proportion of the standard adult fare?

Impacts of franchising on small and medium sized bus operators (SMEs)

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process?

Yes	✓
No	

Please explain your answer.

REFERENCE: WP007

Most SMEs do not have the time or resources to put together tenders that could compete with large commercial operators. Also, the rules for procurement should be tightened, and the Dutch Auction type of process, apparently favoured by Local Authorities, mean that SMEs cannot use a route as a “loss leader” because they could go out of business.

Franchising Transition Arrangements

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

Time limited contracts for existing providers?

Local authority bus services

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?

Monmouth run the Grass Routes services very successfully, so why not?

Q16a. In what circumstances do you think this would be appropriate?

Where no other viable alternative exists, including the use of community transport operators in the area.

Q16b. What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

Impact assessments, including Equality Impact assessments should be properly undertaken to discover the actual effects of a particular operator running a specific service. These should be undertaken by independent evaluators, potentially the Traffic Commissioner for Wales

REFERENCE: WP007

Q17. Do you think that local authorities should be able to set up arms length companies to operate local bus services?

Yes

Q17a. In what circumstances do you think this would be appropriate?

When there is no other realistic alternative

Q17b. What, if any, safeguards do you think should be put in place with arms length bus companies to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

The same as for every other operator

REFERENCE: WP007

Eligibility age for the mandatory concessionary fares

Q18. Do you agree with the Welsh Minister’s proposal to align entitlement to a mandatory concessionary fares pass with a woman’s pensionable age?

Probably, by why is the concessionary pass free? If people had to pay a small charge, the money raised could be re-invested in public transport.

Q19. Do you agree that an incremental change is the most appropriate method?

Incremental change is always easier for people to adapt to.

Public transport information and monitoring

Q20. Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets?

Yes	✓
No	

Please explain your answer.

Different operators charging differing fares (without explanation of how the cost is calculated), not accepting each other’s tickets, is extremely frustrating for the passenger, and wastes a lot of his or her time, trying to get the best deal. Strengthen Traveline Cymru.

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied, and where appropriate, disclose this information as part of tendering process?

Yes	✓
No	

Please explain your answer.

All too often, services cease long before there has been an EqIA to establish impact

Part 2 – Taxis and private hire vehicles (PHV)

REFERENCE: WP007

National standards

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales?

Yes	✓
No	

Please explain your answer.

I have heard, direct from a taxi driver, that there is no limit on the amount of hours he is allowed to drive, without taking a legal break. This is unsafe.

Q23. Are there any matters which you would like to see contained in any national standards?

Better standards on the ability to carry disabled and wheel-chair bound passengers. At present, some private hire vehicles do not have the proper restraints, nor the knowledge to keep these passengers safe whilst boarding, dismounting or travelling.

Q24. Are there any matters which you think should be excluded from any national standards?

No

REFERENCE: WP007

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

Intransigence by drivers and small owners

Q26. What would be the best approach for determining the content of national standards?

Talking to relevant stakeholders, including passenger groups, those supporting people with disabilities, taxi and PHV operators, community transport operators and LAs

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

These should have teeth, and be enforceable by law.

REFERENCE: WP007

Enforcement

Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence?

Yes	
No	

Please explain your answer.

This is a confusing question, since it would imply that taxi and PHV operators would be breaking some sort of code of conduct if it was working across county boundaries. Once again, if you live in North Wales, there are six counties and three District General Hospitals – the likelihood of having to cross a border is extremely high! However, LAs could recommend revocation or suspension of a licence to the original licence granter, and there should be evidence to show why and what remedial action was taken.

Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence?

Yes	
No	

Please explain your answer.

See above

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

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REFERENCE: WP007

Information-sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared?

Yes	✓
No	

Please explain your answer.

A lot of taxis and PHV drivers are unaware of the law surrounding safeguarding, and even commissioning bodies seem blissfully ignorant. At least one LHB is commissioning transport from taxi firms for non-emergency patient transport, without being aware that the driver needs a DBS check!

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

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Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority (Option A)?

Yes	
No	✓

Please explain your answer.

Local knowledge is required to decide who should be licensed.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)?

Yes	✓
No	

Please explain your answer.

REFERENCE: WP007

See above

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

REFERENCE: WP007

Q36a. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

There is no mention of community transport in the document, although we know that CTOs provide an invaluable service, particularly for those who are unable to access other forms of transport due to age, disability, location or poverty. This sector should be included within any integrated transport provision.

During the recent events to discuss the WG strategy on Loneliness and Isolation, transport was, as always, highlighted as a real barrier to social inclusion, and a major contributor to loneliness and isolation. Transport is always at the top of the list when it comes to debating changing health provision, as the WG's Transport to Health committees know.

Dear Sir/Madam,

The comments of the Community Council on this consultation are as follows:-

- a) The timing is ironic! Cardiff Bus has announced all manner of cuts that if they all materialise will see Penarth cut off from Llandough by bus. That will affect Llandough, although 'we' may still be able to get to/from Cardiff. The Council would question that **if we really want to encourage people away from their cars, we have to offer a realistic, reliable and frequent alternative.**
- b) Cardiff Bus's problem is probably linked to the same general and overall decline in bus usage. Considering the widespread issuing of passes, it is hard to see what more can easily be done.
- c) The Council understands that the Bus Services Support Grant has been reduced and many urban/commercial services no longer break even, let alone generate a profit. Residents in Llandough do not complain about longer bus journeys but, do complain about the difficulty of getting to Penarth by bus.
- d) There is a view within the Council that free bus passes should be issued to 16-21 year olds. It might allow them a measure of independence but, it also might reduce the likelihood of them wanting their own cars and, possibly driving them in evenings and at risk of drinking...if there were more buses and timetabled into the evenings.
- e) There may be scope for Town and Community Councils to contribute to a subsidy if that might start/maintain a service to that area? Much of the other suggestions/proposals might suit a Unitary Authority but it is questioned whether a Community Council should or would consider setting-up its own in-house service.
- f) Concessionary fares – The Council does not accept the logic of raising the age for eligibility for a free bus pass.

Yours faithfully,

Paul R. Egan BA, Chartered MCIPD, PSLCC, F. Inst. LM, FIPSM
Clerk to Llandough Community Council,

REFERENCE WP009

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65 (or possibly 67 in my case). Unsurprisingly there has been very little publicity given to this unfair proposal - I only found out about it by chance.

There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself, born through no fault of our own, due to circumstances beyond our control, in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable? Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance, because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair, but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself (born in July 1962) from 65 to 67, but then what can one expect from the Tories? They are not concerned about fairness; I don't think they ever have been. But I would have expected better from a Labour-controlled Welsh Assembly. Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad, or even pitiful, to a successful person with a well paid job that something like a free bus pass should mean so much. But, unfortunately, for many people my age there is little that is positive rather than negative to look forward to. There was the bus pass, which would be of great benefit to people who are not well off financially, and/or rely on bus services.

I am asking politely that you **ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.**

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

Part 2 – Welsh Government White Paper – Improving Public Transport

National Standards

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.

Yes, this is consistent with the previous consultation work undertaken between the Licensing Expert Panel and Welsh Government lead on taxi reform in Wales. It is also consistent with recommendation 2 made by the “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]” and the Law Commission review “Reforming the Law of Taxi and Private Hire Services” [2012]”.

National standards would ensure that taxi services are delivered consistently across Wales and deal with any perceptions of any unnecessary inconsistency across Councils. It is important to also consider the English standards due to a number of Welsh Authorities including Monmouthshire County Council being so close to the border.

Q23. Are there any matters which you would like to see contained in any national standards?

Separate national standards should be defined for vehicles, drivers and operators. The following matters should be included, although this is not an exhaustive list:

- Enhanced DBS and Barring List checks (certificate of good conduct for overseas applicants) for drivers, operators, proprietors and dispatchers. The Panel believe that anyone taking or holding an individual’s personal information should have to be vetted to ensure that that person is safe and suitable (“fit and proper”).
- Medical fitness and specifically the requirement of Group 2 Medical Standards and the need for the applicant’s full medical history to be noted by the completing GP. Standards should also consider consistency of the issue of exemption certificates in terms of Equality Act duties.
- Immigration checks specifically the Right to Work in the UK
- Suitability of applicants and licence holders. The Institute of Licensing has published guidance on determining the suitability of applicants and licence holders in the hackney carriage and private hire trades. The criteria used in this guidance should be incorporated into any national standards
[https://www.instituteoflicensing.org/documents/Guidance on Suitability Web Version \(16 May 2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance%20on%20Suitability%20Web%20Version%20(16%20May%202018).pdf)
- Nationally-recognised vocational qualifications to include disability quality and awareness training, safeguarding awareness training (Child Sexual abuse / Exploitation, County Lines), practical driving standards test, communication skills and literacy, customer care, handling of emergencies, managing conflict etc.
- Knowledge and suitability test (literacy, numeracy, highway-code, conditions, local area knowledge).
- Foreign driving licences

In addition, Monmouthshire County Council would recommend the following matters be included in relation to vehicles:

- National Inspection Standards and frequency of inspections and testing including the criteria for testing. Consideration should also be given to suitability, independency and

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availability of testing stations and how they are approved e.g. consider if use of Trade owned testing stations are appropriate.

- Design and appearance and internal spatial requirements of vehicles including the approach to identify taxis and private hire vehicles.
- The information which should be contained on any vehicle identification source (plates, door signs).
- Standards for specialist and novelty vehicles, such as stretched limousines, wedding and funeral cars, omnibuses and pedicabs.
- Taxi Meter standards including the criteria for Pulse and GPS meters.
- The use and standards for CCTV within vehicles, both audible and video as outlined in recommendation 17 & 18 “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]”. The Information Commissioner’s Office has produced advice for councils and other organisations in using surveillance and CCTV systems in licensed taxis. A national standard should take account of this advice.
<https://ico.org.uk/about-the-ico/news-and-events/blog-continuous-cctv-in-taxis-where-do-councils-stand> The LGA Guidance has also now been published.
<https://www.local.gov.uk/developing-approach-mandatory-cctv-taxis-and-phvs> The cost of fitting CCTV within licensed vehicles particularly for small businesses may require subsidy from Welsh Government.
- Record Keeping including the retention period required. The Panel believe that ideally records should be kept for every journey undertaken, however, there are obvious practical difficulties with taking this approach. A better option would be to use technology to better the safeguarding processes. The use of CCTV, trackers and GPS systems would not only provide a more robust system for record keeping, but would also not place an administrative burden on taxi drivers.
- Environmental considerations such as vehicle emission standards.

The standards for some of the points recommended above are included in guidance already and should be taken into account when developing any national standards, such as the Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010), although this is in need of updating.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf

In addition the Panel would recommend mandating training for all individuals involved in the licensing decision-making process. Consistent and appropriate training of officers, councillors and Magistrates’ legal clerks (for appeals) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Finally, any national standards developed should be consistent with criteria implemented in England to reduce variations in driver, vehicle and operator requirements especially around the border areas.

Q24. Are there any matters which you think should be excluded from any national standards?

There are no matters that should be excluded, although national standards should not duplicate other legislation.

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Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

The main obstacle will be incorporating the national standards into the 10,000 vehicles and 12,000 drivers currently licensed in Wales and the provisions that will need to be in place for transitional arrangements and grandfather rights. Consideration will also need to be given to finding suitable consistent standards which work for both urban and rural areas.

Q26. What would be the best approach for determining the content of national standards?

There are already a number of national policies in place which have been adopted by a number of Welsh Local Authorities in order to provide a level of consistency between areas, such examples include:

- National Inspection Standards for hackney carriage and private hire vehicles, and
- Institute of Licensing Guidance on determining the suitability of applicants and licences in the hackney carriage private hire trade.

There are also some excellent examples of local taxi licensing policies and standards in place which have been developed and applied at a local level.

Welsh Government will first need to establish what policies and standards are already in place in Wales and then draw on the knowledge of licensing practitioners who have expert practical experience of undertaking taxi licensing work on a daily basis.

It would be remiss of Welsh Government to disregard any policies, standards or procedures which have been developed by licensing professionals and which actually serve to provide a robust service against a backdrop of legislation which is woefully inadequate and outdated.

The All Wales Licensing Expert Panel consists of managers and team leaders who have extensive knowledge and experience in the taxi licensing field and would without question need to be heavily involved in the development of national standards.

It is suggested that Welsh Government would also need to engage with passenger safety groups and operator representatives by way of meetings, seminars and workshops.

Monmouthshire County Council have restrictions on vehicles that are manufactured with folding seats, to ensure signage clearly shows a passenger how to egress from a vehicle they are not familiar with. These type of vehicles do not provide clear access to a door without a seat folding. For any national standards passenger safety and means of escape from certain vehicles should be considered.

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

The previous Welsh Government consultation on Taxi and Private Hire Vehicle Licensing in Wales [WG31865] referred to “national standards for all taxis and private hire vehicles, set by Welsh Ministers, with the power for local licensing authorities to set additional conditions where it is appropriate to do so”

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Although the White Paper makes no reference to minimum national standards, it is worth noting that Monmouthshire County Council would not recommend that local licensing authorities be permitted to set additional local conditions above the national standard.

Enforcement

Q28. Should a Local Authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Monmouthshire County Council believe that the revocation of a vehicle licence should be the responsibility of the home Licensing Authority. Where it is proposed that action is taken to revoke a licence, it is imperative that the licence holder is afforded the opportunity to be heard i.e. the opportunity of a fair hearing; this is a requirement of Article 6 Human Rights Act which protects your right to a fair trial. The Licensing Authority that has issued the licence will also have invaluable local knowledge about the licence holder, have immediate access to the history of the vehicle and any complaints received and should be responsible for recovering any fees associated with taking the enforcement action. It is noted that proposals in relation to fee setting are not included in the White Paper.

Monmouthshire County Council believe however that it is appropriate for any authorised officer from any Licensing Authority area to have the power to suspend immediately (Section 68 Local Government (Miscellaneous Provisions) Act 1976) a licence of any vehicle operating in their area (irrespective of where it was licensed) where there is an immediate public safety risk e.g. defective tyre, or potentially where the vehicle fails to meet the national standards e.g. missing signs / back plates. The authority that issues the suspension, would then report the matter to the home Licensing Authority for them to consider whether to lift the suspension or take further action.

Currently when safeguarding issues arise Licensing/ Social Services and local Police are often called to consider how to investigate specific allegations/complaints and we deal with as swiftly as possible with local knowledge. Members raised concerns that any JTA dealing with safeguarding issues could cause delays.

Q29. Should a Local Authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Monmouthshire County Council consider this of benefit to aid the home Licensing Authority in order to determine whether any further action is required e.g. penalty points / improvement notice / advisory / warning. For example introducing a system of issuing a Fixed Penalty Notices would bring taxi and private hire enforcement in line with other areas of local government. Some method of referral scheme would need to be developed to notify the issuing Licensing Authority, however the practical implications of this would need further consideration.

Currently there is inconsistency with enforcement. There is a potential for a Police Officer / DVSA officer and Local Authority Licensing Officer to all take different enforcement actions against the same type of vehicle defect. Likewise one Local Authority may issue penalty points for certain defects whilst others may send a warning letter or consider vehicle suspension. Any

REFERENCE: WP010

measures to provide consistent enforcement powers, potentially to allow fixed penalties to be issued by Local Authority staff would be welcomed by Monmouthshire County Council.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

The All Wales Licensing Expert Panel has previously been in discussion with Welsh Government about introducing the power to stop and direct taxi and PHVs. This would be a useful and beneficial addition to the enforcement options currently available to local authorities.

Currently Licensing Authorities are unable to attach conditions to hackney carriage driver licences, some local authorities have Byelaws in place and the Panel would recommend incorporating any relevant component of these into national standards

Monmouthshire County Council would recommend other enforcement provisions be introduced by Welsh Government such as where a driver refuses a fare due to the short distance involved or for cases of overcharging.

In addition Monmouthshire County Council would recommend mandatory training for all individuals involved in the licensing decision-making process (as mentioned above). Consistent and appropriate training of officers and councillors (this should also include Magistrates' legal clerks) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Information Sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.

The establishment of a mandatory national database of all licensed drivers is critical, however this database should be expanded to include vehicle and operators, proprietors and dispatchers to support stronger enforcement. This must be established quickly.

In the interim, the National Anti-Fraud Network (NAFN) currently provides an online register of taxi and private hire drivers who have been refused or had their licence revoked. The database includes the reasons for any refusal or revocation, along with the relevant Licensing Authority details. Welsh Government must introduce legislation to mandate its use as a priority. Monmouthshire County Council has agreed in principle to use this database and at the time of this consultation response, all local authorities in Wales were progressing this as agreed in the the All Wales Licensing Expert Panel.

In addition any national database must be able to accommodate or link in with an equivalent database in England to avoid duplication of data entry and ensure public safety particularly around the border areas.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

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The Common Law Police Disclosure provisions have been highlighted as a significant concern by the All Wales Licensing Expert Panel previously. These proposals do not cover this issue. Monmouthshire County Council would suggest the current disclosure provisions be reviewed to ensure that all relevant information of crimes and conduct by taxi and private hire drivers, including arrest, charge and conviction information, is shared with the Licensing Authority immediately.

Monmouthshire County Council appreciate that Welsh Government may be limited in influencing this suggestion but it is essential to ensure all drivers, operators, proprietors and dispatchers are safe and suitable. Any influence Welsh Government could have on this to improve information-sharing on public safety grounds would be welcomed.

Joint Transport Authority (JTA)

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national Licensing Authority (Option A)? Yes/No? Please explain your answer.

Monmouthshire County Council would **not** support the proposal on the information provided, as there is no evidence to support the need to redirect the existing taxi and PHV licensing function away from Local Authorities. At this stage there is no detail contained within this white paper as to how the JTA would undertake the licensing function and therefore it is very difficult to be able to answer this question. Monmouthshire County Council feel that insufficient research has been undertaken in respect of this proposal and that Welsh Government must produce a far more detailed explanation on how the JTA would work. Monmouthshire County Council feel that they would then be in a better position to comment on the proposal. Our overriding concern is the protection of the public, and there is nothing contained within this proposal which suggests that public safety is at the forefront of this proposal.

In addition, Local Authorities have a duty to consider the WG's Framework for Managing the Night Time Economy in Wales. Authorities need to consider the transport need of their local evening and night time economy as part of an integrated approach, which includes the importance of taxis and PHVs. Partnership working between key local agencies such as the Police (including transport Police), licensing and the taxi trade offer the best opportunities for achieving sustainable late-night transport environments that also promote safety. Removal of the duty from Local Authorities would not be beneficial to implementing plans for improving the night time economy as a whole.

Monmouthshire County Council would be happy to consider the evidence for Welsh Government's proposals and to work with them further to ensure any reform of taxi and private hire vehicle legislation is robust, enforceable and improves public safety.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.

Yes, Monmouthshire County Council believe that local authorities should continue to have responsibility for taxi and PHV licensing. Whilst Monmouthshire County Council appreciate that the Licensing function requires strengthening as mentioned in option A, it is recognised that

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licensing at the local level works well. Additional evidence is requested from Welsh Government to justify the contrary to continuing with Local Authority responsibility.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

Monmouthshire County Council believe that the current proposals contained within the White Paper fall far short of the reform that taxi and private hire licensing so desperately requires. The previous set of proposals contained within the Taxi and Private Hire Vehicle Licensing in Wales [WG31865] would have introduced a robust taxi licensing regime which was fit for the 21st century and afforded local authorities the necessary tools to protect the public, tackle cross border working and introduce more powers for better enforcement. Instead, what is now being proposed is a quick fix and offers nothing more than a sticking plaster solution. The existing legislation is archaic, not fit for purpose and requires fundamental reform with new primary legislation.

Ideally, a single tier legislation would be more appropriate to avoid confusion to the public on what is a hackney or private hire vehicle. The changes in technology (mobile phone bookings and apps) has meant there is less and less distinction differences between Hackney Carriage and a Private Hire Vehicle in particular the speed of undertaking a booking. A private hire vehicle can now be booked legally via a mobile phone device just as quickly as flagging down a Hackney Carriage and certainly quicker than waiting at Hackney Carriage rank late at night. The single tier legislation will prevent unnecessary enforcement by Licensing Officers proving the use of the two different vehicle types.

Monmouthshire County Council are disappointed that the radical, ambitious and exciting plans previously proposed by Welsh Government have effectively been abandoned. A viable alternative however is readily available by considering in more detail adopting the recommendations of the "Ministerial Working Party into Hackney carriage and Private Hire Licensing in England [2018]" which builds on the work undertaken by the Law Commission "Reforming the Law of Taxi and Private Hire Services [2012]".

These recommendations would modernise the legislative framework, introducing appropriate regulation and giving licensing authorities the necessary enforcement tools to better protect the public. The recommendations, if implemented, would also ensure that inconsistencies between Welsh and English authorities, particularly along the border, are negated.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased? or negative effects be mitigated?

Welsh Government must have regard to the Welsh Standards as set out by the Welsh Language Commissioner. It is important that applicants are able to apply in their language of choice. Positive effects could be increased by ensuring that signage, etc. is provided in bilingual format on all taxis and taxi ranks.

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Monmouthshire County Council already issues bilingual private hire/ hackney carriage badges. Private hire and hackney carriage vehicle licence plates and we also require all our hackney carriages to have a bilingual rooflight for customers to read the licence in Welsh. Out of the 251 drivers Monmouthshire currently licence, none of them have chosen to correspond with the Authority in Welsh.

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

See above

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them: Please enter here:

Monmouthshire County Council currently subsidises buses in rural areas to ensure transport links are provided to the nearest towns. More consideration needed to integrate transport links across Wales, with timetables better reflecting public demand.

Further attention should be given to future provision, noting mobile applications for booking taxis, additional customers being picked up en route to venues, etc. Significant safeguarding issues can arise from new arrangements.

Monmouthshire County Council would ask for consideration towards the regulation of some specialist vehicles and limousines, some of these are not regulated in Wales. Currently all wedding and funeral vehicles are exempt from the legislation.

REFERENCE WP011

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There has been almost nothing about this proposal in the media;otherwise I am sure many more people in my age group would have protested.Perhaps I am being unduly cynical,but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is,quite understandably,preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to;although an intelligent and well-informed woman,. she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself,born through no fault of our own,due to circumstances beyond our control,in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable?Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962,for example, should have to wait 7 years longer for a bus pass than someone born in 1959,only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance,because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair ,but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself(born in July 1962) from 65 to 67,but then what can one expect from the Tories?They are not concerned about fairness;I don't think they ever have been.But I would have expected better from a Labour-controlled Welsh Assembly.Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad,or even pitiful,to a successful person with a well paid job that something like a free bus pass should mean so much.But,unfortunately,for many people my age there is little that is positive rather than negative to look forward to.There was the bus pass,which would be of great benefit to people who are not well off financially,and/or rely on bus services.

I am asking politely that you ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.

I will come to Cardiff on my hands and knees to beg you to do so,if necessary,but it should not be necessary,since,if you have any sense of justice,you should do so anyway,.....A.Richards

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Website: www.rtpi.org.uk/rtpi_cymru

27 February 2019

e-mail response sent to: PublicTransport.Engagement2019@gov.wales

Dear Sir/Madam,

Response to: Improving Public Transport

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 25,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

We welcome the opportunity to provide a submission in response to the above consultation.

While many of the issues discussed in this consultation are outside the remit of planning, our response focuses on those issues that are relevant to planning, emphasising the close links between land use and transport provision.

However, we understand that there are some issues that sit beyond planning, yet have a direct impact on some of the factors linked to planning, for example, the current legislative regime represents a major barrier to achieving the integrated public transport network that Welsh Government aspires to. While the detail of this is beyond planning, it does appear to impact on the bigger picture, of which planning is a major part - Local authorities have no ability to influence either the fare pricing or the network and routes which commercial operators use. These factors combined with reductions in subsidy available to support non-commercial services to meet social need mean that local authorities have very little influence over the coverage and quality of local bus networks and services. Based on figures provided in the consultation document, WG currently subsidises every rail journey within the all Wales rail franchise by over £11. This is in contrast to bus passenger journeys which attract funding of only £2.20 per journey. This is in spite of there being more than three times as many bus journeys in Wales as journeys made by rail. If bus transport is to become a truly practical alternative to the car, we believe this situation needs addressing. The

consultation document recognises the need to ensure bus services meet the needs of passengers and are integrated with rail and other transport services. We welcome this position. There are important links between the development and viability of bus services and the present and future patterns of land use. We would also wish to see better integration with active travel proposals.

It is disappointing that there is not a clear recognition of the relationship to land use in this consultation. These links are already recognised in planning guidance and the Technical Advice Notes used by planners. Planning Policy Wales (PPW) also clearly sets out the links between land use and active travel. PPW, paragraph 4.1.29 states “provision for active travel must be an essential component of development schemes and planning authorities must ensure new developments are designed and integrated with existing settlements and networks, in a way which makes active travel a practical, safe and attractive choice.”

Local Development Plans, which are an important part of the planning system in Wales, can give detailed consideration to such links. It is important that they are also recognised in relevant guidance and policy in relation to the provision of public transport including bus services.

All sectors and stakeholders involved must recognise that the early provision of public transport to serve new developments, together with longer term support mechanisms is essential to establish sustainable travel patterns. Delaying such provision until developments are at an advanced stage is more likely to result in car based travel patterns becoming established. A key issue to address in this respect is to ensure, where new developments are proposed, that negotiations with the developer about the appropriate level of transport provision to be made by the developer, include sufficient funding to support the provision of public transport services as soon as developments start to become occupied.

We support the continued preparation of Local Transport Plans (LTPs) by local authorities. These are a useful mechanism to achieve co-ordination with the development of local land use development, and need to be well-integrated with the preparation of Local Development Plans. Any changes to guidance on LTPs should continue to recognise that role. In regions where journey to work areas typically cross local authority boundaries, there is a strong case for LTPs to be prepared on a regional basis, and to be integrated with regionally based city deals and Strategic Development Plans where these are brought forward.

Any guidance in relation to transport services must recognise the important links to land use. The implications for existing and planned land use development must be considered.

The additional powers given to the Welsh Government by the Wales Act 2017 will enable it to take a more proactive role in relation to bus services and that is welcomed. This would need to involve a closer relationship with the Traffic Commissioner for Wales. If that new role and the relationship with the Welsh Government is to achieve the intended benefits, it is important that adequate resources are provided, in particular staff resources at the recently announced new office for the Commissioner. Measures to more effectively integrate bus services with Metro programmes and with rail services also need to be given greater priority.

It should be recognised that the planning system has a number of mechanisms such as planning conditions, travel plans related to larger schemes, Section 106 agreements / Community Infrastructure Levy, which can enable improvements to bus facilities (bus lanes, stops etc) as well as local service benefits. Ensuring that all relevant guidance and regulation recognise the links between transport planning and land use planning will ensure such benefits are able to be achieved. Bus priority measures are particularly important in seeking to steer modal change towards more sustainable forms of transport.

The planning profession have recently been called upon to be bolder in embracing digital technology and we would call upon public transport providers to do the same, keeping abreast of new technologies such as more efficient electric buses, real time service information, and ensuring that any supporting infrastructure such as charging points and information panels and apps are provided.

And finally we must ensure that bus stations, bus stops and taxi ranks are well designed and well maintained, with good vandal proof materials, weather protection, high quality lighting, seating where possible, good quality information, good links to pedestrian routes and facilities to deal with litter. These measures will all enhance the experience of using them, the quality of the built environment and thus will encourage public transport use.

If you require further assistance, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at walespolicy@rtpi.org.uk

Yours sincerely,



Dr Roisin Willmott OBE FRTPi
Director
RTPI Cymru

REFERENCE WP017

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Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance, because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair, but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself (born in July 1962) from 65 to 67, but then what can one expect from the Tories? They are not concerned about fairness; I don't think they ever have been. But I would have expected better from a Labour-controlled Welsh Assembly. Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

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REFERENCE: WP020

Dear Sir/Maddam,

With response to the 'Improving Public Transport' consultation during a Full Brynmawr Town Council Meeting held Wednesday, 20 February 2019 it was agreed to send a proposal that Transport Wales and ABUHB have serious talks on a new transport link for the people in Blaenau Gwent to travel to the new hospital (the Grange University Hospital, Llanfrechfa, Cwmbran). Where at this moment in time it takes numerous bus changes for people from the Blaenau Gwent area to visit relatives/families etc. at this hospital.

Kind regards.

Nicola Williams.

Asst.Town Clerk.

REFERENCE WP021

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Our Ref: PB/GJ

1 March 2019

By email: PublicTransport.Engagement2019@gov.wales

Neuadd y Sir
Caerdydd,
CF10 4UW
Ffôn: (029) 2087 2088
www.caerdydd.gov.uk

County Hall
Cardiff,
CF10 4UW
Tel: (029) 2087 2087
www.cardiff.gov.uk

Dear Sir/Madam,

I'm writing to respond to the Welsh Government's consultation on reforms to the bus industry in Wales.

Firstly, I would fully support the continuation of the Cardiff Capital Region Transport Authority on a statutory basis, with an ability to link into a framework on an all Wales basis.

Secondly, local authorities should be able to franchise bus services and run their own bus services where they want to.

I'm also supportive of a change to the law so that bus companies have to give local authorities information, when changing or cancelling the bus services they are running.

Following a route re-direction on the NAT X8 service in my ward, I have seen the difficulties which arise when there is no or limited information given to residents living on roads where no bus service operates.

It was clear as a result of this local change that issues such as road speed limits, accessible bus stop infrastructure, road surface conditions and other matters which may arise, are not matters which local Councils can at present require certain changes.

I hope such experiences and concerns can be addressed by the Welsh Government, especially now that they have the powers to regulate the bus industry in Wales, raising standards and providing more joined up public transport in the process.

Yours sincerely,

Phil Bale
CYNGHORYDD DINAS CAERDYDD DROS LLANISIEN
CITY OF CARDIFF COUNCILLOR FOR LLANISHEN



Gwasanaethau Aelodau, Ystafell 286, Neuadd y Sir, Caerdydd, CF10 4UW

Members Services, Room 286, County Hall, Cardiff, CF10 4UW

02920 872020

phil.bale@caerdydd.gov.uk/phil.bale@cardiff.gov.uk

GWEITHIO DROS GAERDYDD, GWEITHIO DROSOCH CHI

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu'n ddwyieithog. Byddwn yn cyfathrebu â chi yn ôl eich dewis, dim ond i chi roi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

WORKING FOR CARDIFF, WORKING FOR YOU

The Council welcomes correspondence in Welsh, English or bilingually. We will ensure that we communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to delay.



REFERENCE WP023

Dear AM Ken Skates,

Having read your white papers carefully, I noticed that Welsh Government wish to improve public transport services, with intentions of many changes and even willing to subsidise bus services with £220 million pounds and also programmed to invest as much as £5 billion pounds for providing efficient Rail services.

But although we have more than 12,000 licensed taxi/private hire drivers and nearly 10,000 licensed Taxi/private hire vehicles licensed by 22 local authorities in Wales, and every single taxi/private hire drivers are struggling financially due to lack of business, but sadly you proposed nothing to support Taxi/private hire industry. Meanwhile local authorities are always looking ways to make life difficult for us, for example recently they introduced a policy which will force drivers to get 5 years newer vehicles to renew their licences, when we are struggling to survive due to lack of business. Therefore may be you/Welsh Government should consider treating all public transport mode and Taxi industry equally to be fair with us.

Secondly I've noticed you've written that you'll not make any changes of legislation with regards to out of town taxis/private hire drivers working in Cardiff, despite the fact that taxi and private hire drivers licensed by Cardiff County Council are struggling to make ends meet, in actual fact they're at brink of bankruptcy, due to the fact Cardiff County Council allowed the notoriously infamous private hire operator known as UBER to draft in drivers licensed by Newport, Rhonda Cynon Taff, Vale of Glamorgan, Bristol, and many more towns and cities of UK, despite the fact that it is illegal to do so.

And although Cardiff County Council's Licensing Enforcement officers are fully aware of the fact that UBER are blatantly ignoring the law, (Deregulation Act 2015 section 55A and 55B) but they have completely ignored such a serious breach. Therefore unless the Welsh Government introduce a legislation banning UBER and others bringing in drivers from elsewhere to work in Cardiff or vice versa, the conventional taxi/private hire industry will be destroyed completely within very short time.

At present UBER is charging punters approximately 30% cheaper tariff in comparison to taxis but come rush hours UBER charges 5 times more it's normal rates, to make up for the losses it make during quiet time.

But taxi services are not permitted to fluctuate it's charges like UBER which has put taxi services in a very disadvantageous position and as a result the taxi industry is losing out significantly to UBER in the competitive market and the only way taxi industry can survive such challenges brought by UBER is, if the Welsh Government introduces a legislation which will either scrap the current legislation which forces taxi industry to using regulated taxi meter and allow taxi industry to use similar Apps which will increase the tariff by 3- 5 times more during peak hours or introduce a total ban on UBER drafting in drivers from outside Cardiff.

The other important proposal your white papers made is to create Joint Transport Authority which will deal with all the transport issues which is a fantastic idea, and I strongly believe your proposal will address all the problems existed in our public transport industry for many decades due to negligence of these 22 different local authorities.

I am not saying that the local authorities knowingly let the public transport system down so badly, in actual fact it happened due to lack planning, lack of funding and most importantly due to ignorance.

REFERENCE WP023

The points mentioned above are the most serious problems we are facing at present in Cardiff, there are many other issues can be taken on board before creating a national legislation which I would like to discuss if you would kindly allow me to have a brief meeting with you as soon as possible, preferably before 4th March 2019 as I am due to fly to Bangladesh on Tuesday 5th March for four weeks.

Yours sincerely

Mathab Ahmed Khan (chairperson) Cardiff Hackney Association.

NB please note I will share this Email with local authorities, media and the trade. so that everyone is aware of our input to your consultation.

REFERENCE WP024

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Appendix A

Welsh Government White Paper;

Improving Public Transport

Response of the Cardiff Capital Region Transport Authority (CCRTA)

This response is being submitted by the Cardiff Capital Region Transport Authority (CCRTA), whose objectives are to connect communities, business, jobs, facilities and services across south east Wales and includes the local authority areas of Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr, Monmouthshire, Newport, Rhondda Cynon Taf, Torfaen and Vale of Glamorgan. The CCRTA is a sub-committee of the Cardiff Capital Region (CCR) City Deal Regional Cabinet and has been established to facilitate the City Deal by coordinating transport planning and investment, to enable economic growth, social cohesion, and improve quality of life across the Region. The Cardiff Capital Region City Deal (CCRCDD) aims to achieve two mutually supportive objectives of boosting competitiveness and tackling inequalities to deliver sustainable and inclusive growth. Key targets include:

- Creation of 25,000 new jobs
- £4bn of private sector investment
- 5% increase in GVA

The CCRTA is chaired by the Leader of Bridgend County Borough Council, Cllr Huw David, with Cllr Andrew Morgan, Leader of Rhondda Cynon Taf as vice chair. The committee is comprised of the executive member for each council with responsibility for transportation. The CCRTA plays a key role in advising the CCR Cabinet on recommended strategies to achieve transport objectives within the region. It works closely with, and supports local authorities in any transport-related collaboration and imparts transport expertise when needed.

In responding to this White Paper, the CCRTA is heartened by the steps that the Welsh Government is taking to support bus as the cornerstone of a viable and sustainable public transport offer. Like the Welsh Government, the CCRTA recognises the huge benefits

that bus services provide to local communities and to the economy of Wales, enabling around 100 million passenger trips in Wales each year.

Whilst the evolving proposals may deliver a more efficient, effective and integrated public transport offer, they should not divert attention from the fact that public transport in Wales will only be transformed by significant increases in both capital and revenue funding.

Q1) Do you agree that it is important for local authorities to work together with regard to local bus services? Yes/No? Please explain your answer to this question.

The CCRTA supports the principles of collaborative working, and the development of regional Joint Transport Authorities (JTAs), asserting that a single JTA should be established for south east Wales, comprised of the ten local authorities (LAs) that combine under the Cardiff Capital Region City Deal and the CCRTA.

There are major benefits that accrue from a regional approach to managing and commissioning local bus services. Many local bus services operate across LA boundaries. The ability to provide consistency of provision over a wider area will therefore simplify the offer to the travelling public, and provide opportunities to achieve economies of scale in the procurement of bus related infrastructure and / or services, with associated financial benefits.

In order for any regional collaboration to be successful, local governance and accountability is critical. Any future set up needs to be well constituted, with sufficient funding and organisational resources to undertake the relevant work.

Whilst LAs have existing powers to collaborate on elements of bus provision including Statutory Bus Quality Partnerships and joint ticketing arrangements, to date, these have been difficult to implement due to limited funding horizons. The current funding arrangements (annual settlements) do not reflect the minimum timescales for statutory Bus Quality Partnerships (5 years).

Q2) Please provide comments on the proposed organisational structures. Which is your preferred option and why?

There is a strong case for regional working, which is widely supported by LAs and numerous stakeholders. Regional JTAs are supported by the CCRTA. Current legislation includes reference to the need for an authority to be accountable to the communities that it serves. The creation of appropriate regional organisations could achieve this requirement.

Making regional working statutory under JTA arrangements would give regional JTAs a permanent footing which would endure beyond political cycles.

It is imperative that adequate resources are available to establish JTAs and that sustainable long term funding is identified and secured for JTAs in order to enable the role to be effectively delivered.

The case for, and the role of, a national JTA is unclear beyond the current arrangements, where Welsh Government effectively sets Transport Policy and commits funding to its transport priorities, with its wholly owned delivery body, Transport for Wales (TfW), having an evolving role in providing transport services, programme/project delivery and technical advice to Government and others.

In any future scenario, it is critical that roles and responsibilities are clearly established so that;

- i. There is no duplication
- ii. Accountabilities are clear
- iii. Roles and Responsibilities are allocated to the body best placed for delivery
- iv. Governance is appropriate to the role
- v. The transport offer is seamless from a user perspective.
- vi. Strong regional and national coordination and collaboration, especially related to policy development, funding and prioritisation.

The CCRTA would wish to work with Welsh Government, TfW, other regions and operator representatives in developing the dedicated White Paper setting out future arrangements for regional JTAs.

Co-production of the detailed White Paper would enable clarity on optimising how a regional JTA would operate in conjunction with LAs, TfW, WG and transport operators, together with the details of;

- i. Footprint of regional JTAs
- ii. Funding streams (including clarity on potential precept)
- iii. Make-up of the JTA Board including voting rights
- iv. Extent of functions to be undertaken
- v. Resources (Staff implications for JTAs and residual staffing for LAs to deliver functions not covered by a JTA)
- vi. Potential for phased and continued transition of LA functions to regional JTAs
- vii. The role of JTAs in supporting Regional Cabinets to deliver economic growth.

Q3) Is there another organisational structure for Joint Transport Authorities that we should consider? Please describe.

Please refer to the response at 2

In considering the role of a regional JTA, consideration must be given to the wider regional situation where City Deals and Growth Deals, jointly agreed between Central, Welsh and

Local Government, have catalysed activity towards a regional approach to Economic Growth through investment, upskilling and improved physical and digital connectivity.

The regional JTAs should therefore be the bodies that deliver the transport aspirations of these regional bodies to enable green growth aligned with the Wales Transport Strategy, National Transport Plan and the National Transport Finance Plan.

It is advocated that the Welsh Government should retain responsibility for publishing these national plans, informed by TfW and the regional JTAs.

Government decisions around programming and prioritisation of transport investment should involve the JTAs, with statutory Regional Transport Plans (RTPs) establishing regional priorities and eliminating the need for bidding for strategic transport projects.

Ongoing 5 year funding arrangements should be agreed for delivery of the RTPs.

Q4) Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

The consultation document sets out the reasons why it is considered necessary for Welsh Government Ministers to be represented on a JTA or any committee of a JTA. These reasons are acknowledged. Further discussion will be needed to clarify and justify the need for Welsh Government Ministers to sit as members of a future JTA. The CCRTA presents the view that this model or composition of JTA memberships should not be promoted as it would blur the relationship between Welsh Government and local government, diluting local democracy.

The first breach is the potential conflict of interest where the Minister is represented on the JTA but also has powers to step in where a JTA is failing.

Whilst a JTA first has to clear the public perception of additional bureaucracy and the costs that may come with it, Ministerial membership could pose a barrier to the effectiveness of a JTA due to conflicting roles. The White Paper proposes that “Welsh Ministers be given new powers to issue guidance and directions to JTAs in relation to their functions, and have intervention powers in respect of all functions discharged by the JTAs.”

Where such a model of JTAs exist, it would be especially difficult to see where a Minister stands in cases where the addressing of local circumstances, demands or needs is at variance with Welsh Government priorities and policy imperatives.

JTAs should not be seen as an extension of the Welsh Government. The Welsh Government must limit itself to the role of setting policy directions and strategic guidance, whilst JTAs must be given the democratic freedom to find local solutions to local public transport problems within the context of local circumstances, which can differ from one LA area to another and from region to region.

A JTA needs the assurance that where conflicts arise between a JTA and the Welsh Government, a Minister should not be placed in the awkward position of wearing two caps, firstly as the issuer and enforcer of guidance and secondly, and also as, the implementer of guidance by virtue of a Minister being a member of a JTA. Local democratic accountability should not be sacrificed for a JTA.

Where the Welsh Government is able to provide a compelling case for Welsh Ministers sitting as members of a JTA, the RTA would need to be able to have a full and frank discussion how to limit ministerial membership to ex-officio non-voting membership. Framed in this way, it is acknowledged that the representation of Welsh Ministers on a JTA could assist two-way discussions with stakeholders to develop appropriate, sustainable standards.

Whilst current dialogue is good, historically the ability to have a meaningful discussion with policy officials to achieve sustainable progress has on occasions been challenging; therefore, opportunities to promote mutual understanding between stakeholders is welcomed.

Q5) Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

Local bus services across Wales are operated in areas with a wide range of different characteristics (economic, topographical, geographical, social etc.) and a variety of conditions and issues for LAs and bus operators to address. It is important that a 'one size fits all' approach is not taken by Welsh Ministers in the event of being granted powers to issue guidance and directions.

The ability of Ministers to direct JTAs through guidance could potentially assist to achieve a consistent approach, for example a suite of common standards for infrastructure provision (reflecting urban and rural differences, but with a common corporate regional identity).

However, with regards to Welsh Ministers being able to intervene in the event of a JTA failing to exercise its functions, the legislation will need to set out the terms and circumstances under which this intervention will take place. For example, how will it be determined that a JTA is failing to exercise its functions effectively, how will the intervention be applied and for how long? This is a matter that will need to be explored during formulation of the detailed White Paper.

If local government is to be judged on the performance of a JTA, then local government must have the ability to control the decision making process.

Whilst the CCRTA fully support aspirations to raise the quality of service, this must be achieved in a financially sustainable way.

Q6) Is the proposed division of national and regional functions appropriate?

The responses to questions 1-5 cover this matter. Co-production of the detailed White Paper will clarify further.

Q7) Should any other transport functions be transferred to a JTA? Please describe.

The areas that should initially be transferred are those that align with the title of the White Paper; Improving Public Transport. It is therefore appropriate to assume all public transport functions and resources would be pooled under a JTA.

There is a tension between public transport functions and residual responsibilities of LAs that will need to be resolved.

For example, consideration needs to be given to;

- those functions associated with educational and adult care transport, as they predominantly tend to be combined under Integrated Transport Units within individual LAs.
- Transportation Planning staff responsible for Regional Transport Plans, who receive technical support (land-use and transport modelling, etc) from Transport for Wales.
- whether Traffic Regulatory powers, which are fundamental to efficient bus operations, should be available to JTAs or subject to agreement with LAs?

A phased approach may be appropriate and this is one of the primary areas for detailed consideration and agreement to inform the formulation of a subsequent White Paper.

Q8) Do you think that legislation is required to secure the benefits of enhanced partnership working? Yes / No? Please explain your answer to this question.

No. Enhanced Partnership working, with a focus on meeting passenger aspirations is favoured.

The Transport Act 2000 laid down the original legislation for a LA to establish a Partnership Scheme, with the Local Transport Act 2008 making it easier to implement. The CCRTA supports the move towards enhanced partnership working, with a genuine alliance between bus operators, LAs (working through a regional JTA) and other partners to work together to deliver high levels of passenger satisfaction, with key deliverables being to shape the bus network, promote sustainable transport, contribute to economic growth and job creation, connect communities and reduce pollution.

Q9) Do you agree with our proposals for Enhanced Quality Partnerships, in particular the proposed process for developing and making EQPs? Yes/No? Please explain your answer to this question.

No. Whilst an EQP may work effectively on the strongest commercial corridors, it would not be appropriate for marginal services and smaller bus operators who operate a high proportion of services throughout Wales.

The key ingredients of successful partnership working between parties is trust and an understanding of what each party can effectively deliver.

The CCRTA believe that a move towards a Bus Alliance model / Quality Partnership Agreement between operator, LAs (working through a regional JTA) and other stakeholders is the most cost effective and practical way in which the necessary improvements in local bus service provision, sought by passengers and potential passengers, can be achieved.

Such an Alliance could be developed on a regional basis, with confirmed outputs and targets, with local partnership agreements tailored to meet local passenger needs. They should encompass;

- bus priority through pinch point locations
- cover the enforcement of bus lanes, parking, the mitigation of the impact of utility works, and maintenance of bus access to town and city centres
- provide modern, quality vehicles that are clean and well maintained
- simplify the fares and ticketing structure
- improve service frequencies during the daytime (with services operating 7 days a week from early morning to late evening)
- provide Equality Act compliant raised kerbs to facilitate access to buses, well maintained shelters and information displays at bus stops and targets to reduce emissions.

There is no need for any new legislation to establish a Quality Partnership Agreement in Wales. The Transport Act 2000 provided the original legislation for a LA to establish a Quality Partnership Scheme, with the Local Transport Act 2008 making it easier to implement. The Welsh Government and Transport for Wales, working through regional JTAs, simply need to be more proactive and supportive of their introduction.

The Welsh Government's Voluntary Welsh Bus Quality Standard", built upon and largely replicated the ground breaking south east Wales scheme and recognised that the key benefits of such an approach would be to ensure;

- (i) a consistent minimum standard across Wales, which also enables LAs to respond to local needs;
- (ii) similar flexibility to adjust the percentage split between essential and enhanced standards;
- (iii) the ability to add or remove standards over time in order to continually drive-up standards.

These standards must evolve and act as an incentive to deliver tangible improvements for passengers. The Welsh Government should set the parameters but not 'micro manage' the determination of the actual 'quality standards', which should be able to reflect

local market conditions. At the same time, they should be fair and attainable for operators and deliver a balanced outcome that is inclusive and does not impact on the bus services that operate on the margin of sustainability. Whilst the protection of the BSSG funding line by Welsh Government over the last 6 years is welcomed in the current financial climate, it has resulted in a real term cut. Simply adding additional requirements within the same budget envelope is not sustainable, with a risk there will be a lower number of routes albeit with higher quality provision than currently in operation.

Q10) Do you think that the proposed scheme provides a more workable option for the franchising of local bus services? Yes / No? Please explain you answer.

Franchising would not address traffic congestion, which is one of the main issues affecting the reliability of local bus service operations in the urban areas of south east Wales and requires additional resources to be committed to maintain service frequencies as journey times increase.

Perhaps more fundamentally, the implications of continuing to fund the entire bus network under a franchise regime needs to be considered. Since 2011/12, as public bodies have strived to maintain core services against a background of continued austerity measures, the Welsh Government and most LAs have cut their revenue support for bus services. The combined reduction in revenue support for subsidised services in the region, following reductions in BSSG (formally LTSG) from the Welsh Government and the LA's own revenue support grant is significant and the tough financial settlements predicted in future financial years will put further pressure on budgets.

Franchising could be a consideration when the commercial bus network is unresponsive to local transport needs, and may be influenced by factors other than demographics and population density. For example, many operators have failed due to cut throat tendering and first past the post tendering, encouraged by LAs seeking to balance funding against delivery without any regard for quality or sustainable supplier safeguards. In essence the 1985 Transport Act is still fit for purpose so long as operators are still viable and LAs (working through a regional JTA) are funded to set appropriate standards of quality.

The extent of a bus network in any given area is defined by the revenue generated. This is made up of fares paid by passengers, revenue support (through service subsidy and BSSG / kilometre support), concessionary fare reimbursement and revenue from season tickets (e.g. for school / college transport), whilst factors such as cost / productivity, vehicle speed, highway conditions and bus priority measures determine if it is possible to serve communities in a cost effective manner. Any changes in this mix of revenues will have a direct impact on the cost of providing bus services and therefore the level of service provided.

In a commercial market, operators direct their resources to those services that generate the highest levels of patronage and therefore income. As with any business, operators need to generate profit to replace assets, pay interest on borrowings, repay loans and reward shareholders of their business for their investment / risk. In one of the

presentations at the Bus Summit in Wrexham in January 2017, the TAS Partnership highlighted that a return of 10% to 13% was necessary to sustain a robust local bus operation, but highlighted that a 10% profit level had not been achieved in a single year collectively across Wales over the past 24 years.

Franchising perhaps has a role in areas where the balance of the network is biased towards subsidised routes, rather than towards commercial provision. However, for the majority of urban areas in south east Wales, there is concern that franchising will lead to higher overall costs for the funding authority, particularly if franchising reduces interest in the bus market and leads to reduced competition of provision.

To put this in context, growth on many of the most successful routes has been achieved through improving frequencies – often to a level of ‘turn up and go’, where services run at least every 10 minutes along corridors and additional demand is generated to sustain this level of service. However, this level of service is often contrasted with other corridors where the demand for travel can only sustain much lower frequencies of provision, or where support has to be used to provide links between places or at times that are unlikely to generate sufficient demand to be commercially sustainable.

In a franchise environment, decisions would need to be made on where resources are targeted. With limited or no additional funding, frequencies would need to be reduced to release resources to improve service levels on other parts of the network. By definition, this will reduce the amount of revenue generated in a given network, as the strongest revenue earning routes will be less attractive and revenue will decline, whilst the ‘new’ elements of the network will not generate sufficient revenue to make up for the decline. Alternatively, if frequencies on the core network are maintained, additional resources would be required to meet other network aspirations. Either way would require additional revenue support at some stage to repair a potentially damaged or distorted network.

Network strategies would also become a political decision, with local politicians deciding on service frequencies, and not the customer. The business risk for commercial operation therefore moves from the operator to the LAs or a regional JTA and their politicians, who have to answer for the success or otherwise of a franchised network to the electorate. Furthermore, operators will get paid, regardless of whether their services are attracting sufficient passengers to cover costs, as they would have no commercial incentive for growing the market. Any losses will have to be met from the public purse.

The role of LAs as defined by the 1985 Transport Act is based on filling gaps / maintaining services that are not met by the commercial bus market. In most of urban south east Wales, the bus network is provided by a mix of operators that cover small, medium and large independent / family owned businesses, two significant LA operations run at arms-length by Cardiff and Newport City Councils and two subsidiaries of the major UK bus Groups (First and Stagecoach). Community Transport, operated under Section 19 or 22 Permit, supplements the established bus network, particularly in the most rural areas (Monmouthshire and the Vale of Glamorgan) and in those communities in the urban areas, which are remote from the main public transport networks.

The London model of franchising is often used as an exemplar of provision, but there are some significant differences when compared with the provision in south east Wales. Buses are far more efficient serving areas of high population density, which in London is 5,523 per km². In south east Wales, the average is 748 per km², ranging from 109 to 2,535 per km² across the region. The proportion of households without a car in London 41%. In south east Wales it is 24.7%. Public funding per head of population in London (excluding concessionary fare reimbursement) at just over £76 is around 7.5 times higher than in Wales. In south east Wales, direct revenue support for bus services (including the LA and kilometre support elements of BSSG) is just over £10 per head of population. Concessionary travel reimbursement in London is reimbursed at over 90% of the average adult single fare. In Wales it is 69.18%.

There have been significant policy decisions in London that support bus provision, including the adoption of 'Red Routes', the introduction and increase of the congestion charge, high cost and limited car parking, significant investment in new, bespoke and more environmentally efficient buses, staff and network management, including the enforcement of moving traffic offences. This has enabled seamless and integrated ticketing to be delivered across all modes, a stable and integrated public transport network, consistent and high quality infrastructure and information, innovative technologies and many other tangible passenger benefits. However, to achieve this model in Wales, with much lower population densities, higher levels of car ownership and far wider and diverse travel patterns would have huge resource implications for the Welsh Government and the LAs (working through a regional JTA). Furthermore, it is notable that even against these significant differences, bus patronage in London has still declined by 2.3% in the year to March 2017.

The administration and monitoring duties associated with a proposed bus franchising scheme could be both bureaucratic and expensive and it is questionable whether the expertise is currently available to deliver this provision. Other issues could arise, including the long term employment security for bus company staff in the event of a franchise being lost, and how quickly could a franchisee respond to changes in passenger needs. It should be noted that there is limited protection for pensions and that in London, wages have declined in real terms, along with poorer terms and conditions for staff, as operators cut margins to maintain franchised contracts. In common with any industry that loses its business as a result of government policy, the bus industry in Wales is likely to seek compensation should such a loss occur as a result of the creation of a franchising scheme. Finally, the finance model for operators in a franchise model is quite different, with vehicles on operating leases, rather than outright purchase through capital or loans. This model is predicted to increase the costs of operation and operators will take this into account in their pricing.

Perhaps more fundamentally, the funding of an entire bus network under a franchise regime is flawed, particularly in the current economic environment, where public bodies are striving to maintain core services against a background of significant funding cuts

from Central Government. This does not lend itself to franchising and could do irreparable damage to a network.

A regional partnership approach, based on the West Midlands Bus Alliance model, where clear outputs are defined and agreed by operators, LAs (working through a regional JTA) and other stakeholders that commit to delivering some of the positive outputs of the London model, as outlined above would be a more appropriate solution. To achieve a step change, particularly in the provision of information ticketing and infrastructure, it is inevitable that additional revenue and longer term funding commitments are required.

Aligning this with policies that support bus priority will improve network efficiencies, and promote passenger growth and an environment where bus networks can develop organically. A Bus Partnership Alliance could address wasteful competition, perhaps through voluntary partnerships and promote more co-ordinated resources that offer new journey opportunities for passengers. The threat of franchising as a last resort, would encourage reluctant operators to take a more positive and proactive approach to such partnership working.

Q11) Do you think there should be a requirement for the assessment to be subject to an independent audit? Yes / No? Please explain your answer.

Yes. It is necessary to scrutinise and be satisfied that the procedures and assessments undertaken by a LA or regional JTA, and the decisions taken, are robust and ensure compliance with the relevant legislation, but also to resolve disputes that might arise between the different parties and ensure that the consumer interest is protected.

The Traffic Commissioner covering North East England performed this role in determining (the ultimately unsuccessful) proposals submitted by Nexus for a proposed Quality Contract Scheme in Tyne and Wear. It is suggested that the Traffic Commissioner for the Welsh Traffic Area could perform a similar role in determining any franchising proposals being prepared by a LA or regional JTA in Wales.

Q12) Do you have any other comments on the proposed process for franchising?

Prior to the 1985 Transport Act which introduced 'deregulation' of local bus services, the trend in bus passenger usage was showing an almost continuous decline which, to a certain extent, has not been reversed since the Act came into force. It has also led to a reduced perception in the quality of bus services provided. This decline is not a consequence of the regulatory framework governing local bus service operation. Instead, it is driven more by various social and economic factors, such as rising car ownership and use; planning and land use policies; the decline of large industrial employers with set shift patterns; and the growth of internet shopping, with the related decline in the town centre retail offer.

The North East of England spent 2 years developing the business case for franchising, only to have it rejected as an option as it was financially unviable. Transport for Greater

Manchester is currently spending £11.5m on a feasibility study to explore franchising, which will potentially have the same outcome as the North East of England.

Q13) Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

The Consultation document does not set out the terms and conditions of the permit and its duration etc., which would be determined by the franchising authority. This situation could result in inconsistencies and differences arising between neighbouring franchising authorities and create potential difficulties for bus operator(s), which serve these adjacent areas, leading to fragmented networks. If franchising arrangements are introduced, then it would be sensible to have a national framework and guidance in place to promote consistency.

Q14) Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process? Yes/No? Please explain your answer.

Yes. Local bus services in Wales are provided by a variety of operators ranging from small, independently owned family businesses to LA owned companies and subsidiaries of the major publicly owned bus groups.

Franchise contracts should reflect the characteristics of the area being served in terms of its geography, highway network and transport provision.

The London style franchising model ensures that small, medium and large scale operators are not disadvantaged in this process with invitations to let both individual bus routes as well as a network of bus routes being covered by the franchises. As a consequence, bus operators with small and medium size fleets can become involved in the franchising process without incurring any significant resource implications.

Q15) What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

This scenario is most likely to arise if an incumbent commercial operator is unsuccessful in becoming the operator of the franchised bus service(s) and decides to discontinue operating its existing commercial bus services and disposes of / transfers its assets such as depots and vehicles.

To ensure that the franchising authority does not act unlawfully against a commercial decision taken by a private company, an option could be to extend the period required to register the withdrawal of those bus services that are to be taken over under the franchising process. This requirement would provide a new franchised bus operator with sufficient time in which to take over the existing operations or set up new operations.

To facilitate a transfer of operations (or establish new operations), work carried out during the initial stages of the franchising process (such as research and planning) would need to be thorough and detailed, so that the operational and resource implications of the new local bus service franchise could be identified.

Q16) Do you think that local authorities should be able to run bus services directly i.e. in-house services? In what circumstances do you think this would be appropriate? What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no local authority has an unfair advantage in a deregulated market, and why?

In the provision of local bus services, it could be argued that the lack of commercial bus operations along a strategic urban route or during the tendering of a local bus service contract could be examples of a market 'failure'. However, as previously highlighted, it could also be argued that commercial local bus services are competing in the market place for passengers against the car and train. Generating an increased interest in tendering for local bus service contracts could be achieved through more targeted funding, better timetabling, scheduling and vehicle utilisation, and encouraging diversification amongst those bus companies not currently involved in local bus service operation.

If LAs or regional JTAs can demonstrate that they have robustly but unsuccessfully explored these options, then only under this scenario should a LA or regional JTA contemplate operating bus services directly in-house. Alternatively, if local needs can be met by flexible and innovative services, combined with home to school and / or adult care transport needs on a more cost effective basis than the private sector, then this may be more appropriate with an Operator's licence, rather than the currently restricted Community Permit system.

Q17) Do you think that local authorities should be able to set up arms-length bus companies to operate local bus services? In what circumstances do you think this would be appropriate? What, if any, safeguards do you think should be put in place with arms-length bus companies to ensure that no local authority has an unfair advantage in a deregulated market, and why?

Yes, but the LA or regional JTA should demonstrate how it can achieve better value for money for the public sector, offer a potential solution towards improving local bus service provision within its area, as well as meeting the goals of the Well-being of Future Generations (Wales) Act 2015. In this case, the expectation would be an abject failure of the commercial sector to meet the passenger transport needs of the LA or regional JTA, or in a niche / flexible transport solution that could be delivered more cost effectively 'in house' than by the commercial market (such as Caerphilly CBC's Connect2).

Several local Councils in Wales have had previous experience of running their own bus companies. Since 1986 all but two of these have sold to other operators or ceased trading. Cardiff Bus and Newport Bus have survived as they serve densely populated urban areas

with loyal markets and strong networks. The collapse of the major former nationalised company in South Wales helped to strengthen these two companies in the early years of deregulation, but despite this, neither company has enjoyed a strong trading position in recent years, particularly when faced with local competition.

Under no circumstances should arms-length bus companies be used in a way that undermines the operation of commercial local bus services.

Q18) Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age? Please give reasons for your answer.

Yes. It is important that the travel scheme reflects the wider demographic changes that are taking place across Wales and in particular, an ageing population and an older workforce. This proposal would appear to take account of these changes and is in line with changes already made in the English scheme.

The impact of any change to the age criteria will need to be fully assessed, especially with regards to any unintended consequences, bearing in mind that there are significant health and (healthy) life expectancy inequalities in some areas, especially our more deprived communities. For many, including some in their early sixties this scheme may be relied upon, and we must be mindful of the huge issue of loneliness and social isolation for Older People. It may also be worth considering that less people on buses may well equal fewer buses and bus services, and the potential impacts of this.

Q19) Do you agree that an incremental change is the most appropriate method?

Yes. This will protect existing card holders and allow a gradual transition.

Q20) Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets? Yes/No? Please explain your answer to this question.

Yes, but the requirements placed on bus operators should not become onerous in terms of the ongoing resource commitments, as this will have a negative impact on their commercial viability.

Data on timekeeping and reliability would assist the LAs or regional JTAs in carrying out their strategic role overseeing the highway infrastructure.

This should be a collaborative approach on a regional level – for example through a regional traffic control system that makes better use of existing data and expanding data feeds covering traffic delays, journey times and parking availability system.

Q21) Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are cancelled or varied, and where

**appropriate, disclose this information as part of the tendering process? Yes/No?
Please explain your answer to this question.**

Yes. The role of the LA (working through the regional JTA) is to maintain a comprehensive local bus network within the resources it has available, and to react to withdrawal of services or journeys within a network. The LA or regional JTA needs timely information on passenger usage as soon as the change is made, to enable alternative cost effective solutions to be found. This exists in many LAs, where close relationships have been developed with the bus operators and changes to services that will negatively impact on passengers are shared in commercial confidence with officers before the changes are registered. Where these relationships don't exist, having the power to obtain information that will inform the tender process will help the LA or regional JTA to achieve the most cost effective solution.

REFERENCE WP028

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65 (or possibly 67 in my case). Unsurprisingly there has been very little publicity given to this unfair proposal - I only found out about it by chance.

There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself, born through no fault of our own, due to circumstances beyond our control, in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable? Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance, because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair, but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself (born in July 1962) from 65 to 67, but then what can one expect from the Tories? They are not concerned about fairness; I don't think they ever have been. But I would have expected better from a Labour-controlled Welsh Assembly. Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad, or even pitiful, to a successful person with a well paid job that something like a free bus pass should mean so much. But, unfortunately, for many people my age there is little that is positive rather than negative to look forward to. There was the bus pass, which would be of great benefit to people who are not well off financially, and/or rely on bus services.

I am asking politely that you **ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.**

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

REFERENCE WP029

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65(or possibly 67 in my case).Unsurprisingly there has been very little publicity given to this unfair proposal-I only found out about it by chance.

There has been almost nothing about this proposal in the media;otherwise I am sure many more people in my age group would have protested.Perhaps I am being unduly cynical,but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is,quite understandably,preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to;although an intelligent and well-informed woman,. she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself,born through no fault of our own,due to circumstances beyond our control,in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable?Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962,for example, should have to wait 7 years longer for a bus pass than someone born in 1959,only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance,because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair ,but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself(born in July 1962) from 65 to 67,but then what can one expect from the Tories?They are not concerned about fairness;I don't think they ever have been.But I would have expected better from a Labour-controlled Welsh Assembly.Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad,or even pitiful,to a successful person with a well paid job that something like a free bus pass should mean so much.But,unfortunately,for many people my age there is little that is positive rather than negative to look forward to.There was the bus pass,which would be of great benefit to people who are not well off financially,and/or rely on bus services.

I am asking politely that you ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.

I will come to Cardiff on my hands and knees to beg you to do so,if necessary,but it should not be necessary,since,if you have any sense of justice,you should do so anyway,.....A.Richards

REFERENCE WP030

Dear Sir/Madam

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There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

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I am asking politely that you **ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.**

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

REFERENCE WP031

Dear Sir/Madam

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There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself, born through no fault of our own, due to circumstances beyond our control, in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable? Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

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I realise that it might seem sad, or even pitiful, to a successful person with a well paid job that something like a free bus pass should mean so much. But, unfortunately, for many people my age there is little that is positive rather than negative to look forward to. There was the bus pass, which would be of great benefit to people who are not well off financially, and/or rely on bus services.

I am asking politely that you ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards



Public Transport Engagement Team
Transport, Welsh Government
Cathays Park
Cardiff
CF10 3NQ

by email to:

PublicTransport.Engagement2019@gov.wales

21 February 2019

Dear Sir or Madam,

Improving public transport

ICE Wales Cymru values this opportunity to respond to the Welsh Government's consultation on improving public transport. We agree that effective and efficient transport networks are necessary in order to ensure the welfare of future generations and recognise the important role that public transport has to play in this. We agree that our transport networks (public and private, road and rail based) need to be integrated, affordable and sustainable. We recognise that these networks have a vital part to play in supporting our economy (thereby helping to ensure Wales' prosperity) but we believe it is important to recognise that they can and do deliver much more than that. Our transport networks help support health, education and social services. We recognise what the Cabinet Secretary (EIS) has said in his foreword to the consultation document about the importance of active travel, about the creation of Transport for Wales and we are pleased now to see that attention is being focused on improving public transport.

Bus services

We note the Welsh Government's ambition to provide an integrated public transport network that is safe, reliable, punctual, environmentally sustainable and accessible, one that meets the needs of the travelling public. We note also that the Welsh Government's aim is to increase the number

of people using public transport by encouraging travellers to switch to it from private car use, thereby reducing air and noise pollution and traffic congestion. We note that the Welsh Government wants to see more people using public transport to get them where they need and want to be, quickly and on time. We agree that active travel has an important part to play in bringing this about. We agree that bus services need to be designed to meet the specific needs of each locality, stimulating passenger-demand, connecting more people and reducing reliance on private cars. We note the balance between commercial and subsidised bus services and, with particular concern, the ongoing drop in bus patronage, which indirectly leads to increasing costs for fare paying passengers and the public purse. Clearly there are benefits to be gained by reversing this trend and the provision of more and better bus services must have a part to play in bringing this about. The number of passenger journeys by bus (more than three times those made by rail) serves to focus attention on the urgency of the situation. We recognise that there are many stakeholders in public transport; central and local government, private (bus and rail) operators etc. We agree that integration and collaboration will be essential in order to deliver meaningful improvements. There is, it would appear, a lot of scope for sharing best practice and partnership working. The *TrawsCymru* bus service shows this can be done. We agree that Information technology can and should be applied to improve the passenger experience and ticketing.

Concessionary travel for the elderly and disabled.

We note that the pressures placed on local authorities to make financial savings have resulted in difficult decisions having to be made as to what service areas resources should be targeted at. This challenge over a number of years, combined with a reduction in passenger numbers, has placed bus services in a vulnerable position. The effort made to safeguard the present service provision is a credit to the way local authorities have attempted to manage their budgets and demonstrates their acknowledgement of the important role public transport plays in connecting communities and people to services. But it would appear that there is little room left for further economies and that additional funding is needed.

Discounted fares for young passengers (16-21).

See comments in paragraph above.

Joint Transport Authorities

We note that the Welsh Government's is proposing establishing a Joint Transport Authority and that a Joint Transport Authority would be able to develop a distinctive regional approach in a broader national context towards transport planning and implementation. That it could have responsibility for the full range of public transport functions, as well as certain traffic management functions (for example, the ability to make Traffic Regulation Orders for bus priority measures).

Response to individual questions:

Q1. Do you agree that it is vital for local authorities to work together with regard to local bus services? Yes/No? Please explain your answer.

Yes, we think it is important for local authorities to work together in many respects (and not just in relation to local bus services). Transport needs and services should not be defined by local authority boundaries.

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?

We think there may be a case for having separate JTAs in North, Mid, South and West Wales.

Q3. Is there another organisational structure for JTAs that we should consider? Please describe.

There could be a case for one JTA covering the whole of Wales.

Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

We think this would be helpful and discourage silo thinking.

Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

We think this should be in place.

Q6. Is the proposed division of national and regional functions appropriate?

Yes, at first sight.

Q7. Should any other transport functions be transferred to a JTA? Please describe.

Bus transport issues should be prioritised to regenerate the sector.

Enhanced Quality Partnerships

The Welsh Government is proposing to introduce new powers to enable local authorities to make Enhanced Quality Partnerships. An Enhanced Quality Partnership is collaborative partnership working between local authorities and bus operators to develop agreed plans and schemes for the delivery of improved bus services in an area.

Response:

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working? Yes/No? Please explain your answer to this question.

No comment.

Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs? Yes/No? Please explain your answer to this question.

No comment.

Franchising

The Welsh Government is proposing to revise current legislation to make franchising a useable tool for Welsh local authorities. Franchising is a system where the local authority awards the exclusive right to run a bus route or routes to the most competitive bidder.

Response to specific questions:

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services? Yes/No? Please explain your answer?

Franchising gives stability to the routes.

Q11. Do you think there should be a requirement for the assessment to be subject to an independent audit? Yes/No? Please explain your answer.

There should be an INDEPENDENT audit.

Q12. Do you have any other comments on the proposed process for franchising?

No comment.

Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

Permits could be used to supplement the arrangements when needed

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process? Yes/No? Please explain your answer.

Every effort should be afforded to encourage SMEs.

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

Any operator should be able to operate up to the date of the new franchise.

Local Authority bus services

The Welsh Government is proposing to revise current legislation so that local authorities can run their own bus services.

Response:

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?

There does not appear to be the necessary skills in-house.

In what circumstances do you think this would be appropriate?

If the skills are available and there is a specific demand.

What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no local authority has an unfair advantage in a deregulated market, and why?

No comment.

Q17. Do you think that local authorities should be able to set up arm's length companies to operate local bus services?

Yes.

In what circumstances do you think this would be appropriate?

If there is a social, economic or environmental demand.

What, if any, safeguards do you think should be put in place with arms length bus companies to ensure that no local authority has an unfair advantage in a deregulated market, and why?

No comment.

Eligibility age for concessionary fares

The Welsh Government is proposing to increase the eligibility age of the mandatory concessionary fares scheme to bring it in line with a woman's pensionable age.

Response to specific questions:

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age? Please give reasons for your answer.

Yes.

Q19. Do you agree that an incremental change is the most appropriate method?

Yes.

Public transport information and monitoring

The Welsh Government is proposing to put in place new information monitoring and sharing arrangements.

Response:

Q20. Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets? Yes/No? Please explain your answer.

Yes – this is equitable and transparent.

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied, and where appropriate, disclose this information as part of tendering process? Yes/No? Please explain your answer.

Yes, this should be transparent.

Taxis and private hire vehicles

We note that the Welsh Government's aim is for our taxi and PHV services to be safer and more standardised across Wales.

National standards

The Welsh Government is proposing to set national standards for taxi and private hire vehicle licensing. All taxis and PHVs in Wales would have to meet these standards in order to obtain a licence. These standards would subsequently be set by regulations and so there will be further consultation on their content.

Response to specific questions:

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.

Yes, national standards should apply across Wales.

Q23. Are there any matters which you would like to see contained in any national standards?

The Equalities Act 2010 should apply to standards for taxis and PHVs.

Q24. Are there any matters which you think should be excluded from any national standards?

No comment.

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

Financial issues.

Q26. What would be the best approach for determining the content of national standards?

Research 'best in class'. Seek continuous improvement.

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

No comment.

Enforcement

The Welsh Government is proposing to allow a licensing authority to take enforcement action against any vehicle operating in its area.

Response to specific questions:

Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Yes.

Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Yes.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

No comment.

Information sharing

The Welsh Government is proposing to allow the creation of a mechanism by which relevant information can be shared, for the purposes of safeguarding.

Response to specific questions:

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.

Yes.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

No comment.

Joint Transport Authority

The Welsh Government is proposing to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority, a JTA. This would include licensing, fee- and fare-setting, enforcement, hearing appeals arising from licensing decisions, prosecutions and deciding matters such as whether to apply quantity controls to taxis.

Response to individual questions:

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority?

(Option A)? Yes/No? Please explain your answer.

Yes.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.

No, this is likely to lead to inconsistency.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

No comment.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

No comment.

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

No comment.

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

No comment.

Finally, we hope these comments are helpful and would be happy to meet to discuss them further if this would be helpful.

Yours sincerely,

**Eur Ing Keith Jones BSc DMS
CEng CEnv FICE FCIHT FCMI**

**John Mather
CEng MICE**

Director ICE Wales Cymru

Chair ICE North Wales Branch

Notes:

The Institution of Civil Engineers (ICE) has more than 92,000 members worldwide. It supports civil engineers and technicians throughout their careers and aims to lead and contribute to debates around infrastructure and the built environment. ICE Wales Cymru supports and represents more than 3,500 civil engineers working and living in Wales. It aims to influence public infrastructure policy, promote the civil engineering profession and provide support, training and networking opportunities for ICE members.

The Institution of Civil Engineers is a Registered Charity in England & Wales (no 210252) and Scotland (SC038629)

REFERENCE WP033

I enclose my responses to the White Paper consultation. Having attended your event in Cardiff yesterday I also added a number of post-its to the consultation there.

Yours

Grahame Nelmes

----- Forwarded message -----

From: grahame nelmes

To: Richard Cope

Cc: Adrian Edwards

Sent: Friday, 1 March 2019, 15:31:35 GMT

Subject: Bus consultation

Q1 Yes, many of local authorities are too small to develop and regulate transport

Q2 Option 2

There are distinctive problems in each region which cannot be reflected by a single national authority. The borders of the 3 regions should be carefully assessed to reflect urban/rural problems

Q3 No

Q4 Since WG will be funding transport it should be represented but not have primacy

Q5 There needs to be strategic direction from WG so this would seem appropriate

Q6 Yes

Q7 Strategic function to develop technological solutions to provide better access to bus service e.g IT solutions or innovative transport

Q8 It main be useful in main cities but in rural areas and throughout much of Wales it is difficult to find more than one operator to take on routes so will not be of much use

Q9 yes despite its limited effectiveness in certain areas

Q10 Franchising does not have a good name in respect of rail so even if principles are admirable not sure about it.

Q11 Any franchise arrangements should be examined by Audit Commission in terms of value for money in implementing it

Q12 -

Q13 since the only commercial services in Monmouthshire are express services permits are a necessity

Q14 Outside cities national companies are not in competition so that SMEs should be encouraged if they wish to compete with these unless it is likely to result in loss of service through competition

Q15 A clear notice period to end franchise and an early adoption of at least 6 months

Q16 Yes if they can do it more effectively than commercial services. They should only be able to use their normal subsidy arrangement to meet financial constraints of service and it should not have a detrimental effect upon council taxpayers unless agreed in budget consultations by LAs

Q17 Yes,as long as their financial commitments to these are transparent

Q18 Yes since this is a concession for pensioners and was agreed under terms of Equality Act that it should be based upon woman's retirement age it must in fairness go up in line with that

REFERENCE WP033

Q19 Yes it would be unfair otherwise

Q20 Yes there is a need to develop new technological approaches

Q21 Yes LAs are responsible for maintaining services and are accountable to local electorate

Q22 National standards are appropriate as there are too many disparities between 22 LAs and there should be national standards

Q23 The "fit for purpose" test is the most important requirement

Q24 the zero carbon 10 year plan should be an ambition rather than part of standards at present as electric/hydrogen vehicles are still in their infancy

Q25 Should be standards above the present minimum and if so how long will operators be given for transition to new higher standards

Q26 Independent evaluation together with operator and LA consultation

Q27 -

Q28 Yes, it is not meeting the agreed national standards

Q29 Yes see 28

Q30 -

Q31 Yes, particularly if services are being operated across borders

Q32 -

Q33 No, authority should be responsible for ensuring national standards

Q34 LAs have an understanding of local licensing needs but these should be subordinated to national standard

Q35

Q36 In our area bus and taxi operators would have to learn Welsh. Who would pay?

Q37 See 36

Q38 -

Part 1 – Bus services

Joint Transport Authorities (JTAs)

Q1. Do you agree that it is important for local authorities to work together with regard to local bus services?

Yes	√
No	

Please explain your answer.

As services often start in one LA and finish, or travel through another cooperation is essential.

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?

There isn't a great difference between the two proposals but I would prefer the first option as I believe that a single JTA with regional delivery boards would have greater authority than separate JTAs without an overall control.

Q3. Is there another organisational structure for JTAs that we should consider? Please explain your answer.

Option 1 seems sufficient.

REFERENCE WP034

Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

Possibly represented but not Ministers themselves as this would counteract the proposal in Q5.

Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

Essential that WAG Ministers have effective overall guidance and control. For example as the SE Region is likely to have 10 local authorities then control and order must be maintained.

Proposed JTA Functions in relation to buses

Q6. Is the proposed division of national and regional functions appropriate?

Broadly yes but the National JTA must have overall control.

Q7. Should any other transport functions be transferred to a JTA? Please describe.

Rail integrated services such as the proposed S Wales Metro

Enhanced Quality Partnerships (EQP)

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working?

Yes	√
No	

Please explain your answer.

Strengthens existing and new agreement.

Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs?

YES

Please explain your answer.

Franchising

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services?

Yes	
No	

Please explain your answer.

REFERENCE WP034

--

Q11. Do you think there should be a requirement for the assessment to be subject of to an independent audit?

Yes	√
No	

Please explain your answer.

Everything should be subject to independent audit. Independence need not necessarily mean external but must be uninfluenced.
--

Q12. Do you have any other comments on the proposed process for franchising?

--

Franchising in practice and Permits

Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

--

REFERENCE WP034

Impacts of franchising on small and medium sized bus operators (SMEs)

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process?

Yes	√
No	

Please explain your answer.

Franchising Transition Arrangements

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

Local authority bus services

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?

Yes.

Q16a. In what circumstances do you think this would be appropriate?

All circumstances

REFERENCE WP034

Q16b. What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

Minimal.
Local authorities should always be first choice as long as competitive.

Q17. Do you think that local authorities should be able to set up arms length companies to operate local bus services?

If necessary, definitely.

Q17a. In what circumstances do you think this would be appropriate?

Q17b. What, if any, safeguards do you think should be put in place with arms length bus companies to ensure that no operator local authority has an unfair advantage in a deregulated market, and why?

REFERENCE WP034

Eligibility age for the mandatory concessionary fares

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age?

Yes, it carries on the original introduction policy.

Q19. Do you agree that an incremental change is the most appropriate method?

Yes.

Public transport information and monitoring

Q20. Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets?

Yes	√
No	

Please explain your answer.

Essential transparency.

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied, and where appropriate, disclose this information as part of tendering process?

Yes	√
No	

Please explain your answer.

Transparency and accountability.

Part 2 – Taxis and private hire vehicles (PHV)

National standards

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales?

Yes	√
No	

Please explain your answer.

Currently patchy leading to inefficient service and inconsistent public safety.

Q23. Are there any matters which you would like to see contained in any national standards?

Minimum "knowledge" standards for the area licensed.
Drivers working solely for a single Private Hire company should be employees not S/E.

Q24. Are there any matters which you think should be excluded from any national standards?

REFERENCE WP034

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

Any practical obstacles must be addressed; lowest common denominator standard is unacceptable.

Q26. What would be the best approach for determining the content of national standards?

All drivers and companies must have full industry standards and insurance. All drivers must have full use of English. Not necessarily bilingual, it may be desirable in certain areas but as the monoglot Welsh speaking is minute if it even exists

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

REFERENCE WP034

Enforcement

Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence?

Yes	√
No	

Please explain your answer.

As before, national standards must be maintained.

Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence?

Yes	√
No	

Please explain your answer.

As above.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

REFERENCE WP034

Information-sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared?

Yes	√
No	

Please explain your answer.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority (Option A)?

Yes	√
No	

Please explain your answer.

REFERENCE WP034

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)?

Yes	
No	√

Please explain your answer.

Unless specifically requested by the national authority.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

See second item Q 26

REFERENCE WP034

Q36a. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

As above.

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Item is of minimal relevance in the overall Consultation.

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

REFERENCE WP035

Dear Ken,

Please find below observations and recommendations from my constituent regarding bus services.

I would be grateful if you would consider them as part of your consultation process.

With kind regards,

Rebecca

“Based on my personal experiences and findings, my recommendations would be as follows:

1. Ensure that the buses are maintained correctly and are fit for purpose (especially on narrow roads). This should already be a requirement as it's a public health & safety issue.
2. Ensure that bus drivers are trained properly, supported sufficiently, and given shorter shifts with sufficient rest breaks in between. This "old fashioned" (see driver reviews) view of the company creates a culture of 'survival of the fittest,' which is not appropriate for a public service which caters for predominantly vulnerable people (elderly, students and women with young children).
3. Ensure that bus routes are based upon public need i.e. which correlate with schools, hospitals and medical centres, rather than on profit margins.
4. Ensure that there is an inadequate complaints procedure which favours neither passenger or driver and subsequently fuels the flames of division between the two groups.
5. Carry out face-2-face research with elderly passengers who, in most cases, do not have access to or ability to use the internet. This group of people rely on the 3A the most and they are the most overlooked.
6. Introduce a digital clock system (like Cardiff) so that passengers can make alternative arrangements when buses don't arrive. There is a function to track the driver on First Group Website, however, the link is broken. They claim to have "live bus times you don't need to wait around at the bus stop.

Our Travel App can help you plan your journey and arrive at your destination hassle-free. With real-time information, you'll spend less time at the bus stop. You can use our Travel App to check when your bus is due before you leave the house, so you can arrive at your stop just before your bus."

REFERENCE WP035

I think that the wellbeing of residents is at the heart of a thriving city, and, just like arteries, an inadequate bus service which is poorly run will eventually destroy a city's services and business. Therefore, I think it's important to consider the impact of a poor public transport system has on Swansea:

1. Pollution issues with too many cars on the road and lack of parking in Swansea - has a detrimental effect on health and the environment.
2. Impacts on the Health services with missed appointments, especially the 3A which runs through the hospital.
3. Impacts on education, with altered or abolished bus routes - having a detrimental effect on children's and parents health and participation.
4. Impact on mental health of passengers who are demoralised by rude bus drivers, non-existent or late buses and an inadequate complaints process.
5. Additional health implications of passengers waiting in bad weather conditions - putting an additional strain on health service.
6. Impact on business as people are late or simply cannot get to work using the bus - rebooked health appointments also contribute to this.
7. Impact on bus drivers, who are inexperienced, underpaid (min wage), over-worked and working long hours on sometimes treacherous routes in inappropriate or poorly maintained vehicles.
8. Tourism - with the 3A providing a service to Mumbles. You only have to look at the reviews for the transport in Swansea, and that's enough to put any potential visitor off.
9. Potential students - if I had known how bad the public transport was going to be here in Swansea, I would've considered studying for my PhD elsewhere.”

REFERENCE WP036

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65 (or possibly 67 in my case). Unsurprisingly there has been very little publicity given to this unfair proposal - I only found out about it by chance.

There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself, born through no fault of our own, due to circumstances beyond our control, in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable? Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance, because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair, but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself (born in July 1962) from 65 to 67, but then what can one expect from the Tories? They are not concerned about fairness; I don't think they ever have been. But I would have expected better from a Labour-controlled Welsh Assembly. Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad, or even pitiful, to a successful person with a well paid job that something like a free bus pass should mean so much. But, unfortunately, for many people my age there is little that is positive rather than negative to look forward to. There was the bus pass, which would be of great benefit to people who are not well off financially, and/or rely on bus services.

I am asking politely that you **ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.**

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

REFERENCE WP037

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Mencap Cymru Response to the Welsh Government White Paper *Improving Public Transport*

1. About Us

Mencap Cymru is the voice of learning disability in Wales. Our vision is a world where people with a learning disability are valued equally, listened to, and included. We want everyone to have the opportunity to achieve the things they want out of life. Everything we do is about making sure people with a learning disability are valued equally, listened to, and included.

We welcome the opportunity to submit our views on the Welsh Government White Paper on *Improving Public Transport*. Public transport is essential for people with learning disabilities to be an active and equal citizen. It is also important for people with learning disabilities if they are to access services. Cancelled or delayed public transport, or changes to bus routes, can potentially place people with learning disabilities at risk of social isolation and exclusion.

The Mencap Cymru West Wales Inclusion Group is made of people supported by Mencap Cymru personal services and community based projects across the West Wales Regional Partnership Board area. The group comes together to discuss the issues that matter to them, to ensure that their voice informs Mencap Cymru's work, in particular consultation responses. For this consultation, the group worked through the easy read white paper and questions, putting forward their views, opinions, and experiences, and highlighting areas that they felt were missing from the consultation.

The Mencap Cymru West Wales Inclusion Group developed this response.

2. Key Messages

The Mencap Cymru West Wales Inclusion Group:

- support a move towards creating a more joined up service.
- support the proposal to allowing local authorities to run their own services.
- disagree with the proposal to increase the free bus pass age from 60 to 65.
- support the proposal to make bus companies to give information to the local authorities, but urge that this information is fully accessible.

The Mencap Cymru West Wales Inclusion Group also calls for the followings areas to be considered:

- the condition of many buses.
- the safety of buses due to lack of seatbelts.
- the need for more wheelchair accessible taxis.
- the lack of accessible travel information.
- limited wheelchair access on buses, and wheelchair areas being used by prams or for shopping.
- the lack of support bus drivers provide to combat anti-social behaviour on buses.
- the need for specific school buses so that school children are not filling buses and causing anxiety.

3. Response

3.1 Create Joint Transport Authorities

The Mencap Cymru West Wales Inclusion Group supported the idea to set up Joint Authorities that run across Wales. They feel that services are not linked together and it is often difficult to travel across different local authorities. Therefore, a move towards creating a more joined up service was seen as critical.

3.2 Create Local Authority Bus Services

The Mencap Cymru West Wales Inclusion Group supported the proposal to change the law so that local authorities can run their own services where they identify need. The group stated that there are not enough buses, some areas have no local buses, there are not enough direct buses, and the waiting times between transfers are very long. Therefore, a move towards allowing local authorities to run their own services was seen as positive, as long as local authorities consulted with the public about what they want and need.

3.3 Change the Age People Can Get a Free Bus Pass

The majority of the Mencap Cymru West Wales Inclusion Group disagrees with the Welsh Government proposal to increase the free bus pass age from 60 to 65. One of the members emphasised the contribution free bus passes were making to our environment. He wants the Welsh Government to appreciate how providing free bus passes reduces the number of people using their own vehicle and taxis which helps reduce our carbon footprint.

3.4 Improve Information about Buses

The Mencap Cymru West Wales Inclusion Group feel that it is difficult to get information about buses. They stated that often there was no information about services. Several members reported incidences when buses failed to turn up, and bus times changing without notice resulting in appointments being missed. Therefore, the Mencap Cymru West Wales Inclusion Group support a move towards making bus companies give information to the local authorities.

4. Areas Not Covered in the White Paper

The Mencap Cymru West Wales Inclusion Group identified a number of areas that were not covered in the White Paper. They feel that in order to fully *Improve Public Transport for all*, then the following areas need to be addressed.

4.1 Accessible Buses

The Mencap Cymru West Wales Inclusion Group identified three main areas that would improve bus travel for people with learning disabilities:

Environment – many of the group have experienced bullying by schoolchildren on buses, in particular when children are in large groups. They feel that schoolchildren should be traveling on bespoke ‘school buses’ rather than using public buses, which would remove a significant cause of anxiety for some people with a learning disability. Similarly, there are sometimes antisocial people who can be intimidating, but bus drivers do not do anything about it, drivers should be more confident and have more authority to stop such behaviour.

Information – the group highlighted that bus service information was not accessible, and that there was a need to provide accessible information to passengers. For example, easy read timetables, buttons at bus stops that announce the upcoming buses, and in service audio announcements to inform passengers of the next stop.

Vehicles – the group also identified a number of issues with the buses themselves. First, buses are often unclean and in poor condition, often dirty with litter and holes in the seats or chewing gum all over the seats. Second, buses often feel unsafe, especially due to a lack of seat belts or appropriate seating. The group state that some people with mobility issues find it difficult to keep safe on buses because they are often moving fast and breaking suddenly. They feel that seat belts on buses would provide reassurance and safety. Third, group members also identified that there were often a lack of wheel chair access, or access is used by shopping or prams, leaving no space for wheelchair users. The group argued that all buses should have bespoke wheelchair access, and that it should be the bus drivers’ responsibility to ensure that the space was not misused.

4.2 Accessible Taxis

The Mencap Cymru West Wales Inclusion Group highlighted that there are not enough taxis with wheelchair access. This means that they are often left unable to travel; they feel that taxi companies should be encouraged to have more wheelchair accessible taxis.

5. Further information

We are happy to discuss any aspect of this response in further detail, please do not hesitate to contact us for more information if required.

Mencap Cymru West Wales Inclusion Group

REFERENCE WP039

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65 (or possibly 67 in my case). Unsurprisingly there has been very little publicity given to this unfair proposal - I only found out about it by chance.

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I am asking politely that you **ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.**

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

We are writing as the Member of Parliament and Assembly Member for Blaenau Gwent with respect to the ongoing Welsh Government consultation *“Improving Public Transport”*.

This follows a meeting we recently attended with a group of local taxi drivers who expressed several concerns regarding certain proposals and the potential impact that these could have on independent taxi drivers.

There are three primary areas of concern which we believe require specific consideration and clarification.

1. Notification

The drivers indicated that they were only made aware of the consultation earlier this month despite it having been live since December.

We would therefore request that the Department provide some further information on how taxi drivers and firms were notified of the consultation and means of responding to it. We would also be grateful for additional explanatory notes which may be helpful for respondents.

2. Impact of integration on independent taxi drivers

Drivers identified specific concerns in relation to the umbrella nature of public transport proposed in the consultation; particularly regarding the potential for local firms to be displaced by out of area providers.

We would be grateful if the Department could provide greater detail and assurances that local firms will be permitted to tender for work on a level playing field under these proposals.

We would also request the results of any regulatory impact assessments which have been conducted into the possible effect of these changes on independent taxi firms.

3. Effect on regional fare-setting and licensing fees

If these are to be set by a national body such as the proposed Joint Transport Authority (JTA), there are concerns that fares and licensing fees could be set at levels which may be impractical for eastern and upper valley communities such as Blaenau Gwent.

We do therefore request additional information regarding the setting of fare and licensing fee levels under the proposed JTA structure.

Conclusion

Finally, we would urge the Department to fully consider the questions and concerns raised here in relation to out of area work, tendering and fare and licensing-setting powers when taking its proposals forward, to ensure that independent taxi firms are not placed at any disadvantage.

Local taxi firms provide a critical service which many, particularly elderly Blaenau Gwent residents rely on and are satisfied with.

We would ask that both the importance of this service and the concerns raised by its local providers are fully taken into account.

Yours sincerely,

Nick Smith MP

Alun Davies AM

REFERENCE WP041

Q1. Do you agree that it is important for local authorities to work together with regard to local bus services? Please explain your answer.

Yes, South West Wales LA's previously worked on a regional basis as part of the former consortium and continues to work collaboratively with regional partners.

NPT's Task & Finish Group on the Valleys identified transport as a key strategic issue that needs to be addressed. The Bevan Foundation has pointed out that detailed mapping of public transport provision against employment opportunities undertaken by the Joseph Rowntree Foundation shows that Neath Port Talbot has one of the highest proportion in Wales of deprived Lower Super Output Areas classed as 'disconnected'. The Foundation has recommended that ideally there needs to be a region-wide approach. This would seem possible in the short to medium term as Welsh Government, through Transport for Wales (TfW) develop policies and guidance on the delivery of bus services for the future and as long term proposals for a "Swansea Bay Metro" are also developed. Simultaneously, the City Deal is seeking to extend its role in the area of transport and connectivity. A joint approach is sensible in our view, particularly in light of downward revenue pressure and reducing staff numbers.

Welsh Government funding streams for Concessionary Fares, Bus Service Support Grant, etc, have witnessed sharp reductions since 2012. This has resulted in a significant loss/reduction in services particularly in semi-rural areas and in the evenings and on weekends:

- Funding to support local bus services in NPT has reduced from £717K in 2011-2012 to £312K in 2016-2017.
- Concessionary travel in NPT has reduced from 2.2M journeys in 2011-2012 to 1.9M in 2016-2017. An average of 6,000 less journeys made each week; and
- On routes subsidised by the Council reduction in concessionary card use is even more significant. From 409,553 in 2011-2012 to 151,568 in 2016-2017. A reduction of 37%.

Taken in the round, the current arrangements are not fit for purpose in terms of providing comprehensive services and the difference between cost and subsidy represents a growing budget pressure for our Council. Reform of the current arrangements including the introduction of regional Joint Passenger Authorities is generally supported.

In this regard, strong governance will be essential to ensure services are delivered in line with WG's expectations that also allows for democratic input at a local and

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regional level, as without sufficient funds, there is a high risk that LA's will be in conflict over priorities over bus service coverage and infrastructure investments.

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?

To ensure consistency of approach a single JTA for the whole of Wales with regional JTA's with flexible democratic representation will be the best approach. This would ensure there is consistency across Wales in the JTA's approach to bus services (cross border) and on infrastructure investments. Regional JTA's would have a greater understanding of local service requirements and what infrastructure schemes would benefit their regions most.

Q3. Is there another organisational structure for JTAs that we should consider? Please describe.

Due to the diverse nature and requirements for bus services in various parts of the country a further option could involve combining rural L.A's into one JTA. Urban L.A's into another and those which have a mix of both rural and urban into a third. This structure would require a National JTA and the JTA's with similar issues that affect semi-rural areas

Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?

In principle, we would have no objection to this proposal, however this would depend on the final governance structure to be implemented. It is to be recognised that Ministerial involvement will help to drive forward W.G.'s vision for bus services at a national level with a close working relationship with proposed chairs democratically elected on to the new JTA's.

Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?

Ministers should be able to provide guidance to JTA's, however, they should not interfere with the day to day working of the JTA's, nor should they interfere on prioritising where transport requirements should be focused. Ministers should have powers to address JTA's that are underperforming. Ministers should through a National JTA develop guidance, as set out in the consultation paper, ensuring support and training is part of the new JTA's arrangements, we would not advocate

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oversight of day to day operations but recognise routine auditing would be undertaken.

Q6. Is the proposed division of national and regional functions appropriate?

The proposed functions of the National and Regional functions appears to be sensible. However, there is some overlap in roles and responsibilities. Greater clarification and more definition is needed to make an informed assessment. Regional JTA's would offer the local knowledge that a National JTA may lack.

Q7. Should any other transport functions be transferred to a JTA? Please describe.

The JTA's need to be established before considering other functions. However, non-emergency patient transport would benefit review to realise any benefits to the bus network and to Health Boards, perhaps lead by the National JTA if established.

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working? Yes/No? Please explain your answer to this question.

Yes, without legislation it would be difficult to ensure operators would commit to agreements. A barrier has been lack of funding and competing commercial interest. Maintenance of infrastructure is also key. Frequency and timing of services is reliant on infrastructure improvements.

Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs? Yes/No? Please explain your answer to this question.

Yes, although it could cost significantly more to implement and difficult to manage without additional resources. Any Enhanced Quality Partnership (EQP) that is going to cost the operators will inevitably mean that there will be reduction in services to compensate for the extra cost/expectations in the EQP area. In this regard, franchising may be the easier option as this would afford some control by the JTA/LA.

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services? Yes/No? Please explain your answer?

Yes, but only if there is sufficient funding in place. Franchising of urban routes would work as "patronage" in urban areas which is higher than in rural or semirural

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areas. Rural and semirural L.A's would require a larger proportion of the funding available to make franchising work in our view.

Investment to grow established Community Transport Organisations would be an alternative and welcomed option.

Q11. Do you think there should be a requirement for the assessment to be subject to an independent audit? Yes/No? Please explain your answer.

Yes, an independent Audit would ensure all L.A's are in compliance with the new legislation. In rural/semirural areas there needs to be the realisation that a regular bus service is not the best or most cost effective option. When patronage falls below a specified level, JTA's may need to look at alternative transport modes.

Q12. Do you have any other comments on the proposed process for franchising?

Engagement with the operators to establish if there is an appetite for franchising would need to be undertaken before any changes to legislation is made. Otherwise TfW could end up with a system in place but no way to deliver it. There is also a lack of competition in some areas which would mean that operators may or may not decide to bid on a franchised area.

Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

The onus is on the franchising authority and clarification is required as to whether or not this is the JTA or LA's who will issue permits to commercial services to operate in a franchised area. This could be difficult to manage and may impact on the franchised service if a commercial service was to alter their timetable or reduce their fares/charges eg: free travel on weekends.

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process? Yes/No? Please explain your answer.

Yes, particularly as there are a limited SME's in our particular area. Larger operators could manipulate the process to cherry pick numbers of areas that have the potential of increasing patronage.

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

Short term interim contracts may offer a way to retain bus services while franchising is being developed. Caution needs to be shown as operators may withdraw commercial services if the route is to be franchised.

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?

Yes. However the number of L.A's that would have the resources to introduce bus services would very limited. As with commercial bus companies L.A's would have to operate on a commercial basis and would be in direct competition with the commercial operators.

This is not an affordable proposition in the current financial climate and would need careful analysis - one-off pilots could be considered should finances permit.

In what circumstances do you think this would be appropriate?

If there is a lack of bus operators in an area and the L.A has to heavily subsidy services it may be an option to introduce a bus service. However, it is worthy to note that L.A's already have the option to run socially necessary buses under section 22 permits which would be the easier option.

What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no local authority has an unfair advantage in a deregulated market, and why?

It is important to note that there is no capacity within our Council to deliver in-house services within current resources on a commercial basis.

In a deregulated market LA's would be competing against the larger commercial bus operators and may be privy to data and financial details which would mean that they would need to be tendered independently of the L.A.'s.

Q17. Do you think that local authorities should be able to set up arms' length companies to operate local bus services?

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Yes. This is an option but is likely to be cost prohibitive without funding initial start-up costs.

In what circumstances do you think this would be appropriate?

No comment

What, if any, safeguards do you think should be put in place with arms' length bus companies to ensure that no local authority has an unfair advantage in a deregulated market, and why?

See response to Question 16.

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age? Please give reasons for your answer.

With the state pension age increasing and people having to work on until later in life, raising the entitlement age for a concessionary bus pass to the woman's state pension age would not be unreasonable and help the concessionary fare reimbursement budget which could be reinvested into bus services.

Q19. Do you agree that an incremental change is the most appropriate method?

Yes, as this would impact in the same way that the incremental rise in state pension age did. Going forward there could also be a charge for the concessionary card. This would reduce the number of applicants unless they genuinely required a card. A nominal charge to cover the administration cost could also be considered.

Q20. Do you agree with our proposal to require the release of open data on routes, timetables, fares and tickets? Yes/No? Please explain your answer.

Yes, this is available now, however conditions should make it a requirement that the data is provided, rather than on request.

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied, and where appropriate, disclose this information as part of tendering process? Yes/No? Please explain your answer.

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Yes. As the Welsh Government are funding the introduction of new technology this will allow for comprehensive info boarding and alighting stages etc. to inform the tendering process.

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.

Yes, this is consistent with the previous consultation work undertaken between the Licensing Expert Panel and Welsh Government lead on taxi reform in Wales. It is also consistent with recommendation 2 made by the “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]” and the Law Commission review “Reforming the Law of Taxi and Private Hire Services” [2012]”.

National standards would ensure that taxi services are delivered consistently across Wales and deal with any perceptions of any unnecessary inconsistency across Councils.

Q23. Are there any matters which you would like to see contained in any national standards?

Separate national standards should be defined for vehicles, drivers and operators. The following matters should be included, although this is not an exhaustive list:

- Enhanced DBS and Barring List checks (certificate of good conduct for overseas applicants) for drivers, operators, proprietors and dispatchers. We believe that anyone taking or holding an individual’s personal information should have to be vetted to ensure that that person is safe and suitable (“fit and proper”).
- Medical fitness and specifically the requirement of Group 2 Medical Standards and the need for the applicant’s full medical history to be noted by the completing GP. Standards should also consider consistency of the issue of exemption certificates in terms of Equality Act duties.
- Immigration checks specifically the Right to Work in the UK
- Suitability of applicants and licence holders. The Institute of Licensing has published guidance on determining the suitability of applicants and licence holders in the hackney carriage and private hire trades. The criteria used in this guidance should be incorporated into any national standards
[https://www.instituteoflicensing.org/documents/Guidance on Suitability Web Version \(16 May 2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance%20on%20Suitability%20Web%20Version%20(16%20May%202018).pdf)
- Nationally-recognised vocational qualifications to include disability quality and awareness training, safeguarding awareness training (Child Sexual abuse / Exploitation, County Lines), practical driving standards test, communication

REFERENCE WP041

skills and literacy, customer care, handling of emergencies, managing conflict etc.

- Knowledge and suitability test (literacy, numeracy, highway-code, conditions, local area knowledge).
- Foreign driving licences.

In addition, we would recommend the following matters be included in relation to vehicles:

- National Inspection Standards and frequency of inspections and testing including the criteria for testing. Consideration should also be given to suitability, independency and availability of testing stations and how they are approved e.g. consider if use of Trade owned testing stations are appropriate.
- Design and appearance and internal spatial requirements of vehicles including the approach to identify taxis and private hire vehicles.
- The information which should be contained on any vehicle identification source (plates, door signs).
- Standards for specialist and novelty vehicles, such as stretched limousines, wedding and funeral cars, omnibuses and pedicabs.
- Taxi Meter standards including the criteria for Pulse and GPS meters.
- The use and standards for CCTV within vehicles, both audible and video as outlined in recommendation 17 & 18 “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]”. The Information Commissioner’s Office has produced advice for councils and other organisations in using surveillance and CCTV systems in licensed taxis. A national standard should take account of this advice.
<https://ico.org.uk/about-the-ico/news-and-events/blog-continuous-cctv-in-taxis-where-do-councils-stand> The LGA Guidance has also now been published.
<https://www.local.gov.uk/developing-approach-mandatory-cctv-taxis-and-phvs>
The cost of fitting CCTV within licensed vehicles particularly for small businesses may require subsidy from Welsh Government.
- Record Keeping including the retention period required. We believe that ideally records should be kept for every journey undertaken, however, there are obvious practical difficulties with taking this approach. A better option would be to use technology to better the safeguarding processes. The use of CCTV, trackers and GPS systems would not only provide a more robust system for record keeping, but would also not place an administrative burden on taxi drivers.
- Environmental considerations such as vehicle emission standards.

REFERENCE WP041

The standards for some of the points recommended above are included in guidance already and should be taken into account when developing any national standards, such as the Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010), although this is in need of updating.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf

In addition we would recommend mandating training for all individuals involved in the licensing decision-making process. Consistent and appropriate training of officers, councillors and Magistrates' legal clerks (for appeals) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Finally, any national standards developed should be consistent with criteria implemented in England to reduce variations in driver, vehicle and operator requirements especially around the border areas.

Q24. Are there any matters which you think should be excluded from any national standards?

There are no matters that should be excluded, although national standards should not duplicate other legislation.

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

The main obstacle will be incorporating the national standards into the 10,000 vehicles and 12,000 drivers currently licensed in Wales and the provisions that will need to be in place for transitional arrangements and grandfather rights. Consideration will also need to be given to finding suitable consistent standards which work for both urban and rural areas.

Q26. What would be the best approach for determining the content of national standards?

There are already a number of national policies in place which have been adopted by a number of Welsh Local Authorities in order to provide a level of consistency between areas, such examples include:

REFERENCE WP041

- National Inspection Standards for hackney carriage and private hire vehicles, and
- Institute of Licensing Guidance on determining the suitability of applicants and licences in the hackney carriage private hire trade.

There are also some excellent examples of local taxi licensing policies and standards in place which have been developed and applied at a local level.

Welsh Government will first need to establish what policies and standards are already in place in Wales and then draw on the knowledge of licensing practitioners who have expert practical experience of undertaking taxi licensing work on a daily basis.

It would be remiss of Welsh Government to disregard any policies, standards or procedures which have been developed by licensing professionals and which actually serve to provide a robust service against a backdrop of legislation which is woefully inadequate and outdated.

The All Wales Licensing Expert Panel consists of managers and team leaders who have extensive knowledge and experience in the taxi licensing field and would without question need to be heavily involved in the development of national standards.

It is suggested that Welsh Government would also need to engage with passenger safety groups and operator representatives by way of meetings, seminars and workshops.

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

The previous Welsh Government consultation on Taxi and Private Hire Vehicle Licensing in Wales [WG31865] referred to “national standards for all taxis and private hire vehicles, set by Welsh Ministers, with the power for local licensing authorities to set additional conditions where it is appropriate to do so”

Although the White Paper makes no reference to minimum national standards, it is worth noting that we would not recommend that local licensing authorities be permitted to set additional local conditions above the national standard.

Enforcement

REFERENCE WP041

Q28. Should a Local Authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

We believe that the revocation of a vehicle licence should be the responsibility of the home Licensing Authority. Where it is proposed that action is taken to revoke a licence, it is imperative that the licence holder is afforded the opportunity to be heard i.e. the opportunity of a fair hearing; this is a requirement of Article 6 Human Rights Act which protects your right to a fair trial. The Licensing Authority that has issued the licence will also have invaluable local knowledge about the licence holder, have immediate access to the history of the vehicle and any complaints received and should be responsible for recovering any fees associated with taking the enforcement action. It is noted that proposals in relation to fee setting are not included in the White Paper.

We believe however that it is appropriate for any authorised officer from any Licensing Authority area to have the power to suspend immediately (Section 68 Local Government (Miscellaneous Provisions) Act 1976) a licence of any vehicle operating in their area (irrespective of where it was licensed) where there is an immediate public safety risk e.g. defective tyre, or potentially where the vehicle fails to meet the national standards e.g. missing door signs / back plates. The authority that issues the suspension, would then report the matter to the home Licensing Authority for them to consider whether to lift the suspension or take further action.

Q29. Should a Local Authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

We consider this of benefit to aid the home Licensing Authority in order to determine whether any further action is required e.g. improvement notice / advisory / warning. For example introducing a system of issuing a Fixed Penalty Notices would bring taxi and private hire enforcement in line with other areas of local government. Some method of referral scheme would need to be developed to notify the issuing Licensing Authority, however the practical implications of this would need further consideration.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

REFERENCE WP041

The All Wales Licensing Expert Panel has previously been in discussion with Welsh Government about introducing the power to stop and direct taxi and PHVs. This would be a useful and beneficial addition to the enforcement options currently available to local authorities.

Currently Licensing Authorities are unable to attach conditions to hackney carriage driver licences, some local authorities have Byelaws in place and we would recommend incorporating any relevant component of these into national standards

We would recommend other enforcement provisions be introduced by Welsh Government such as where a driver refuses a fare due to the short distance involved or for cases of overcharging.

In addition we would recommend mandating training for all individuals involved in the licensing decision-making process (as mentioned above). Consistent and appropriate training of officers and councillors (this should also include Magistrates' legal clerks) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Information Sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.

The establishment of a mandatory national database of all licensed drivers is critical, however this database should be expanded to include vehicle and operators, proprietors and dispatchers to support stronger enforcement. This must be established quickly.

In the interim, the National Anti-Fraud Network (NAFN) currently provides an online register of taxi and private hire drivers who have been refused or had their licence revoked. The database includes the reasons for any refusal or revocation, along with the relevant Licensing Authority details. Welsh Government must introduce legislation to mandate its use as a priority. The Licensing Expert Panel has agreed in principle to use this database and at the time of this consultation response all local authorities in Wales were progressing this.

REFERENCE WP041

In addition any national database must be able to accommodate or link in with an equivalent database in England to avoid duplication of data entry and ensure public safety particularly around the border areas.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

The Common Law Police Disclosure provisions have been highlighted as a significant concern by the Licensing Expert Panel previously. These proposals do not cover this issue. We would suggest the current disclosure provisions be reviewed to ensure that all relevant information of crimes and conduct by taxi and private hire drivers, including arrest, charge and conviction information, is shared with the Licensing Authority immediately.

We appreciate that Welsh Government may be limited in influencing this suggestion but it is essential to ensure all drivers, operators, proprietors and dispatchers are safe and suitable. Any influence Welsh Government could have on this to improve information-sharing on public safety grounds would be welcomed.

Joint Transport Authority (JTA)

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national Licensing Authority (Option A)? Yes/No? Please explain your answer.

We would **not** support the proposal on the information provided, as there is no evidence to support the need to redirect the existing taxi and PHV licensing function away from Local Authorities. At this stage there is no detail contained within this white paper as to how the JTA would undertake the licensing function and therefore it is very difficult to be able to answer this question. We feel that insufficient research has been undertaken in respect of this proposal and that Welsh Government must produce a far more detailed explanation on how the JTA would work. We feel that they would then be in a better position to comment on the proposal. Our overriding concern is the protection of the public, and there is nothing contained within this proposal which suggests that public safety is at the forefront of this proposal.

In addition, Local Authorities have a duty to consider the WG's Framework for Managing the Night Time Economy in Wales. Authorities need to consider the transport need of their local evening and night time economy as part of an integrated approach, which includes the importance of taxis and PHVs. Partnership

REFERENCE WP041

working between key local agencies such as the Police (including transport Police), licensing and the taxi trade offer the best opportunities for achieving sustainable late-night transport environments that also promote safety. Removal of the duty from Local Authorities would not be beneficial to implementing plans for improving the night time economy as a whole.

We would be happy to consider the evidence for Welsh Government's proposals and to work with them further to ensure any reform of taxi and private hire vehicle legislation is robust, enforceable and improves public safety.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.

Yes, we believe that local authorities should continue to have responsibility for taxi and PHV licensing. Whilst we appreciate that the Licensing function requires strengthening as mentioned in option B, it is recognised that licensing at the local level works well. Additional evidence is requested from Welsh Government to justify the contrary to continuing with Local Authority responsibility.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

We believe that the current proposals contained within the White Paper fall far short of the reform that taxi and private hire licensing so desperately requires. The previous set of proposals contained within the Taxi and Private Hire Vehicle Licensing in Wales [WG31865] would have introduced a robust taxi licensing regime which was fit for the 21st century and afforded local authorities the necessary tools to protect the public, tackle cross border working and introduce more powers for better enforcement. Instead, what is now being proposed is a quick fix and offers nothing more than a sticking plaster solution. The existing legislation is archaic, not fit for purpose and requires fundamental reform with new primary legislation.

We are unfortunately resigned to the fact that the radical, ambitious and exciting plans previously proposed by Welsh Government have effectively been "kicked into the long grass" and are unlikely to be revisited. A viable alternative however is readily available by considering in more detail adopting the recommendations of the "Ministerial Working Party into Hackney carriage and Private Hire Licensing in England [2018]" which builds on the work undertaken by the Law Commission "Reforming the Law of Taxi and Private Hire Services [2012]".

REFERENCE WP041

These recommendations offer far more than a sticking plaster solution and would modernise the legislative framework, introducing appropriate regulation and giving licensing authorities the necessary enforcement tools to better protect the public. The recommendations, if implemented, would also ensure that inconsistencies between Welsh and English authorities, particularly along the border, are negated.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased? or negative effects be mitigated?

Welsh Government must have regard to the Welsh Standards as set out by the Welsh Language Commissioner. It is important that applicants are able to apply in their language of choice. Positive effects could be increased by ensuring that signage, etc. is provided in bilingual format on all taxis and taxi ranks.

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

See above

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them: Please enter here:

We have no further comments to make.

REFERENCE WP042

Dear Sir/Madam

I am writing to you because I have heard that the Welsh Government intends to raise the eligibility age for a bus pass, allowing free bus travel in Wales, from 60 to 65 (or possibly 67 in my case). Unsurprisingly there has been very little publicity given to this unfair proposal - I only found out about it by chance.

There has been almost nothing about this proposal in the media; otherwise I am sure many more people in my age group would have protested. Perhaps I am being unduly cynical, but I can't help wondering if the Welsh Government are trying to sneak it through unobtrusively while everyone is, quite understandably, preoccupied with Brexit. A Cruise counsellor specifically mentioned the bus pass at 60 as something for me to look forward to; although an intelligent and well-informed woman, she hadn't heard about this unfair proposal.

How can it be right or just for the Welsh Government to propose to discriminate on the grounds of age against people like myself, born through no fault of our own, due to circumstances beyond our control, in the 1960s rather than in the 40s or 50s? How can this be fair or morally acceptable? Surely any form of discrimination against any group of people because of things which they are beyond their control is wrong. People my age have already been hit by the raising of the retirement age.

Can you explain to me how it is fair that someone born in 1962, for example, should have to wait 7 years longer for a bus pass than someone born in 1959, only three years his/her senior?

I write in the hope that you are someone for whom fairness is important rather than an irrelevance, because I am beginning to have doubts about the Labour party in the Assembly's commitment to fairness for the reason I have outlined.

I know that life is often unfair, but surely the role of a Welsh Labour Government should be to minimise unfairness rather than promote it.

The Westminster Government has already raised the retirement age for someone like myself (born in July 1962) from 65 to 67, but then what can one expect from the Tories? They are not concerned about fairness; I don't think they ever have been. But I would have expected better from a Labour-controlled Welsh Assembly. Yet it appears that they are intending to penalise people like myself for having been born 3 or 4 years too late.

I realise that it might seem sad, or even pitiful, to a successful person with a well paid job that something like a free bus pass should mean so much. But, unfortunately, for many people my age there is little that is positive rather than negative to look forward to. There was the bus pass, which would be of great benefit to people who are not well off financially, and/or rely on bus services.

I am asking politely that you ABANDON THIS UNJUST AND UNACCEPTABLE PLAN.

I will come to Cardiff on my hands and knees to beg you to do so, if necessary, but it should not be necessary, since, if you have any sense of justice, you should do so anyway,..... A. Richards

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Stephen Kinnock
Member of Parliament for Aberavon



Ken Skates AM
Cabinet Secretary for Economy and Transport
Welsh Government
5th Floor
Tŷ Hywel
Cardiff Bay
CF99 1NA

Our Ref:

SNK/CM



14 February 2019

Dear Ken,

Re: Access All Areas Campaign

I have been contacted by constituents who are concerned that assistance dog owners have been refused access to taxis or minicabs because of their guide dog.

Research carried out by Guide Dogs found that 42% of assistance dog owners had been refused access to a taxi or minicab because of their guide dog. This causes them significant problems in their day to day life.

As you know the Equality Act 2010 made it a criminal offence to refuse carriage to an assistance dog at no extra cost, unless drivers have a medical exemption. However, refusals still take place and they can have a devastating impact on the confidence and independence of disabled people.

I understand that the Welsh Government has published a White Paper which proposes setting national standards which all taxis and private hire vehicles in Wales would have to meet to obtain a licence, and that a public consultation on these plans closes on 27 March.

My constituents would like assurances that the Welsh Government will include a requirement for disability equality training for taxi and private hire vehicle drivers in the new national minimum standards for Wales. I would be grateful if you could provide that assurance.

I look forward to your response, which I may copy to my constituents.

Yours sincerely,

Stephen Kinnock
Member of Parliament for Aberavon



DAVID T C DAVIES MP
Member for Monmouth

Please Reply To:
16 Maryport Street
Usk
Monmouthshire
NP15 1AB

Date: 8th February 2019
Our Ref: DD2453
Your Ref:

Ken Skates AM
Minister for Economy and Transport
Welsh Government
Cardiff Bay
Cardiff
CF99 1NA

Dear Ken

I attach a copy of an email I have received from a constituent, Mr Jeffrey Richley, about access to transport for passengers with assistance dogs.

I am aware that any taxi or private hire driver who refuses a fare or charges an additional fee because a passenger has an assistance dog risks prosecution and the possible loss of their licence. However, Mr Richley has informed me that despite the regulations, many passengers with assistance dogs are still being denied access to transport.

I understand that there is currently a campaign calling for the introduction of mandatory training to help taxi or private hire drivers understand how to provide the right service for disabled passengers.

I would appreciate your comments on the points Mr Richley has made and I would be grateful if you could let me know whether any consideration is being made towards the introduction of mandatory training.

Yours ever

A handwritten signature in cursive script that reads "David".

David T C Davies MP

David T. C. Davies MP
House of Commons
London
SW1A 0AA

January 2019

Dear David T. C. Davies,

I expect you get a lot of emails, so I wanted to take the time as one of your constituents to write a letter to you about an issue which is particularly important to me. Assistance dog owners have the legal right to go into the vast majority of public places with their dog, including minicabs and taxis, but this law is frequently being broken. In fact, research from Guide Dogs highlights that 42% of assistance dog owners surveyed were illegally refused access to a taxi or minicab because of their guide dog. It's outrageous that nearly half of assistance dog owners have had their legal rights ignored.

I care about the rights of people with sight loss being upheld and this issue is particularly important to me. Ending illegal access refusals from minicabs and taxis for assistance dog owners matters to me because No person should suffer discrimination because of a disability

The main reason I support this campaign is because minicabs are vital for guide dog owners' independence.

As my MP, will you support me and take action on this important campaign? Guide Dogs is asking the Government to introduce mandatory disability equality training to help all minicab and taxi drivers understand how to provide the right service for their disabled passengers, and to prevent these devastating and illegal access refusals from happening.

You can help support the Access All Areas campaign by writing to the Cabinet Secretary for Economy and Transport to call on the Welsh Government to include a requirement for disability equality training for taxi and private hire vehicle drivers in the new national minimum standards for Wales. I hope you will be able to support me in this important campaign to make sure guide dog owners do not continue to face illegal access refusals from minicabs and taxis.

With every best wish for 2019.

Kind regards
Jeffrey Richley
Manor Barn, 2A Crick Road
Portskewett
NP26 5UL

REFERENCE WP047

Please find below comments from the Liberal Democrat Group on Cardiff Council in response to the Welsh Government consultation on improving public transport.

Cardiff Council Lib Dem Group: response to Welsh Government consultation on improving public transport across Wales

JTA

JTAs offer benefits in terms of conformity of standards and possible integrated ticketing, which we believe is the 'holy grail' in delivering a joined-up and modern public transport system for Wales. There are, nonetheless, concerns that a single JTA could be overly centralised and unable to react to significant regional differences, not least between urban and rural authorities. However, the alternative model of a single national and three regional JTAs appears to risk creating a murky structure in which lines of accountability and decision-making become blurred.

The consultation does not do a good enough job of describing how a Welsh JTA model would improve front-line services, ensuring accessibility to services for all, who would be on these boards and whether passengers and employees would be represented? Furthermore, there is a lack of clarity about the financial resilience of the JTAs and whether the creation of these boards would actually take money away from front-line services in order to pay for back-office functions?

EQP

The principle behind the proposals for EQP/QPS is sound. It would provide clear accountability for decisions where there is currently little, especially regarding for the role local authorities would have to play in delivering bus services. However, such a model only works if the right funding is in place; if a council doesn't deliver on infrastructure then it's not really a very productive partnership.

Franchising

A bus franchising system has clearly worked elsewhere in the UK (not least London) but the result is only beneficial if there is consistency of approach across a JTA (whether national or regional). Contracting individual services out could lead to disparities in cost and customer experience / service.

There are also concerns as to whether bus companies would be financially viable under this model. Financial and contractual security for companies when tendering is essential if we are to move away from services being demand-led and subject to short-term demand pressures. Improved frequency of services, essential to encouraging new passengers, will require significant assurance from the JTA that franchises will be supported in establishing and running routes.

Finally, we believe there are important lessons to be learned from Transport for London in terms of TfL's ability not merely to control the provision of bus services but also their ability to negotiate for long-term funding settlements, to create a clear governance structure and to coordinate close integration between transport and other policy areas, not least health and the environment.

Cllr Joe Boyle
Leader, Lib Dem Group, Cardiff Council

REFERENCE WP048

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Improving Public Transport – Welsh Government White Paper
All Wales Licensing Expert Panel

This response is submitted on behalf of the All Wales Licensing Expert Panel on behalf of Wales Heads of Environmental Health Group. The Directors of Public Protection Wales (DPPW) represents Local Authority regulatory services that directly affect the health, safety and well-being of local communities in Wales. Under DPPW there are several specialist/expert panels; one of which is the All Wales Licensing Expert Panel.

National Standards

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.

Yes, this is consistent with the previous consultation work undertaken between the Licensing Expert Panel and Welsh Government lead on taxi reform in Wales. It is also consistent with recommendation 2 made by the “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]” and the Law Commission review “Reforming the Law of Taxi and Private Hire Services” [2012]”.

National standards would ensure that taxi services are delivered consistently across Wales and deal with any perceptions of any unnecessary inconsistency across Councils.

Q23. Are there any matters which you would like to see contained in any national standards?

Separate national standards should be defined for vehicles, drivers and operators. The following matters should be included, although this is not an exhaustive list:

- Enhanced DBS and Barring List checks (certificate of good conduct for overseas applicants) for drivers, operators, proprietors and dispatchers. The Panel believe that anyone taking or holding an individual’s personal information should have to be vetted to ensure that that person is safe and suitable (“fit and proper”).
- Medical fitness and specifically the requirement of Group 2 Medical Standards and the need for the applicant’s full medical history to be noted by the completing GP. Standards should also consider consistency of the issue of exemption certificates in terms of Equality Act duties.
- Immigration checks specifically the Right to Work in the UK
- Suitability of applicants and licence holders. The Institute of Licensing has published guidance on determining the suitability of applicants and licence holders in the hackney carriage and private hire trades. The criteria used in this guidance should be incorporated into any national standards

[https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_\(16_May_2018\).pdf](https://www.instituteoflicensing.org/documents/Guidance_on_Suitability_Web_Version_(16_May_2018).pdf)

- Nationally-recognised vocational qualifications to include disability quality and awareness training, safeguarding awareness training (Child Sexual abuse / Exploitation, County Lines), practical driving standards test, communication skills and literacy, customer care, handling of emergencies, managing conflict etc.
- Knowledge and suitability test (literacy, numeracy, highway-code, conditions, local area knowledge).
- Foreign driving licences

In addition, the Panel would recommend the following matters be included in relation to vehicles:

- National Inspection Standards and frequency of inspections and testing including the criteria for testing. Consideration should also be given to suitability, independency and availability of testing stations and how they are approved e.g. consider if use of Trade owned testing stations are appropriate.
 - Design and appearance and internal spatial requirements of vehicles including the approach to identify taxis and private hire vehicles.
 - The information which should be contained on any vehicle identification source (plates, door signs).
 - Standards for specialist and novelty vehicles, such as stretched limousines, wedding and funeral cars, omnibuses and pedicabs.
 - Taxi Meter standards including the criteria for Pulse and GPS meters.
 - The use and standards for CCTV within vehicles, both audible and video as outlined in recommendation 17 & 18 “Ministerial Working Party into Hackney Carriage and Private Hire Licensing in England [2018]”. The Information Commissioner’s Office has produced advice for councils and other organisations in using surveillance and CCTV systems in licensed taxis. A national standard should take account of this advice.
<https://ico.org.uk/about-the-ico/news-and-events/blog-continuous-cctv-in-taxis-where-do-councils-stand> The LGA Guidance has also now been published.
<https://www.local.gov.uk/developing-approach-mandatory-cctv-taxis-and-phvs>
- The cost of fitting CCTV within licensed vehicles particularly for small businesses may require subsidy from Welsh Government.
- Record Keeping including the retention period required. The Panel believe that ideally records should be kept for every journey undertaken, however, there are obvious practical difficulties with taking this approach. A better option would be to use technology to better the safeguarding processes. The use of CCTV, trackers and GPS systems would not only provide a more robust system for record keeping, but would also not place an administrative burden on taxi drivers.
 - Environmental considerations such as vehicle emission standards.

The standards for some of the points recommended above are included in guidance already and should be taken into account when developing any national standards, such as the Department of Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010), although this is in need of updating.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf

In addition the Panel would recommend mandating training for all individuals involved in the licensing decision-making process. Consistent and appropriate training of officers, councillors and Magistrates' legal clerks (for appeals) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Finally, any national standards developed should be consistent with criteria implemented in England to reduce variations in driver, vehicle and operator requirements especially around the border areas.

Q24. Are there any matters which you think should be excluded from any national standards?

There are no matters that should be excluded, although national standards should not duplicate other legislation.

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

The main obstacle will be incorporating the national standards into the 10,000 vehicles and 12,000 drivers currently licensed in Wales and the provisions that will need to be in place for transitional arrangements and grandfather rights. Consideration will also need to be given to finding suitable consistent standards which work for both urban and rural areas.

Q26. What would be the best approach for determining the content of national standards?

There are already a number of national policies in place which have been adopted by a number of Welsh Local Authorities in order to provide a level of consistency between areas, such examples include:

- National Inspection Standards for hackney carriage and private hire vehicles, and
- Institute of Licensing Guidance on determining the suitability of applicants and licences in the hackney carriage private hire trade.

There are also some excellent examples of local taxi licensing policies and standards in place which have been developed and applied at a local level.

Welsh Government will first need to establish what policies and standards are already in place in Wales and then draw on the knowledge of licensing practitioners who have expert practical experience of undertaking taxi licensing work on a daily basis.

It would be remiss of Welsh Government to disregard any policies, standards or procedures which have been developed by licensing professionals and which actually serve to provide a robust service against a backdrop of legislation which is woefully inadequate and outdated.

The All Wales Licensing Expert Panel consists of managers and team leaders who have extensive knowledge and experience in the taxi licensing field and would without question need to be heavily involved in the development of national standards.

It is suggested that Welsh Government would also need to engage with passenger safety groups and operator representatives by way of meetings, seminars and workshops.

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

The previous Welsh Government consultation on Taxi and Private Hire Vehicle Licensing in Wales [WG31865] referred to “national standards for all taxis and private hire vehicles, set by Welsh Ministers, with the power for local licensing authorities to set additional conditions where it is appropriate to do so”

Although the White Paper makes no reference to minimum national standards, it is worth noting that the Panel would not recommend that local licensing authorities be permitted to set additional local conditions above the national standard.

Enforcement

Q28. Should a Local Authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

The Panel believe that the revocation of a vehicle licence should be the responsibility of the home Licensing Authority. Where it is proposed that action is taken to revoke a licence, it is imperative that the licence holder is afforded the opportunity to be heard i.e. the opportunity of a fair hearing; this is a requirement of Article 6 Human Rights Act which protects your right to a fair trial. The Licensing Authority that has issued the licence will also have invaluable local knowledge about the licence holder, have immediate access to the history of the vehicle and any complaints received and should be responsible for recovering any fees associated with taking the enforcement action. It is noted that proposals in relation to fee setting are not included in the White Paper.

The Panel believe however that it is appropriate for any authorised officer from any Licensing Authority area to have the power to suspend immediately (Section 68 Local Government (Miscellaneous Provisions) Act 1976) a licence of any vehicle operating in their area (irrespective of where it was licensed) where there is an immediate public safety risk e.g. defective tyre, or potentially where the vehicle fails

to meet the national standards e.g. missing door signs / back plates. The authority that issues the suspension, would then report the matter to the home Licensing Authority for them to consider whether to lift the suspension or take further action.

Q29. Should a Local Authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

The Panel consider this of benefit to aid the home Licensing Authority in order to determine whether any further action is required e.g. improvement notice / advisory / warning. For example introducing a system of issuing a Fixed Penalty Notices would bring taxi and private hire enforcement in line with other areas of local government. Some method of referral scheme would need to be developed to notify the issuing Licensing Authority, however the practical implications of this would need further consideration.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

The All Wales Licensing Expert Panel has previously been in discussion with Welsh Government about introducing the power to stop and direct taxi and PHVs. This would be a useful and beneficial addition to the enforcement options currently available to local authorities.

Currently Licensing Authorities are unable to attach conditions to hackney carriage driver licences, some local authorities have Byelaws in place and the Panel would recommend incorporating any relevant component of these into national standards

The Panel would recommend other enforcement provisions be introduced by Welsh Government such as where a driver refuses a fare due to the short distance involved or for cases of overcharging.

In addition the Panel would recommend mandating training for all individuals involved in the licensing decision-making process (as mentioned above). Consistent and appropriate training of officers and councillors (this should also include Magistrates' legal clerks) is essential to ensure those applying standards are competent to do so. The content of the training should form part of national standards.

Information Sharing

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.

The establishment of a mandatory national database of all licensed drivers is critical, however this database should be expanded to include vehicle and operators,

proprietors and dispatchers to support stronger enforcement. This must be established quickly.

In the interim, the National Anti-Fraud Network (NAFN) currently provides an online register of taxi and private hire drivers who have been refused or had their licence revoked. The database includes the reasons for any refusal or revocation, along with the relevant Licensing Authority details. Welsh Government must introduce legislation to mandate its use as a priority. The Licensing Expert Panel has agreed in principle to use this database and at the time of this consultation response all local authorities in Wales were progressing this.

In addition any national database must be able to accommodate or link in with an equivalent database in England to avoid duplication of data entry and ensure public safety particularly around the border areas.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

The Common Law Police Disclosure provisions have been highlighted as a significant concern by the Licensing Expert Panel previously. These proposals do not cover this issue. The Panel would suggest the current disclosure provisions be reviewed to ensure that all relevant information of crimes and conduct by taxi and private hire drivers, including arrest, charge and conviction information, is shared with the Licensing Authority immediately.

The Panel appreciate that Welsh Government may be limited in influencing this suggestion but it is essential to ensure all drivers, operators, proprietors and dispatchers are safe and suitable. Any influence Welsh Government could have on this to improve information-sharing on public safety grounds would be welcomed.

Joint Transport Authority (JTA)

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national Licensing Authority (Option A)? Yes/No? Please explain your answer.

The Panel would **not** support the proposal on the information provided, as there is no evidence to support the need to redirect the existing taxi and PHV licensing function away from Local Authorities. At this stage there is no detail contained within this white paper as to how the JTA would undertake the licensing function and therefore it is very difficult to be able to answer this question. The Panel feel that insufficient research has been undertaken in respect of this proposal and that Welsh Government must produce a far more detailed explanation on how the JTA would work. The Panel feel that they would then be in a better position to comment on the proposal. Our overriding concern is the protection of the public, and there is nothing contained within this proposal which suggests that public safety is at the forefront of this proposal.

In addition, Local Authorities have a duty to consider the WG's Framework for Managing the Night Time Economy in Wales. Authorities need to consider the transport need of their local evening and night time economy as part of an integrated approach, which includes the importance of taxis and PHVs. Partnership working between key local agencies such as the Police (including transport Police), licensing and the taxi trade offer the best opportunities for achieving sustainable late-night transport environments that also promote safety. Removal of the duty from Local Authorities would not be beneficial to implementing plans for improving the night time economy as a whole.

The Panel would be happy to consider the evidence for Welsh Government's proposals and to work with them further to ensure any reform of taxi and private hire vehicle legislation is robust, enforceable and improves public safety.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.

Yes, the Panel believe that local authorities should continue to have responsibility for taxi and PHV licensing. Whilst the Panel appreciate that the Licensing function requires strengthening as mentioned in option B, it is recognised that licensing at the local level works well. Additional evidence is requested from Welsh Government to justify the contrary to continuing with Local Authority responsibility.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

The Panel believe that the current proposals contained within the White Paper fall far short of the reform that taxi and private hire licensing so desperately requires. The previous set of proposals contained within the Taxi and Private Hire Vehicle Licensing in Wales [WG31865] would have introduced a robust taxi licensing regime which was fit for the 21st century and afforded local authorities the necessary tools to protect the public, tackle cross border working and introduce more powers for better enforcement. Instead, what is now being proposed is a quick fix and offers nothing more than a sticking plaster solution. The existing legislation is archaic, not fit for purpose and requires fundamental reform with new primary legislation.

The Panel are unfortunately resigned to the fact that the radical, ambitious and exciting plans previously proposed by Welsh Government have effectively been "kicked into the long grass" and are unlikely to be revisited. A viable alternative however is readily available by considering in more detail adopting the recommendations of the "Ministerial Working Party into Hackney carriage and Private Hire Licensing in England [2018]" which builds on the work undertaken by the Law Commission "Reforming the Law of Taxi and Private Hire Services [2012]".

These recommendations offer far more than a sticking plaster solution and would modernise the legislative framework, introducing appropriate regulation and giving licensing authorities the necessary enforcement tools to better protect the public.

The recommendations, if implemented, would also ensure that inconsistencies between Welsh and English authorities, particularly along the border, are negated.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased? or negative effects be mitigated?

Welsh Government must have regard to the Welsh Standards as set out by the Welsh Language Commissioner. It is important that applicants are able to apply in their language of choice. Positive effects could be increased by ensuring that signage, etc. is provided in bilingual format on all taxis and taxi ranks.

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

See above

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them: Please enter here:

The Panel have no further comments to make.

Signed.

Sarah Johns (Chair)



Neil Chapple (Secretary)



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Swansea Area Retired Members Branch

Response to the Welsh Government Consultation on Improving Transport.

A Welsh Government White Paper on proposals to legislate for reforming the planning and delivery of local bus services and licensing of taxis and private hire vehicles.

Date of issue: 10 December 2018

Action required: Responses by 27 March 2019

The following submission was agreed on behalf of the UNITE Swansea Area Retired Members Branch before the 27th March deadline by e mailing the response to :

PublicTransport.Engagement2019@gov.wales

Q1. Do you agree that it is important for local authorities to work together with regard to local bus services? Yes/No? Please explain your answer.

Q2. Please provide comments on the proposed organisational structures. Which is your preferred option and why?
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Q3. Is there another organisational structure for JTAs that we should consider? Please describe.
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Q4. Do you have any comments on the proposal that the Welsh Ministers should be represented on a JTA or any committees of a JTA?
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Q5. Do you have any comments on the proposals that the Welsh Ministers should have powers to issue guidance and directions, and to intervene where a JTA is failing to exercise its functions effectively?
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- **The UNITE Swansea Area Retired Members Branch support the general idea of an All Wales Joint Transport Authority with Local Authorities working together under such a framework.**

Q6. Is the proposed division of national and regional functions appropriate?
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Q7. Should any other transport functions be transferred to a JTA? Please describe.
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- **We have no comments on these questions.**

Q8. Do you think that legislation is required to secure the benefits of enhanced partnership working? Yes/No? Please explain your answer to this question.
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Q9. Do you agree with our proposals for EQPs, in particular the proposed process for developing and making EQPs? Yes/No? Please explain your answer to this question
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- **We have no comments on these questions.**

Q10. Do you think that the proposed scheme provides a more workable option for the franchising of local bus services? Yes/No? Please explain your answer?

Q11. Do you think there should be a requirement for the assessment to be subject to an independent audit? Yes/No? Please explain your answer.

Q12. Do you have any other comments on the proposed process for franchising?
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Q13. Do you have any comments in relation to the proposals for the issuing of permits in circumstances where franchising arrangements are in place?

Q14. Do you agree that as part of any arrangements to let franchise contracts, specific consideration should be given to how SMEs can be enabled to be involved in the procurement process? Yes/No? Please explain your answer.

Q15. What transitional arrangements should be considered in order to ensure that bus services are not compromised during the process of preparing to franchise?

- **The UNITE Swansea Area Retired Members Branch remains unconvinced of the value of “franchising” of what should be a public service.**

Q16. Do you think that local authorities should be able to run bus services directly (i.e. in-house services)?
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In what circumstances do you think this would be appropriate?

What, if any, safeguards do you feel ought to be put in place with in-house services to ensure that no local authority has an unfair advantage in a deregulated market, and why?
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Q17. Do you think that local authorities should be able to set up arm’s length companies to operate local bus services?

In what circumstances do you think this would be appropriate?

What, if any, safeguards do you think should be put in place with arm’s length bus companies to ensure that no local authority has an unfair advantage in a deregulated market, and why?
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- **The UNITE Swansea Area Retired Members Branch strongly supports the provision of in house Local Authority Bus Services. It should be for each Local Authority or through joint agreements between Local Authorities to decide to provide bus services directly.**

Q18. Do you agree with the Welsh Minister's proposal to align entitlement to a mandatory concessionary fares pass with a woman's pensionable age? Please give reasons for your answer.

Q19. Do you agree that an incremental change is the most appropriate method?

- **The UNITE Swansea Area Retired Members Branch support this proposal provided it is phased in and that the universal entitlement remains, no charges are introduced and that no one currently holding a pass will lose their entitlement.**

Q20. Do you agree with our proposal to require the release of open data on routes Timetables fares and tickets? Yes/No? Please explain your answer.

- **The UNITE Swansea Area Retired Members Branch support this proposal. Many older people have difficulty in obtaining clear information about timetables & fares.**

Q21. Do you agree with our proposal to enable local authorities to have the power to obtain information on services which are to be cancelled or varied and where appropriate disclose this information as part of tendering process? Yes/No? Please explain your answer.

- **We have no comment on this question.**

Q22. Do you agree with our proposal to introduce national standards which will apply to all taxis and PHVs in Wales? Yes/No? Please explain your answer.

Q23. Are there any matters which you would like to see contained in any national standards?

Q24. Are there any matters which you think should be excluded from any national standards?

Q25. What practical obstacles might there be to setting common national standards for both taxis and PHVs?

Q26. What would be the best approach for determining the content of national standards?

Q27. Please provide any other comments or proposals around national standards that were not covered in the above questions.

- **The UNITE Swansea Area Retired Members Branch supports the introduction of truly enforceable National Standards for Taxis & PHV vehicles & drivers in Wales. Members have raised complaints about the non-compliance of drivers with licencing conditions (e.g. Drivers not the actual licensed driver).**

- **There should also be a statutory Dignity Code, based on the National Pensioners Convention Dignity Code, for all Taxi & PHV drivers in respect of care for their passengers including for elderly and disabled passengers.**

Q28. Should a local authority be able to revoke or suspend a licence relating to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Q29. Should a local authority be able to issue a lesser sanction in relation to any vehicle operating in its area, even if it did not issue the original licence? Yes/No? Please explain your answer.

Q30. Please provide any other comments or proposals around enforcement that were not covered in the above questions.

Q31. Do you agree with our proposal to create a database or make other arrangements for relevant safeguarding information to be shared? Yes/No? Please explain your answer.

Q32. Please provide any other comments or proposals around information-sharing that were not covered in the above questions.

- **The UNITE Swansea Area Retired Members Branch supports these proposals to improve protection for passengers.**

Q33. Do you agree with our proposal to redirect all of the existing taxi and PHV licensing functions away from local authorities and into a national licensing authority (Option A)? Yes/No? Please explain your answer.

Q34. Do you think that local authorities should continue to have responsibility for taxi and PHV licensing (Option B)? Yes/No? Please explain your answer.

Q35. Please provide any other comments or proposals around responsibility for taxi/PHV licensing that were not covered in the above questions.

Q36. We would like to know your views on the effects that the legislative proposals set out in this paper would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Q37. Please also explain how you believe the proposals could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on

opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Q38. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

- **The UNITE Swansea Area Retired Members Branch supports the introduction of truly enforceable National Standards for Taxis & PHV vehicles & drivers in Wales. On balance we would favour option B as Local Authorities are closer to people and have access to good local information on Taxi & PHV matters.**

Dereck Roberts
UNITE Swansea Area Branch Equalities Officer
18th March 2019