

**FUTURE OF TRANSPORT REGULATORY REVIEW – CALL FOR EVIDENCE
RESPONSE FROM THE CONFEDERATION OF PASSENGER TRANSPORT**

The Confederation of Passenger Transport (CPT) represents the operators of bus and coach services across the UK. We have more than one thousand enterprises in membership, including major PLCs, municipally-owned companies and family businesses with fewer than ten vehicles.

Below are the responses from CPT-UK, based on responses submitted by its members. These are set out in blue text under each consultation question.

Question 2.1 Do you think micromobility vehicles (such as those in Figure B) should be permitted on the road? Please explain why.

There is a fine balance to be struck between the benefits of potential modal shift from car to micromobility modes, and the risk of mode shift from public transport to micromobility. Public transport is the most efficient and environmentally friendly means of transporting people and maximises the use of available road space. Micromobility devices not only have the risk of undermining the revenue streams for public transport operators, but they could also seriously impede their passage particularly in urban areas. So on balance, we do not believe these vehicles should be allowed on the road.

Question 2.2 If you can, please provide evidence to demonstrate the potential:

a) Benefits of micromobility vehicle use. If appropriately regulated and provided with infrastructure that avoids conflict with pedestrians and public transport, these vehicles have great benefits of providing first and last mile additions to core public transport services

b) Risks of micromobility vehicle use. We have safety concerns for pedestrians due to conflict with these vehicles, in general but particularly where people are boarding and alighting public transport. There is also a high risk of these vehicles impeding and reducing the efficiency/attractiveness of public transport (buses) due to conflicting demand for road space. Also if these devices were to be permitted on board buses/trams/trains, they pose a risk of injury to fellow passengers and a risk that other passengers would be put off from travelling.

Question 2.3 If micromobility vehicles were permitted on roads, would you expect them to be used instead of: It is difficult to ascertain what this question means – is it what we would want to happen, or what we fear might happen – we have answered in the latter context and in the urban rather than rural case)

Vehicle type	Often	Sometimes	Never
Private vehicles		x	
Taxi or private hire vehicles			x
Public transport	x		
Delivery vehicles			x
Cycling		x	
Walking	x		

Other (please specify)

Question 2.4 a. In your opinion, which of the following micromobility vehicles should be permitted, if any, on roads, lower speed roads, and/or cycle lanes and cycle tracks?

● All types [in cycle lanes that are either off road or sufficiently wide to prevent conflict with other modes, and are not created at the expense of public transport priority lanes](#)

- Electric scooters
- Electric skateboards
- Self-balancing vehicles
- Electrically assisted cycle trailer
- Segway
- Other (please specify)

b. Please explain your choices for using micromobility vehicles (or not) on roads and/or only lower speed roads, providing evidence where possible. [There is already considerable conflict between buses and cycles where priority lanes are shared, as buses need to pull in frequently to the kerb to stop. Furthermore, in many cases a cyclist ahead of a bus impedes the progress of the bus as lane width is insufficient to overtake safely. Better and cleverer design is needed.](#)

c. Please explain your choices for using micromobility vehicles (or not) on cycle lanes and tracks, providing evidence where possible. [As above](#)

d. What impact do you think the use of micromobility vehicles on cycle lines and cycle tracks would have on micromobility vehicle users or other road users? [Presumably this should read "cycle lanes" – if so, as above](#)

Question 2.5 Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on the footway. Should any other micromobility vehicles be permitted to use the pavement or pedestrian areas? If so, which types of devices should be permitted and in what circumstances? [No – there are considerable risks of conflict, particularly with for instance bus stop queues or passengers alighting or boarding public transport; a "free for all" will be perceived by micromobility unless there is careful control and many users will ignore control in any event, as is already evident with cyclists ignoring traffic signals, crossings and other restrictions.](#)

Question 2.6 a) What do you think the minimum standards for micromobility vehicles should be? [They should be registered and insured and comply with defined Construction and Use regulations.](#)

b) Should different standards be set for different types of micromobility vehicle? Please provide evidence. [Maybe this is all better handled through mandatory insurance](#)

Question 2.7 Are there other vehicle design issues for micromobility that you think we should be considering? Please provide examples. [No](#)

Question 2.8 In your opinion, what should the requirements be for micromobility users, with regard to:

User requirements Like EAPCs Like mopeds Other requirements (please provide details)

Vehicle approval	Yes
Vehicle registration and taxation	registered but not taxed
Periodic vehicle testing	No
User driving licence	No
Insurance	mandatory – and for cycles?
Helmet use	No
Minimum age	16
Speed limits	more important is enforcement of “not in control” or “dangerous use” requirements – enforceable by police

If you believe regulating micromobility vehicles like EAPCs or like mopeds would be problematic, please explain why.

Buses, taxis and private hire vehicles

Question 3.1 Should an updated regulatory framework for flexible bus services allow for each category of service to be regulated differently? If so, how do you think it should be regulated differently? No – although there is an awful lot more to do in fostering initiatives like Total Transport, where NHS Trusts need to be compelled to participate and do so in a proactive manner. Most DRT schemes fail because they cannot be made to work commercially and funding runs out/becomes too expensive per passenger trip; DRT also has reduced visibility compared with the “permanence” of a fixed route bus service.

It may be appropriate to allow changes to detailed operation within a defined flexible bus service at a shorter notice period than the statutory 70 day period (including 28 days pre-notification to the local transport authority).

Question 3.2 How do you think we should define the area of operation for a flexible bus service? Amending the guidance to explain the full range of possible deployment is more appropriate, enabling the largest potential areas to be served – we do not think a change to the law is required.

Question 3.3 In your opinion, does the 20 minute time window to arrive at each passenger pick-up remain appropriate? If not, how should the time window be altered? Passengers need confidence of when the service will pick them up – real time monitoring could help with this and perhaps passengers could cancel the trip with 100% refund, once delay exceeded a defined threshold. This would obviate the need for the 20 minute window.

Question 3.4 Do you think operators of flexible bus services should be required to provide real-time progress updates? Please provide evidence. Whilst there is a case that it should be mandatory, as the Bus Services Act mandates this for all other types of bus service, as Open Data, some members consider that provision of an alternative service (such as a direct phone number providing up to date journey data) would be a suitable alternative.

Question 3.5 In your opinion, how could the carriage of more ad-hoc bus passengers be encouraged without impacting negatively on the service received by passengers who have booked in advance? Studies have shown that the success of demand responsive services can be affected by a variety of factors, including fare and vehicle type, but also the need to pre-book. A degree of spontaneity in travel patterns is welcomed by many users and having to book a seat can be a deterrent to use. The use of journey modelling Apps could allow additional pick-ups within a given zone, as long as these do not have a negative impact on existing customers. A model where a fixed timetable is provided for certain journeys for key movements at peak periods might improve the service for customers and improve commercial viability – this could be done by separate service registrations but that would not permit day to day variations. As long as these were advertised in advance, allowing such variations on a journey by journey basis would be a useful modification to the flexible service regulations. “Limits on carriage” are referred to in the consultation document but the meaning of these is not clear.

Question 3.6 What sort of fare structure do you think should apply to flexible bus services? These will need to be broadly the same as any bus service. Payment to be irrespective of occupancy, but can be demand-based e.g. cheap off peak to stimulate demand, and can be dynamic as required too to reflect seasonal demand for instance. Also worth noting is that the price paid by the passenger varies due to the ticket the passenger holds – e.g. a weekly or monthly ticket, multi operator ticket, capped emv model 2 payment, etc. There is a separate but related issue regarding concessionary

travel reimbursement where an ENCTS passenger carried “free” effectively prevents a later booked passenger travelling – thus the ENCTS passenger should be (fairly) reimbursed to the operator at 100% of the revenue foregone for that trip. There is another argument – that flexibly routed services offer a “special amenity value” in the fare and therefore travel concession authorities have the option to remove such services entirely from ENCTS validity.

Question 3.7 a) Do you think there should there be less rigid registration requirements around notice periods for flexible bus services? It is at least as important to clarify definitions and guidance as set out above. For notice periods, to maintain the benefits of “flexibility” it would be appropriate within a defined registered service to allow modifications at 28 days including a 14 day pre notification to the local transport authority.

b) Which elements of the registration requirements do you think could be improved to enable flexible bus services? Some greater flexibility in operating area and times might be appropriate, with notice period as above.

Question 3.8 Do you think the Bus Service Operators Grant (BSOG) should be adjusted to accommodate the development of flexible bus services? If so, how? The same rules should apply as for any other registered bus service. As long as less than 50% of seats are “reserved” for pre-booking the service should be eligible, even if on a particular journey all seats might have been pre-booked.

Question 3.9 Do you think the record keeping requirements for flexible bus services are still appropriate? If not, what changes do you think should be made? Passengers need to opt in for personal data to comply with GDPR. Otherwise this is all a bit cumbersome and excessive. The Traffic Commissioners and DVSA can monitor compliance with the service’s registered particulars and the mandated Open Data requirements from the Bus Services Act will require real time tracking which will help with that monitoring.

Question 3.10 Do you think we could use flexible bus services to improve transport in rural areas? Yes, but this is still not a commercial proposition generally, and the real watershed will be getting NHS trusts onside with the Total Transport concept for non-emergency patient transport, with positive commitment. Forcing them to look not only at their transport costs, but the costs they incur as a result of transport “failure” should help bring this home to them, but participation will probably have to be mandated to achieve integration. There is reference in the consultation document to local authority uncertainty of pricing, but an authority looking to go to tender for service operation can overcome that with a tight tendering specification and contract. Reference is also made to different rural/urban approach; this is both arbitrary and a false distinction, as many services link rural areas to urban areas.

DRT is considered likely to be most sustainable where it can connect into interurban bus routes operating between major centres. These can start as basic facilities and be improved as “added value” associated with new developments. DRT offers great flexibility to feed in at peak periods or throughout the day, with the degree of service flexibility dictated by demand patterns. Entirely rural self-contained DRT will likely require very high levels of public subsidy and will struggle with sustainability without longevity of funding.

Question 3.11 What do you think would be the correct requirement for Disclosure and Barring Service (DBS) checks on flexible bus services? It is possible to argue this both ways – whilst the general rule should be “the same as local bus”, therefore no DBS checks, many such services are

likely to result in lone travellers in remote areas on routes which are not fixed, requiring DBS may be appropriate – perhaps best handled on a case by case basis.

Question 3.12 a) What areas of the bus, taxi and private hire vehicle (PHV) framework should we consider in future stages of the Future of Transport Regulatory Review?

b) How else, in your view, can the Government support innovation in the bus, taxi and PHV sectors?

For both please see answer to 3.10 above

Total Transport aims to consider all of people's passenger transport needs; journeys to work, school, shopping, leisure, health (hospital appointments and staff); and adult day care. By considering all the different forms of passenger transport available: bus; community transport; school transport; taxi and non-emergency patient transport (NEPTS), all working together in a co-ordinated way, these needs can be met in a more cost effective manner.

An evaluation exercise established that for a large rural area, ordinary bus and community transport operators could typically meet 95% of non-emergency patient transport at a small fraction of the current cost. Cost savings could then be ploughed back into providing additional network coverage. Disjointed budget holding and a lack of impetus for change have frustrated progress. The premise was based on linking home to school transport; special educational needs transport and non-emergency patient transport.

There remains an opportunity to be realised, with funding for patient transport being either devolved to local transport authorities or coordinated nationally by a professional NHS transport team, delivering Total Transport with those authorities. Sharing of knowledge between these bodies and operators, on existing patterns of demand (within the scope of GDPR), would help define the optimal service provision. This may include the use of flexible or demand responsive services, but as noted DRT services have struggled to remain sustainable. None though, as yet, have used the basis of patient transport; school and adult day centre transport as a guaranteed source of funding to cover core costs.

A further area where innovation could be supported is by allowing the sector to meet the requirements identified as 'missing links' by the Sub-National Transport Bodies are identifying. Rather than attempting to reintroduce rail services, there is a role for bus and coach to reinstate such services, with suitable funding, and if demand demonstrates that the need for the link is proven a case for its ongoing perpetuation can be built. The link can therefore be provided at much reduced cost and much more rapidly than the re-establishment of a rail service.

Mobility as a Service (MaaS)

Question 4.1 In your opinion, in the development of Mobility as a Service platforms, what should be the role of local authorities, central government, or other transport authorities? Please provide details.

Central government should ensure minimum technical standards for platforms – governing data security etc. Otherwise we believe that there is a great imperative for freedom to innovate. Payment means must not be mandated; it is possible to have a valid Maas information service, but with payment still ad hoc on the vehicle. Great care is required when “bundling” fares as this has implications for inter-operator liability under TAP-TSI and EU Passenger Rights (the former will survive the UK’s exit from the EU we understand).

Question 4.2 a) Can you provide evidence for further measures that are required for the standardisation and interoperability of data, for example the routing, ticketing and timetabling data, to deliver Mobility as a Service? *The Local Bus Services Act 2017, through its Open Data provisions, will achieve all this, we do not believe it is appropriate to have another review/reform when we haven’t even implemented this yet (it will take effect in January 2021).*

b) Who should lead these further measures (e.g. central government, local government, industry, or other)? Please explain why. *Simply demand, latent demand and suppressed demand. Nothing else.*

Question 4.3 In your opinion, is the roll out of the integrated style of ticketing required to facilitate Mobility as a Service prevented by any regulatory or commercial barriers? If so, please provide details. *No; this would potentially kill off the modes that serve the Maas model – a classic case of “tail wagging dog”.*

Question 4.4 What competition concerns do you think Mobility as a Service might present that could be difficult to address through existing regulations? *The bigger problems are:*

- 1 Where MaaS providers may take a biased view of service providers and not provide the end user with the appropriate choice. We note that in non public transport modes (bike hire for instance), that may not be possible – strategic alliances might be required. There will be a need to ensure that the MaaS concept is not abused to lock in (or to freeze out) operators, nor to lock in public users
- 2 The fee that the MaaS provider is charging – given that the public fare cannot realistically exceed the walk-up fare (otherwise why would the public use the MaaS system), the mode operator will end up paying a “commission” – any attempt to make this too high will result in failure of the operator’s business model – and the operator itself.

Question 4.5 In your opinion, does the current framework for consumer protection need to be expanded to include liability for multi-modal journeys? If yes, please provide evidence. *There is perhaps more of a need to protect modal operators (see answer to Q4.4 above). Also a need to ensure that modal operators’ terms and conditions of travel always prevail, at the time of travel, over the MaaS provider’s. There is also a big risk area in respect of bundling of tickets – the regulatory risk due to liability – see response to Q4.1 above.*

Question 4.6 Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? If yes, please provide evidence. *We do not perceive this to be a problem if they simply aggregate modal solutions that*

have to adhere to modal regulations. It has to be accepted that not every member of society can ride a bike though, for instance. In terms of accessibility of the MaaS service this is likely to rely on technology which will have to be adaptive to individual needs, bearing in mind that not everyone can use a conventional mobile device. Payment options will also need to be adaptive and flexible.

Question 4.7 a) What actions could help to ensure all sectors of the population can access Mobility as a Service applications? A variety of platforms will maximise accessibility rather than for instance relying solely on mobile Apps. This might involve the need for access to a telephone booking service. Payment options will also need to be adaptive and flexible.

b) Who do you think should be responsible for delivering these actions (e.g. central government, local government, industry, or other)? Please explain why. Central government – no one else can afford to take on these development costs

c) What do you think government could do to encourage, incentivise or enforce the delivery of these actions? Provide funding on a scale that would not be possible commercially.

Question 4.8 In your opinion, what further action is necessary, if any, to ensure that Mobility as a Service platforms provide:

a) Safe and appropriate use of data?

b) Protection of an individual's information?

MaaS providers need to be governed by, and adhere to, the same rules as modal operators; this includes GDPR.

Question 4.9 a) Can you provide any further evidence of the positive or negative impacts of Mobility as a Service on active travel and/or sustainable modes? Please provide examples. There is insufficient evidence as yet – other than the failure of commercial MaaS experiments in the UK.

b) Can you provide evidence of measures that could be incorporated into Mobility as a Service platforms to encourage active travel and/or sustainable modes? Providing consumers with the real true cost of car use for their journeys, plus the carbon output, airborne pollution and fitness/health data for all modal options, as well as real time end to end journey times, taking account of issues such as time to find and pay for a parking space.

Question 4.10 Do you think guidance or a Code of Practice for the Mobility as a Service industry would be useful? If so, what content do you believe would be beneficial to include in a Code of Practice? Yes; it would be beneficial to instigate a set of standards and if the MaaS platform meets these standards, it gets an official "Kite-mark".

Wider issues

Ensuring inclusive future transport

Question 5a.1 Can you provide evidence of how regulatory frameworks outside of the UK have explicitly sought to improve access to transport for people with protected characteristics? We offer no specific evidence on this point but consider that the UK standards for bus and coach travel are, and should remain, very high.

Question 5a.2 In your opinion, how can regulation of future transport technologies and services secure equitable access to transport for people with protected characteristics? Please provide

examples. Maintenance of the current high modal standards, and ensure these apply to all providers within the mode, and to suppliers of aggregation e.g. MaaS when using these modes

Enabling trials of new modes

Question 5b.1 In your opinion, which specific areas of road traffic law might benefit from having a statutory exemption power included to help support safe trials of transport technologies? Why have you suggested these areas? [We do not offer any comment](#)

Question 5b.2 In managing the risks of allowing exemptions to transport legislation for trials, what do you believe should be the role of:

- Local authorities? [To propose and promote, in partnership with other participants including operators](#)
- Combined authorities or the Greater London Authority? [As above](#)
- National government? [To provide a consistent and efficient approval framework](#)
- Trialling organisations? [To put it into operation](#)
- Other?

Local leadership of new transport services

Question 5c.1 With regard to managing new transport technologies and services, are there powers currently held by national government which you think should be devolved to local authorities, combined authorities or the Greater London Authority? If so, please provide evidence and examples. [No. We do not believe that the competence and resources of these bodies are appropriate for such devolution. What is needed is better policy making and joined up transport/infrastructure/land use/economic planning at a local authority/combined authority level, not additional powers.](#)

Question 5c.2 Where the local transport authority and the local highway authority are separate local authorities (such as in London and the Combined Authority areas), what should be the balance of powers and responsibilities to maximise the benefits of future transport? [We consider that there would be significant benefits that could be gained by bringing all the highways and transport powers under the same authority in any given area. These benefits will not be realised without appropriate coordination with planning policy, however.](#)

Question 5c.3 In this context, what role might sub-national transport bodies most usefully play, in your opinion? [This may be advantageous from a resourcing and competence perspective – larger authorities with bigger budgets find it generally easier to recruit and retain appropriate volumes and calibres of professional and technical staff.](#)

Question 5c.4 In your opinion, could any non-regulatory measures help to empower local authorities, combined authorities or the Greater London Authority to manage transport innovation? Please provide examples. [What is needed is central guidance and leadership, policy making and sharing of best practice.](#)

Question 5d.1 Are there any specific, urgent areas of the regulatory framework that you feel we are not addressing through the eight workstreams already announced for the Future of Transport Regulatory Review? Please provide evidence. [Yes – in section 6 of the consultation document there is reference to electrification and charge points for private cars, where these are to be made](#)



available to all developers and information providers. This will ultimately lead to electric car congestion replacing petrol/diesel car congestion. We consider that this is the wrong emphasis – instead there should be encouragement of modal shift to, and use of, public transport, and discouragement of private vehicle use.