



**Comments from Imtac on the consultation The
Future of Bus Licensing in Northern Ireland**

September 2010

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About Imtac

- 1 Imtac is a committee of disabled people and older people as well as others including key transport professionals. Our role is to advise Government and others in Northern Ireland on issues that affect the mobility of older people and disabled people.
- 2 Our aim is to ensure that older people and disabled people have the same opportunities as everyone else to travel when and where they want.
- 3 Imtac receives support from the Department for Regional Development.

Comments on the consultation document

- 4 Imtac welcomes the opportunity to comment on the proposals for the future of Bus Operator Licensing in Northern Ireland. As a Committee primarily of disabled people and older people our focus around any changes is the benefits this brings to passengers. We would expect that any change would:

- Improve access to existing services for disabled people and older people
- Allow the potential for more innovative and flexible services
- Improve the safety of passengers using all services

Conversely Imtac would be concerned if any change was to compromise current levels of access for disabled people and older people or which reduces safety or creates unnecessary barriers.

- 5 Imtac broadly agrees that there is a need for change to the way operators are currently licensed. The current system is outdated and has not kept pace with the way transport

services have developed. Given the changes proposed under Public Transport Reform it seems sensible to look again at operator licensing.

- 6 The 10b permit system clearly illustrates the problems of the current licensing system. The community and voluntary sector make a hugely valuable contribution to meeting the transport needs of many people in Northern Ireland including disabled people and older people. The sector does however cover a wide range of operators and services from a small church providing transport to and from activities for their congregation to large community transport partnerships providing individual door to door transport funded by Government in Northern Ireland. Given the obvious differences in scale and type of operation between providers within the community voluntary sector it seems sensible to look at whether the current one size fits all 10b permit system is the best framework for operators to deliver services.
- 7 Imtac believes there is merit in looking at changing the current licensing arrangements to give greater recognition to the different types of operators in Northern Ireland. Imtac would prefer a licensing system that encourages flexibility and innovation and makes best use of all the transport provision that exists in Northern Ireland.
- 8 Having said this we do believe more information is required about the detail of the proposed three tier licensing system before we fully endorse any proposals. Further information is required on the nature of the proposed restrictive licence as well as the potential impact of both tier two and three proposals on existing community and voluntary transport provision.
- 9 Smaller community and voluntary providers provide invaluable services to their members. Many of these organisations rely on volunteer drivers who can currently

drive vehicles as part of their driver licensing¹. Imtac could not support any proposals that would remove the ability of operators under the tier 3 licences to use volunteer drivers with the suitable category of driver licence. Requiring drivers to have a full licence in this sector will be financially prohibitive to many organisations and potentially damage services provided to their members.

- 11 On a similar issue it is clear from the consultation that the DoE intend to recover the full costs of moving to a three-tier licensing system directly from operators. No information is given on the likely costs involved but there is a recognition that costs are likely to increase for smaller voluntary and community organisations. Imtac is concerned this could again be a barrier to organisations providing/using transport services or may encourage organisations to operate outside of the licensing framework.
- 12 It is not clear from the consultation is what services or indeed what restrictions Restricted Licence operators can run under the new licence. Imtac believe there should be greater flexibility for operators to run innovative services under this licence than exists under the current licensing arrangements. Without the ability to innovative Imtac remains unconvinced of the benefits of creating this tier both from operators and passenger perspectives.
- 13 Most of the larger community transport operators are involved in the delivery of services for Government here. At the same time these operators do allow local member groups to use their vehicles when they are not required for these services. This is facilitated under the 10b permit and means that the use of these vehicles are maximised for the benefit of local communities.

¹ Imtac understands this applies only to drivers who passed their driving test before 1st January 1997 and that this category of driving licence will be phased out over time.

- 14 It is unclear from the consultation how the new framework would affect these arrangements. For example would community and voluntary organisations be able to use vehicles of operators licensed under the proposed second tier or would these organisations have to become Voluntary Organisation Operators in their own right. The latter option would appear to be unnecessarily bureaucratic, inflexible and potentially damage what is currently a valuable community service.
- 15 Imtac welcomes the proposals to bring all the tiers of operator licence under the provisions of the Disability Discrimination (Transport Vehicles) Regulations (Northern Ireland) 2009. Imtac has previously raised concerns about the exemption of transport providers operating under the 10b permit from the original scope of the Regulations particularly as disabled people use many of these services. We do not believe the requirements of the Regulations will place an unreasonable burden on the operators affected.
- 16 Imtac agrees that the large number of designated bodies for the issuing of permits is unsatisfactory and should be reduced. We have no opinion on who should issue permits in future. However if there was agreement to move from a permit to a licence system it would seem to be sensible that the Department administer this.
- 17 With regard to the Equality and Partial Regulatory Impact Assessments Imtac does not feel there is enough evidence and information in the consultation document to provide any detailed feedback. More information is required on the likely impact of the proposed changes on the current providers of services and passengers.

Conclusion

- 18 Imtac thanks the Department for the opportunity to comment on the current consultation in the future of bus operator licensing in Northern Ireland. We agree with the Department that the current framework is in need of reform to meet

existing and future challenges. We agree that there is merit in looking at different options including a three-tiered approach to licensing in the future. However the Committee does not feel there is enough detail in the current proposals to definitively support such a move. We are particularly concerned that the proposals could impact negatively on the valuable services provided by smaller voluntary and community organisations. We would also like more detail on the proposed Restricted Bus Operator License in relation to the benefits to operators and passengers of such a license. Imtac welcomes the clarification sent by the Department on the 17th August 2010 which addresses some of the issues raised in this response. However the Committee believes that more time is required to firm up proposals (including further engagement with stakeholders) before final decisions can be taken on a way forward.

Contact us

- 19 If you have a query about this document or would like it in another format you can contact Michael Lorimer at:

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