



Consultation response

**WORK OF THE VEHICLE AND
OPERATOR SERVICES AGENCY
(VOSA)**

Evidence for House of Commons
Transport Select Committee

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1. Introduction

- 1.1. **pteg** represents the six English Passenger Transport Executives which between them serve more than eleven million people in Tyne and Wear ('Nexus'), West Yorkshire ('Metro'), South Yorkshire (SYPTe), Greater Manchester ('TfGM'), Merseyside ('Merseytravel') and the West Midlands ('Centro'). Nottingham City Council, Leicester City Council, Bristol and the West of England, Strathclyde Partnership for Transport and TfL are associate members, and part of our wider professional network.

2. Summary

- 2.1. In relation to this inquiry we will restrict ourselves to bus issues as this is our area of knowledge. **pteg** welcomes this inquiry as we have been concerned for some time about:
- the numbers of PSVs issued with prohibition notices following inspection by VOSA
 - the sometimes patchy punctuality and reliability of bus services, and the low level of resources which is devoted to investigating and enforcing punctuality and performance
- 2.2. Overall we believe that more attention and resources should be devoted to raising safety and performance standards, in the bus industry. There is a need for greater policy clarity linked to clear objectives and effective enforcement.

3. Overall policy / monitoring of bus safety

- 3.1. Firstly it is worth noting that the attention currently given to bus safety and performance is in stark contrast to that given to rail.
- 3.2. The rail industry has two specific bodies that oversee rail safety matters. The Railway Safety and Standards Board and the Railway Accident Investigation Board. This gives the railway industry excellent statistical analysis of trends in accidents and areas of risk. This in turn informs research into solutions and triggers concerted programmes within the industry to tackle and reduce areas of risk and causes of accidents.
- 3.3. For the bus industry the statistics on risks and accidents are not easily accessible, there is no clear commentary on trends and causes, and no clear understanding of what national strategy the Traffic Commissioners or VOSA have for how safety standards can be progressively improved.

4. Safety of vehicles

- 4.1. We are concerned about PSV maintenance standards, which are borne out by the high level of prohibition notices issued for buses and coaches following checks by VOSA. In 2010/11 19.2% of UK PSVs that were road-side checked by VOSA were subject to prohibition notices (an increase of 2.2% compared with five years ago). In 2010/11 the prohibition figure for fleet checks at operators' premises was 15.3% (a higher figure than for any of the four preceding years)¹. However, having said that the lack of a breakdown of data between buses operating scheduled services, minibuses for hire, and coaches, doesn't help an informed debate.
- 4.2. Many local transport authorities have limited faith in the effectiveness of the PSV Operator licensing system in ensuring that appropriate safety and maintenance standards are met. For

¹ Data taken from last parliamentary question on the subject, 8th June 2011, Graham Stringer MP to Parliamentary Under Secretary, Michael Penning MP

this reason many authorities employ either their own staff, or external agencies, such as the Freight Transport Association, to vet operators before awarding them contracts to operate local bus services. We would therefore like to see greater resources devoted to VOSA inspection of PSV vehicles, depots as well as safety management records, systems and processes. We believe that more inspections will result in safer, better maintained buses contributing to a general improvement in the quality of the bus 'offer' for passengers.

5. Punctuality monitoring

- 5.1. VOSA has now replaced performance monitoring officers (who used to monitor punctuality by standing on street corners with clipboards) with 'bus operator account managers' who are tasked with working with operators and Local Transport Authorities on policy, process and practice on punctuality. We note from the recent Transport Commissioners' annual report that the Transport Commissioners appear to be reserving judgement as to whether or not this approach will be successful or not.
- 5.2. In London, and for national rail services, a suite of comparable and appropriately disaggregated performance data is readily available to passenger watchdogs because both London's public transport and national rail services are operated under contracts which specify performance targets and require performance data to be provided.
- 5.3. Performance data for bus services outside London is much harder to come by on a consistent and comparable basis. This is because of the multiplicity of operators that provide bus services and because available performance data is often highly aggregated, patchy or measured in an inconsistent way. The sources of this information also varies – and ranges from highly aggregated national information, the limited information provided by some operators, or from what emerges from Traffic Commissioner or Local Transport Authority surveys or inquiries.
- 5.4. One of the best sources of information on performance is a by-product of real-time information system, where satellite tracking of vehicles provides in-depth and highly detailed performance information on a real-time basis. However, the performance information that can be derived from these systems is often covered by confidentiality agreements (insisted upon by operators). It seems strange that where these systems exist that the Traffic Commissioners and VOSA are still relying on patchy performance information, when they could be accessing all the performance data they need if they had a right of access to these real time systems.
- 5.5. When £1.5bn of the bus industry's income (excluding London) comes from the taxpayer the lack of basic performance data available to taxpayers, passengers and policy-makers alike is remarkable. It also represents a marked contrast with the performance data available for other forms of public transport and other key public services. **pteg** has consistently argued to DfT that this performance information should be made public (given the sums the DfT puts into the industry) but to no avail and the DfT continues to support the use of confidentiality agreements by operators to prevent performance information being made available to the public or the Traffic Commissioners². This despite the Government's wider commitment to opening up information and data about public services.

² Bus Punctuality Partnerships, revised guidance July 2011, Department for Transport

6. Enforcement of Statutory Quality Partnerships

- 6.1. Statutory Quality Partnerships (SQPs) allow for a binding agreement to be entered into between a local transport authority and a bus operator. Under an SQP a Local Transport Authority (LTA) can provide improved infrastructure (such as bus priority measures) on a corridor and negotiate the arrangements for the use of that infrastructure by bus operators. Under the 2008 Local Transport Act these agreements can now cover maximum fares, frequencies and timings. Following a slow start SQPs are now becoming more prevalent in England.
- 6.2. The purpose of an SQP (as the name suggests) is to improve the overall quality of the bus service. However this requires monitoring and enforcement of the standards set out in the SQP. One of the areas that has pioneered SQPs (Nottingham) is of the view that the combination of VOSA and the TCs has neither the resource or the incentive (given their many other priorities) to carry out the role of ensuring SQPs are enforced. This leaves both the LTAs, and those operators who are following the rules of the scheme, very frustrated. As SQPs become more prevalent the issue of ensuring that they are delivered and enforced will become more pressing.

7. Relationship between VOSA, the Traffic Commissioners and other key players on bus performance.

- 7.1. We are concerned that overall the arrangements (which includes the relationship between VOSA and the Traffic Commissioners) for monitoring, reporting and enforcing bus performance are not fit for purpose. Overall resources are limited and the relationships between the key bodies are not as clear and consistent as they could be. The key players include not just VOSA, and the Transport Commissioners, but also:
 - Local Transport Authorities (who tender socially necessary bus services, are responsible for the road networks which in turn effect bus performance, and who also, in some cases carry out their own bus performance monitoring);
 - bus operators;
 - Passenger Focus (who are the statutory passenger watchdog).
- 7.2. Although since 2008 it would be fair to say the Traffic Commissioners have by and large sought to engage more widely with stakeholders, the experience of PTEs in dealing with the local Traffic Commissioner and VOSA is mixed and often depends on who holds the job rather than a structured and consistent approach to engagement.
- 7.3. For example a particular aspect of VOSA performance, which has caused concern to some PTEs, is with the registration processing service that VOSA provide to the TCs. With VOSA dealing with service registrations on a centralised national basis they inevitably lack the local knowledge which would make for better decisions. Local Transport Authorities have this local knowledge which they could bring to the process if there was a more structured process of engagement between VOSA and Local Transport Authorities.
- 7.4. The problems that currently derive from the lack of such a structured process for some PTEs at present include:

- VOSA accepting registrations which local transport authorities (LTAs) believe they should not have done because they are incorrectly made and there are significant ambiguities over route descriptions and days of operation and so on
- VOSA lack local knowledge, which would help with judging whether or not registrations should be accepted, but not asking LTAs who do have this knowledge
- Inconsistent approaches to accepting short notice variations and whether or not they seek or act on the advice or views given by LTA officers
- VOSA coming to LTAs on occasions to ask about what is/isn't registered, suggesting problems with their administrative system

7.5. Overall then there is a need for a more cohesive and transparently structured set of relationships between not just the Traffic Commissioners and VOSA, but between all the key players in providing, monitoring and enforcing a reliable bus service for passengers – which includes Local Transport Authorities and the Operators.

7.6. The Government's main initiative in this area is the Bus Punctuality Improvement Partnerships (BPIPs) guidance for local authorities and operators (2011)³. This sets out a voluntary framework (mainly based on existing good practice) for improving bus punctuality. PTEs have been at the forefront of implementing BPIPs and this has brought benefits through greater joint working between operators and local transport authorities on tackling punctuality issues in a systematic way. However, it doesn't address the larger structural and regulatory issues which are highlighted above (for example on the confidentiality of performance data).

8. A wider role for LTAs on bus performance monitoring and service registration?

- 8.1. The PTEs have no desire to take on a safety monitoring or enforcement role for buses. However (as recommended by the TSC's last report on VOSA) there is a case for PTEs to take on a greater role on the monitoring of bus performance and reliability. Some PTEs already do their own monitoring of bus performance – either via real time software or through on-street surveys. Some of this information is shared with the Traffic Commissioners.
- 8.2. There is an argument for PTEs (and other LTAs with the capacity and inclination to do so) taking on the bus performance monitoring role on a more formal basis. If this were to happen (alongside Passenger Focus extending its role to buses) there is an opportunity to improve the overall robustness and effectiveness of performance monitoring and enforcement. This could take place alongside the establishment of a more credible system for passenger complaints and feedback.
- 8.3. Under this scenario, if Passenger Focus has a role on passenger complaints, and the PTEs have a stronger role on service monitoring (which they route into the Traffic Commissioners) then this would give the Traffic Commissioners a much better data set about performance problems. They could then target their enforcement activities more effectively for the net benefit of passengers.

³ Bus Punctuality Partnerships, revised guidance July 2011, Department for Transport

- 8.4. There is also a case for LTAs to be statutory consultees on service registrations (or even the service registration authority) to use their knowledge of the local bus market to guard against services being registered on the basis of vague or incomplete information, or where there are concerns about the past record on actual service delivery by the operator concerned.