

Response ID ANON-1ENW-USJK-R

Submitted to **Future of Transport Regulatory Review: Call for Evidence**

Submitted on **2020-07-03 18:32:47**

About you

What is your name?

What is your name?:

Rebecca Fuller

What is your email address?

Email:

rebecca.fuller@urbantransportgroup.org

Are you responding as:

On behalf of an organisation?

If you selected 'Other', please provide details.:

If you are responding on behalf of an organisation, what is your organisation's name?

What is the name of your organisation?:

Urban Transport Group

Which category best describes your organisation?

Local or Regional Government or Transport Authority

Are you happy for your response to be published?

Yes, but without identifying information

Would you like to be contacted when the consultation response is published?

Yes

How did you hear about this consultation?

Where did you hear about this consultation?:

Email from DfT

Other (please specify):

Part 2 - Micromobility

Opportunities and risks of micromobility vehicles

2.1 Do you think micromobility vehicles should be permitted on the road?

Yes, but only some

Please explain why.:

The consultation rightly states that the pavement should remain a protected space for pedestrians. Given the speed at which micromobility vehicles can potentially travel, use on pavements and footways should be banned as it represents risks to pedestrians, particularly small children, older people and people with certain disabilities. Being relatively fast moving and largely silent, they pose a particular hazard on the pavement to people with visual or hearing impairments.

The use of micromobility vehicles on pavements and footways could also cause pedestrians to feel less safe and less comfortable even if the actual risk of harm was relatively low. This may reduce people's propensity to walk as well as detract from a pleasant urban realm.

Consideration should be given as to how bans on pavement/footway use can be effectively enforced, given that the police are likely to lack the resources to do so, particularly if e-scooter use were to become more widespread.

Electric skateboards, self-balancing vehicles and Segways

Electric skateboards, self-balancing vehicles and Segways should remain illegal for use on the road due to concerns around stability and braking. It has recently been announced that production of the original two-wheel self-balancing Segway is to end(1) .

e-scooters

If legalised, the logical space for e-scooters is on the road, ideally on segregated infrastructure shared with cycles (provided the speed of e-scooters is limited to align with cycles) to separate scooter users from motor traffic wherever possible. E-scooters should only be allowed on roads where pedal cycles and Electrically Assisted Pedal Cycles (EAPCs) are already permitted.

Following e-scooter trials, it may be that there are other types of road where EAPCs and pedal cycles are permitted but where e-scooters should not be allowed due to their speed and inability to generate further speed through pedalling if needed.

Should e-scooters be legalised, it will be important that safety, both for riders and for other road users, is placed first and foremost. Speed should be limited to 12.5mph and – in the case of e-scooters mandatory training and ideally, helmet wearing introduced.

Their potential introduction should form part of wider moves to improve infrastructure for cycling, separating people from cars wherever possible to make cycling (and, by extension, e-scooters) attractive and accessible to as many people as possible.

Any moves to legalise e-scooters should be designed to support agile and devolved governance, offering city and transport authorities the opportunity to ensure that e-scooters are introduced in a way that supports – rather than frustrates – wider strategic policy goals for their people and places (including around public health). Required powers range from the ability to cap numbers of rental e-scooters to the need for rental companies to share their data to aid wider network planning (see question 2.2 for further details).

Electrically assisted tricycles and e-cargo bikes

Electrically assisted tricycles are a welcome addition to the network given that they open up the option of cycling to more people. Again, ideally, these vehicles should be used on segregated cycle lanes wherever possible or on the road where this is not possible.

E-cargo bikes are an increasingly common sight in our towns and cities, providing green last mile deliveries. Their size and electrical assistance allows them to hold their own amongst motor traffic, important given that they are often too wide for cycle lanes.

Returning to the point that any increase in micromobility should be accompanied by upgrades to cycle infrastructure, more generous cycle lanes could offer an additional incentive to take up these vehicles as they will be better able to bypass traffic jams without mounting the pavement. Such provision could also encourage a wider range of accessible cycles and other cargo and trailer bikes commonly seen in places like Denmark and the Netherlands.

Footnotes

(1) <https://www.bbc.co.uk/news/business-53160518>

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

Benefits of micromobility vehicle use on roads:

The UK is in an enviable position in that it can learn from the wealth of experience accumulated internationally, learning from both best practice and the mistakes made elsewhere to make an informed judgement about the likely benefits and risks associated with different models of micromobility use, particularly in respect of e-scooters.

Benefits of micromobility use

Decarbonisation and cleaner air

Micromobility devices as identified in this consultation emit zero direct emissions.

Reduced congestion

Micromobility vehicles have the potential to remove short motor vehicle journeys from our roads (e.g. short trips by car or last mile deliveries by van) replacing them with trips that are space efficient, thereby offering the opportunity to reduce congestion.

Acting as a complement to the public transport network

In the current context of greatly constrained public transport capacity due to COVID-19, personal micromobility vehicles could free up space on public transport vehicles by either replacing short journeys in their entirety or allowing people alight the vehicle earlier, completing the rest of their journey by e-scooter, for example.

As noted in the consultation document, Mobility as a Service platforms could assist in delivering this integration in respect of micromobility rental schemes. Such integration would, however, require operators of micromobility rental schemes to share data with transport authorities to aid integrated transport planning. Currently, the only way to achieve this would be through voluntary memorandums of understanding which are not legally binding.

As social distancing continues to be in force but as people gain more freedoms, demand for public transport could quickly outstrip supply, meaning buses are full long before they reach the outskirts of cities. For people living in these areas, micromobility could offer an alternative option.

Personal micromobility also offers the opportunity for people living just out of reach from the public transport network, or in places where services are infrequent, to more easily travel to key transport hubs using micromobility, before completing their journey on public transport.

Socially distanced

Personal micromobility devices offer a socially distanced transport option that does not operate in a confined space, emits zero direct emissions and makes efficient use of available road space.

Inclusion

Micromobility vehicles offer an additional mobility option to people who would struggle to walk or cycle longer distances. E-cargo bikes make it easier for people to transport loads that would require considerable strength to propel without electric assistance.

Risks of micromobility vehicle use on roads:

Safety

There are considerable concerns around the safety of users, particularly for smaller, less stable micromobility devices, such as e-scooters which can be difficult to control and particularly sensitive to bumps and imperfections in the road surface. Lack of widespread, joined up, segregated cycle networks add to these concerns.

Should micromobility vehicles stray on to pavements, they present safety concerns for pedestrians, particularly older people, young children and people with certain disabilities which may mean they are less able to see, hear or quickly move out of the way of vehicles that could be travelling at speeds considerably above a walking pace.

Health

Micromobility vehicles such as e-scooters (as opposed to electrically assisted vehicles) which require virtually no physical exertion from users risk removing journeys which would otherwise have been undertaken using active travel (see response to question 2.3, below).

Unchecked proliferation of e-scooter hire companies

An influx of e-scooter hire companies following any legalisation could lead to streets cluttered with discarded vehicles and other impacts which conflict with wider goals for people and places.

New city powers are required if the rental market is to be managed effectively. For example, cities need the ability to cap fleet sizes and the number of operators as well as set standards that they must meet (e.g. to share data or regularly collect illegally parked scooters). Cities should have the ability to issue permits and licences for operators of shared e-scooters allowing them to gain control of the way the schemes are being rolled out and ensure that they work to help achieve the cities' goals and objectives. This would ensure cities are not deluged with e-scooter rental companies as has happened elsewhere in Europe and further afield.

The introduction of e-scooter rental services would present city authorities with similar challenges to those presented by dockless bike schemes, for example, transport authorities lack the powers to:

- license dockless bike share schemes
- prohibit operators from entering the market
- regulate numbers of bikes or operators
- set basic parameters for responsible use
- enforce any bans against use on pavements
- require data sharing other than using a voluntary memorandum of understanding
- control allocation of parking space for privately funded schemes, other than through voluntary memorandums of understanding

These gaps must be addressed as they represent challenges for transport authorities in ensuring that shared e-scooter (and bike) schemes contribute to wider social, economic, health, environmental and place-making goals for towns and cities. Ideally, these powers should sit at city region, rather than local authority level, and should apply to all free-floating transport modes to allow a consistent approach to be applied and to minimise confusion for customers.

Environment

Questions remain as to the life cycle sustainability of micromobility vehicles, for example, how often do the lithium batteries that power micromobility vehicles need to be replaced and can they be routinely recycled? Are the vehicles durable and can they be easily repaired or recycled? What are the green credentials of micromobility vehicle manufacturers and rental companies (e.g. are zero emission vehicles used to collect up and redistribute e-scooters that are part of hire schemes? Where are vehicles manufactured and what is the carbon footprint of transporting them?).

2.3 If micromobility vehicles were permitted on roads, would you expect them to be used instead of:

Micromobility used instead of - Private vehicles:

Sometimes

Micromobility used instead of - Taxi or private hire vehicles:

Sometimes

Micromobility used instead of - Public transport:

Sometimes

Micromobility used instead of - Delivery vehicles:

Sometimes

Micromobility used instead of - Cycling:

Often

Micromobility used instead of - Walking:

Often

Micromobility used instead of - Other (please specify below):

If you selected 'Other', please specify here. :

Please provide evidence.:

Private vehicles: sometimes – see answer below under 'cycling and walking' – it seems micromobility – at least in the case of e-scooters- is more likely to remove walking and cycling journeys than private vehicle journeys. That said, an increase in the availability, affordability and accessibility of e-cargo bikes could make bikes a more viable competitor to a private motor vehicle for a wider range of trips – e.g. a large shopping trip to the supermarket or even moving house.

Taxis or private hire vehicles: sometimes – for shorter trips across cities.

Public transport: sometimes – see answer below under 'cycling and walking'.

Delivery vehicles: sometimes – delivery companies would need to be sure that micromobility vehicles made sense for their bottom line and the sorts of loads that they were transporting.

Cycling and walking: often - evidence available around e-scooters in particular suggests that e-scooter trips may be more likely to replace trips that would have been made on foot or by bike, rather than by car or by public transport.

Research by North Carolina State University, for example found that 49% of e-scooter users would have biked or walked if they did not have the e-scooter option, 34% would have used a car, 11% would have taken the bus and 7% would not have made the trip at all (2).

Closer to home, researchers in France asked 4,000 users of public e-scooters how they would have travelled if scooters were not available. Some 56% said they would have walked or cycled, 30% would have used public transport and 3% would have used a car (3).

There are many more international examples presenting similar figures, with modal shift from walking and cycling averaging between 45-55% (4) .

Of course, transport habits in the UK are not necessarily directly comparable to these international examples, and the current COVID-19 situation is likely to mean further changes to travel behaviour, however, the available evidence does sound a note of caution.

Footnotes

(2) <https://iopscience.iop.org/article/10.1088/1748-9326/ab2da8>

(3) <https://6-t.co/en/free-floating-escooters-france/>

(4) <https://www.fstyr.dk/da/-/media/FSTYR-lister/Publikationer/Evalueringsrapport-om-sm%C3%A5-motoriserede-k%C3%B8ret%C3%B8jer.pdf>;

Kickstarting Micromobility: A Pilot Study on e-Scooters (2019), Norwegian centre for Transport research, S. Berge;

<https://www.thebulletin.be/who-uses-brussels-electric-scooters-study-has-some-answers>

Use on the road, cycle lanes and cycle tracks

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

Micromobility vehicles on parts of the road - All types:

Micromobility vehicles on parts of the road - Electric scooters:

On roads, On lower speed roads, On cycle lanes and cycle tracks

Micromobility vehicles on parts of the road - Electric skateboards:

Micromobility vehicles on parts of the road - Self-balancing vehicles:

Micromobility vehicles on parts of the road - Electrically assisted cycle trailer:

On roads, On lower speed roads, On cycle lanes and cycle tracks

Micromobility vehicles on parts of the road - Segway:

Micromobility vehicles on parts of the road - Other (please specify below):

Other (please specify):

Please explain your choices for using micromobility vehicles (or not) on roads and/or only lower speed roads:

See answer to question 2.1, above. Note that for e-scooters, our answer would be 'possibly' - depending on the results of the e-scooter trial and analysis of

international evidence.

Please explain your choices for using micromobility vehicles (or not) on cycle lanes and tracks, providing evidence where possible:

See answer to question 2.1. Again, note that e-scooters, our answer would be 'possibly' - depending on the results of the e-scooter trial and analysis of international evidence. For electrically assisted cycle trailers, our answer is 'yes', provided cycle lanes and tracks are wide enough to accommodate them.

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? :

In addition to our answer question 2.1, above, increased use of micromobility vehicles on cycle lanes and tracks could lead to crowding and increased competition for space. In addition, cycle tracks can be shared use with pedestrians, which could add further challenges in terms of safely sharing space.

Use on pavements

2.5 Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on the footway.

No

Please provide evidence. If you selected 'Yes', which types of devices should be permitted and in what circumstances?:

The use of motorised vehicles on the pavement and in pedestrian areas should be kept to a minimum. If such vehicles are permitted on the pavement, steps should be taken to ensure people on foot are safeguarded. Small delivery robots (resembling boxes on wheels), already in use in Milton Keynes and other places, are examples of motorised vehicles that use pavements but, when used to excess, could cause obstruction and nuisance to pedestrians. This became the case in San Francisco where lawmakers passed legislation to ensure that only nine delivery robots were allowed to operate at any one time across the city and that, when they do, this should only be in industrial areas or on pavements that are at least six feet wide (5).

Footnote

(5) 'San Francisco sours on rampant delivery robots: 'Not every innovation is great'', The Guardian, 10 December 2017
<https://www.theguardian.com/us-news/2017/dec/10/san-francisco-delivery-robots-laws>

Vehicle requirements

2.6a What do you think the minimum standards for micromobility vehicles should be?

What do you think the minimum standards for micromobility vehicles should be?:

It is the responsibility of national government to set consistent standards around vehicle build and rules for use, including:

- national vehicle standards for micromobility vehicles (including vehicle-specific standards where needed) which follow a similar rigorous approach to that required for all other motor vehicles.
- Clear national rules on the use of all micromobility vehicles (whether rented or privately owned) to ensure consistency and clarity across the country (e.g. where they may and may not be used; what road traffic offences apply; what training and protective clothing is required; what insurance is needed).
- Clarity on how rules will be effectively enforced (e.g. enforcement of bans on pavement use, which the police may lack the resources to deal with).

In terms of what the standards for vehicles should be, our answer is confined to e-scooters, which are of the most immediate concern given plans to accelerate trials. Potentially many of the standards could also apply to other kinds of micromobility vehicle.

Building and expanding on the DfT's proposed definition and standards (as set out in the recent consultation on e-scooter trials), e-scooters should:

- be fitted with no motor other than an electric motor – to help limit speed, this should have a maximum motor power of 250 watts until more evidence is available on the safety impacts of different power levels.
- be designed to carry one person in a standing position with no provision for seating. It is important to be aware, however, that the lack of seating options could present a barrier to people who are less able to stand.
- have a maximum speed of 12.5mph and be fitted with tamper-proof speed limiters.
- have two wheels, one front and one rear, aligned along the direction of travel.
- have a set minimum wheel size. Larger wheels help riders to navigate uneven road surfaces. Most models of e-scooters have a wheel size of 8-10 inches, these small wheels make it difficult to safely travel over bumps and potholes. Safely accommodating these kinds of vehicles would require a significant increase in highway maintenance standards, something that transport authorities will find difficult to deliver given the ongoing backlog in road maintenance and the associated funding gap. Larger wheels may help in reducing the likelihood of riders falling off when travelling over uneven road surfaces. They are also easier to control at speed.
- have a mass, excluding the rider, not exceeding 35 kilograms.
- have means of directional control via the use of handlebars.
- have means of controlling speed via hand controls and whose power control defaults to the 'off' position.
- have minimum requirements for lights. This is particularly important given e-scooters are low to the ground and less visible in traffic. As well as lighting at the front, a brake light and taillight would also be useful and should be automatically controlled.
- have minimum requirements for brakes. Some e-scooter models only have a front lever brake whilst the back brake is a mudguard like a kick scooter. This is unsafe as it is difficult for users to adjust their bodies, particularly at high speed. E-scooters should therefore be equipped with both a front and back lever brake to improve safety. Further detail will also be needed on minimum braking capabilities.
- be fitted with indicators to avoid riders having to take their hands off the handlebars to indicate using hand signals. Indicators should also be designed to avoid riders having to take their eyes off the road to use them.
- be fitted with a bell or audio cue to alert other road users to what would otherwise be a largely silent vehicle, potentially travelling at speed.
- have minimum standards for durability – a sturdier build quality would mean the vehicles have a longer life, helping to reduce environmental impacts and waste.
- have minimum requirements for tyres, suspension and manoeuvrability.

2.6b Should different standards be set for different types of micromobility vehicle?

Yes

Please provide evidence.:

See answer to question 2.6a.

2.7 Are there other vehicle design issues for micromobility that you think we should be considering?

Yes

If you selected 'Yes', please provide examples.:

See answers to previous questions. In addition, consideration should be given to setting standards around environmental sustainability, particularly in respect of rental e-scooters which could be intensively used and are at risk of being hastily disposed of - either by users or operating companies, as seen in other countries.

User requirements

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

How should micromobility vehicles be regulated? - Vehicle Approval:

Other requirements

How should micromobility vehicles be regulated? - Vehicle Registration and Taxation:

Like EAPCs

How should micromobility vehicles be regulated? - Periodic Vehicle Testing:

Other requirements

How should micromobility vehicles be regulated? - User Driving Licence:

Other requirements

How should micromobility vehicles be regulated? - Insurance:

Like EAPCs

How should micromobility vehicles be regulated? - Helmet Use:

Other requirements

How should micromobility vehicles be regulated? - Minimum Age:

Other requirements

How should micromobility vehicles be regulated? - Speed Limits:

Other requirements

If you selected 'Other requirements', please provide details.:

Vehicle approval: National vehicle standards which follow a similar rigorous approach to that required for all other motor vehicles.

Periodic vehicle testing: Voluntary testing with guidance on vehicle maintenance.

User driving licence: Mandatory training for users of e-scooters.

Helmet use: At the very least recommended, and ideally mandatory 'pedal cycle' helmet for e-scooter users.

Minimum age: Consider setting higher minimum age limit for e-scooter users.

Speed limits: Maximum speed of 12.5mph.

If you believe regulating micromobility vehicles in the same way as EAPCs or mopeds would be problematic, please explain why.:

Our responses relate specifically to e-scooters as an area where legalisation may be considered (pending results of the forthcoming trial) but where doing so presents a number of challenges if an EAPC or moped model were to be followed.

Vehicle approval

Vehicle type approval will be necessary to ensure consistent standards around safety features, power and maximum speed are met. See also our response to question 2.6.

User driving licence

Riding an e-scooter is very different to operating other kinds of vehicles, it behaves differently on the road, is more vulnerable to being thrown by uneven surfaces, requires balance and has a different centre of gravity. Unlike for EAPCs, it may be wise to introduce mandatory training for e-scooters users (in person and in a safe environment).

We note that the possibility of giving unique entitlement for micromobility vehicle use to those who hold any category of driving licence is also highlighted as an option in the consultation paper. Requiring users to hold a driving license would exclude a large proportion of the potential market for micromobility – including younger people (who are increasingly choosing not to learn to drive) and lower income groups (who are less likely to hold a driving licence).

Helmet use

Head and neck injuries occur more frequently among e-scooter users than for cyclists and use of a cycle helmet should be at the very least recommended, and ideally, mandated. Unlike cycles (including EAPCs), e-scooters have very little physical activity benefit meaning that, for e-scooters, we should be less concerned with minimising all barriers to entry and instead place safety first.

Minimum age

The minimum age for riding an EAPC is 14. As noted above, the experience of riding an e-scooter is considerably different to riding a bike, for example, it is more difficult to control. It may be that a higher minimum age limit should be set to safeguard young people. In Belgium, for example, e-scooters can only be used by people aged 18 or over (6) whilst in the Netherlands, the minimum age is 16 (7). In Germany, the minimum age is set at 14 (8).

Speed limits

Whilst we believe a 12.5mph limit to be appropriate, in respect of e-scooters in particular it is important to note that, unlike EAPC riders, users do not have the option of pedalling to provide extra power when needed. This potentially places users in a vulnerable position if travelling amongst motor traffic on the road, particularly faster A roads. As noted above, it may be that, depending on the results of the e-scooter trials, there are roads where EAPCs and pedal cycles are allowed, but e-scooters are not.

Footnotes

(6) <https://www.bbc.co.uk/news/world-europe-49248614>

(7) <https://epilot.eu/en/blog/latest-updates-in-the-e-scooter-regulations>

(8) <https://epilot.eu/en/blog/latest-updates-in-the-e-scooter-regulations>

Next steps

Part 3 - Buses, taxis and private hire vehicles

Categories of service

3.1 Should an updated regulatory framework for flexible bus services allow for each category of service to be regulated differently?

No

If you selected 'Yes', please explain how you think each category of service should be regulated differently.:

Registering a flexible bus service

3.2 How do you think we should define the area of operation for a flexible bus service?

Please comment here. :

The existing definition where operators are required to register fixed stops and/or geographical areas of operation (without expanding too far, for example, across an entire county) is still appropriate. Spreading a service across too wide a geographical area could reduce the ability of a bus to be flexible and responsive and reduce its viability and efficiency in terms of matching passengers to routes. It could result in longer journey times for passengers as people in far flung corners of a geographical area have to be accommodated within a route.

Time windows

3.3 In your opinion, does the 20 minute time window to arrive at each passenger pick-up remain appropriate?

Yes

If you selected 'No', how do you think the time window should be altered?:

Yes, this time limit strikes the right balance in giving the required flexibility for bus services to dynamically respond to demand whilst also ensuring that passengers are not kept waiting for long periods and are able to travel relatively spontaneously. Many passengers will be able to use an app or receive real-time updates to track the progress of their vehicle and reduce the time they need to spend waiting at their pick-up point. This information should also be provided by text alerts in order to be accessible to a wider range of people. For people without access to a mobile device, the set 20 minute window provides confidence that the vehicle will arrive without the need to wait for indefinite periods.

3.4 Do you think operators of flexible bus services should be required to provide real-time progress updates?

Yes

Please provide evidence.:

Yes, and this should be available both via smartphone apps and SMS text messages to reach people with older devices or who are less technology savvy. All passengers should also continue to be given a clear time window as to when they can expect their service to arrive. Research consistently shows that

passengers value accurate real-time information to ensure they are not waiting unnecessarily at stops and to enable them to make alternative plans in the event of delays or cancellations.

Pre-booking and ad-hoc journeys

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?

Please comment here.:

In the current context of COVID-19 more pre-booking of bus travel could greatly help in ensuring social distancing requirements can be met on board whilst at the same time giving passengers the confidence that they will be able to get on the bus when it arrives. In this context, ad-hoc passengers could be regularly disappointed if a vehicle has already reached capacity by the time it reaches a fixed stop.

It must also be ensured that any ad-hoc passengers do not disrupt the time windows the service has bound itself to or result in ever increasing journey times as the bus stops again and again to pick up ad hoc customers. Again, this could result in disappointed passengers.

As the consultation notes, technology could give passengers the ability to book seconds in advance, enabling them to know instantly whether the service is able to accommodate them. However, again it is worth noting that not everyone will have access to the technology or skills needed to do this.

Any flexible bus service needs to make it very clear to customers what kind of service they can expect to receive and what its limitations are.

Fares

3.6 What sort of fare structure do you think should apply to flexible bus services?

Please comment here. :

Above all, any fare structure should be transparent, clearly communicated and easily understood by passengers. Research consistently shows that passengers value simplicity in fare structures. Unpredictable fluctuations could confuse passengers and, as the consultation rightly identifies, reduce the confidence of people on lower incomes to plan and budget for trips.

However, in the current context of COVID-19 in particular, prices that incentivise travel across different days/times of day could help to spread the peak and manage demand and capacity constraints.

Registering flexible bus services

3.7a Do you think there should there be less rigid registration requirements around notice periods for flexible bus services?

No

Please provide evidence.:

No, the current registration requirements remain fit for purpose in protecting passengers from services being withdrawn at short notice and in helping transport authorities to plan joined-up networks.

3.7b Which elements of the registration requirements do you think could be improved to enable flexible bus services?

Please provide evidence and examples.:

No changes required.

Bus Service Operators Grant (BSOG)

3.8 Do you think the Bus Service Operators Grant (BSOG) should be adjusted to accommodate the development of flexible bus services?

Yes

If you selected 'Yes', how should it be adjusted?:

BSOG as a whole is in need of reform. We propose that a new 'Connectivity Fund' should be established which brings together the existing BSOG fund with additional top slicing from other Government departments (to reflect the benefits the bus brings to departmental priorities across Whitehall) into a ring-fenced pot for local government to support bus services.

The Government would set criteria for the fund to reflect key priorities (e.g. connectivity, access to employment, improved environmental performance) and transport authorities would be given the flexibility to spend available funding in the most effective way according to local needs, including funding flexible bus services where appropriate as part of an integrated transport network.

More details of our Connectivity Fund proposal can be found in our report 'The cross-sector benefits of backing the bus' available here: <http://www.urbantransportgroup.org/resources/types/reports/cross-sector-benefits-backing-bus>

Record keeping

3.9 Do you think the record keeping requirements for flexible bus services are still appropriate?

No

If you selected 'No', what changes do you think should be made?:

We believe the following record keeping requirements should be retained:

- The date the journey was made
- The time and place when it was agreed the passenger should be picked up and set down
- The actual time and place that each passenger was picked up and set down

In addition, we believe the following should be recorded:

- the fare paid including whether an ENCTS pass was used

Recording the name and contact details of every passenger booked should not be a requirement.

Interestingly in the current context of COVID-19, there are international examples of places choosing to increase the provision of pre-booked bus services to manage social distancing whilst also allowing the collection of passenger details to aid with contact tracing should this be necessary.

There are inconsistencies in record keeping requirements in that vehicles carrying less than nine passengers but providing a similar service to a flexible bus are not required to keep such records and – unlike vehicles able to carry nine or more people - are not subject to open data requirements.

Urban and rural areas

3.10 Do you think we could use flexible bus services to improve transport in rural areas?

Yes

Please provide evidence to support your response.:

Yes, flexible bus services could be very beneficial areas where demand is too low or dispersed to justify a regular or commercial service. In these places, significant revenue support will continue to be needed, even if a flexible bus service is deployed. Research and consultation with potential customers should be used to help identify where and when demand lies and to design a service to suit that demand. It is worth bearing in mind that people who rely particularly on buses in rural areas may be an older demographic so care would need to be taken to make any flexible service accessible to this group.

Rather than try and cater for every possible journey to and from a low demand area, flexible bus services could usefully be used as feeders, enabling people to connect to main transport hubs where a wider choice of destinations are available for onward travel.

As the consultation notes, a Total Transport approach could also bring benefits to rural areas where existing fleets and services can be pooled and coordinated, making the best use of all available vehicles throughout the day.

Safeguarding

3.11 What do you think would be the correct requirement for Disclosure and Barring Service (DBS) checks on flexible bus services?

Enhanced DBS - As for taxi and PHV services currently

If you selected 'Other', please provide details.:

Please provide evidence or further details.:

The highest level of enhanced DBS checks should apply. Unlike a traditional bus service, flexible bus services can operate on any route, sometimes dropping individual passengers off at their home, potentially placing them at risk. Lone and vulnerable passengers may also be more common on these sorts of services, adding additional safeguarding concerns.

Enhanced DBS checks should also apply to anyone else who will have access to passenger and journey data. Flexible bus service staff will have greater access to these personal details than staff of traditional fixed route services. The data held will include people's names, home addresses and their movements (including when they are likely to be out of the house, where they travel to) data which is highly sensitive and could be misused.

Next steps

3.12a 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?

Please comment here. :

A number of suggestions are presented below, more information on those concerning taxis and PHVs can be found in our report 'Taxi! Issues and options for city region taxi and private hire vehicle policy', available here <http://www.urbantransportgroup.org/resources/types/reports/taxi-issues-and-options-city-region-taxi-and-private-hire-vehicle-policy>

- Differing regulations apply to flexible public service vehicles able to host nine or more seated passengers (PSV regulations apply) compared to flexible private hire vehicles carrying less than nine people (PHV regulations apply). This presents a challenge as regulation is determined by the size of vehicle, rather than the type of service provided. Some of the issues this presents are explored in this consultation (for example, differing standards of DBS checks and record keeping/data sharing) but it is an area worthy of further exploration as the line between different service types becomes increasingly blurred. The current situation

enables providers offering a flexible service under PHV regulations to avoid many of the standards that buses are required to meet.

- The need to develop clear, statutory definitions for 'plying for hire' and 'pre-booked services' in order to address the current ambiguity in the age of 'digital ride-hailing' where PHVs on platforms like Uber can often be hailed instantly (like a taxi) but operate under PHV regulations. Again, technology is blurring traditional boundaries between service types.
- How can the accessibility of on-demand services using PHVs (carrying less than nine people) be ensured in order to enable access by people with disabilities?
- The need for statutory national minimum standards for the licensing of taxis, PHVs, their drivers and operators, including criminal record checks, vehicle accessibility and disability awareness and safeguarding training. Licensing authorities should also be free to set higher standards where they see fit.
- How could we use technology to manage cross-border hiring issues and potentially enforcement challenges for taxi and PHVs? Licensing officers should be able to undertake enforcement action against any taxi or PHV operating within their authority area, no matter where the vehicle is licensed. Under current legislation, this is not possible. To further enforce standards, there should be a requirement that taxis and private hire journeys start or end in the area for which the driver and vehicle are licensed. This could help to avoid the phenomenon of drivers and vehicles gaining their license in areas with lower barriers to entry but then operating in places where higher standards have been set, undermining these goals.
- The potential to give transport authorities the powers to limit the number of PHV and private hire licences issued. At present, Transport for London have no powers to limit taxi or private hire numbers and authorities outside London only have powers to limit taxi licences. Given the rapid growth in private hire numbers over recent years, and associated challenges such as congestion, allowing authorities to place appropriate limits on the numbers of private hire licences issued would give greater potential to manage growth in the sector and contribute to wider policy goals.

3.12b How else, in your view, can the Government support innovation in the bus, taxi and PHV sectors?

Please comment here. :

The following ideas can be applied to supporting innovation across the transport sector – not just bus, taxi and PHV.

- Long-term funding certainty for transport authorities to give them the confidence, space and resources to innovate as well as ensure the basics are in place. Submitting bids to multiple funding competitions and the uncertainty and short-termism this encourages wastes limited resources and reduces the ability to think and plan creatively as part of a long-term vision for transport.
- Support agile and devolved governance. The legal and regulatory framework should offer cities and transport authorities sufficient agility to manage the potential impact of new transport innovations, providing them with opportunities to encourage these where they support wider goals for people and place but also set limits should new services be detrimental to these goals.
- Explore opportunities for anticipatory regulation and sandboxes in the transport sector to enable transport authorities and others to safely test and evolve innovative approaches and services. These in turn can inform regulatory change with insights from real-world experiences.
- Support open data to enable integrated understanding and planning of transport networks across the full range of modes (including taxi and PHVs).
- Continue to pursue a technology neutral approach and seek to avoid lock-in into particular services or innovations.
- Set national minimum standards in critical areas such as safety, accessibility, data sharing and environmental requirements and provide local areas with the flexibility to set standards that exceed the national baseline, depending on local needs and priorities.
- Ensure consistent requirements across new and 'legacy' transport services to discourage 'regulatory shopping'.
- Ensure any innovation has safety, health, wellbeing, inclusion and environmental protection at its heart.

Part 4 - Mobility as a Service

4.1 In your opinion, in the development of Mobility as a Service platforms, what should be the role of:

Local authorities?:

Transport authorities should have the freedom and powers to take an active role in the development of MaaS platforms, if they have the inclination, capacity and capabilities to do so.

UTG member Transport for Greater Manchester (9) suggested that there could be a number of different roles for transport authorities in the development of MaaS platforms, from being the direct operator to leaving it to the private sector:

- Model A (direct): Public Sector is the MaaS operator and uses in-house resources
- Model B (external provision of services): Public Sector is the MaaS operator but outsources all of its responsibilities (becomes like a commissioning authority)
- Model C (operational commissioning): Public Sector is the MaaS operator but outsources all of its responsibilities except financial transactions
- Model D (joint provision e.g. partnership): Public Sector is the MaaS operator but brings in a partner to manage and operate the system
- Model E (Spin-out, mutual): Public Sector is the MaaS operator but shares platform/ resources with other providers to make financial savings and bring efficiency
- Model F (private sector operation): Private sector is the MaaS operator and has full control of its operation

In models where the public sector is either the MaaS operator or a pro-active participant, transport authorities can ensure that MaaS is delivering across policy goals, from public health and air quality to reducing congestion and reliance on the private car. Without this active engagement, there is a risk that these goals will be undermined by a model which prioritises motorised modes. In addition, further risks exist from a lack of public sector involvement including unfair competition, resilience (if operators fail) and transparency.

However, there are risks to the public sector of taking a central role in MaaS including commercial risks and liabilities and the costs of developing, managing and administering a MaaS offer. There are also challenges around the capacity and capability of transport authorities to take on MaaS operations, including in attracting and retaining the necessary skills in a competitive market. All these challenges can be particularly acute given that revenue funding for transport authorities is heavily constrained.

Footnote

(9) Transport for Greater Manchester (2018) Written evidence to the Transport Select Committee Mobility as a Service Inquiry [online]

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/transportcommittee/mobility-as-a-service/written/76041.pdf>

Central government?:

Central government should act as a facilitator for the development of MaaS, creating national legislation and regulation that creates an open market and allows data to be protected but shared between parties to enable multi-modal MaaS platforms.

Other transport authorities?:

See answer under 'local authorities'.

Data**4.2a 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?****Please provide evidence here.:**

Open data and flows of shared data represent a key factor in the roll out of the MaaS agenda as it enables the range of information required to provide a MaaS platform to be brought together. For a MaaS platform to offer a wide range of travel choices it needs to be based on comprehensive data pertaining to the modes it covers.

This can give rise to a range of challenges which the MaaS Alliance (a public-private the partnership aiming to create the foundations for a common approach to MaaS) has identified as (10) :

- poor quality or incomplete data;
- lack of data standardisation;
- lack of interoperability by design;
- lack of consumer / professional ability to switch between different service providers (data portability); and
- lack of economic incentives.

There are further issues of privacy and trust around data and the respective safeguards placed upon data by the various private and public sector bodies involved as well as the sharing of data which many private sector companies are unwilling to do because of commercial considerations.

A number of bodies and organisations have made recommendations about how these issues should be best addressed including the National Infrastructure Commission (11). The Travel Spirit Foundation (a not-for-profit which aims to ensure new mobility services are universally accessible) is also working with developers, transport operators, policy makers and planners to break down barriers and silos within the transport ecosystem that will need to become integrated to deliver a MaaS product (12).

A comprehensive MaaS system could generate huge amounts of data about travellers' behaviour. This could be a valuable resource for transport planners in public authorities, enabling better management of travel demand and planning for future infrastructure developments. However, this requires public bodies to be able to access this data, something that might not be possible if a 'walled garden' system emerges. There are also questions about whether private sector actors have gone far enough to protect their users' personal data, with major high-profile data breaches, for example at Uber in 2015 and 2017 (13).

Fragmentation of the public transport system through deregulation in the UK makes data sharing between multiple private operators challenging and has been a significant barrier to multi-operator ticketing. The requirements around open data for bus services are a welcome step in the right direction.

Footnotes

(10) MaaS Alliance (2018) Data makes MaaS happen – MaaS Alliance Vision Paper on Data [online] <https://maas-alliance.eu/wp-content/uploads/sites/7/2018/11/Data-MaaS-FINAL-afterplenary-1.pdf>

(11) National Infrastructure Commission (2017) Data for the public good [online] <https://www.nic.org.uk/wp-content/uploads/Data-for-the-Public-Good-NIC-Report.pdf>

(12) TravelSpirit Foundation (2018) Internet of Mobility [online] <https://travelspirit.foundation/internet-of-mobility/>

(13) BBC (2017) Uber agrees to 20 years of privacy audits to settle FTC charges [online] www.bbc.co.uk/news/technology-40946680

Central government, Local government

If you selected 'Other', please provide details.:**Please explain why.:**

The extent to which local government leads on some of the measures outlined above again depends on the inclination, capacity and capabilities of the authority in question to take on this role.

City region transport authorities are already trusted, neutral providers of transport information, free of commercial motivation and with a clear identity locally.

Taking a leading role on MaaS would be a natural extension of this and authorities may wish to consider the extent to which they want to act as a wider guardian and protector of the use of personal data.

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:

Both of the above

If you selected 'Other', please provide details.:**Please provide details.:**

Delivery of multi-operator ticketing in public transport has been a long sought-after goal that has been constrained by regulatory and commercial barriers.

Although regulations do not prevent multi-operator ticketing, they do restrict how cheap multi-operator fares can be compared with single operator fares. This

makes journeys using multi-operator tickets more expensive and potentially would make using a MaaS platform to book a journey less attractive. The regulations would need to be changed to allow multi-operator tickets to be priced lower than single operator equivalents.

The situation is different in London where Transport for London decide the pricing across transport modes, enabling it to use integrated ticketing in the form of Oyster, which is not only multi-modal, but also ensures that the passenger always receives the best value fare for their journey.

Competition impacts

4.4 What competition concerns do you think Mobility as a Service might present that could be difficult to address through existing regulations?

Please comment here. :

There is a risk that a commercial MaaS provider could come to dominate the market and may have a vested interest in encouraging use of particular modes over those that may better serve wider economic, social, environmental and health goals for people and places.

Again, this suggests a role for transport authorities as honest brokers who act in the interests of the people and places they serve.

Consumer protection

4.5 In your opinion, does the current framework for consumer protection need to be expanded to include liability for multi-modal journeys?

Yes

Please provide details.:

The framework would need to be expanded. However, transport providers offering services through the MaaS platform should retain responsibility for any disruption during the part of the journey that they are providing. They would need to sign a binding agreement that ensures that the MaaS coordinator is indemnified from any fault on the part of the transport provider.

Accessibility and inclusivity

4.6 Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations?

Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? - Accessibility concerns:

Yes

Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? - Inclusivity concerns:

Yes

Please provide details.:

There is a risk that MaaS becomes a niche product for affluent early adopters in urban areas. Creating a commercially viable offer is challenging in all circumstances, thus the urban core with high density populations and a range of transport services available will present the most attractive territory for MaaS providers. This could lead to an increase in provision in areas that are already well provided for and a further deterioration in services for peripheral or rural areas, where MaaS struggles to present a commercially viable offer.

There is also a risk that the development of MaaS leaves behind those who are not digitally connected and do not have a bank account, where those things are a requirement to use any MaaS platform.

Digital accessibility

4.7a What actions could help to ensure all sectors of the population can access Mobility as a Service applications?

Please evidence and examples.:

As acknowledged in the consultation document, MaaS applications should take account of the fact that significant sections of the population do not have access to smart phones, bank accounts or contactless payment methods. It will be important to ensure that these groups are not left disadvantaged in terms of their transport options or in access to attractive fares.

Applications should be developed in close consultation with the people who will use them, including people with disabilities, young people, older people and ethnic minorities.

4.7b Who do you think should be responsible for delivering these actions?

Central government, Local government, Industry

If you selected 'Other', please provide details.:

Please explain why.:

MaaS developers should be responsible for ensuring their service is inclusive and accessible to the broadest possible range of people.

National government has a role in setting the standards that are required and local government should have the freedom to set higher standards for MaaS in their areas, regardless of whether they decide to take an active role in providing MaaS.

4.7c What do you think government could do to encourage, incentivise or enforce the delivery of these actions?

Please provide details.:

Setting mandatory standards for the inclusivity and accessibility of MaaS products.

Data privacy

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?:

MaaS providers should adhere to data protection legislation. National government should set mandatory standards for security, anonymisation and encryption of data given the highly personalised data MaaS will collect. Similarly to the issues raised for flexible bus services, people who may have access to this confidential data should be subject to enhanced DBS checks.

b. Protection of an individual's information?:

See answer to question 4.8a.

Modal shift

4.9a Can you provide any further evidence of the positive or negative impacts of MaaS on active travel and/or sustainable modes?

Potential positive impacts:

There is evidence from some MaaS pilots that use of sustainable modes increases with the use of MaaS, for example (14):

- Smile, a MaaS pilot scheme in Vienna saw 48% of participants increase their use of public transport and 10% increase their use of bike share. Meanwhile, 21% reduced their use of private car and 22% reduced their use of taxi.
- UbiGo, a MaaS trial in Gothenburg, Sweden found that participants reduced their private car use by 48% and increased their use of bus/tram and car sharing (50% and 57% respectively used these modes more often). However, it is also important to note that 20% of participants upped their taxi use. Following the trial, 52% said their attitude to bus/tram was more positive and 61% said the same about their attitude to car sharing.

Nudge methods within apps can assist in encouraging people to make sustainable choices (see answer to 4.9b).

To strengthen the attractiveness of sustainable modes like walking, cycling and public transport, long-term investment is needed to further incentivise their use, for example, funding improvements to the urban realm, cycling and walking infrastructure and bus priority measures that make these modes the obvious choice.

Footnote

(14) http://www.urbantransportgroup.org/system/files/general-docs/Urban%20Transport%20Group%20%E2%80%93%20Maas%20movement%20report_AW.pdf

Potential negative impacts:

There is a risk that in all-inclusive MaaS packages where a subscription fee is paid, people will be incentivised to take taxis or car rental, in order to get the 'best value' out of their package.

4.9b Can you provide evidence of measures that could be incorporated into MaaS platforms to encourage active travel and/or sustainable modes?

Please provide details.:

Nudge measures can be used to encourage active travel and sustainable mode choices:

- Many route planners often favour the car, displaying car journey details first and therefore giving this option prominence to the user and implying it should be their 'first choice'. MaaS platforms could be designed to display sustainable modes first (15).
- Including non-paid-for transport options (e.g. walk or use your own bike) in the journey planning results, rather than just those for which a fare or fee can be charged.
- Intelligent suggestions that reflect current conditions – e.g. the weather, congestion, roadworks, air quality or the time of day – as well as being personalised to the needs of the user in general (e.g. low pollen count, wheelchair friendly) and for that particular journey (e.g. carrying shopping).
- Real-time information to enable users to swiftly and seamlessly switch to another mode/service if delays are encountered.
- Gamification could be incorporated into MaaS platform to reward sustainable travel choices. EMT, the public transport operator owned by Madrid City Council, launched a MaaS app which sees users collect more points for walking, cycling and using public transport than for other mobility options (16). UbiGo, a MaaS pilot in Gothenburg, Sweden gave users a bonus for using eco-friendly travel, based on the reduced carbon emissions compared to a private car trip. These points could then be exchanged for goods such as food or audio books, or services, such as access to leisure facilities (17).
- Greater Manchester's MaaS Evolution trial, in Greater Manchester, users created personal profiles and behavioural nudges were sent to encourage positive behaviour changes (e.g. suggesting cycling on a sunny day). 25% of nudges were accepted. Following the trial, users were more willing to use active travel (21% of participants more willing) and public transport (26%) (18).

Footnotes

(15) https://www.uitp.org/sites/default/files/cck-focus-papers-files/Report_MaaS_final.pdf

(16) https://www.uitp.org/sites/default/files/cck-focus-papers-files/Report_MaaS_final.pdf

(17) http://www.urbantransportgroup.org/system/files/general-docs/Urban%20Transport%20Group%20%E2%80%93%20Maas%20movement%20report_AW.pdf

(18) Wray S (2019) A MaaS trial in Manchester in the UK generated fascinating insights in Smart Cities World [online]

<https://www.smartcitiesworld.net/special-reports/manchester-road-tests-maas>

Next steps

4.10 Do you think guidance or a Code of Practice for the Mobility as a Service industry would be useful?

Yes

Please explain your response. :

In our 2019 report – ‘MaaS movement? Issues and options on Mobility as a Service for city region transport authorities’ (available here: <http://www.urbantransportgroup.org/resources/types/reports/maas-movement-issues-and-options-mobility-service-city-region-transport>) – we set out five tests for ‘Good MaaS’. Asking these questions could help to ensure that any MaaS offer helps to deliver on urban public policy goals and help in considering how to be involved in any partnership with MaaS operators.

1. Does it incentivise public transport use?
2. Does it help reduce congestion and pollution?
3. Is it socially inclusive? (affordable; accessible in a non-digital way; providing good geographical coverage; providing information and options for those with additional mobility needs, for example)
4. Is there a culture of openness and data sharing?
5. Does it encourage active lifestyles?

If you selected ‘Yes’, what content do you believe would be beneficial to include in a Code of Practice?:

See answer above.

Part 5 - Wider issues

5a) Ensuring inclusive future transport

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?

Please provide evidence and examples.:

We have not conducted any recent research to explore international case studies in this respect.

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 evidence and examples.:

The most important action is to meaningfully involve and consult people with protected characteristics in the design and testing of future transport regulations, including taking an active role in trials and pilots that will ultimately inform regulatory changes. Transport decision making is often filtered through the lens and experiences of the ‘default male’ or more specifically, the default, white, able-bodied male. A diversity of voices must be heard in order to bring previously unseen perspectives and experiences to the fore.

5b) Enabling trials of new modes

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?

Please comment here.:

E-scooters are one area where such powers would be beneficial and it is positive that this is being taken forward through the forthcoming e-scooter trials.

More broadly, there should be a greater focus on enabling the development of anticipatory regulation to test out new innovations and services in a safe space and to ensure future - permanent - changes to regulations are informed by real-world experiences.

Anticipatory regulation, as defined by Nesta (19), is well suited to exploring the future of transport. It is:

- Inclusive and collaborative – encouraging the engagement of diverse voices and interests.
- Future facing – able to adapt to the inherent uncertainty of fast changing transport innovation.
- Proactive – engaging with innovators and innovation early, placing us on the front-foot.
- Iterative – agility to respond and adapt in ‘real-time’ when things do not work as planned or have unintended consequences.
- Outcomes based – encouraging innovation and creative responses, rather than setting rigid rules.
- Decentralised – facilitating diverse responses before national standards are set.

Footnote

(19) <https://www.nesta.org.uk/feature/innovation-methods/anticipatory-regulation/>

Why have you suggested these areas? :

See answer above.

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?:

Combined authorities or the Greater London Authority?:

Cities and Combined Authorities have great potential to lead and encourage collaboration between innovators, transport authorities, citizens and other stakeholders and create a safe space for testing new services and technologies, particularly in the transport sector where much of the innovation seen from the private sector has been focused on the urban environment.

City and city region authorities can be more responsive and agile when dealing with innovations in transport compared to their central government counterparts. This applies to cases where there are grey areas of regulation or where no legislative and regulatory frameworks exist. Transport powers should be devolved to the most appropriate level to allow for integrated and agile transport governance supportive of the objectives and priorities of cities.

National government?:

Trialling organisations?:

Other (please specify):

One of the potential issues in the transport sector is the absence of a regulator in key areas. In order to establish anticipatory regulation, a regulatory body should exist. For example, regulators for other sectors, such as the Financial Conduct Authority, the Civil Aviation Authority and Ofgem have the power to flex the existing regulation and allow testing of new services and technologies.

5c) Local leadership of new transport services

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:

Government powers that should be devolved - Local authorities:

Government powers that should be devolved - Combined authorities or the Greater London Authority:

Yes

Government powers that should be devolved - Other (please specify below):

If you selected 'Other', please provide details.:

If you selected 'Yes', please provide evidence and examples.:

To make sure that city regions can harness the full benefits of technological change, in an inclusive way, we need a legal and regulatory framework that keeps pace with the rate of change. Transport powers should be devolved to the lowest appropriate level to allow for integrated and agile transport governance. The legal and regulatory framework should give city regions the powers they need to strike the right balance between supporting innovation, realising consumer benefits and protecting the wider public interest. These powers should sit below a fixed national framework of safety, environmental and accessibility standards. Local government should have the freedom to set standards that exceed national baselines should they wish to do so.

Although we have seen some progress on devolution of urban transport in recent years, it is still the case that there is too much remote control from Whitehall. The centre remains reluctant to let go of power that should be in the hands of the places that understand and rely on urban transport. Indeed, apart from London, the city regions currently have less control over their public transport networks than just about any other comparable city regions in Western Europe. If city regions cannot properly plan and oversee their public transport networks, how can they hope to harness transport innovation to serve the interests of their people and places as part of integrated, accessible transport systems? For city regions to be able to take control of their transport networks, we need to see:

- all the city regions having the option of taking advantage of streamlined powers to plan and oversee their bus networks.
- any plans for rail reform (either under privatisation or nationalisation) to include full devolution of responsibilities for urban rail services, as well as greater influence over rail infrastructure.
- powers for city regions to operate more public transport services directly where they choose to do so.

5c.2 Where the local transport authority and the local highway authority are separate local authorities (such as in London, or the combined authority areas), what do you think should be the balance of powers and responsibilities to maximise the benefits of future transport?

Please provide evidence.:

Powers and responsibilities should be set at the level which best reflects how transport networks function within a given area.

5c.3 In this context, what role might sub-national transport bodies most usefully play, in your opinion?

Please provide evidence.:

Sub-national transport bodies, through their collaborative networks, can support thought leadership, collaboration and delivery of future transport options and play a role in ensuring that the principles are delivered throughout the area they cover.

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?

Yes

Please provide examples.:

To manage transport innovation, city region transport authorities need long term funding certainty to give them the confidence, space and resources to innovate as well as ensure the basics are in place (for example, well maintained roads, walking and cycling infrastructure, behaviour change interventions).

Submitting bids to multiple funding competitions and the uncertainty and short-termism this encourages wastes limited resources and reduces the ability to think and plan creatively as part of a long-term vision for transport.

5d) Further areas of focus for the Regulatory Review

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?

No

Please provide evidence.:

No further comments.