



FINAL

Consultation

**Proposals to Introduce a Community
Right to Buy – Assets of Community
Value**

pteg response

May 2011

Matt Brunt
Assistant Director

pteg Support Unit
Wellington House
40-50 Wellington Street
Leeds – LS1 2DE
0113 251 7445
info@pteg.net

1. Introduction

- 1.1. **pteg** represents the six Passenger Transport Executives (PTEs) in England and through them the travelling public in the city regions. The PTEs provide, plan, procure and promote public transport in six of England's largest conurbations; Merseyside (Merseytravel), West Midlands (Centro), Tyne and Wear (Nexus), West Yorkshire (Metro), Greater Manchester (GMPTE) and South Yorkshire (SYPTTE). Transport for London, Leicester City Council, Nottingham City Council and Strathclyde Partnership for Transport are associate members of **pteg**. This response is on behalf of the six PTEs only.
- 1.2. This response is in keeping with our wider concerns about the Localism Bill (as currently drafted), which takes no account of Integrated Transport Authorities, Passenger Transport Executives and Local Transport Plans. The Bill contains powers for communities to take over assets held by local authorities and other government bodies, and for communities to challenge who provides local services, with the right to bid by local communities (clauses 71-88).
- 1.3. Our response is focused mainly on Question 6 of the consultation:

'Are there other types of land or buildings that should be excluded from being listed as assets of community value?' (para 3.10)

It relates in part to Question 2 in terms of statutory provisions that relate to land.

2. Excluding 'Operational Land' from the provisions

- 2.1. Our primary concern about the issues raised in the consultation paper is that 'operational land' is excluded from the provisions for Assets of Community Value. This is to ensure that current provision, or planned improvements, to public transport in PTE areas are not disrupted by the Bill's provisions.
- 2.2. The provisions will have considerable implications for PTEs, as well as other owners of land, as it raises the prospects of their land being listed, which could impact on the ability to carry out its functions.
- 2.3. Operational land in respect of ITA and PTEs would include land or holdings which are required for the operation of public transport facilities, such as bus stations and depots, tramways and tram stops and other facilities not covered by other legislation, such as the various Railways Acts or provisions for statutory undertakers.
- 2.4. Therefore we would stress the need for regulations to be clear about defining 'operational land' in this manner to avoid any future complications in the delivery of transport schemes.

3. Other Comments

- 3.1. Question 4 - It is worth making the point that existing permitted development rights in relation to operational land of statutory undertakings should not be compromised by the Community Right to Buy.
- 3.2. Question 12 – We believe that it is essential that the owners should be informed before a decision to list an asset is made.
- 3.3. Question 14 - If operational land is listed, then other bodies with rights over the land (for example, Train Operating Companies) should be notified of the listing.



- 3.4. Question 33 – Following on from our arguments in Section 2 above, we believe that any operational lease, or other operational arrangements with a service provider, fall within the definition of paragraph (g) and are therefore exempt disposals.