



Llywodraeth Cymru  
Welsh Government

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## WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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**TITLE** Update on the Public Transport (Wales) Bill and wider bus reform agenda

**DATE** 24 July 2019

**BY** Ken Skates AM, Minister for Economy and Transport

### **Wider Bus Reform.**

The Public Transport (Wales) Bill is a key element of a wider process of reform that we are undertaking in relation to the delivery of bus services in Wales, which will contribute to our ambition of a high quality, low carbon, multi-modal and integrated public transport network, which meets the needs of the travelling public.

The changes proposed in the Bill will seek to address some of the negative impacts of de-regulation on users, operators and authorities, by creating a number of tools which would enable local authorities to intervene should they chose to do so. Using these tools alone however, will not halt or reverse the decline in bus patronage.

Our aim is to increase the number of people using public transport by encouraging travellers to switch from private car use, thereby reducing congestion, carbon emissions and improving air quality and economic performance. We want to see more people using public transport to get them where they need and want to be, quickly and on time.

Bus reform cannot be seen in isolation either. The only way we will see increased patronage on public transport is if we are able to deliver a truly integrated public transport system where the mode of public transport (bus, train or taxis) is unimportant, but the ease of usability and price of all modes of public transport provides a viable alternative to private car use.

As part of this agenda, I recently launched a number of pilots of Integrated Responsive Travel.

Transport for Wales is currently rolling out a replacement for every one of the 750 000 concessionary passes that are in circulation.

This replacement work, alongside TfW's work on the rail service, is based on a new national

technology platform that will in future allow us to implement an account based ticketing solution for bus, rail, cycle hire, park and ride and access to other forms of transport. This system will form the foundation of how people across Wales pay for and access buses across Wales in future.

Through Transport for Wales, we have also been working with partners across Wales to explore how bus services can be improved by better integrating routes and timetables, for example, with the railway. From Cardiff to Flintshire this will have a real impact on the way that services operate for the benefit of users.

This work is being carried out in partnership with local authorities and bus operators across Wales, and I would like to recognise and thank them for their support and cooperation.

### **Public Transport (Wales) Bill**

Between December 2018 and March 2019 we consulted on the Improving Public Transport White Paper, which set out proposals for improving the legislative framework for how local bus services are planned and delivered, together with proposals for the reform of the licensing of taxis and private hire vehicles. Following the consultation and engagement, work has been underway to build on the White Paper and develop the proposals for a Bill.

In the First Minister's legislative statement on 16 July, it was confirmed that the Public Transport (Wales) Bill would be included in year 4 of the current legislative programme.

Building on the wider bus reform agenda and our partnerships with local authorities and bus operators, the Bill will put in place enabling provisions that will provide a suite of tools for local authorities to consider using when planning and delivering bus services, including enhanced partnership working, franchising and local authority run bus services. The Bill will put in place new information management and sharing arrangements, so that information to the public will be more accessible and reliable, and local authorities will be in a better position to make arrangements to address changes in service provision. The Bill will also amend the eligibility age for the mandatory concessionary fares scheme so that over time it will align with a person's state pension age. Work has been underway to develop a draft Regulatory Impact Assessment to consider the potential costs and benefits of the proposed legislation. Officials will continue to engage with key stakeholders over the summer with a view to updating and refining the document in the lead up to the Bill's introduction and throughout the legislative process.

### **Regulatory Impact Assessment (RIA)**

The White Paper, published on 10 December 2018, sets out that a draft RIA seeking to identify the costs, benefits and impacts of the proposed legislative changes would be published in January 2019. However, during the development of the RIA it became clear that consultation on the RIA during this period would not be as meaningful as expected. As such the draft RIA was not issued for consultation alongside the White Paper.

The legislative proposals set out in the White Paper provide a range of legislative tools to empower local authorities to work collaboratively with each other and with bus operators to respond flexibly to local community needs. Therefore, the cost implications of the legislation could vary considerably depending on which of the options local authorities decide to use to address the circumstances and challenges within their communities. These issues have been addressed in the draft RIA which will be published imminently and can be accessed through the following link. <https://gov.wales/public-transport-wales-bill-draft-regulatory-impact-assessment>

My officials will be engaging with key stakeholders, including local authorities and bus operators, over the summer to inform the ongoing development of the RIA. We are committed to working with these sectors to test the assumptions and financial analysis set out in the draft RIA and using the feedback to develop and strengthen the RIA throughout the legislative process.

### **Taxis and Private Hire Vehicles (PHV)**

As outlined in the First Minister's legislative statement, we will not be pursuing legislation in relation to taxi and private hire vehicles in this Bill. Addressing the outdated taxi and private hire vehicle legislation remains a key priority. However, it has become very clear that there is a considerable amount of work still required before we can bring forward legislation that addresses the improvements needed. Responses to the White Paper consultation highlighted the wide range of stakeholder views about how the legislation underpinning the operation of the taxi and PHV industry should be improved and those views are not consistent across the industry.

Furthermore, the Department for Transport is proposing to introduce new guidance relating to measures for the protection of children and vulnerable adults when using taxis and private hire vehicles, which would apply in Wales. The Department for Transport is also looking at introducing national minimum standards; national enforcement powers; a national database and some form of out-of-area restrictions. These would be England only provisions, unless the Welsh Government wanted them extended to Wales and secured the necessary legislative consent motion. The steps being considered by the Department of Transport has also given us cause to reconsider the proposals.

The Welsh Government is still committed to working with the industry to legislate to bring Taxi and Private Hire Vehicle regulation into the 21<sup>st</sup> Century. However, rather than hold up introduction of our important bus proposals in order to strengthen the taxi elements, the First Minister yesterday announced that we will now decouple the two parts of the proposed Bill for this term and work to bring forward a separate bill on taxis early in the next term.

In the meantime I have asked officials to develop a package of short-term measures, using existing legislative powers, to begin to address some of the concerns local authorities, drivers, unions and others have raised. Officials are already working in partnership with the Welsh Local Government Association to develop and deliver these short-term arrangements. A plan, for future delivery of new measures will be developed by late autumn.

## **Regional Working.**

Establishing formal regional working arrangements also remains a key element of our ambitions for public transport, and work is ongoing across the Welsh Government to develop a common approach to delivering consistent and effective regional working.

Feedback from the consultation and engagement events undertaken during the consultation period found that stakeholders largely agree that there should be regional working arrangements in place for the planning and delivery of bus services and that, in principle, the Welsh Ministers should have powers to issue guidance and directions and to intervene where regional arrangements are considered to be failing. However, many have sought clarity in relation to the circumstances in which such powers would likely be used.

Since the launch of the White Paper, it has been agreed that the Government should include powers in the Local Government and Elections (Wales) Bill, to enable the creation of a single mechanism for regional working – currently referred to as Statutory Joint Committees. The ambition is that Statutory Joint Committees will deliver the coherence, consistency and simplification needed for governing collaborative regional working arrangements, whilst retaining democratic control and oversight.

I have worked closely with the Minister for Housing and Local Government in recent months to reduce the potential for duplication in our proposals and I am pleased that we have agreed to explore how a Statutory Joint Committee model can be used to support effective regional working for transport.

In February 2019, the North Wales Economic Ambition Board (NWEAB) agreed to formalise the previous informal arrangements for regional collaboration on transport by supporting the establishment of a formal Transport Cabinet members group within the governance arrangements for the NWEAB and North Wales Growth Deal. The NWEAB is keen to support the Welsh Government in piloting the some aspects of the White Paper through regional delivery.

An outline schedule of issues for regional working has been considered, which will form the basis of a work programme for the group over the next 18 months. This includes

- Developing a Strategic Bus Network and associated projects;
- Responding to the Improving Transport White Paper and proposals to establish regional working arrangements;
- Preparing for transport decarbonisation and managing the delivery of emerging pilot projects;
- Monitoring rail developments and opportunities for modal integration as part of the North Wales Metro;
- Preparing for and supporting the next version of the Wales Transport Strategy / National Transport Plan and the need to review the Regional Local Transport Plan;
- Preparing for 20mph zones implementation;

- Delivering the un-adopted roads strategy;
- Regional coordination and delivery of Active Travel projects;
- Responding to the Improving Air Quality agenda and the potential impact on transport networks.

The NWEAB has supported the emerging regional working agenda and has welcomed the financial support offered by Welsh Government to help develop a programme based on the initial work plan identified above.

I will keep members updated on progress with this important work over the coming months.

This statement is being issued during recess in order to keep members informed. Should members wish me to make a further statement or to answer questions on this when the Assembly returns I would be happy to do so.