



Mobility Matters is a campaign group that has been formed to lobby DfT and Government to oppose the proposed changes to s19 and s22 Permit legislation (GB) and s10B (NI). This news update bulletin has been produced by **TAS Partnership Limited** in support of the **Mobility Matters** campaign group.

Campaign Newsletter No.3 (20 October 2017)

The major development since the last newsletter has been the announcement of a Parliamentary **Transport Select Committee (TSC)** hearing on Community Transport, which was announced on 10 Oct (see link below on how to submit evidence <http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-2017/community-transport-17-19/>)

This represents a separate House of Commons investigation into the planned permit changes, and is not to be confused with the **DfT's** upcoming consultation. The TSC represents an important opportunity for CT sector to argue its case - evidence submissions across 5 areas are required by 3 Nov.

We urge all CT operators to respond individually to the TSC, including those who have already responded with data to Mobility Matters.

The TSC is chaired by **Lilian Greenwood MP** (Nottingham South), who thankfully is well acquainted with CT and its unique approach through links with Ealing CT and Nottingham CT (see

http://www.liliangreenwood.co.uk/lilian_visits_nottingham_community_transport

Photo below: **Lilian Greenwood MP** visiting **Nottingham CT** (May 2016)



Mobility Matters has been copied into some recent correspondence from **Rt Hon Chris Grayling MP**, Secretary of State for Transport. Responding to a query from **Owen Paterson MP** for North Shropshire, following a lobby from **North Salop Wheelers Community Bus**, the letter dated 5 Oct raises some interesting issues.

Recognising the importance of CT services, the Transport Secretary states: *"Within the existing legal framework, the Department wants as many community transport providers as possible to continue to operate, and retain, service provision for vulnerable community transport passengers."* This comment might imply that there is some residual commitment to retaining the s19 framework for many CTs - rather more than the more limited number envisaged by **Stephen Fidler's** letter of 31 July. On the other hand, *"existing legal framework"* could be interpreted to include CTs using a full PSV 'O' Licence as emphasised by **Stephen Fidler**.

However, in conclusion **Chris Grayling** makes more detailed reference to the upcoming consultation: *"The Department intends to hold a forthcoming public consultation, which will set out the changes needed to legislation and guidance on the issue and use of Section 19 Permits. The consultation will be accompanied by a full Impact Assessment. I would encourage your constituents to participate in the consultation and make their views heard."*

This latter paragraph can be taken to confirm that the consultation is intended to be for the wider public - some earlier comment from DfT had suggested that it would be by invitation only. Details of how and when the consultation will be held have yet to be confirmed. However, with the Transport Select Committee requesting comments by 3 November, and the Committee's hearings to follow soon after, it is expected that DfT's consultation will commence when the Select Committee has reached its findings

On the subject of Government interest in CT, on 6 Oct **Keep Mobile Accessible Transport** (who operate in Wokingham and Bracknell Forest) hosted a visit by **Theresa May**. "The Prime Minister spent an hour with us and travelled on one of our buses," said **Fred Rule**, chair of **Keep Mobile**. "I explained the problem with Section 19. She fully understood the situation and would discuss this with the **DfT**". (Photo below: **PM Theresa May at Keep Mobile**)



In an unprecedented move, **Wish Travel** have commenced a claim for loss of earnings against **Wigan Council** and the **NW Traffic Commissioners** office. Wish claims that it has lost £140,000 due to contracts being illegally awarded to **Wigan & District CT**. Wish are also encouraging other commercial operators to seek damages in the same way. The view of **Mobility Matters** is that this threatened action is more likely to generate negative publicity than achieve any legal success.

There is some irony of timing that **DfT** is currently consulting on its **Accessibility Action Plan** (<https://www.gov.uk/government/consultations/draft-transport-accessibility-action-plan>) which states that: "We believe that the work of community transport plays an important part in supporting personal independence and tackling social isolation for older and disabled people." One of the consultation questions is "How can the Department for Transport support Community Transport Operators further?" There is a single, fundamental answer that **Mobility Matters** could suggest in response! The consultation closes at on 15 Nov.

Questions were asked in the **House of Commons** on 19 Oct, with the following exchanges: **Robert Courts** (Whitney) asked: "Community transport plays a vital role in connecting communities in

rural areas in west Oxfordshire and throughout the country. Such groups are worried about the impact of the issue and use of section 19 and 22 permits. Will the Minister confirm that if local community groups are registered as not-for-profit organisations, they will not be treated as commercial providers even if they pay a driver and take a fare?" **Jesse Norman** replied: "I have two things to say. First, we very strongly support community transport operators in general. Secondly, we have been under some pressure to clarify the rules regarding local transport operators who are tacitly operating commercially. I am sure that that is not the case in Oxfordshire, but it is in other parts of the country. If my hon. Friend's transport authority has a difficulty, he is welcome to get it to talk to my officials and/or the Community Transport Association." **Norman Lamb** (North Norfolk) then asked: "To return to community transport operators, many are concerned, including North Norfolk community transport, that the new ruling will push it under, with the loss of absolutely vital rural community transport links. What is the Minister doing to ensure that that does not happen? What is the timescale for the consultation? When will it actually come in, because the uncertainty is very dangerous?" **Jesse Norman** replied: "I fully recognise the concern. As the right hon. Gentleman will know, the Department is being very careful. There will be no rapid over-enforcement. We will give people as much chance as possible to show that their activities are not commercial in the required sense. We will launch the consultation later this autumn and then take it from there." **Stephen Metcalfe** (South Basildon and East Thurrock) asked: "In the same vein, I recently met Basildon community transport, which expressed grave concerns and is already pointing at a neighbouring community transport operator closing because of the uncertainty. Will my hon. Friend agree to meet me, Basildon community transport and the Community Transport Association to clarify the situation?" **Jesse Norman** replied: "Yes, of course. I have met the Community Transport Association to discuss this at length, as my officials have been doing for some time, and other community transport entities. I would be delighted to meet my hon. Friend and his constituents."

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