



**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.5 (16 Nov 2017)

The **Transport Select Committee** (TSC) hearing on Community Transport has gathered its written evidence and met on 13 Nov to listen to initial oral evidence. The following were invited to speak:

- **Martin Allen** (Bus and Coach Association)
- **Steven Salmon** (Confederation of Passenger Transport)
- **Bill Freeman** (Community Transport Association)
- **Frank Phillips** (Erewash Community Transport Ltd)
- **Anna Whitty MBE** (Mobility Matters)

The session can be viewed and audio downloaded here:

<http://www.parliamentlive.tv/Event/Index/a25f535c-d623-4d2e-9ca4-483fc9a95399>

**Anna Whitty** (below) spoke with insight and authority to state the case for **Mobility Matters**, although the session was arguably constrained by the need to respond to the MPs questions.



The written evidence portal closed on 7 Nov with 257 submissions (we understand this is an unusually high number for a Select Committee). The CT sector has come out in force with a vast array of powerful stories and potent argument.

Additionally, there have been 60 shorter submissions via the forum. The vast majority of submissions have been from those representing the CT sector or affected by service losses.

**Mobility Matters** was pleased to submit a 42 page response on behalf of its supporters (also available on our website here:

<https://ctpermits.org/transport-select-committee-response-to-terms-of-reference>) –

Our thanks go to all those who assisted with this marathon task under a tight deadline. All the submissions are available to read here:

[http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-](http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-2017/community-transport-17-19/publications/)

[2017/community-transport-17-19/publications/](http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-2017/community-transport-17-19/publications/)

Of the 257, **Gloucestershire County Council** has two separate submissions, and **North Wealden CT** has submitted the same item twice. The **TSC** will be gathering further oral evidence before reporting its findings in December.

On 9 Nov a further clarification letter appeared from **DfT** addressed to local authorities, intended to influence how they deal with CTs under contract. The letter further defines what operating ‘non-commercially’ means, states that a single operating entity cannot undertake both commercial and non-commercial work, and makes the point that local authorities must take their own advice on how much at risk they might be from legal challenge. The full letter is on the **Mobility Matters** website:

<https://ctpermits.org/dft-letter-to-local-authorities-on-community-transport>. In common with earlier communications, the letter states the following: “*the important point to stress is that we expect that many CT operators will remain unaffected by this clarification*”. This rather confirms our belief that **DfT** is seriously under-

estimating the damaging impact that is likely to occur. **DfT** does, however, say this about the issues of trading subsidiaries: “*CT operators may wish to consider establishing a separate*

*undertaking to carry out commercial work which then applies for a PSV operator's licence, whilst keeping their non-commercial work in the existing organisation."*

For any CT operator that receives a letter (prompted by the **DfT**) from their funding local authority, we are preparing some guidance as to how you might wish to reply. This will be circulated shortly via our contacts list and website.

The **DfT** letter also came up in Parliament on 15 Nov when **Nigel Mills** MP asked the question: *"Will the Prime Minister join me in praising the work that community transport providers...are providing...and can she intervene to sort out the threat to the Permits they use...and in the meantime can she issue guidance that confirms that there is no need for local councils to take enforcement action until the consultation is complete?"* PM **Theresa May** answered: *"We do strongly believe community transport operators do provide vital services...The Department for Transport does remain committed to supporting community transport operators and has no intention of ending the Permit system...DfT has recently written to all local authorities in Great Britain to explain how they can comply with the regulations without negatively impacting on operators and passengers."*

We have also found time to get around to catching up on a few formalities with the adoption of **Terms of Reference**. This document provides for **Mobility Matters** a governance structure and commitment to transparency in our work in order that all our supporters (and others!) can see who we are, how we work, how funds are spent and the parameters of what we seek to achieve. See: <https://ctpermits.org/terms-of-reference>

The stark reality for the future of many CT operators has been brought home from the findings of the **Mobility Matters** survey. Of the 64 respondents (and assuming the intent of **DfT**'s letter of 31 July is implemented in full), the following likely impacts were cited:

- 40% would cease to operate and withdrawal all services
- 20% would suffer job losses
- 15% would have to cut services
- 14% would consider closure
- 14% would suffer financial pressures

- 11% would move to full PSV level
- 11% would lose volunteers / drivers
- 6% would forfeit significant income
- 5% would be forced to sell vehicles

This is based on a single, first-choice answer. Obviously many CTs would suffer more than one impact, which is not reflected in the above data.



In its submission to the **TSC**, **DfT** went into some detail about how it intends to manage the transition from s19 / s22 to full PSV including *"working with stakeholders to explore and fund the development of a CT-specific DCPC course ... and supporting the sector in understanding the different methods that applicants can use to demonstrate to the Traffic Commissioners that they meet the requirements to have the appropriate financial standing (potentially confirming – for instance – that the existence of an overdraft facility, rather than cash in the bank, would qualify). We are also encouraging commercial operators to provide support (such as temporary Transport Manager resources) for a transitional period."* This latter point sounds like wishful thinking. Again, **DfT** is still seemingly of the view that the changes will affect only a small minority of CTs: *"The Department's view was, and remains, that many CT operators will remain unaffected by this clarification and the requirements of the EU Regulation are most likely to be an issue for CT groups who undertake commercial work which is similar to that of bus companies."*

And finally, inevitably, we still need your financial support. If you have not yet donated, please do so here: <https://ctpermits.org/fund-appeal>

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