

# MobilityMatters



**Mobility Matters** is a campaign group whose objective is to ensure that CT organisations in the UK are able to continue to operate to meet the diverse travel needs of individuals and communities, and that appropriate operational legislation is in place to achieve this. **Protecting the Heart of Community Transport**

## Campaign Newsletter No.7 (15 January 2018)

### Transport Select Committee Findings

**“Government must protect social value of community transport”** - the **Transport Select Committee’s (TSC)** report was published on 14 Dec with the headline verdict that **“DfT must not take a sledgehammer to crack a nut”**. This is a major success for the **Mobility Matters** campaign and our unceasing efforts to support the CT sector during these uncertain times. Community Transport must be valued and treated with care, says the TSC. The report acknowledges that **Mobility Matters** has contributed to a greater understanding of the CT sector. TSC advocates that a sensible approach be taken to resolve the operational legislative difficulties. Along with other contributors, Mobility Matters’ evidence to the **TSC** has resulted in a strong recommendation that **DfT** should *“proceed with caution...and must not take a sledgehammer to crack a nut”*. **DfT’s** succession of letters around s19 and s22 permit use were found to be causing confusion and alarm amongst the CT sector. **DfT’s** actions were described as *“ill-judged”* and its lack of knowledge about the CT sector was condemned as *“highly regrettable and must be addressed. The Department must enhance its expertise understanding and oversight of community transport, and be able to demonstrate how it has done so.”*

Conversely, the **TSC** has found *“a notable lack of reliable evidence”* to suggest that there is any widespread unfairness in contract awards to CT operators, which had been alleged by the **Bus & Coach Association**, a body described as *“implacable”*. Exclusive research and analysis provided by **Mobility Matters** was quoted in the report, which effectively highlights a number of flaws in **DfT’s** actions, which have failed to establish a clearly understood and viable means of reviewing and updating the s19 and s22 operator legislation. There are key recommendations that the upcoming **DfT** consultation should take pains to properly assess the scale and scope of the CT sector and understand the potential damaging impact that changes might bring. **Mobility Matters** fully embraces the **TSC’s** findings and looks forward to working with **DfT** on its upcoming consultation. The full TSC report is [here](#).

## NEWSFLASH !

Mobility Matters is delighted to report that the Office of the Traffic Commissioner has confirmed that **no action** is being taken to call **Erewash Community Transport** to a hearing to consider the use of its section 19 permits.

This landmark decision marks a major success in Mobility Matters’ campaign and has very positive implications for the community transport sector. This decision clearly supports our original contention to the DfT that its July letter was premature and misleading. It is a clear reversal of the DVSA’s July findings letter about **Erewash Community Transport**, which was wrongly publicised by the DVSA and the Department for Transport as a formal regulatory decision.

We anticipate that CT operators will now feel much more confident to continue with **“business as usual”** providing high quality vital services for their valued passengers and that Local Authorities will continue to commission these services as before pending the DfT consultation.

### The need to protect community transport

*“Protection of these services, the huge majority of which are uncontested, and by definition cannot be provided by commercial operators, is imperative.*

*We welcome the Minister’s commitment to maintain the community transport permit system, and its 9 November proposals to achieve this.*

*Given the current level of paralysis in the CT sector, the Department should launch the consultation, with its scope broadened in line with our recommendations, as soon as practicable.”*

**Transport Committee**

## Next Steps for the Campaign

Although the **TSC** report gives a welcome boost to the campaign, there is urgent need for the weight of Parliament to be brought to bear on this matter. We urge all CT operators to now contact their MP to a) draw their attention to the report (not all will have seen it) and b) push for an **Adjournment Debate**. The Adjournment Debate (also known as a 'Westminster Hall debate') is a means of maintaining and enhancing MPs' interest following the TSC findings and would allow MPs to question the Under Secretary and DfT about the current lack of clarity around DfT's advice and potentially continuing damaging actions toward the CT sector – we wish to ensure that the long-delayed consultation by DfT will properly grapple with the issues.

However, the **Adjournment Debate** is really a first stage towards establishing an **All Party Parliamentary Group (APPG)** for CT, which is the ultimate objective of the MM campaign strategy. An APPG which would bring together MPs from across the House with a common interest in this particular issue. MM's mobilisation around the licensing issue has already significantly raised the profile of the sector in Parliament. It requires three MPs, each from different parties, to establish an APPG. The APPG could then provide the sector with an ongoing platform in Parliament; and the opportunity to keep pressing the causes of the sector with sympathetic MPs. **We urge all CTs to please raise these matters with your MP as a vital next step.**

## More Licensing Issues

Meanwhile, **Mobility Matters** is now concerned that **DfT** is considering implementing **changes to minibus driver licensing** that will have an even bigger impact on the broad community and third sector as well as local authorities, schools and others in the statutory sector. This is being done **without consultation** (except in Northern Ireland) and with no impact assessment or justification. The result will be that thousands of drivers currently employed by voluntary groups and charities will lose their entitlement to drive their organisations' minibuses, threatening their employment and endangering the valuable work that these organisations undertake providing childcare, schools and youth work, sports development, environmental protection and social support for older and disabled people.

Our discussions with community transport groups have already indicated most **D1 (101)** drivers will leave rather than take a test, leaving these groups (and others) significantly short staffed at a time when finding PCV qualified drivers is proving increasingly difficult. As with permits, this follows from a reinterpretation of the term 'non-commercial'. This change to driving entitlement is already being

introduced in **Northern Ireland** and we are very worried that it will be introduced as an administrative change in **GB**.



Permit-issuing bodies are now working to new instructions and are not issuing s19 or s22 permits unless the new criteria of demonstrating the lack of a competitive market is fulfilled by the applicant. The practical and operational impact is now being felt by those operators who are applying for new permits or renewing expiring ones. The need for operators to satisfy the issuing body that there is no competitive market for their services is a major concern.

## Section 22 Community Buses

We have mentioned in previous newsletters the plight of **s22 Community Bus** operators and how their situation requires a different solution to those operating under s19. Our correspondent **John Thorp** at **Flittabus** has suggested that the campaign should call for no significant change to the existing regulations for s22 operations which largely exist precisely because there is no commercial service or market competition.

## The Work Continues - How You Can Help

The vital work of **Mobility Matters** can only continue with your support – otherwise the campaign cannot continue. You will have read that the changes in driver licensing alone are a serious cause for concern. These actions will have a direct and catastrophic impact on your drivers now. These changes must be resisted if your operation is to be properly protected. We therefore ask you to make a financial contribution as soon as you can – thank you. Don't delay – please pay today, every little helps!

<https://ctpermits.org/fund-appeal>

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