Delegated decision

July 2020

Durham County Council response to Department of Transport (DfT) on Future of Transport Regulatory Review

Ordinary Decision

Report of Corporate Management Team

Amy Harhoff, Corporate Director of Regeneration, Economy and Growth

Councillor Carl Marshall, Cabinet Portfolio Holder for Economic Regeneration

Electoral division(s) affected:

County Wide

Purpose of the Report

1 To seek agreement to the content of the council's response (Appendix 2) to the Department of Transport's (DfT) call for evidence on the 'Future of Transport Regulatory Review' for submission prior to the consultation deadline on 3 July 2020.

Executive summary

2 The current consultation is a call for evidence on micromobility vehicles, flexible bus services and Mobility as a Service (MaaS) as part of the 'Future of transport regulatory review'. This call for evidence asks:

- whether certain micromobility vehicles (such as electric scooters) should be permitted on the road, and if so what vehicle and user requirements would be appropriate;
- how effective existing rules are around flexible bus services, and which other areas of the bus, taxi and private hire vehicle framework should be considered in this review;
- what the opportunities and risks of MaaS platforms might be, and what role central and local governments should play in their development.

3 Questions relating to micromobility and flexible bus services are more relevant to the current functions of the council, although we have also responded to the questions on MaaS as it has the potential to impact on the

public transport and highway functions in the future. The Council's response is attached at Appendix 2.

4 The response has been prepared by the Spatial Policy and Transport Services team and Members have also been consulted on the draft comments. We have also worked with NECA on their submission to ensure our comments are aligned with the region.

Recommendations

5 The Director of Regeneration, Economy and Growth is recommended to agree:

a) the Council's response to the DfT on the Future of Transport Regulatory Review.

Background

6 The government want the UK to be a world leader in shaping the future of transport. A robust but innovative, flexible and data-driven regulatory framework for transport is key to achieving this. This call for evidence is the first opportunity for the government to gather views on the Future of Transport Regulatory Review, following the publication of the Future of Mobility: Urban Strategy in March 2019.

7 The 'Future of transport regulatory review' was launched in March 2020. The government announced there would be some big changes to transport in our towns and cities and this call is to understand the true benefits, and costs, of each new technology or service.

8 This consultation is about how transport legislation t will need to change so that new ways of travelling can be accommodated safely and more effectively onto the existing transport network. It also discusses how the regulatory frameworks for licensing, ticketing, payment and consumer protection will need to be more responsive to enable modern forms of transport.

9 The first area of the consultation is on micromobility and asks us how we can keep our residents safe when they are using our roads and our pedestrianised areas, while encouraging micromobility. The second and third areas of the consultation asks how we can use better information and mobile phone technology to encourage flexible bus services and Mobility as a Service (MaaS).

Overview of Durham County Council responses to Future of Transport Regulatory Review

10 The Council's response can be found in Appendix 2. The key points raised in our response relating to micromobility, flexible bus services and MaaS are summarised below.

Micromobility

11 It is the Council's view that micromobility vehicles, such as electric scooters should be permitted on roads but that other micro mobility vehicles such as electric skateboards or hoverboards should not be allowed on roads. Electric scooters are likely to be most appropriate on slower roads, particularly 20mph roads where there is little difference in speeds but should not be permitted on duel carriageways or motorways.

12 Further micromobility vehicles, such as electric scooters should only be permitted on roads with a speed limit of over 30mph where they are completely segregated from cars, for example, by using a protected bike lane. E-scooters should be permitted to share space with cycles on cycleways on or next to roads due to their similar speeds.

13 Due to their speed and lack of engine noise to alert people, micromobility vehicles such as electric scooters, hoverboards or Segways should not be allowed on pavements or pedestrianised areas where they would pose a

hazard to pedestrians, particularly visually impaired people. Walking is a healthy and sustainable form of transport and should not be discouraged by requiring pedestrians to share space with motorised vehicles.

14 Some redesign and redistribution of space on the highway network will be required to gain any benefits from micromobility vehicles.

Flexible Bus Services

15 In our response, the Council suggest that Flexible Bus Services should be regulated differently to other transport services. There are already different regulations for Demand Rapid Transport (DRT), timetabled buses and private hire vehicles at present without issue.

16 The Council suggest that the geographical area that a flexible bus service should operate in is appropriate to avoid areas being left unserved by flexible bus services. Allowing a wide and/or vague geographical scope of the registration area could lead to limited services being spread too thinly and therefore impact negatively on the passenger. It is important that flexible bus services exist in a co-ordinated way that serve the needs of our residents who require transport. This is a particularly relevant issue in our rural areas.

17 The Council also advocates the use of real time software to support the service and a 20-minute pick up window so passengers easily track when the bus will arrive. The Council also respond that flexible bus services will need to be tailored to suit the customer and the time of day when the customer will travel. For example, a flexible bus service may charge a premium fare at peak hours and reduce the charge off peak, which cannot be currently done on conventional bus services.

18 The Council also suggest the need to future proof flexible bus services with incentives for services to go electric, ensuring that all services are accessible to disabled people and the sharing of information to better understand traveller behaviour and preferences. The Council also provides suggestions in improving passenger safety without recommending full DBS checks for all staff associated with running a service. The Council also acknowledges the requirement to make sure that passengers' personal information is kept safe.

Mobility as a Service (MaaS)

19 With increasing availability of data and digital capability in the transport sector, MaaS packages different transport modes and services together onto one platform to make planning and payment of trips easier for consumers. The government have defined MaaS as 'the integration of various modes of transport along with information and payment functions into a single mobility service'.

20 MaaS requires service timetabling and fares data to be interoperable and available to MaaS platform providers, along with the ability for consumers to purchase tickets digitally. Commercial MaaS platforms tend to operate on a subscription basis.

21 The council welcomes the concept of MaaS and its ability to deliver sustainable transport choices. The response advocates a national overview of MaaS with national standards, communications, brands and a flexible national booking application. This will help to ensure high standards which are shared at a national level. Regional branches with some oversight at the local level could ensure more effective joint working with public transport operators.

22 The Council believe that cross-boundary compatibility should be enabled, so that where people wish to commute from one local authority to another, or to travel cross country, they are able to do so through the MaaS system as easily as if they were travelling within their local area.

23 The Council recommends making multi operator or multi modal tickets more affordable. This would require a change to current legislation which presently facilitates operators being able to offer the lowest fares on single journeys when compared with multi operator journeys.

24 The Council supports equality for all so that MaaS is used to deliver fairness in accessibility. The Council recommends the involvement of those with protected characteristics when drawing up a regulatory framework which should include booking systems that can be used by those who are not IT literate. The council also supports room for bikes on buses to allow for more sustainable multi modal trips.

Next steps

25 It is proposed to submit the Council's response before the consultation deadline on July 3rd 2020.

Conclusion

26 This report has provided an overview of the Department of Transport's (DfT) call for evidence on the 'Future of Transport Regulatory Review' and a summary of the key messages as contained within the Council's responses.

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Appendix 1: Implications

Legal Implications

This is the first consultation only. No legal issues are identified at this stage.

Finance

As this is a call for evidence there are no financial implications at this stage.

Consultation

This a Department for Transport (DfT) consultation to which the council is responding. Consultation has been undertaken with Members and NECA.

Equality and Diversity / Public Sector Equality Duty

None for the council. The response covers issues relating to those with protected characteristics.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

The consultation will only have indirect policy consequences on bus services but does have potential to change legislation relating to traffic regulations.

Procurement

None.

Climate Change

In our detailed response at Appendix 2, we refer to the Council's declaration of a climate emergency and how the Council have ambitions to switch to more sustainable transport modes. The council recognise that switching to

zero carbon buses could help support the reduction of carbon emissions in the county.

Appendix 2: Durham County Council Response to the Future of Transport Regulatory Review

Full list of questions

A1. Please note that we do not expect you to submit evidence or views in response to every question listed if not applicable.

Micromobility Vehicles

Question 2.1

Do you think micromobility vehicles (such as those in Figure B) should be permitted *on the road? Please explain why.*

Micromobility vehicles, such as electric scooters, which are stable, with handlebars and equipped with brakes could be permitted on roads (not duel carriageways or motorways). Faster and heavier micro-mobility vehicles such as e-scooters could be treated similarly to mopeds in terms of helmet and training requirements.

They are likely to be most appropriate on slower roads, particularly 20mph roads where there is little difference in speeds. Micromobility vehicles should not be permitted on duel carriageways or motorways, and should only be permitted on roads with a speed limit of over 30mph where they are completely segregated from cars, for example, by using a protected bike lane.

E-scooters could be permitted to share space with cycles on cycleways on or next to roads due to their similar speeds. We would not recommend other micro mobility vehicles such as electric skateboards or hoverboards should be allowed on roads.

Due to their speed and lack of engine noise to alert people, micromobility vehicles should not be allowed on pavements as they would pose a hazard to pedestrians, particularly visually impaired people. Walking is a healthy and sustainable form of transport and should not be discouraged by requiring pedestrians to share space with motorised vehicles.

Some redesign and redistribution of space on the highway network will be required to gain any benefits from micromobility vehicles. Increasing space for cycling and micromobility together with protecting footways could help to encourage modal shift away from cars.

We would suggest that the relative risk of cars to micromobility users, and micromobility users to pedestrians, in terms of weight, speed, and audibility, is key to determining where micromobility vehicles should be permitted. Highways space is already limited, particularly in urban areas, so introducing new modes should come with the creation of more safe space for vulnerable users.

Consideration will also need to be given to how to enforce any change to legislation and prevent micromobility users from encroaching on pedestrian spaces.

Question 2.2

If you can, please provide evidence to demonstrate the

potential:

a) Benefits of micromobility vehicle use[1] [2].

- Increased mobility options for people who may be reluctant to cycle;
- Could encourage trip chaining by reducing the time it would take to get to and from public transport stops;
- Reduced physical effort relative to cycling;
- Reduced number of petrol, diesel and delivery vehicles;
- Reduced congestion;
- Decarbonisation and air quality benefits; micromobility vehicles will use less fuel than cars, even electric vehicles, and;
- Electric bike trailers and cargo bikes could help to reduce emissions and pollution in urban areas if used for last mile deliveries.

b) Risks of micromobility vehicle use[3] [4] [5].

- Risk of death or injury to users and other people from collisions;
- Risk that uptake of micromobility vehicles would be low if safety concerns about using them on roads are not addressed;
- If some or all these vehicles are allowed to use pavements and footways, concerns (particularly from visually impaired people) that pavements are no longer safe to use;
- Street and pavement clutter (and consequent hazard) from abandoned or inconsiderately parked vehicles;
- Theft of or damage to vehicles requiring provision of infrastructure such as secure lockers

Question 2.3

If micromobility vehicles were permitted on roads, would you expect them to be used instead of:

Vehicle type	Often	Sometimes	Never
Private vehicles	*No*	*Yes*	*No*
Taxi or private hire vehicles	*No*	*Yes*	*No*
Public transport	*No*	*Yes*	*No*
Delivery vehicles	*No*	*Yes*	*No*
Cycling	*No*	*Yes*	*No*
Walking	*No*	*Yes*	*No*
Other (please specify)	*Not sure*		

[1] https://www.rospa.com/rospaweb/media/Documents/Road%20Safety/road-safety-factsheet-e-scooters.pdf
[2] https://www.itf-oecd.org/safe-micromobility
[3] https://www.rospa.com/rospaweb/media/Documents/Road%20Safety/road-safety-factsheet-e-scooters.pdf
[4] https://www.itf-oecd.org/safe-micromobility
[5] https://www.sciencedaily.com/releases/2020/01/200127075251.htm

Suggest that evidence from other countries which already permit micromobility vehicles be used to establish the likely impact on other modes.

Question 2.4

a. **In your opinion, which of the following micromobility vehicles should be permitted, if any, on roads, lower speed roads, and/or cycle lanes and cycle tracks?**

- **All types**
- **Electric scooters**
- **Electric skateboards**
- **Self-balancing vehicles**
- **Electrically assisted cycle trailer**
- **Segway**
- **Other (please specify)**

Roads and lower speed roads

Electric scooters and electrically assisted cycle trailers only should be allowed on any roads where pedal cycles and e-bikes are currently permitted and regulated so that they are fit for purpose. Micromobility vehicles should not be permitted on duel carriageways or motorways. They should only be permitted on roads where the speed limit is greater than 30mph where they are completely separated from road traffic, for example, in a protected cycle lane.

They should be removed, as much as possible, from interaction with pedestrians.

The other options listed, which are less stable and do not have such reliable braking systems, should not be permitted on roads.

Cycleways and cycle tracks

Electric scooters and electrically assisted cycle trailers only should be allowed on cycleways and cycle tracks, assuming that they will be travelling at broadly similar speeds to cyclists. Speed limits for such vehicles should reflect this.

b. **Please explain your choices for using micromobility vehicles (or not) on roads and/or only lower speed roads, providing evidence where possible**.

With the important exception of electric scooters and electrically assisted cycle trailers, we do not believe that any of the other categories of micromobility vehicles under consideration in this call for evidence should be permitted on any roads until concerns about their inherent instability and lack of adequate or any control of braking are addressed – for example, segways and hoverboards brake by the user leaning backwards, which does not guarantee that the vehicle will stop where intended and poses a risk of the user falling off.

Micromobility should be separated from faster traffic (30mph+) due to the inherent vulnerability of such road users to traffic and the fact that they would be travelling at a significantly different speed. A protected cycle/micromobility lane would also encourage

uptake of such vehicles by giving users peace of mind that there is safe space for them on the roads.

c. **Please explain your choices for using micromobility vehicles (or not) on cycle lanes and tracks, providing evidence where possible.**

With the important exception of electric scooters and electrically assisted cycle trailers, we do not believe that any of the other categories of micromobility vehicles under consideration in this call for evidence should be permitted cycleways and tracks until concerns about their inherent instability and lack of adequate or any control of braking are addressed – for example, segways and hoverboards brake by the user leaning backwards, which does not guarantee that the vehicle will stop where intended and poses a risk of the user falling off, posing a hazard both to the user themselves and other people using the cycleway.

A cycleway is the most appropriate place for micomobility vehicles as they are likely to be travelling at similar speeds, pose similar hazards to pedestrians, and are similarly vulnerable to cars.

Micromobility should be separated from faster traffic (30mph+) due to the inherent vulnerability of such road users to traffic and the fact that they would be travelling at a significantly different speed. A protected cycle/micromobility lane would also encourage uptake of such vehicles by giving users peace of mind that there is safe space for them on the roads.

d. **What impact do you think the use of micromobility vehicles on cycle lanes and cycle tracks would have on micromobility vehicle users or other road users?**

The Council anticipates concerns being expressed by current users of cycle lanes and tracks, even if the design of these were to be altered. There would also be increased demand on cycling facilities and competition for space. Many cycle tracks also have extensive pedestrian use, with potential for additional conflict as a result.

Increased demand for cycle lanes and paths after the introduction of e-scooters could help increase provision of cycle lanes and tracks in the long term as micromobility becomes more established.

Question 2.5

Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on the footway. Should any other micromobility vehicles be permitted to use the pavement or pedestrian areas? If so, which types of devices should be permitted and in what circumstances?

We do not believe that any of the categories of micromobility vehicles under consideration in this call for evidence should be permitted on the pavement or pedestrian areas without measures being taken to protect pedestrians.

For example, hoverboards, electric unicycles and segways in particular could be permitted on footways if provided with a better braking system, set with a maximum speed, and a means of alerting pedestrians that they are approaching.

Question 2.6

a) **What do you think the minimum standards for micromobility vehicles should be?**

At minimum, all micromobility vehicles should have wheels large and robust enough to withstand potholes and uneven paving stones without injury to the rider or other road users, and to make them easier to control. They should also have a maximum speed appropriate to their intended use (i.e. on pavements or on roads), and be fitted with a braking system and a means of alerting other road users that they are approaching.

E-scooters and electric cycle trailers, which we propose should be allowed on roads, should also be fitted with lights to improve visibility and enable them to be used at night and in the winter months. Users should be required to wear a helmet. Their maximum speed should be no more than 20mph, so that they travel at comparable speeds to the faster cyclists. They should not be permitted to travel so fast that they would pose a hazard to cyclists.

A maximum weight for e-scooters and trailers should also be considered.

b) **Should different standards be set for different types of micromobility vehicle? Please provide evidence.**

Yes, micromobility vehicles which are intended to be used on roads should be subject to stricter standards as outlined above to minimise hazards to road users, including the rider themselves. Vehicles intended for use on pavements should be limited to a much lower maximum speed to minimise risk to pedestrians.

Question 2.7

Are there other vehicle design issues for micromobility that you think we should be considering? Please provide examples.

All our views are shown above

Question 2.8

In your opinion, what should the requirements be for micromobility users, with regard to:

User requirements	Like EAPCs	Like mopeds	Other requirements (please provide details)
Vehicle approval	Yes		
Vehicle registration and taxation	Yes		

Periodic vehicle testing	Yes		
User driving licence		Yes	
Insurance	Yes		
Helmet use		Yes	
Minimum age	Yes		
Speed limits	Yes – 20mph		

If you believe regulating micromobility vehicles like EAPCs or like mopeds would be problematic, please explain why.

User driving licences

Some form of basic online training would be beneficial even for users with full driving licenses, as e-scooters are very different vehicles.

Buses, taxis and private hire vehicles

Question 3.1

Should an updated regulatory framework for flexible bus services allow for each category of service to be regulated differently? If so, how do you think it should be regulated differently?

Yes, where appropriate – there are different regulations for DRT, timetabled buses and private hire vehicles at present without issue.

Question 3.2

How do you think we should define the area of operation for a flexible bus service?

Perhaps by an area on a map demonstrating the operating area for the service, adding details (if necessary) of which parts of the area are served on which days. Allowing a wide and/or vague geographical scope of the registration area could lead to limited services being spread too thinly and therefore impact negatively on the passenger.

Question 3.3

In your opinion, does the 20 minute time window to arrive at each passenger pick-up remain appropriate? If not, how should the time window be altered?

We consider this appropriate. It is consistent with the Council's existing DRT service, which picks up passengers within ten minutes either side of their requested pick up time.

Question 3.4

Do you think operators of flexible bus services should be required to provide real-time progress updates? Please provide evidence.

Yes, real-time information should be provided for all public bus travel as it provides greater certainty and value to passengers.

Question 3.5

In your opinion, how could the carriage of more ad-hoc bus passengers be encouraged without impacting negatively on the service received by passengers who have booked in advance?

It depends how this would be organised – how would ad-hoc passengers know that the bus would be passing them if it is a purely flexible service? They would need real-time information about where the bus was going and the route it was taking to know it was there and hail it.

The total capacity of the bus and existing number of passengers would also need to be shown for ad-hoc passengers to know whether the bus has capacity for them or not. They are unlikely to become a significant source of passenger numbers off peak but could work at peak times if the bus operates a more regular, less flexible service then, e.g. to schools and/or major employment sites in the area.

Picking up ad-hoc passengers has potential to undermine pick up and drop off times for pre-booked passengers, reducing the service's value to those customers. The quality of the service offered would likely be best if it focussed on passengers who have pre-booked ahead of time.

Question 3.6

What sort of fare structure do you think should apply to flexible bus services?

Where a premium service to specific employment and education locations is provided at peak times, a premium charge could be applied. For other more flexible services off-peak, prices should be set somewhere between the cost of the comparable timetabled bus journey and taxi journey.

Concessionary fares might not be accepted on flexible buses at peak time and existing bus services have been designed to provide a good standard of service for people with concessionary passes. Flexible buses should aim to attract people who may not normally use a traditional bus service to help promote modal shift.

Question 3.7

a) **Do you think there should there be less rigid registration requirements around notice periods for flexible bus services?**

We do not see any benefit in less rigid notice periods for flexible bus services. More frequent, short-notice changes may undermine public confidence in the service.

b) **Which elements of the registration requirements do you think could be improved to enable flexible bus services?**

Current registration requirements exist to protect passengers and to also ensure that information on changes can be provided in good time. We do not see any suitable justification to be less rigid on registration requirements.

Question 3.8

Do you think the Bus Service Operators Grant (BSOG) should be adjusted to accommodate the development of flexible bus services? If so, how?

Compared to fixed route scheduled bus services, flexible bus services typically have lower volumes of passengers and a higher proportion of dead mileage. For those flexible services which represent the only means of transport to individuals and communities, there should be a mechanism to allocate at least an equivalent amount in government subsidy to that which applies to fixed route scheduled services. We believe it is therefore essential that BSOG continues to include "dead" mileage incurred when travelling empty between eligible journeys.

This would run the risk of services being operated less efficiently to secure more grant funding. However, this could be mitigated against if route planning software was used to ensure that the most efficient route was followed.

Whatever reimbursement mechanism is adopted, there should be continued (and possibly increased) incentives for the further deployment and use of ultra low emission (e.g. electric or fuel-cell) vehicles.

As an authority, we declared a climate emergency in February of 2019[6], and as a result have increasingly pursued options to bring our overall carbon emissions from transport down to net zero, largely through switching to more sustainable transport modes. So far, the county has not been able to pursue low or zero carbon buses as the council has not been able to secure funding, and there is no room left in the existing budget to pursue this. We are therefore reliant on changes to requirements and regulations governing bus operators at a national level to decarbonise our bus fleet.

Question 3.9

Do you think the record keeping requirements for flexible bus services are still appropriate? If not, what changes do you think should be made?

Subject to Data Protection regulations, we believe the following should still be required for each journey:

- The date the journey was made
- The time and place when it was agreed the passenger should be picked up and set down
- The actual time and place that each passenger was picked up and set down
- In addition we believe the following should be recorded:
- the fare paid including whether an ENCTS pass was used

[6] https://www.durham.gov.uk/article/22011/Climate-emergency-consultation

While we understand the value in recording the names of all passengers booked to travel (whether or not they actually did) and details of how each such passenger may be contacted (subject to Data Protection requirements) this will be an incomplete record if ad hoc passengers are carried.

Passenger names could perhaps be collected (with consent) as part of a trial of the service, to allow users to be surveyed later about their experience and how the service could be improved.

Question 3.10

Do you think we could use flexible bus services to improve transport in rural areas?

It is unlikely that a flexible service could be more efficient or cost effective than a traditional bus service in a large, rural county like Durham. The greatest area of opportunity for a flexible service would perhaps be for 'across the grain' travel – for example from one smaller settlement to another, without having to travel into the central hub and change as you might on a regular service. Even then, a reasonable volume of passengers would be needed to make running the service worthwhile. Rural areas are not densely populated enough for this to be viable, unless ran to specific employment/education sites or events.

Question 3.11

What do you think would be the correct requirement for Disclosure and Barring Service (DBS) checks on flexible bus services?

A DBS check could not be required for drivers of a flexible service as it does not meet the requirements of the DBS legislation. The service would need to be a regular service for vulnerable users to meet the requirements, which is contrary to the purpose of a flexible service. Bus drivers of commercial timetabled services are not currently required to be DBS checked so a flexible bus service alone is unlikely to create a security risk greater than that posed by existing services.

Some alternative security measures could include:

- Organising the booking system and suggested route to minimise times when a passenger is alone with the driver
- Requiring people to book pick-ups from specific stops somewhere within 400m of their homes – this would enable more people to be collected at once as well as preventing people's home addresses from being shared
- Creating a clear and straightforward process for reporting any issues
- Allowing passengers to view the progress of the vehicle along a pre-planned route as the journey progresses
- Fitting of an emergency stop which also would open doors once the vehicle was stopped, so that the driver does not have sole control of the doors

Question 3.12

a) **What areas of the bus, taxi and private hire vehicle (PHV) framework should we consider in future stages of the Future of Transport Regulatory Review?**

Flexible buses should be accessible to disabled people.

b) **How else, in your view, can the Government support innovation in the bus, taxi and PHV sectors?**

We suggest that the key question is how to ensure that future travel provides an equivalent or better standard of accessibility at a cost (financially and otherwise) which the economy, environment and society can afford.

Mobility as a Service (MaaS)

Question 4.1

In your opinion, in the development of Mobility as a Service platforms, what should be the role of local authorities, central government, or other transport authorities? Please provide details.

Unless MaaS is to be delivered only for city-regions and conurbations such as Tyne & Wear or Teesside, it should be overseen by a national body to ensure consistent delivery nationwide, and to prevent cross boundary issues. Work with individual operators and on establishing MaaS networks could be done at a more local level using existing expertise, and pricing could reflect regional differences, but basic standards should be set nationally.

Question 4.2

a) **Can you provide evidence for further measures that are required for the standardisation and interoperability of data, for example the routing, ticketing and timetabling data, to deliver Mobility as a Service?**

Adherence to existing standards that are already in place for timetable (TXC), fares (NETEX) and various other MAAS data components should be mandatory rather than creating new standards.

One coherent system for viewing and booking all forms of travel available under the MaaS system should be established. An app is the best option for this, but care should be taken that the same information and booking ability is also made available for people who are not comfortable using smartphones etc.

b) **Who should lead these further measures (e.g. central government, local government, industry, or other)? Please explain why.**

In order to maintain public confidence and also the participation of transport providers on an equal basis, these measures should be led by an organisation that is identifiable with a strong brand name independent of any commercial private-sector body, similar to TfL in London. This should be a national organisation with regional branches to oversee things at a more local level and to best benefit from existing knowledge and relationships.

Question 4.3

In your opinion, is the roll out of the integrated style of ticketing required to facilitate Mobility as a Service prevented by any regulatory or commercial barriers? If so, please provide details.

The main current barrier is the present regulations on bus fares. Although they do not prevent multi-operator fares being offered, they do however place limits on how cheap they can be compared with each operator's own fares. So a MaaS app that offers flexible multi-operator travel choices might, under current regulations, offer a more expensive journey which would have to be made clear on the app, potentially making a MaaS-based journey less attractive. Changing the regulations on multi-operator fares so that they did not have to be higher than each operator's own fares would overcome this.

Currently cycles are not permitted on buses – relaxing such rules and making greater space for bikes on buses and trains could help encourage active travel and trip chaining across the MaaS network. Consideration should also be given to space for micromobility vehicles if these are to begin being rolled out in the UK.

Question 4.4

What competition concerns do you think Mobility as a Service might present that could be difficult to address through existing regulations?

Different standards offered by different operators could pose a challenge, particularly where different standards cost more to maintain – for example, should people have to pay more for the same journey on an Azuma train than on a Pacer?

Question 4.5

In your opinion, does the current framework for consumer protection need to be expanded to include liability for multi-modal journeys? If yes, please provide evidence.

We believe the framework would have to be expanded. Transport providers services on behalf of the MaaS specifier/coordinator would need to sign a legally-binding consumer protection that indemnifies the MaaS specifier/coordinator from any fault of the transport provider.

Question 4.6

Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? If yes, please provide evidence.

Yes, we believe there are the following issues:

- the need to make sure that all the transport providers participating in a MaaS scheme meet the same accessibility and inclusivity standards – not just in terms of vehicle standards but also driver training and competency
- would passengers perceive a MaaS system as accessible and inclusive if there were a multiplicity of providers with different vehicle types (even if theoretically offering the same standards)
- People using wheelchairs or other mobility aids, and people with prams, should be able to book specific space for them so that they have peace of mind that they will be able to complete their journey without having to get off or wait for another service to allow someone else who needs the space to take it
- People who are not IT literate also need to be able to access the service

e.

Question 4.7

a) **What actions could help to ensure all sectors of the population can access Mobility as a Service applications?**

All MaaS applications should be subject to an Equality and Diversity assessment and the results published.

b) **Who do you think should be responsible for delivering these actions (e.g. central government, local government, industry, or other)? Please explain why.**

Central government should deliver legislation and regulations setting standards, which should then be enforced by Local Transport Authorities

c) **What do you think government could do to encourage, incentivise or enforce the delivery of these actions?**

Some combination of reviews and accreditation

Question 4.8

In your opinion, what further action is necessary, if any, to ensure that Mobility as a Service platforms provide:

a) **Safe and appropriate use of data?**

Robust anonymisation of data is essential – if there are data leaks there would be reputational damage and personal safety issues, all of which gives weight to the argument that the data broker should lie in the hands of the public sector.

b) **Protection of an individual's information?**

Enforcement of GDPR

Question 4.9

a) **Can you provide any further evidence of the positive or negative impacts of Mobility as a Service on active travel and/or sustainable modes? Please provide examples.**

By its very nature, MaaS should help make all aspects (information, booking and paying etc) of multi-modal trips seamless. It has been suggested[7] that with the right functionalities and technical solutions that encompass an entire trip, including the portions on foot or by bicycle, MaaS will offer potential for bringing about a shift to accessible and sustainable modes. Evidence from some MaaS pilots[8] demonstrates that walking, cycling and use of public transport increases with the use of MaaS. This could help to improve public health, social inclusion and air quality while reducing carbon emissions and congestion.

However, we believe that the positive impacts of MaaS on active and/or sustainable transport modes will only be realised if those modes are in themselves more attractive, for example by

- provision of appropriate infrastructure – such as safe, attractive walking and cycling routes and good bicycle parking facilities at rail/Metro stations and bus stops
- ensuring that public transport is comprehensive, good quality, fast, accessible, affordable and reliable

b) **Can you provide evidence of measures that could be incorporated into Mobility as a Service platforms to encourage active travel and/or sustainable modes?**

The following features should be included:

[7] https://cyclingsolutions.info/the-bicycle-and-the-future-of-mobility/

[8] http://www.urbantransportgroup.org/system/files/general-docs/Urban%20Transport%20Group%20%E2%80%93%20Maas%20movement%20report_AW.pdf

- a means by which customers can state their specific preferences e.g. maximum walk of 500 metres, no steps, suitable for a wheelchair or buggy, what is the most important journey criteria – fastest, shortest, cheapest, fewest changes etc
- ability to change these preferences for each journey, dependent on weather, time of day, whether any luggage or shopping is being carried, how many people are travelling etc.
- information on external factors affecting travel preferences – such as weather, air quality, traffic conditions, roadworks and other temporary disruptions – without having to switch to another app.
- real time information during the journey to take account of changing circumstances together with alternative options should the original planned journey encounter delays

Question 4.10

Do you think guidance or a Code of Practice for the Mobility as a Service industry would be useful? If so, what content do you believe would be beneficial to include in a Code of Practice?

We believe there should definitely be a code of practice for MaaS apps - based on providing equitable and fair information about journey choices and tickets that

- caters for each passenger's preferences, needs and circumstances (which may vary – for example according to the weather or time of day) and
- does not favour one operator for any reasons other than the services and fares they offer.

Wider issues

Ensuring inclusive future transport Question 5a.1

Can you provide evidence of how regulatory frameworks outside of the UK have explicitly sought to improve access to transport for people with protected characteristics?

MaaS schemes in locations such as Helsinki and Vienna have been described[9] would be operated principally by private -sector players, with the user interface being managed commercially to provide integrated journey planning, payments and choose -and -book for on -demand services. An example of the sort of regulation in place may be a stipulation that any mobility services provider offering integrated journey planning has to display all the travel options available, not just its own services. This could be extended to include specifications for vehicle standards, driver training and so on to ensure improved access to transport for people with protected characteristics.

A more regulated MaaS scheme would involve substantial regulation, with the MaaS scheme being operated by the authority itself, and private-sector

[9] https://assets.kpmg/content/dam/kpmg/uk/pdf/2017/08/reimagine_places_maas.pdf

suppliers operating under the authority 's scheme, or private schemes being tightly governed by the authority in respect of pricing and service provision. This may guarantee more consistent service quality thereby ensuring improved access to transport for people with protected characteristics

Question 5a.2

In your opinion, how can regulation of future transport technologies and services secure equitable access to transport for people with protected characteristics? Please provide examples.

We suggest this this would be achieved by:

- through adherence to mandatory code of practice
- appropriately designed terms and conditions for transport providers seeking to participate in MaaS schemes
- involvement of people with protected characteristics in drawing up the regulatory framework.
- compulsory disputes procedure perhaps through Traffic Commissioner or new body set up for this specific purpose.

Please see our previous responses.

In addition, we suggest that the focus on this question on protected characteristics is too narrow. There is already good evidence that individuals without access to certain types of transport have poorer access to jobs and services as a result. In addition, the take up of new opportunities (such as Uber) may disadvantage those still reliant on more conventional transport services as these become less viable as a result. The analysis and management of these problems across the whole of society should be a central focus of future regulatory frameworks and should not be restricted to those with protected characteristics.

Enabling trials of new modes Question 5b.1

In your opinion, which specific areas of road traffic law might benefit from having a statutory exemption power included to help support safe trials of transport technologies? Why have you suggested these areas?

We suggest that those aspects of road traffic law that might benefit from having a statutory exemption power included to help support safe trials of transport technologies would be those around the hire and use of e-scooters, which have become an increasingly familiar part of the urban transport landscape in other parts of the world. We are suggesting this because

- at present, e-scooters can only be used on private land with the landowner's permission but not in the public realm
- evidence from elsewhere suggests they have a potentially important role to play, but if the present situation continues there is no scope for them to become part of the UK's transport network, particularly in terms of first and last components of a multi-modal journey.

Question 5b.2

In managing the risks of allowing exemptions to transport legislation for trials, what do you believe should be the role of:

- **Local Authorities or Combined Authorities?**

The Local Authority should have some oversight of MaaS but it should mostly be overseen at the regional or Sub-regional/Combined Authority level.

- **National government?**

A clear lead from central government would be required

- **Trialling organisations?**

We have no comments in this regard

- **Other?**

We have no comments in this regard

Local leadership of new transport services

Question 5c.1

With regard to managing new transport technologies and services, are there powers currently held by national government which you think should be devolved to local authorities, combined authorities or the Greater London Authority? If so, please provide evidence and examples.

As much as possible should be devolved to the lowest level possible beneath a fixed framework of legal and safety regulations that apply at a national level. Future transport provision will be specific to local areas and local people should reflect that. Funding at the local level would be needed to deliver this.

However, cross-boundary compatibility should be maintained, so that where people wish to commute from one local authority to another, or to travel cross country, they are able to do so through the MaaS system as easily as if they were travelling within their local area.

Question 5c.2

Where the local transport authority and the local highway authority are separate local authorities (such as in London and the Combined Authority areas), what should be the balance of powers and responsibilities to maximise the benefits of future transport?

Powers and responsibilities should be set at the level which best reflects how transport networks function within a given area. There could be an argument for either Combined Authority or Local Authority level depending on local circumstances.

Question 5c.3

In this context, what role might sub-national transport bodies most usefully play, in your opinion?

Sub-national Transport Bodies (STBs), through their collaborative networks, are well placed to support thought leadership, collaboration and delivery of Future Transport aspects and play a vital role in ensuring the principles are delivered throughout the region they cover. They can also help to bridge the gaps and stimulate active development of these services and act as enablers. Specifically, they could:

- Provide strategic advice towards Future Transport applications across their region
- Support trials and implementation of Future Transport measures, and effective transition to implementation and mass roll-out
- Articulate their region's ambition and support and inform the wider National Government agenda
- Build and provide evidence to support uptake of Future Transport solutions
- Enable solutions to intra-regional cross-boundary issues

Question 5c.4

In your opinion, could any non-regulatory measures help to empower local authorities, combined authorities or the Greater London Authority to manage transport innovation? Please provide examples.

A centrally led marketing and comms messaging programme could help to demystify what are likely to be new products and travel experiences for many.

Question 5d.1

Are there any specific, urgent areas of the regulatory framework that you feel we are not addressing through the eight workstreams already announced for the Future of Transport Regulatory Review? Please provide evidence.

Unsure

Thank you for the opportunity to offer our views.