

EXECUTIVE NOTE

THE BUS SERVICE OPERATORS GRANT (SCOTLAND) AMENDMENT REGULATIONS 2012

SSI 2012/33

These Regulation amends the Bus Service Operators Grant (Scotland) Regulations 2002 by making provision for a grant to be paid to operators of flexible bus services, particulars of which may be registered under the Public Service Vehicles (Registration of Local Services) (Scotland) Regulations 2001 as amended by the Public Service Vehicles (Registration of Local Services) (Scotland) Amendment Regulations 2012.

The Regulations are subject to negative resolution procedure.

Background

Bus Service Operator Grant (BSOG) is paid directly to operators principally to benefit passengers. It does this by helping operators to keep their fares down and encourages operators to run services that might not otherwise be commercially viable thus contributing to the maintenance of the overall bus network.

The purpose of these Regulations is to extend BSOG to Demand Responsive Transport (DRT) services which are registered as a local bus service. This would mean the extension of BSOG would apply only to DRT services which are available to the general public and would not cover any services which are limited to specific groups. Such DRT services would thereby also qualify for the Scotland-wide Concessionary Travel Scheme.

Definition of Demand Responsive Transport (DRT)

Demand Responsive Transport (DRT) is most simply described as any form of transport where day to day service provision is influenced by users' demands. Commercial operators can provide DRT services although the majority of services in Scotland are provided by local authorities and voluntary organisations. Services are normally booked in advance by users and run on a fixed route or can be flexibly routed to suit users' travel needs. Services can also be booked or arranged by public agencies to respond to travel needs for patient transport, school transport and social services. DRT services tend to be most beneficial to people with mobility difficulties who are unable to use conventional public transport services and to people living in areas where public transport services are limited. Most recognisable forms of DRT services include dial-a-ride and dial-a-bus services.

Definition of Scotland-wide Concessionary Travel Scheme

The Scotland-wide Free Bus Travel Scheme for Older and Disabled People provides free bus travel on local registered bus services and scheduled coach services throughout Scotland to people who are sixty years of age or over and eligible disabled

people who are resident in Scotland. Eligible residents of Orkney, Shetland and the Western Isles also receive two free return ferry journeys per year to the mainland.

Policy Objectives

The reason behind introducing these Regulations is to provide operators with increased choice and flexibility in the provision of bus services to the general public whether commercial or by local transport authorities. The changes are designed to include and incentivise the possibility of fully flexible and/or partly fixed route bus services available to the general public being provided on a commercial basis by bus operators.

The payment of BSOG to DRT services available to the general public would reduce the threshold at which they might be considered commercially viable.

Consultation

A 3 month consultation ran from 1 July - 30 September 2011 which invited comment from all Local Authorities and Bus Operators in Scotland, plus the 7 Regional Transport Authorities (RTPs), Association of Transport Co-ordinating Officers (ATCO), Confederation of Passenger Transport (CPT), Community Transport Association (CTA) and a range of other organisations and individuals the Scottish Government identified as having an interest in this consultation document.

Almost all of the responses received welcomed legislation aimed at helping to support and develop eligible fully flexible and/or partly fixed route bus services available to the general public across the country. The majority of the responses backed the policy intention and there were no significant issues raised in the consultation which required any significant alterations to the draft legislation.

Financial implications

There will be no additional increase to either the BSOG or Scotland-wide concessionary travel scheme budgets for 2012/13, although these proposed amendments will result in an additional strain on each budget. The current BSOG scheme is budget limited and the Scotland-wide concessionary travel scheme budget is capped.

Business and Regulatory Impact Assessment (BRIA)

The Business and Regulatory Impact Assessment (BRIA) supports the changes within the amendment Order. It can be viewed at <http://home.scotland.gov.uk>.

February 2012