

Date: 19<sup>th</sup> May 2023

Subject: The Greater Manchester Franchising Scheme for Buses 2021 - Service Permit Scheme

Report of: Eamonn Boylan, Chief Executive Officer, GMCA & TfGM

## Purpose of Report

Where a bus franchising scheme is introduced, the Transport Act 2000 requires a franchising authority to operate a 'service permit scheme' to ensure that other services, which do not form part of the network of services operated under local service contracts, are still able to operate.

The Transport Act 2000 and the Franchising Schemes (Service Permits) (England) Regulations 2018 require a franchising authority to carry out two different consultations regarding a proposed service permit scheme (where under such scheme the authority wishes to attach conditions to service permits) before the authority can begin to accept applications for service permits by operators and attach conditions to them, namely: a consultation on the proposed service permit process itself and a separate consultation on the proposed conditions/descriptions of conditions that the authority may attach to service permits when granted.

Both consultations have now been completed by TfGM under delegated authority. This report presents the outcomes of the consultations and makes a number of recommendations accordingly.

## Recommendations:

The Mayor is requested to:

1. Note the contents of the report.
2. Note that TfGM has, as required by Regulation 3 of the Franchising Schemes (Service Permits) (England) Regulations 2018 (the "**Regulations**") on the proposed service permit process:
  - a. published a consultation document which satisfies the requirements set out in regulation 4(1) of the Regulations; and
  - b. consulted relevant persons on the contents of the consultation document in accordance with regulation 3(2)(b) of the Regulations.
3. Note the contents of the 'Service Permit Consultation Report' (Appendix 1) and agree its recommendations regarding the service permit process.

4. Approve the publication of the Service Permit Consultation Report as the response to the consultation pursuant to regulation 3(2) (c) of the Regulations.
5. Note and agree the contents of the proposed Service Permit Policy Statement appended to this report (Appendix 2) and approve the publication of it pursuant to Regulation 3(2)(d) of the Regulations following publication of the response to the consultation detailed above.
6. Note that, in relation to the separate consultation on the proposed conditions/description of conditions to be attached to service permits required by s.123R of the Transport Act 2000 (the ‘Act’), TfGM has consulted all relevant operators and any other relevant persons on the proposed conditions/descriptions of conditions to be attached to service permits pursuant to s123R(5) of the Act.
7. Note and agree the outcome of, and the proposed responses to, the service permit condition consultation as set out in section 7 of the Service Permit Consultation Report (Appendix 1) and approve the publication of the same.
8. Note and agree the contents of the Notice of Conditions/Description of Conditions (Appendix 3) and approve the publication of the said Notice pursuant to section 123R(1) of the Act.
9. Delegate authority to TfGM to carry out all functions from and including section 123P through to and including section 123S of the Act to allow TfGM to operate the administration of the service permit scheme and conditions regime as set out in the report.

## Contact Officers

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## Equalities Impact, Carbon and Sustainability Assessment:

Impacts Questionnaire			
Impact Indicator	Result	Justification/Mitigation	
Equality and Inclusion	A	In the event that a bus operator that is currently serving a socially deprived area does not apply for a service permit to continue operation of a service, there is potential for negative impact on socially disadvantaged communities. Mitigations include; (a) Pre-engagement with operators to facilitate and encourage operators to apply for permits; (b) Review network and identify areas that are unserved as a result of an operator not applying for a permit. Engage with Neighbouring Authority to consider whether putting in place suitable mitigations is appropriate e.g., running a special service.	
Health			
Resilience and Adaptation			
Housing			
Economy	G		
Mobility and Connectivity	G		
Carbon, Nature and Environment	G		
Consumption and Production			
Contribution to achieving the GM Carbon Neutral 2038 target		n/a	
Further Assessment(s):		Carbon Assessment	
G	Positive Impacts overall, whether long or short term.	A	Mix of positive and negative Impacts. Trade-offs to consider.
		R	Mostly negative, with at least one positive aspect. Trade-offs to consider.
		RR	Negative Impacts overall.

## Carbon Assessment

### Overall Score

Buildings	Result	Justification/Mitigation						
New Build residential	N/A							
Residential building(s) renovation/maintenance	N/A							
New build non-residential (including public) buildings	N/A							
Transport								
Active travel and public transport								
Roads, Parking and Vehicle Access	N/A							
Access to amenities								
Vehicle procurement	N/A							
Land Use								
Land use	N/A							
No associated carbon impacts expected.		High standard in terms of practice and awareness on carbon.		Mostly best practice with a good level of awareness on carbon.		Partially meets best practice/ awareness, significant room to improve.		Not best practice and/ or insufficient awareness of carbon impacts.

## Risk Management

Risks associated with the Service Permit scheme are being captured and managed as part of the overall Bus Franchising programme.

## Legal Considerations

Legal considerations are set out in the report.

## Financial Consequences – Revenue

The financial consequences (revenue) relating to this report are included in the background papers set out below.

## Financial Consequences – Capital

There are no specific consequences (capital) relating to this report.

## Number of attachments to the report:

- Appendix 1: Service Permits Consultation Report
- Appendix 2: Service Permit Policy Statement
- Appendix 3: Service Permit Conditions Notice
- Appendix 4: Full Equality Impact Assessment

## Comments/recommendations from Overview & Scrutiny Committee

N/A

## Background Papers

- Report of the GMCA titled Bus Services Act 2017, dated 30 June 2017
- Report of the GMCA titled Bus Reform Objectives Update, dated 25 May 2018
- Report of the GMCA titled Bus Reform, dated 27 July 2018
- Report of the GMCA titled Transport Revenue Budget 2019/20, dated 15 February 2019
- Part A Report of the GMCA titled Bus Reform Update, dated 28 June 2019
- Report of GMCA titled Audit and Consultation, dated 7 October 2019
- Report of GMCA titled Financial Impact of COVID-19 dated 29 May 2020
- Report of GMCA titled Bus Reform: Update dated 26 June 2020
- Report to GMCA titled Covid-19 Impact on Bus Franchising Report and Consultation dated 27 November 2020
- Report to GMCA titled Bus Reform: The Greater Manchester Franchising Scheme for Buses 2021 – Implementation and Operation dated 28 May 2021
- Report to GMCA titled Bus Franchising – Land Acquisition dated 25 June 2021
- Report to GMCA titled Bus Service Permit Scheme Consultation dated 30<sup>th</sup> September 2022
- Report to the Mayor titled The Greater Manchester Franchising Scheme for Buses 2021: Consultation on Service Permit Scheme (Proposed Conditions) dated 17 October 2022.

## Tracking/ Process

Does this report relate to a major strategic decision, as set out in the GMCA Constitution

**No**

## Exemption from call in

N/A

## GM Transport Committee

N/A

## Overview and Scrutiny Committee

N/A

## 1. Introduction/Background

- 1.1. On the 25 March 2021, the Mayor took the decision to introduce the Greater Manchester Franchising Scheme for Buses 2021 (the “**Franchising Scheme**”) using powers provided in the Transport Act 2000, as amended by the Bus Services Act 2017 (the “**Act**”).
- 1.2. The Act provides that no local bus service may be provided in a franchised area (if there is a stopping place for the service in that area) unless:
  - i. It is provided under a local service contract (*i.e.*, a franchised contract);
  - ii. It is an interim or exempted service; or
  - iii. It is provided under a **service permit**.
- 1.3. Any operator who wishes to operate bus services which do not form part of the franchised network, and which are not exempt under the franchising scheme, for example operators of cross boundary services would need to apply for a service permit for such services.
- 1.4. TfGM has developed a proposed service permit scheme in readiness for the planned start date of the Franchising Scheme. The start date of the Franchising Scheme is September 2023.
- 1.5. The Act and Franchising Schemes (Service Permits) (England) Regulations 2018 (the “**Regulations**”) require a franchising authority to follow a specified process before it can begin to accept applications for service permits and, if desired by the authority, to attach conditions to any granted service permits. This process includes the carrying out of two separate consultations in relation to a proposed service permit scheme, those being:
  - i. A consultation on the proposed service permit application process and service permit scheme generally (not including proposed conditions), pursuant to regulation 3 of the Regulations; and
  - ii. A consultation on the proposed conditions/descriptions of conditions that the franchising authority may attach to service permits pursuant to s.123R(5) of the Act.
- 1.6. The two consultations have now been completed.
- 1.7. The two separate consultation exercises were carried out concurrently, as is advised in ‘The Bus Services Act 2017: Franchising Scheme Guidance’ (the “**Guidance**”) published by the Department for Transport. This report describes the outcomes of the consultation exercise and recommends the next steps in relation to each accordingly.

## 2. Service Permit Process Consultation

- 2.1. This consultation was carried out by TfGM in accordance with regulations 3(1) and 3(2) of the Regulations, which stipulate a franchising authority must not accept applications for a service permit until it has:
  - i. published a consultation document which satisfies the requirements set out in regulation 4;
  - ii. consulted relevant persons on that consultation document;
  - iii. published a report setting out the authority's response to the consultation; and
  - iv. after complying with the above three steps, published a service permit policy statement which satisfies the requirements of regulation 5 of the Regulations.
- 2.2. Regulation 4(1) of the Regulations states that the consultation document must include:
  - i. a description of the proposed application procedure;
  - ii. a description of the proposed required information (to be submitted with an application for a permit);
  - iii. the proposed amount of any fee that must accompany the application;
  - iv. the proposed periods of validity of service permits;
  - v. the proposed period of time within which the franchising authority or authorities will take a decision on an application for a service permit;
  - vi. the proposed period of time between the date on which a service permit is granted and the effective time; and
  - vii. in a case where a person who has been granted a service permit wishes to vary or withdraw a local service, the proposed period of time between the date on which the person notifies the franchising authority or authorities of its intention and the date on which the variation or withdrawal is to take effect, such period not to exceed 56 days.
- 2.3. A consultation document which sets out the information required by regulation 4(1) of the Regulations was published and opened for responses on 1st March 2023.
- 2.4. The consultation ran for a period of four weeks, closing on 29th March 2023, and was open to all interested participants. Participants were invited to provide responses via an online response form. Given the nature of the consultation, a period of 4 weeks was deemed enough time for participants to review, assess and respond to the information provided. TfGM did not receive any request for extensions to respond from any participants.
- 2.5. The consultation documents and the online response form were published on a dedicated webpage within the TfGM website.



- 2.6. The consultation was promoted by advertisement on TfGM's website homepage, notices were placed at bus stations and interchanges across Greater Manchester and invitations to respond to the consultation were sent directly to 90 key stakeholders including (but not limited to) operators operating local services in the area to which the franchising scheme relates, all neighbouring Local Transport Authorities and the 10 Greater Manchester districts. This ensured all key stakeholders were aware of the consultation and the response deadline, which ensured the process was as robust as possible and provided the best opportunity to obtain a higher quantity and quality of responses.
- 2.7. The approach to have the consultation open to the public, but to also send a link to the consultation direct to the key stakeholders described above also ensured compliance with regulation 3(2)(b) of the Regulations to consult all 'relevant persons', which is defined in regulation 2 as:
  - i. All persons operating local services in the area to which the proposed franchising scheme relates;
  - ii. Any relevant local authority any part of which whose areas would, in the opinion of the franchising authority, be affected by the grant of a service permit; and
  - iii. Any other persons as the franchising authority thinks fit.
- 2.8. Appended to this GMCA report at Appendix 1 is a report on the outcome and findings of this consultation titled 'Service Permits Consultation Report'. This report was compiled by TfGM to analyse the responses to the consultation.
- 2.9. The consultation received a total of 51 formal responses, 50 of which were received online and one in writing. There were also a small number of informal queries received directly by TfGM from organisers of rail replacement services seeking clarity on how the service permit proposals may impact them.
- 2.10. Some of the key outcomes or findings of the service permit scheme consultation are set out below:
  - i. Having considered the range of views submitted through the consultation, it is recommended that the Service Permit Policy Statement remains largely as set out in the consultation documents.
  - ii. After reviewing representations from consultees in respect of rail and tram replacement bus services, it is recommended that TfGM will apply a simplified application process for operators seeking a service permit to run these types of service. Further details can be found in Section 6.2 of the Service Permits Consultation Report.
  - iii. After reviewing consultation responses regarding permit length, where a bus service is provided under contract to a neighbouring Local Transport Authority (LTA), it is proposed that the permit length may be aligned with the expiry date of the contract to provide the service (a specified period of up to eight years).
  - iv. It is recommended that TfGM will produce a frequently asked questions document to provide clear guidance on the service permit process.



2.11. The outcomes of the service permit consultation are more particularly described in Section 6 of the Service Permits Consultation Report.

### **3. Service Permit Conditions/Description of Conditions Consultation**

- 3.1. This consultation was carried out pursuant to sections 123(R)(1) and 123R(5) of the Act.
- 3.2. Section 123R(1) of the Act states a franchising authority 'may publish a notice specifying the conditions, or descriptions of conditions, that they may attach to a service permit'.
- 3.3. Section 123R(5) of the Act goes on to state that before a franchising authority publishes a notice under section 123R(1) they must consult:
  - i. Persons operating local services in the area to which the franchising scheme relates; and
  - ii. Any other persons who, in the opinion of the franchising authority, it would be appropriate consult.
- 3.4. The consultation ran for a period of four weeks, closing on 29th March 2023, and was open to all interested participants. Participants were invited to provide responses via an online response form. Again, given the length and nature of the consultation, a period of 4 weeks was deemed enough time for participants to review, assess and respond to the information provided. TfGM did not receive any request for an extension of time in which to respond from any participants.
- 3.5. This approach ensured, with a link being sent to the 90 key stakeholders as well as being open and advertised to the public, that all relevant persons in the opinion of TfGM were consulted as required by section 123R(5) of the Act.
- 3.6. There was a total of 51 formal responses, 50 of which were received online and one in writing. There were also a small number of informal queries received directly by TfGM from organisers of rail replacement services seeking clarity on how the service permit proposals may impact them.
- 3.7. Some of the key outcomes and findings of the consultation on the proposed service permit conditions are set out below:
  - i. Whilst the feedback provided a range of views, it is recommended that the Service Permit Conditions will remain largely as set out in the consultation documents.
  - ii. After reviewing feedback regarding rail and tram replacement bus services, the service permit conditions notice will identify which conditions will not be attached to service permits for rail or tram replacement bus services.
  - iii. It is recommended that TfGM produce a frequently asked questions document to provide clear guidance on the service permit process.

- 3.8. Section 7 of the Service Permit Consultation Report (see Appendix 1) sets out the outcomes of this consultation in more detail.

## 4. The Equality Act 2010

- 4.1. A full Equality Impact Assessment (EqIA) was undertaken in relation to the proposals for service permits and conditions as part of TfGM's compliance in accordance with s149(1) of the Equality Act 2010 for the Service Permits Scheme. The EqIA is attached as Appendix 4 of this report.

- 4.2. Below sections give a summary of the EqIA and also set out how the consultation was carried from an equality perspective:

### i. Service Permit and Conditions Consultation Methodology

- a. The Consultation was promoted by TfGM in a variety of ways including:
  - Advertisement on TfGM's website homepage.
  - Notices at all bus stations and interchanges in Greater Manchester.
  - Invitations sent directly to 90 stakeholders such as bus operators, neighbouring Local Transport Authorities, and Trade Body organisations.
- b. The consultation was conducted via an online survey.
- c. Provision was made for consultees who couldn't complete an online consultation; an email address and a phone number were provided to discuss the needs of the consultees.
- d. Additionally, consultees were also advised to contact on the provided phone number / email address if they required the consultation materials in any other format.
- e. Support for non-English speakers was also available on the phone number provided.

### ii. EqIA – Service Permit Scheme and Proposed Conditions/Description of Conditions

- a. The EqIA identified two areas where there could be a potential adverse impact. These are summarised below:

- **Disability:** People with disabilities could be impacted adversely if the fleet used for any of the permitted service was not accessible. The following mitigations have been proposed to be put in place as part of the Service Permit Conditions/Description of Conditions on accessibility:
  - 1) Vehicles must also comply with the Public Service Vehicle Accessibility Regulations 2000 (PSVAR), which requires them to be fully accessible.
  - 2) All staff involved with the service to receive disability, equality, and customer care training, as part of the operators planned training programme for its operational staff.
- **Deprivation:** There is a possibility that a socially deprived area is no longer served due to an operator not applying for a permit, which may have a negative impact on this group of people. Mitigations that will be put in place are:
  - 1) Pre-engagement with operators to facilitate and encourage operators to apply for permits.
  - 2) Review network and identify areas that are unserved as a result of an operator not applying for a permit. Engage with Neighbouring Authority to consider whether putting in place suitable mitigations is appropriate e.g., running a special service.

## 5. The Administration and Operation of the Service Permit Scheme and Conditions

- 5.1. It is recommended that TfGM be delegated authority to administer and operate the proposed service permit process and conditions regime.
- 5.2. Sections 123P to 123S (inclusive) of the Act in their entirety are referenced in Schedules 1 and 2 of The Greater Manchester Combined Authority (Functions and Amendment) Order 2019 (the “**Order**”), meaning those functions are therefore mayoral functions. Those sections of the Act contain the functions of (non-exhaustively):
  - i. accepting applications for service permits;
  - ii. granting or rejecting applications for a service permit in accordance with the statutory two-stage test set out at section 123Q(5) of the Act;
  - iii. attaching conditions to a service permit; and
  - iv. revoking and suspending a service permit.

- 5.3. TfGM already has delegated to it from the GMCA and the Mayor various functions related to bus franchising such as: the carrying out of the full consultation of the franchising scheme, the procurement and administration of the franchise service contracts and the procurement of various on-board equipment in relation to the implementation of the Scheme. It would therefore appear appropriate for TfGM to also be responsible for the administration of the service permit process and conditions regime in respect of the scheme.
- 5.4. TfGM therefore seeks a delegation of authority from the Mayor to carry out all the mayoral functions contained within sections 123P to 123S (inclusive) of the Act to allow TfGM to administer and operate the service permit scheme and conditions regime.
- 5.5. Should authority described in this section of this report be delegated as requested, TfGM will liaise with operators who wish to run a service permit service upon the commencement of the Franchising Scheme to confirm that they may begin to submit applications to TfGM for a service permit. TfGM shall then begin to accept and review such applications for service permits as soon as possible. This will ensure that any operators that submit successful applications to run a service permit service within Sub-Area A of the Franchising Scheme is provided a permit prior to the start date of the Franchising Scheme, allowing for a seamless transition of such services upon the said start date.

## **6. Recommendations**

- 6.1. The recommendations are set out at the top of this report.

Appendix 1

Service Permits Consultation Report

# **SERVICE PERMITS CONSULTATION REPORT**

Report on the two consultations conducted in relation to the introduction of Service Permits within Greater Manchester:

- i. Consultation on the proposed service permit application process and service permit scheme
- ii. Consultation on the proposed condition/descriptions of conditions that the franchising authority may attach to service permits

**TfGM, May 2023**

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## 1. Executive Summary

Where a bus franchising scheme is introduced, the Transport Act 2000 requires a franchising authority to operate a 'service permit scheme' to ensure that other services, which do not form part of the franchised network of services are still able to operate.

The Transport Act 2000 and the Franchising Scheme (Service Permits) (England) Regulations 2018 require a franchising authority to carry out two different consultations regarding a proposed service permit scheme before the authority can begin to accept applications for service permits by operators and attach conditions to those permits, namely: a consultation on the proposed service permit scheme itself; and, a separate consultation on the proposed conditions/descriptions of conditions that the authority may attach to service permits when granted.

The two consultations were conducted concurrently via an online survey between 1st and 29th March 2023. This open consultation was promoted by TfGM in several ways including an advert on the TfGM website home page, notices at all bus stations and interchanges in Greater Manchester and, by direct invitation to 90 stakeholders such as bus operators, neighbouring Local Transport Authorities (LTAs) and Trade Body organisations.

The consultation relating to the proposed service permit scheme sought views on the process itself including questions on timescales to apply and receive a response, the information required from applicants, the proposed application fee; permit validity; when a service permit comes into effect, and the process around decision making.

The consultation relating to the proposed service permit conditions/descriptions of conditions that an authority may attach to a service permit sought views on potential conditions relating to operational conditions, passenger information and customer service conditions, fares and ticketing conditions, and service monitoring conditions.

In total, 50 responses to the online survey were received, together with one written response.

Feedback gathered through the survey was provided by five categories of respondent: bus operators (16%); neighbouring LTAs (8%); Trade Body organisations (4%); Greater Manchester Districts (6%); and residents (66%).

Questions fell broadly into two types. There were questions that asked respondents whether they agreed or disagreed with the proposed process or

types of service permit conditions, and questions where respondents were asked to provide comments on specific aspects of the proposed process or type of service permit conditions. The responses demonstrated how the views differed between respondent types, as well as identifying differing views with a single category of respondent. Where the questions were 'yes/no', respondents also had an opportunity to provide comments.

Overall, having considered the range of views submitted in the consultation it is recommended that the Service Permit Policy Statement and Notice of Conditions/Description of Conditions remain largely as set out in the consultation documents, except for rail and tram replacement bus services where, based on the consultation response, it is recommended that TfGM apply a simplified application process for these services with reduced information requirements for a permit covering all eventualities including unplanned events.

It is also recommended that TfGM proactively engage with bus operators and neighbouring LTAs in advance of the start of Bus Franchising. This will ensure a smooth introduction of this new process and support applicants by providing advice prior to submitting service permit applications.

In addition to the proactive engagement, it is also recommended that TfGM produce a Frequently Asked Questions (FAQ) document to provide clear guidance on the new process.

## **2. Background and Context**

In March 2021, a decision was taken by the Mayor of Greater Manchester to introduce a bus franchising scheme covering the entirety of Greater Manchester. Under franchising, most services and their frequencies will be determined by Greater Manchester Combined Authority (GMCA). Transport for Greater Manchester (TfGM), will coordinate bus services and the bus network in Greater Manchester, working alongside the bus companies who will run these services under 'local service contracts' TfGM will become responsible for the arrangement and operation of local bus services through the phased introduction of the franchising scheme across Greater Manchester between September 2023 and January 2025.

Local bus services that are not provided as part of the franchised network, not excepted from the franchised network or are not an interim service (as defined in section 123O of the Bus Services Act 2017) will require a Service Permit to operate within Greater Manchester once the franchising scheme begins.

Regulation 3 of the Franchising Schemes (Service Permits) (England) Regulations 2018 (the Regulations) states that before a franchising authority can start to operate a Service Permit process it must consult with 'operators, relevant Local Authorities and any other persons as it may see fit'. Regulation 3 (2) (a) of the Regulations also requires the consultation to set out and seek views on the following matters:

- a. the description of the proposed application procedure;
- b. the description of the proposed required information that a person applying for a service permit must submit with the application;
- c. the proposed amount of any fee that must accompany the application;
- d. the proposed periods of validity of service permits;
- e. the proposed period or periods of time within which the franchising authority must take a decision on an application for a service permit;
- f. the proposed period or periods of time that must expire before the service permit is effective; and
- g. the proposed period or periods of time which must expire before the variation or withdrawal of a service by an operator is to take effect, which must not exceed 56 days.

In addition to the above, a franchising authority cannot attach conditions to a service permit until they have published a Notice specifying the conditions/descriptions of conditions that they may attach. Before they publish the Notice, franchising authorities are required by section 123R (5) of the Transport Act 2000 to consult on the sorts of conditions/descriptions of conditions they may decide to attach to service permits.

In September 2022, under delegated authority TfGM conducted the 'Bus Service Permit Consultation' (the 'Consultation').

The aim of the Consultation was to seek views on:

- TfGM's proposed service permits ***process***; and
- The ***types of conditions/description of conditions that may be attached to service permits***.

### **3. Methodology**

#### **Online Response Form**

An online response form was provided on the TfGM website for participants to provide their feedback, along with the supporting information on the proposed Service Permit application process and the Conditions TfGM may apply to a Service Permit. The online consultation ran for 4 weeks from 1st March 2023 until 29th March 2023.

### **4. Communication and Promotion**

The Consultation was promoted by TfGM in a variety of ways including:

- Advertisement on TfGM's website homepage.
- Invitations sent directly to 90 stakeholders (the statutory consultees):
  - 59 bus operators
  - 8 neighbouring LTAs
  - 10 Greater Manchester (GM) districts
  - 13 other known transport stakeholders
- Notices at all bus stations and interchanges in Greater Manchester.

Whilst particularly relevant for transport operators providing, or intending to provide, bus services in Greater Manchester and neighbouring LTAs, the consultation was an open consultation and welcomed the views of any interested individuals or organisations.

## **Consultation Results & Analysis**

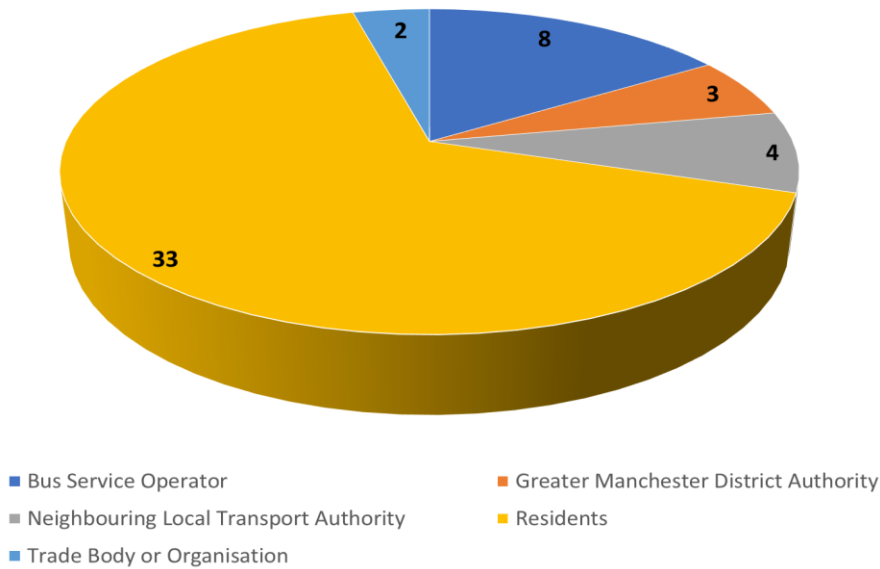
### **5. Respondent Profile**

A total of 50 responses were received online. A response was also received in writing from Transport Focus that expressed their support for the aims of the proposed Service Permit Policy Statement and Conditions.

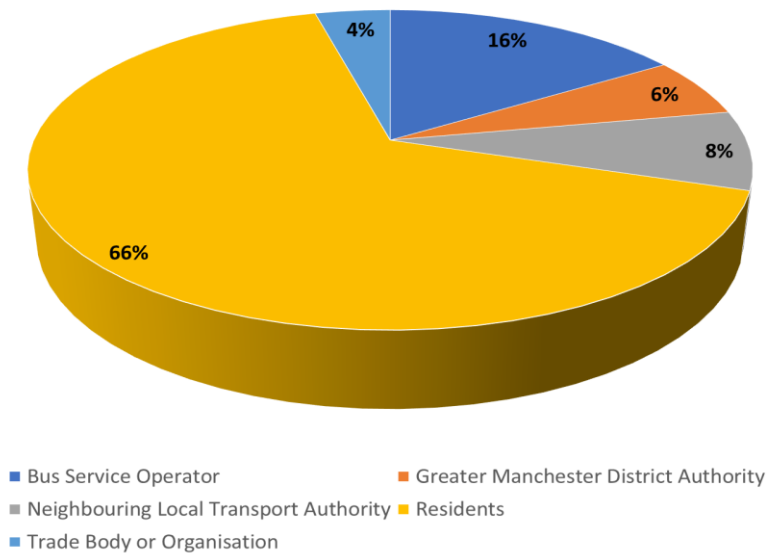
Overall, the 50 online respondents who responded to the full survey fall into 5 categories which break down as follows:

Type of Organisation/Company	No. of Respondents
Bus Service Operator	8
Greater Manchester District Authority	3
Neighbouring Local Transport Authority	4
Residents	33
Trade Body or Organisation	2
	50

Respondents by Type (Number)



Respondents by Type (Percentage)



- Of the eight bus operators (16% of the total response) that responded to the online consultation, seven bus operators operate services into Greater Manchester from neighbouring areas with two of these also specifically stating they represented the interests of more than one group company.
- These respondents represent 80% of the bus operators currently providing cross boundary services into Greater Manchester on a commercial basis, and 40% of the operators that provide services that are fully subsidised by neighbouring authorities.
- Two stakeholder organisations representing transport operators also responded, plus Transport Focus, who represent passenger interests, and responded to the consultation in writing rather than via the online survey.
- 50% (4) of the neighbouring LTAs, and 30% (3) Greater Manchester district councils responded to the consultation.
- The largest group of respondents (33 responses, representing 65% of the total number) was 'Residents':
  - 29 (88%) of the 33 respondents indicated that they lived in Greater Manchester, with responses from postcodes across all parts of the conurbation, other than Rochdale.
  - Wigan (5) and Bolton (4) were the most prevalent areas. Responses mostly indicated they were bus passengers, as well as people who may work in or have an interest in the bus industry and wished to anonymise their responses.
  - 4 (12%) of the 33 Resident respondents indicated they lived outside Greater Manchester (including Suffolk, Calderdale, and Lancashire postcodes).
  - See appendix 1 for a breakdown of Residents' demographic profile.
- In addition, there were a small number of informal queries received directly by TfGM from organisers of rail replacement services, and operators of airport park and ride services, seeking clarity on how the proposals impacted them.

## 6. Service Permit Process

The first part of the consultation sought responses on TfGM's proposed Service Permit process.

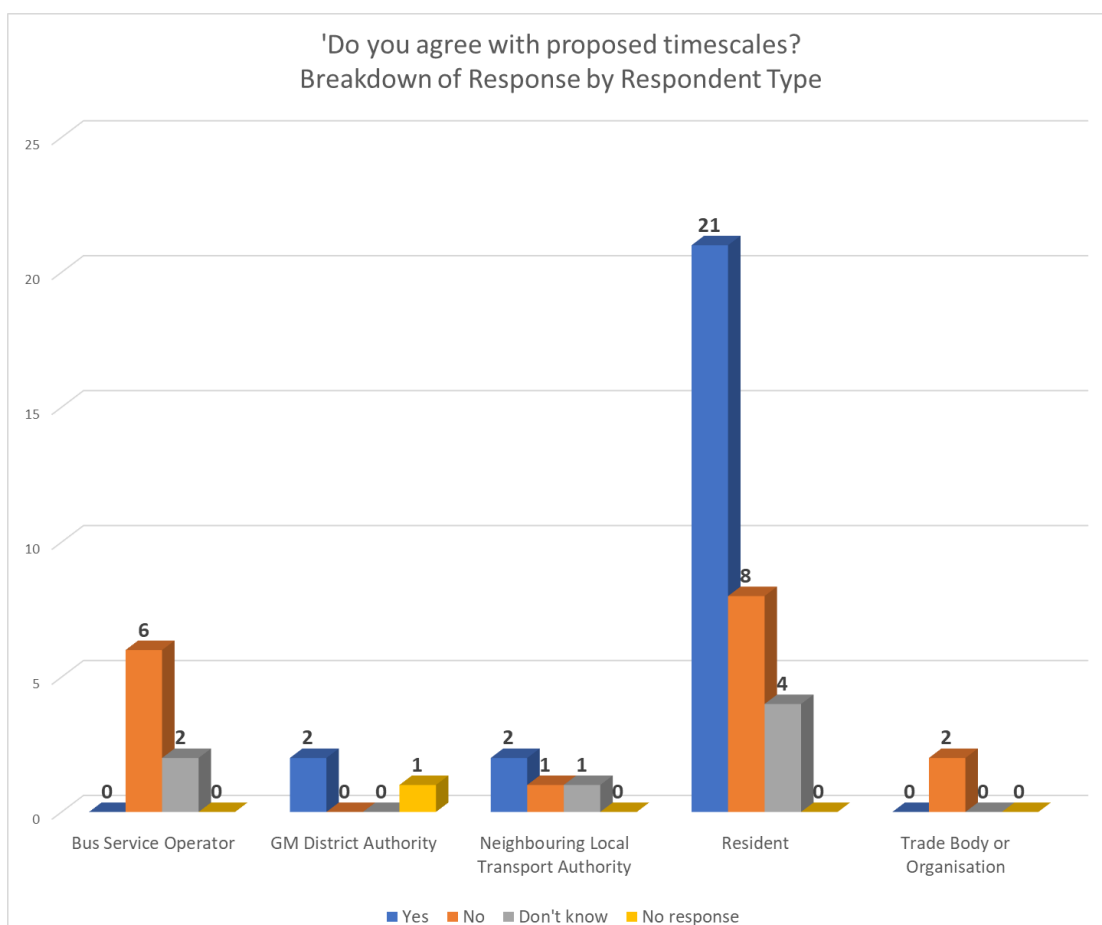
## 6.1 Timescales (When to apply)

*The consultation asked if the respondents agreed with the proposed timescale of 98 days - 28 days for TfGM to assess the application and a further 70 days until the effective time. Respondents were also asked what changes they would propose if they disagreed with this proposed timescale.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	0	6	2	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	2	1	1	0	4
Resident	21	8	4	0	33
Trade Body or Organisation	0	2	0	0	2
	25	17	7	1	50





- 50% (25) of respondents supported the proposed timeline.
- 34% (17) of respondents did not agree with the proposed timeline, including all 8 of the bus operators who responded.
- 16% (8) of respondents neither agreed nor disagreed.
- Five bus operators suggested a timescale of 10 weeks (70 days), as this would be in line with the existing local bus service registration notice period for operators to register bus services with the Traffic Commissioner. Three bus operators said they were unclear whether the 98 days included the period to register the service with the Traffic Commissioner and sought clarification on this. One LTA suggested a timescale of 12 weeks (84 days) but provided no further details regarding its proposal. One trade organisation and one operator thought that existing services should be subject to a shorter timescale than for new services.

### **TfGM assessment and response**

The proposed timescale of 98 days allows 28 days for the permit application to be considered and a further 70 days until the effective time<sup>1</sup>. Service Permits replace the registration requirement in Greater Manchester for non-franchised local bus services, and operators will not also need to register services within Greater Manchester with the Traffic Commissioner.

The current registration process will however continue to apply outside of Greater Manchester and the Service Permit timescale accounts for this. The 70 days until the effective time after a permit application has been assessed is to enable bus operators to have sufficient time to register any aspect of the service running outside of Greater Manchester with the Traffic Commissioner. Applicants are advised to only do this once the Service Permit for the section within Greater Manchester has been granted, and TfGM has notified the operator and relevant neighbouring LTA.

Service permit applications are required to be assessed against the criteria set out in section 123Q of the Transport Act 2000. A permit must be granted if the service will benefit passengers in Greater Manchester and will not have an adverse effect on franchised services in the scheme area. Each application will need to be carefully assessed against these criteria, including any applications relating to the continuation of existing

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<sup>1</sup> **‘Effective time’** refers to the beginning of the day on which a local service may first be provided under a service permit (regulation 2 of the Regulations).

services. As each application will follow the same assessment process, all applications will require the full 28-day assessment period.

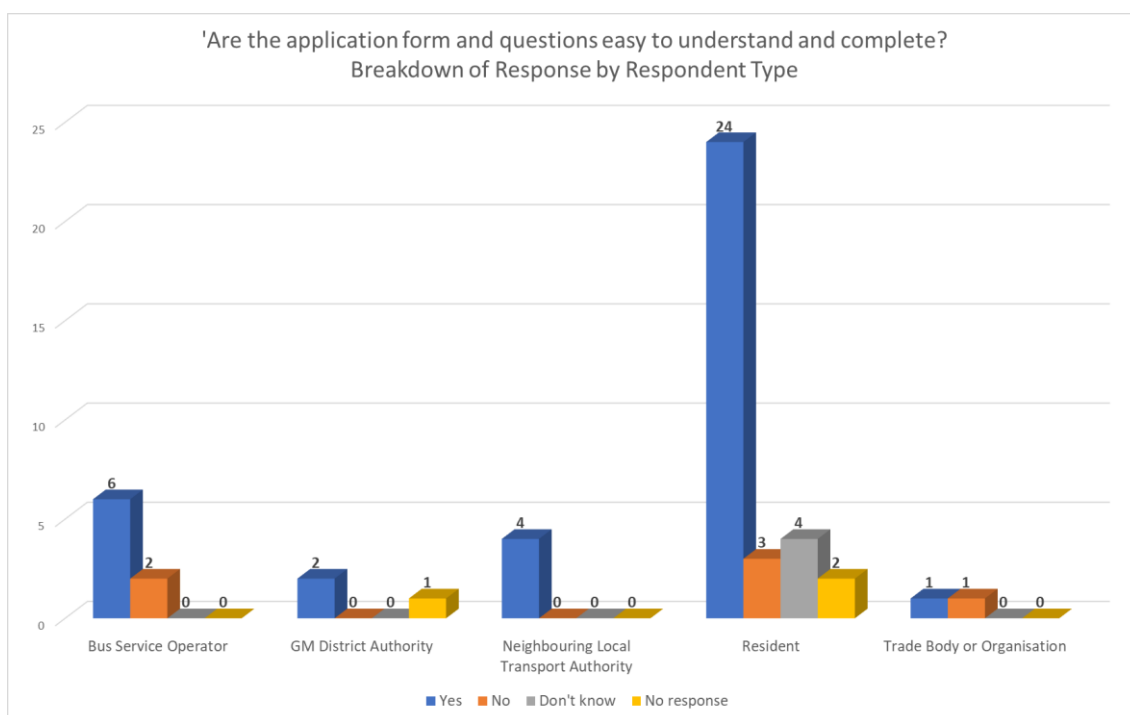
## 6.2 Application Form

*Respondents were provided with a copy of the proposed Service Permit application form and asked if it was easy to understand and complete. They were also asked whether they would suggest any changes.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	6	2	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	4	0	0	0	4
Resident	24	3	4	2	33
Trade Body or Organisation	1	1	0	0	2
	37	6	4	3	50



- 74% (37) of respondents agreed with the layout of the application form, which was based on the current documentation used to register a local bus service with the Traffic Commissioner, along with additional information needed to help assess the impact of the proposed permit service on the franchised bus network.

- 12% (6) of respondents disagreed with the proposed application form.
- 14% (7) of respondents neither agreed nor disagreed.
- Six of the eight operators (75%) agreed that the application form was easy to understand and complete, with the remaining two operators questioning the need to specify the vehicle types and capacities they would typically use.
- Organisers and suppliers of rail replacement services, along with their trade body, also highlighted that some aspects of the form, including the vehicle type and standards, would be difficult for them to know in advance of an emergency replacement commencing, suggesting either an exemption or simplified form for rail or tram replacement services.

### **TfGM assessment and response**

Tram and rail replacement services do fall within the scope of the Regulations, which differ from the exemptions from registering local bus services. Tram and rail replacement services will need a service permit if they are a 'local service,' as defined by Section 2(1) of the Transport Act 1985. Mindful of the unique characteristics of tram and rail replacement services however, including the short notice involved with unplanned events, it is proposed that TfGM will apply a simplified application process for these services, with reduced information requirements for a permit covering all eventualities, including unplanned events and the proposed Service Permit Policy Statement is updated to reflect this. This will enable operating companies to provide any tram or rail replacement services within Greater Manchester compliant with the service permit regulations. As set out in the consultation the permit will be issued to the appointed tram or rail replacement coordinating company and the permit will allow for sub-contracting by the coordinating company to other operators undertaking the rail or tram replacement services.

For all other service permit applications, it is proposed that bus operators will be required to specify the basic types and typical capacities of the vehicles they intend to use on the permit service. This is to enable TfGM to assess the suitability of the application and impact on the franchised network. Although it would not preclude the use of alternative vehicles in an emergency, significant or regular changes to the vehicle types by the operator could affect their compliance with the Conditions of the permit, and/or the need to apply to change the permit in the future.

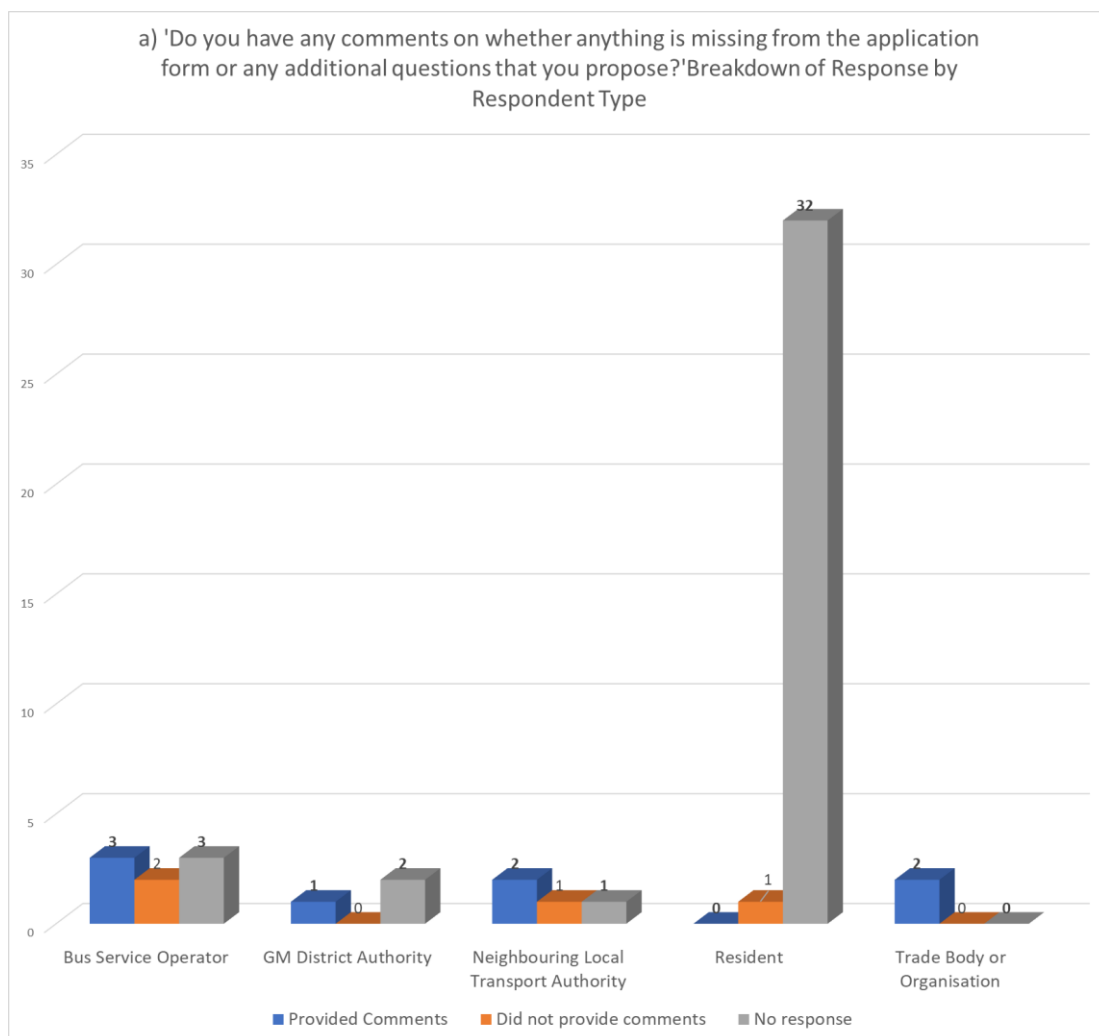
### 6.3 Information Required

*Respondents were provided with a list of the information that would be needed for the application to be processed and were asked to comment on:*

- a) anything missing from the form or any additional questions that they would propose be added; and
- b) any comments on the proposed information requirements.

***a) Comments on whether anything missing from the form or any additional questions that they would propose be added***

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	3	2	3	8
GM District Authority	1	0	2	3
Neighbouring Local Transport Authority	2	1	1	4
Resident	0	1	32	33
Trade Body or Organisation	2	0	0	2
	8	4	38	50



8 respondents provided responses, with the following 2 suggestions for additional information on the application form:

- a question to ask whether the applicant had any conversations with an LTA about their proposals; and
- a question to confirm applicants have uploaded relevant data to the DfT BODS service.

Other responses provided were more general rather than a direct response to the consultation question, including the following:

- One comment about the importance of the service to the local authority area outside Greater Manchester.
- 3 comments relating to vehicle emission standards.

- One comment around the notice period specified to provide reasons for a permit refusal.
- One comment that there is no given timescale for TfGM to acknowledge receipt of an application.
- One comment about how stop list for bus stopping points should be provided (e.g., stop names or NAPTAN numbers).
- One comment relating to whether a new application and fee will be applicable in the event that a bus stop is relocated or given a different NAPTAN number.

## **TfGM assessment and response**

### ***a) Response to 'anything missing from the form or any additional questions proposed':***

The questions included in the application form are centred around whether the application meets the statutory test to enable a permit to be granted. As such it is not proposed to include additional questions.

As part of the assessment period TfGM is proposing that affected LTAs are notified of the application to enable them to provide feedback on it, including any passenger benefits the proposal offers. As such it is not proposed to include an additional question on the application form regarding LTA engagement.

The condition relating to vehicle emission standards requires vehicles to meet the standards of Euro VI or better.

As defined by the Regulations, if TfGM does not grant a service permit it must give notice of its reasons to the applicant within a period of 10 days beginning with the date on which it decides not to grant the service permit. Where possible TfGM will provide this information as soon as it is available.

Applications will be acknowledged as soon as possible on receipt.

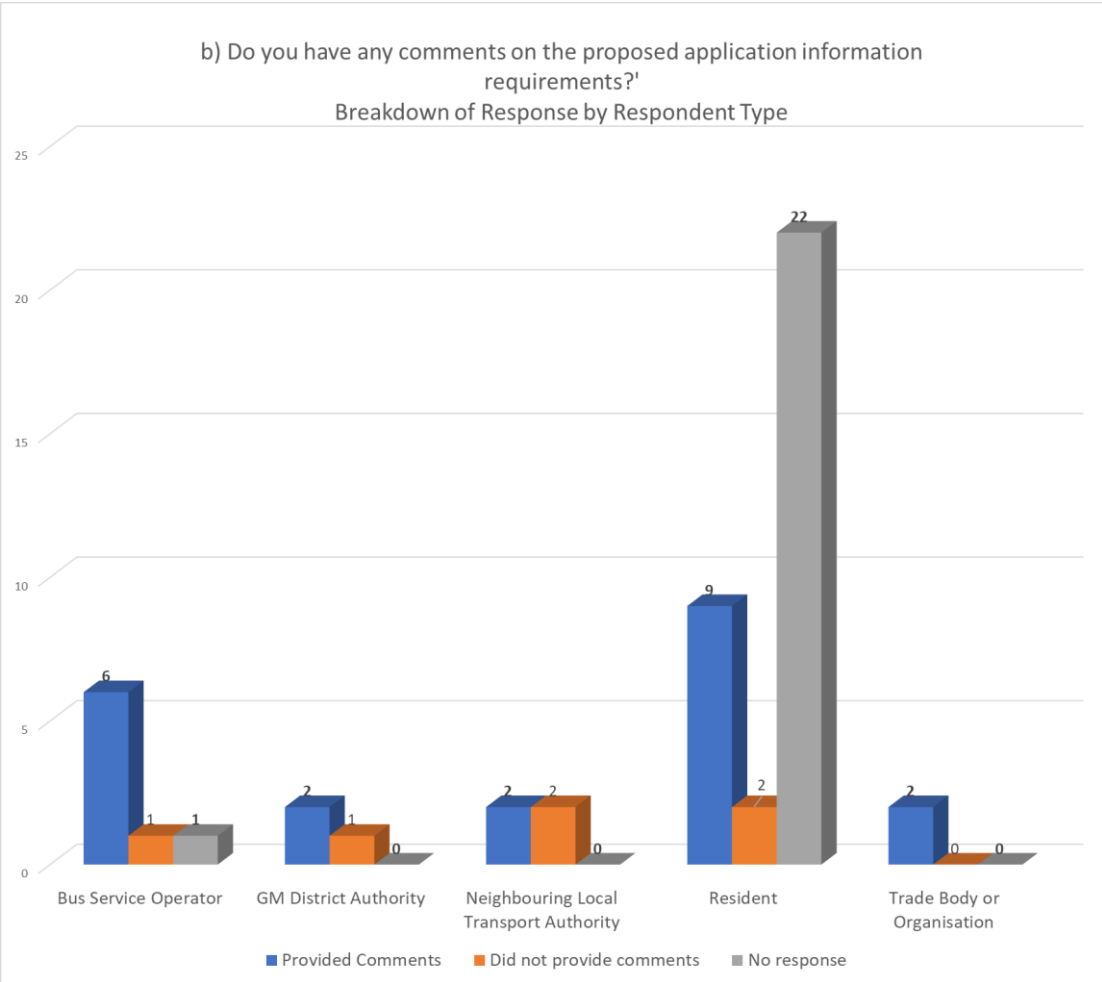
The application details all the stopping point locations. Whilst it would be helpful to provide this as NAPTAN details this is not obligatory.

In the event that an existing stop is relocated there is no requirement to submit a service permit variation. Existing stops cannot be given a new NAPTAN number, however, should one of the stops identified in the permit be replaced by another stop with a new NAPTAN number then

this would be a minor variation that can be covered under the 56-day variation period (or short notice if required).

***b) Comments on whether respondents had ‘any comments on the proposed information requirements’:***

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	6	1	1	8
GM District Authority	2	1	0	3
Neighbouring Local Transport Authority	2	2	0	4
Resident	9	2	22	33
Trade Body or Organisation	2	0	0	2
	21	6	23	50



21 responses were received on the wider question of whether respondents had any comments on the proposed application information, including:



- Two respondents stated operators should be able to determine what and where they operated on cross boundary routes.
- One respondent suggested the application form should identify the key benefits the service offered, and one felt the importance permit services provided to the neighbouring transport authority should be included.
- One respondent sought details of accessibility for people of limited mobility.
- Two respondents questioned the requirement for details of the stopping places or a working timetable, or if existing services would automatically be accepted (one respondent).
- One respondent suggested additional features could be provided to enhance the application process e.g., detailed map information.
- Two resident respondents queried whether operators should be able to set/increase their own fares.
- Seven comments related to expectations around vehicle types and two comments relating to tram/rail replacements.
- One respondent commented that nobody wants franchising.
- One responded commented that the application is about right as cross border services are vital and one said the application seemed reasonable.

### **TfGM assessment and response**

#### ***b) Response to 'any comments on the proposed information requirements':***

The Bus Services Act 2017 provides that no local bus service may be provided in a franchised area (if there is a stopping place for the service in that area) unless it either a franchise contract service, an exempted service under the regulations, or it is provided under a service permit. This includes applications for the continuation of existing services, as it is necessary to assess all services.

The assessment of applications for service permits needs to be made against the statutory tests and therefore the information requested largely relates to that needed to enabling TfGM to appropriately evaluate the application.

The questions included in the application form are centred around whether the application meets the statutory test to enable a permit to be granted.

In addition to service permit conditions all operators will need to continue to comply with public service vehicle accessibility regulations, as such no additional questions are included in the application regarding accessibility.

The proposed requirement for a detailed working timetable, showing all journeys to be operated, and the stopping places, is considered necessary to assess the impact of the proposal on the franchised bus network.

The Regulations allow Service Permit holders to set their own commercial fares. TfGM is however able to specify the retailing and acceptance of specific tickets and passes – see section 7.3 for details.

Information relating to vehicles and tram and rail replacement services is provided under section 6.2

Following consultation, the Mayor took the decision to introduce the Greater Manchester Franchising Scheme for Buses 2021 (the “Franchising Scheme”) in March 2021.

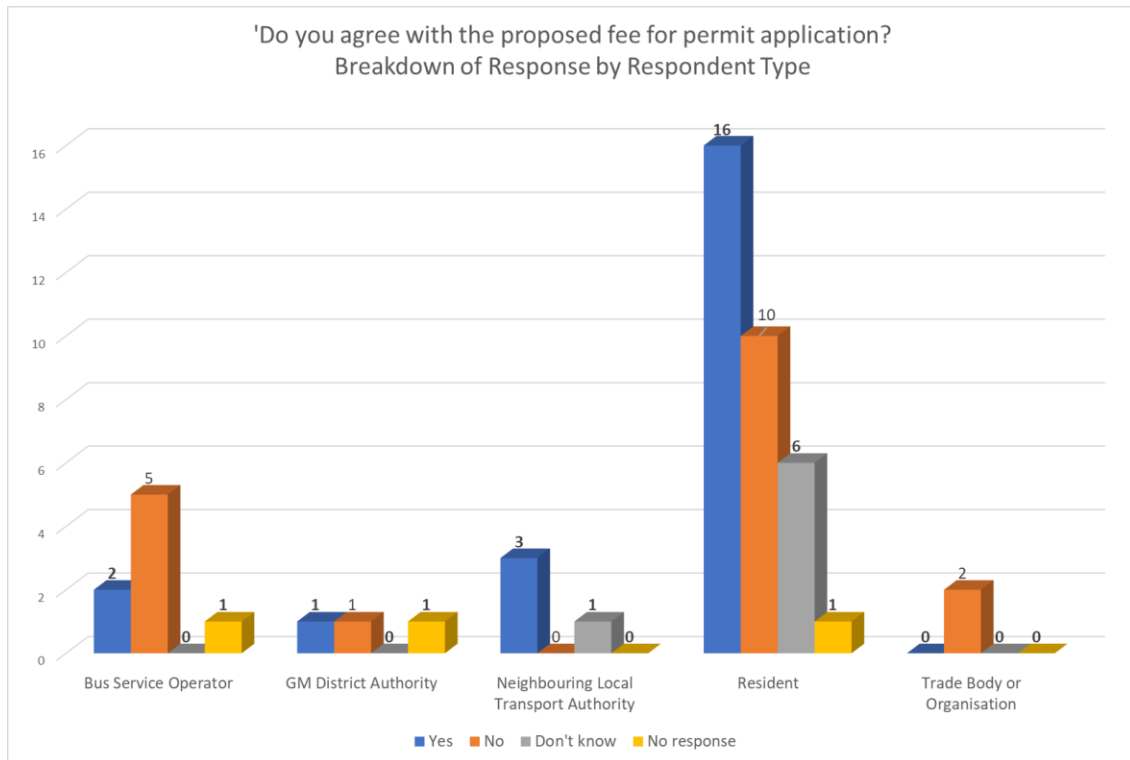
## 6.4 Proposed Fee

*Respondents were asked about the proposed fee of £160 for TfGM to assess new permit applications, or renewals of permits and £65 for the variation of an existing permitted service.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	2	5	0	1	8
GM District Authority	1	1	0	1	3
Neighbouring Local Transport Authority	3	0	1	0	4
Resident	16	10	6	1	33
Trade Body or Organisation	0	2	0	0	2
	22	18	7	3	50



- 44% (22) of all respondents agreed with the proposed fee.
- 36% (18) did not agree with the proposed fee, with nine suggesting it was too high and three suggesting it should be the same or no more than the fee levied to register a local bus service with the Traffic Commissioner (currently £60).
- 20% (10) neither agreed nor disagreed with the proposal.
- 75% of the bus operators (6) and 50% of the transport authority respondents (2) highlighted that the fee for new service permit applications was more than the cost of registering a bus service with the Traffic Commissioner. One operator asked for clarity on the cost calculation, two asked if it would be in addition to the Traffic Commissioner charges. Two transport authorities also sought further clarification, and one asked whether a cross-boundary service jointly funded with TfGM would incur a fee.
- A trade body respondent sought assurances there would be no fee charged for cancelling a permit and suggested changes to services for reasons outside an operator's control should also not incur a fee.
- One thought that the fee could be prohibitive given the fragility of the bus industry post-Covid, another suggested there should be a concession to accommodate changes to the route or times to

avoid operators not making them on the grounds of cost, and that fees relating to subsidised services would be passed on to the neighbouring authority to pay.

### **TfGM assessment and response**

The Regulations allow for the recovery of no more than the reasonable cost of processing the application. The proposed fee reflects costs that will be incurred processing, assessing the application, and determining if it meets the statutory test criteria set out in the regulations, as well as notifying affected stakeholders and administering the permit.

The requirements for assessing service permit applications are distinctly different to those involved with registering a bus service and consequently the fees involved are not comparable.

It is proposed that minor changes under a reduced notice period, that are envisaged to require less administration, would be charged a reduced fee of £65. Amendments for specific public holiday periods and cancellations (service withdrawals) would be made at no cost to the operator. TfGM will review the service permit fees on at least an annual basis to ensure that only reasonable costs are being recovered and that the scope of any reduced fees remains appropriate.

Applications for a service permit will need to be made by the licensed operator and the appropriate fee paid when their application is submitted to TfGM.

Should the permit service also operate outside of Greater Manchester, it will also require registering with the Traffic Commissioner for which additional charges may apply.

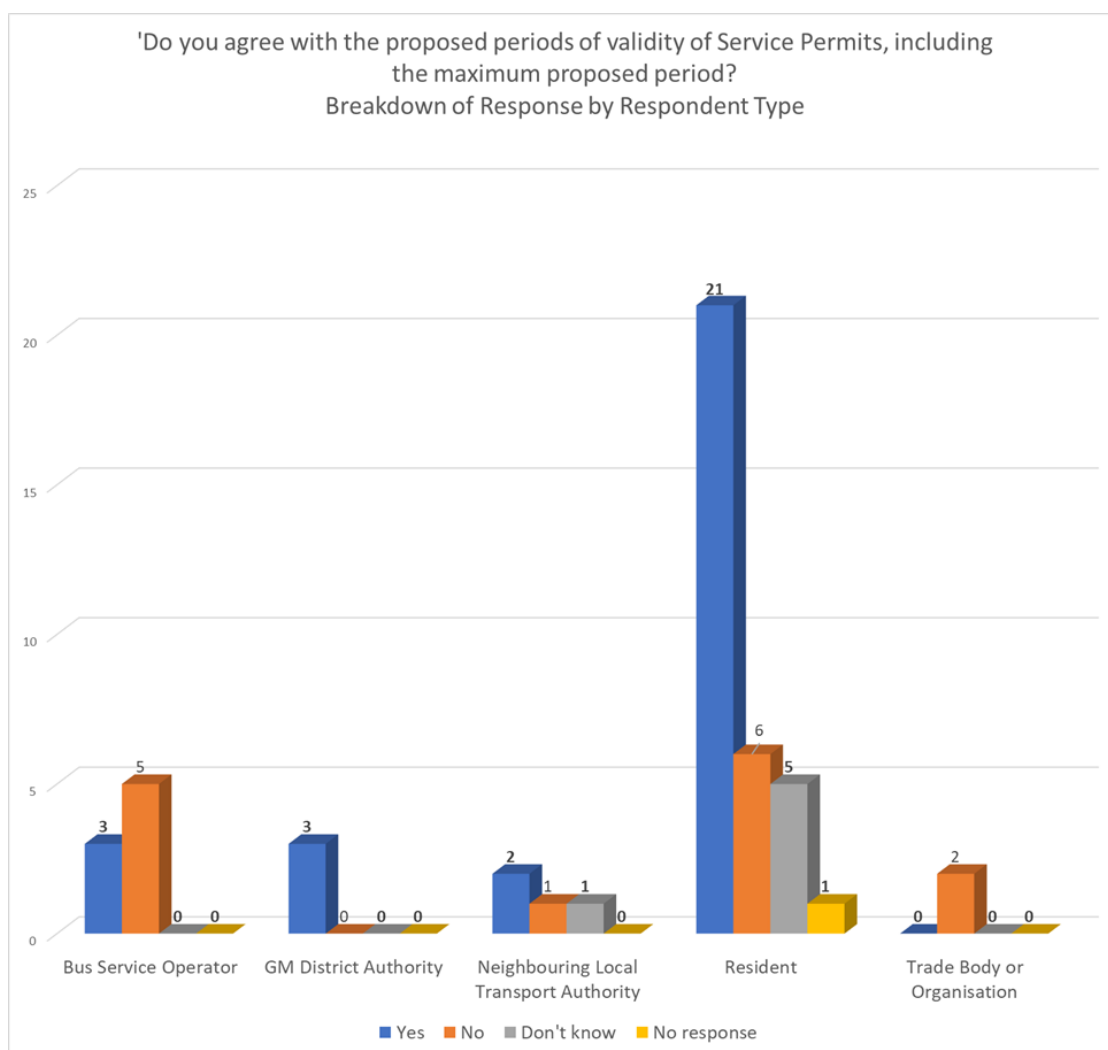
## **6.5 Permit Validity**

*The consultation asked if the respondents agreed with the proposal that service permits would be granted for a period of up to five years, at which point a new permit application would be needed for the service to continue. Respondents were also asked to suggest suitable alternative periods if they disagreed.*

## Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	3	5	0	0	8
GM District Authority	3	0	0	0	3
Neighbouring Local Transport Authority	2	1	1	0	4
Resident	21	6	5	1	33
Trade Body or Organisation	0	2	0	0	2
	29	14	6	1	50



- 58% (29) of respondents agreed with the proposed period of validity.
- 28% (14) did not agree, including 5 of the 8 bus operators who responded, and half of the transport authorities (2).
- 14% (7) neither agreed nor disagreed with the proposal.

- Two operators thought a permit should be continuous, while another thought it should not be for less than 5 years; one respondent said it should correspond to the franchise period; one thought it should be for 12 months, and another for a maximum of three years.
- Two operators sought clarity regarding services that were for a specific or limited period only (e.g., event or rail replacement services), or where another operator was to acquire the cross-boundary service or operator.
- Two trade body respondents thought a service permit should be valid for at least 5 years, with one suggesting it should then be renewed on a rolling basis at no additional cost to the operator.
- One transport authority asked for the validity to be for 7 years to match the duration of their contracts, and another thought it should not be less than 5 years.

### **TfGM assessment and response**

The Regulations require permits to have a maximum time limit. The proposed maximum time limit of five years reflects the length of the initial franchise period. Aligning the maximum time of Service Permits with the length of franchised services will allow for a potential future review of whether services continue to be provided through Service Permits or become part of the franchised network.

It is proposed that TfGM may issue a Service Permit for a shorter specified period of validity than five years where it considers that the statutory test may only be met for that shorter period.

Service Permits will be non-transferable but applications to replace a permit service being withdrawn by another operator could be replaced by a new operator under the Reduced Notice period.

In response to the transport authority comments regarding matching the duration of its contracts, it is proposed that where a service is provided under contract to an LTA, the permit length may be aligned with the expiry date of the contract to provide the service (a specified period of up to eight years).

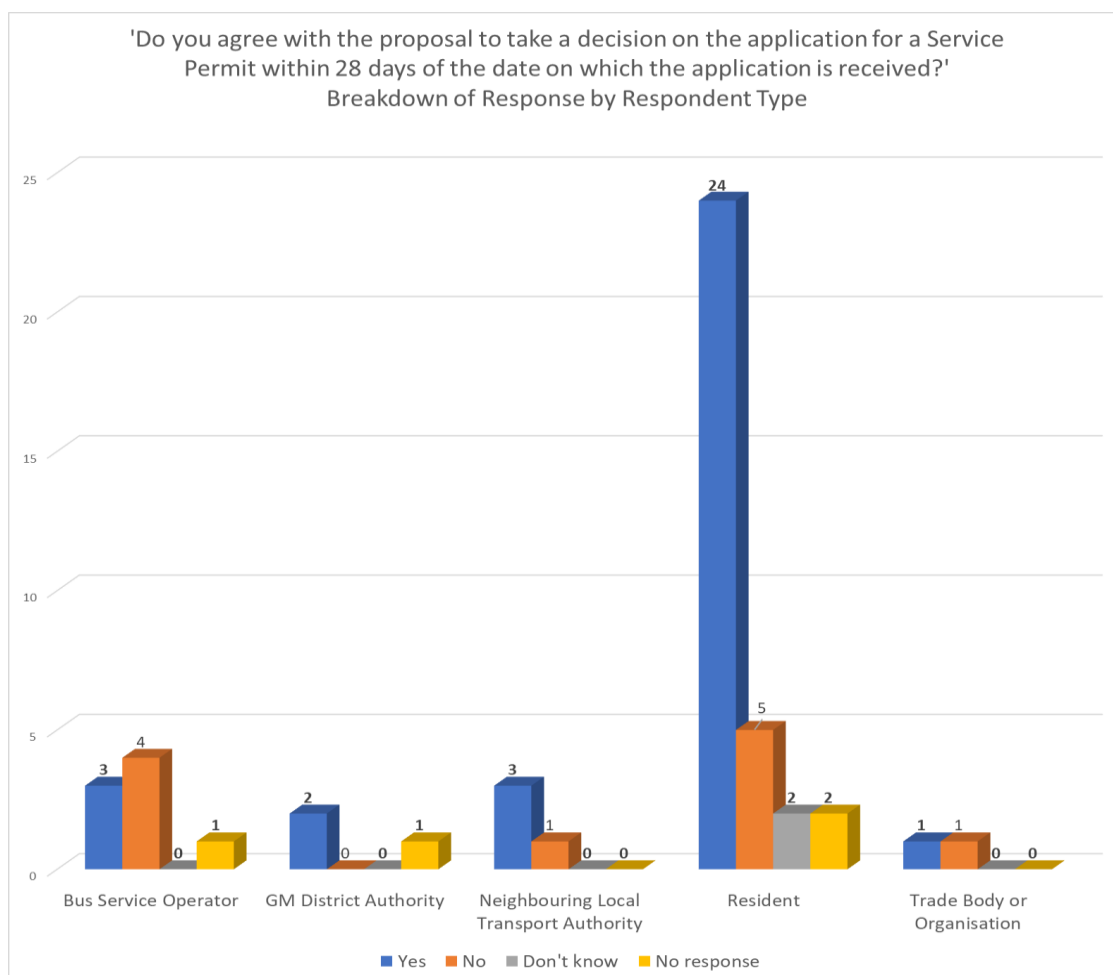
## 6.6 Timeline to Assess Permit Applications

*Respondents were asked to comment on the proposal for TfGM to notify a decision on whether the permit will be granted within 28 days of receiving a permit application.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	3	4	0	1	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	3	1	0	0	4
Resident	24	5	2	2	33
Trade Body or Organisation	1	1	0	0	2
	33	11	2	4	50





- 66% of respondents (33) agreed with the proposal to take a decision on the application for a Service Permit within 28 days of the date on which the application is received.
- 22% (11) did not agree with the timescale, including 5 of the 8 bus operators who responded, three of which sought clarity on the process, along with two trade body responses, and whether the 28 days would commence from the time the application was submitted or the time it was acknowledged by TfGM. Two respondents also sought clarity on the appeals process.
- 12% (6) of respondents neither agreed nor disagreed with the proposal.
- Three operators thought the period should be reduced to within 14 days, while three resident responses raised that 28 days might not be sufficient to fully scrutinise a permit application.

### **TfGM assessment and response**

A permit application will require a proper assessment against the statutory test criteria and, where appropriate, consultation with stakeholders and the applicant if there has been no pre-application engagement regarding any potential conditions that may be required. Dependent on the complexity of the application, we consider that this will require significantly longer than the 14 days (potentially 10 working days or less) that some operators have suggested. For clarity, the 28-day period being proposed by TfGM will commence from the point the service permit fee and application are received. Should a decision on an application require less time, then the operator will be notified of the outcome in less than 28 days where possible.

Applicants are strongly encouraged to speak to TfGM's Bus Services team, in confidence, at least 21 days before submitting an application to discuss their proposals, particularly where the application includes operation along roads not currently served by buses. This is to ensure that infrastructure issues can be considered and taken into account by TfGM and will also assist the applicant in complying with the requirement that a full list of the proposed stops, stands, and terminal points is supplied with its application, as omissions or inaccuracies in the information supplied may delay TfGM's ability to consider a permit application, or result in the application being refused.

It is recommended that TfGM undertake further engagement with affected operators and LTAs to clarify the process, including the appeals process. This will be done through pre-application engagement and the

introduction of a guide to service permit applications, including any frequently asked questions.

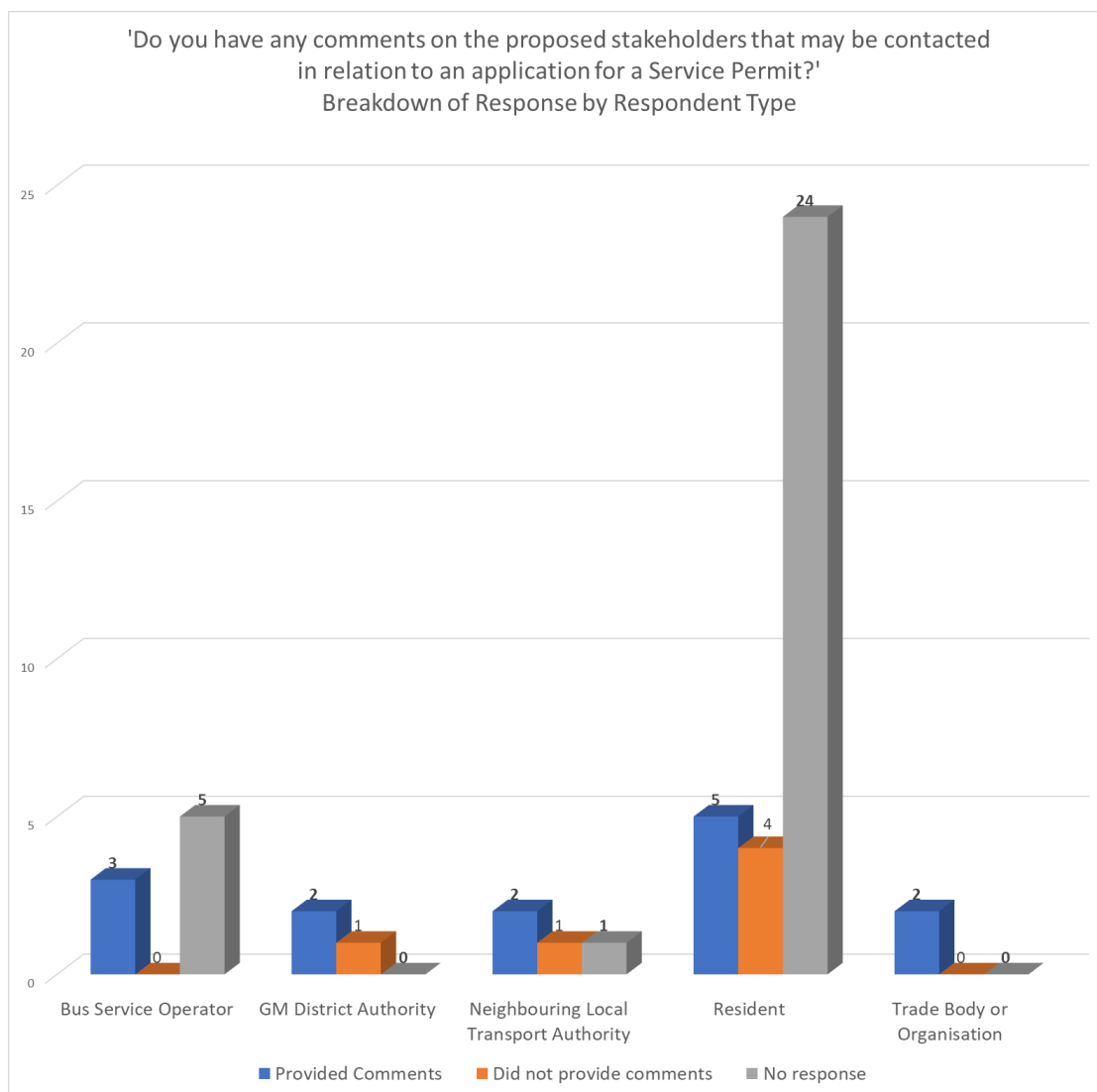
## 6.7 Decision Making Process

*Respondents were asked to comment on the proposed stakeholders that may be consulted by TfGM to inform the decision-making process on the service permit application.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	3	0	5	8
GM District Authority	2	1	0	3
Neighbouring Local Transport Authority	2	1	1	4
Resident	5	4	24	33
Trade Body or Organisation	2	0	0	2
	14	6	30	50



- 28% (14) of respondents commented on the proposed stakeholders that may be contacted in relation to an application for a Service Permit.
- Within the 14 comments provided, 50% (7) indicated that they understood there might be situations where TfGM may need to consult with a stakeholder.
- Concern was expressed by four respondents that stakeholder engagement may further delay the process, with one adding a concern that an objection may prevent an application proceeding.
- Three respondents thought that passengers or those living along the line of a proposed route should also be consulted.
- Two operator respondents expressed concern about the risk of potentially commercially sensitive information being shared in

advance of a decision on the application, or when an application is refused, as the applicant may intend to appeal or re-apply.

- Two other respondents queried why there might be a need to consult with the Police.
- One neighbouring transport authority suggested that TfGM “must” consult with them rather than “may”, whilst one operator respondent queried the need to do so, given that bus operators are required to consult with an LTA prior to registering the service with the Traffic Commissioner.
- A trade body respondent asked that any objections be dealt with quickly, so as not to delay the process, and one operator respondent asked for the potential consultees to be more clearly defined. One District Council suggested that local authorities and parish councils be given a say in the process and for planning proposals for new developments be taken into consideration when assessing service permit applications, particularly where the permit service is the only bus service in the locality.

### **TfGM assessment and response**

TfGM proposes notifying relevant LTAs and District Highways, where appropriate, when service permit applications that affect them are received, and they will be given an opportunity to comment on them as part of the service permit assessment. Due to potential commercial sensitivities and the need to determine the outcome of a service permit application within 28 days, there will not be an opportunity for wider consultation, such as with service users or Parish Councils.

Other stakeholders, such as the Police, may be consulted by TfGM however where new stops or other infrastructure are needed. TfGM may also be required to consult with the Police regarding a permit application for sporting or public events, or to consult with a school or other organisation involved in arranging the permit service, or whose needs it is primarily intended to serve.

Although such consultation may run concurrently, it is recognised that feedback from these additional consultees may not always be possible within the 28-day decision period. The need for new stops, for example, may require a site visit to be arranged, or more information may be requested in relation to a specific part of the proposals.

TfGM will not consult with other bus operators, including bus franchise operators, as the assessment will be in relation to the impact on the franchised network that TfGM is responsible for.

TfGM will decide on the permit application within the 28-day period, based on meeting the statutory test. It is proposed that the applicant will be informed when the decision is made or as soon as practical afterwards, along with any Conditions that will be required if the permit has been granted. Any delay in notifying the applicant will comply with the regulations and should not affect the effective time of the service, unless this has already been raised with the operator as a concern.

In response to concerns around commercial sensitivities, it is recommended that applicants identify any information in their application which it considers to be commercially sensitive so that TfGM can, if necessary, seek appropriate undertakings from stakeholders should it be necessary to share that aspect of the application in more detail.

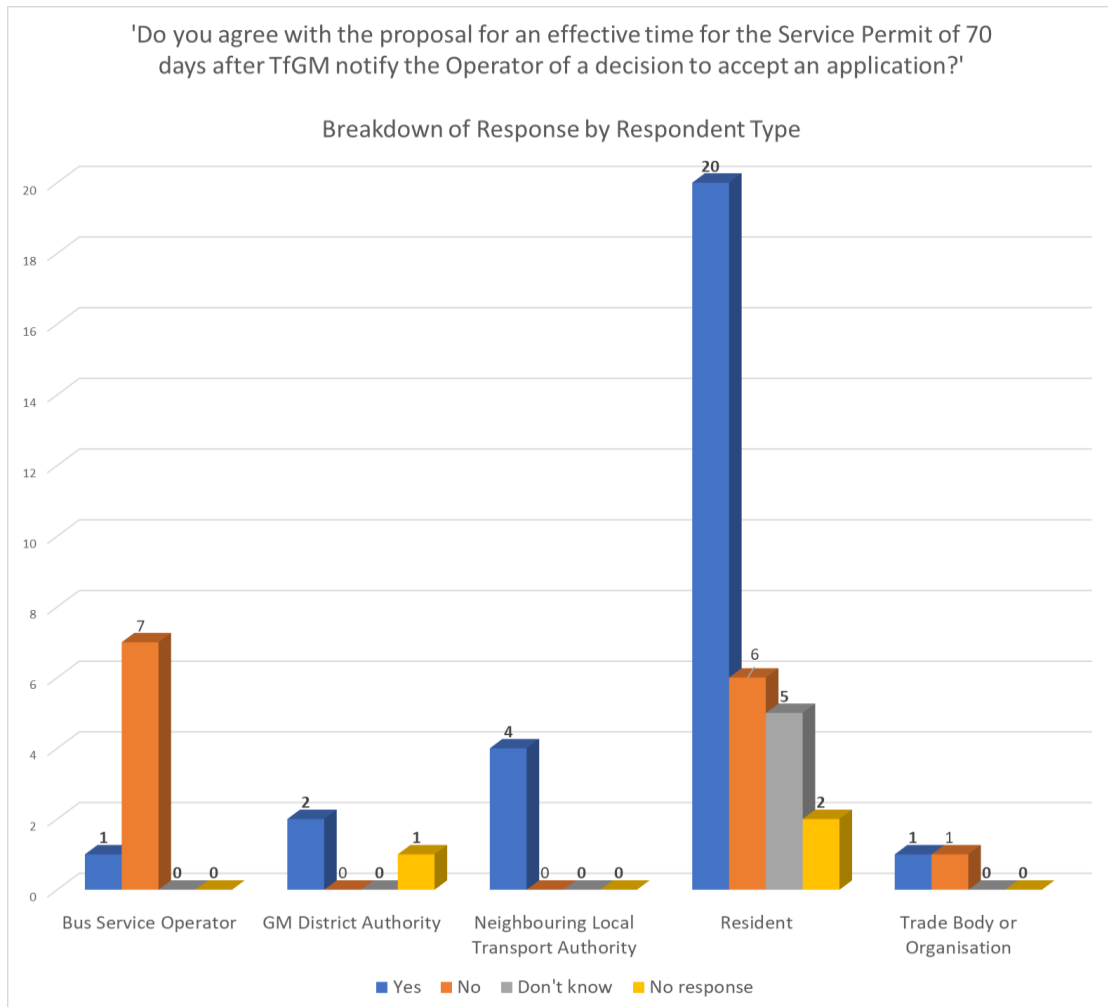
**6.8 Effective Time**

*The consultation proposed an effective time for the service permit of 70 days after TfGM notified the operator of a decision to accept a permit application.*

**Summary of responses**

Of the 50 responses received online:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	1	7	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	4	0	0	0	4
Resident	20	6	5	2	33
Trade Body or Organisation	1	1	0	0	2
	28	14	5	3	50



- 56% (28) of respondents agreed with the proposal for an effective time for the Service Permit of 70 days after TfGM notify the Operator of a decision to accept an application.
- 28% (14) did not agree with the proposal, including 7 out of 8 (88%) of the bus operators who responded.
- 16% (8) of respondents neither agreed nor disagreed with the proposal.
- Most bus operators thought the service permit application should run concurrently with the process to register local bus services outside of Greater Manchester.
- All four transport authority respondents supported the proposal.
- Bus operators also highlighted that the effective time for tram or rail replacement services could often be at short notice and therefore needed to be less for these types of services.

## TfGM assessment and response

The 70-day period between the decision regarding a service permit application and the effective time of that service permit allows sufficient time, where required, for bus operators to fulfil their obligations to register any part of the route that is not within Greater Manchester with the Traffic Commissioner. By undertaking the two processes in a sequential manner, this allows the registration with the Traffic Commissioner to be undertaken with the knowledge of the outcome of the permit application for the portion of the route within Greater Manchester.

In response to the feedback regarding tram or rail replacement services, TfGM proposes that tram or rail replacement service permits will allow the operation of any replacement service between specified stations or areas within and, to and from, Greater Manchester. This will enable tram and train operating companies to organise replacement services without the need to apply for a new permit each time.

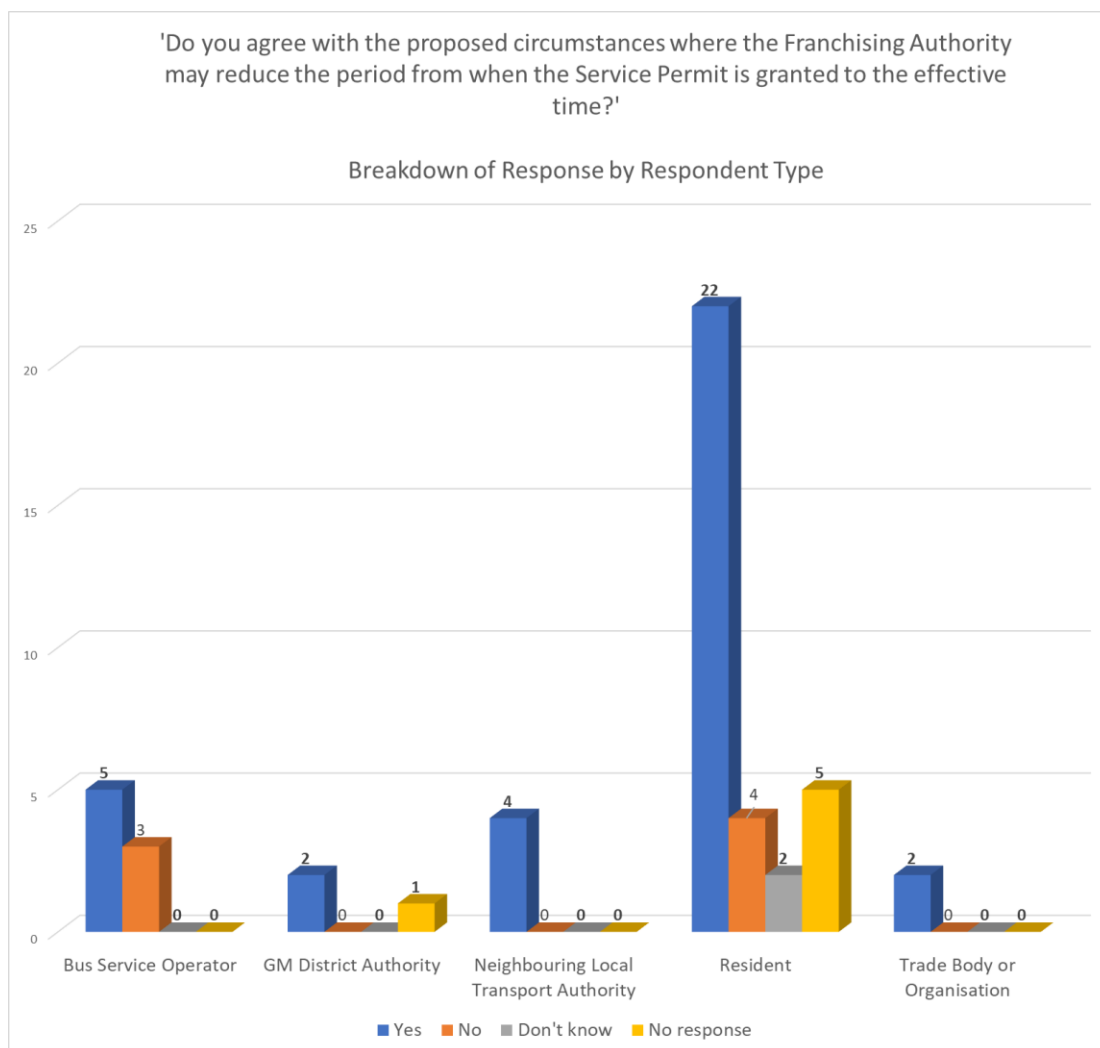
### 6.9 Reduced Notice Period

*Respondents were provided with a list of circumstances that may lead TfGM to reduce the notice period for a service permit and asked to comment whether they agreed with the proposed circumstances. This included applications to replace an existing permit service that was being withdrawn, or where the permit needed to be amended to cater for specific holiday periods or events, safety reasons, or other changes that did not alter the service within Greater Manchester or that could not have been reasonably foreseen by the operator.*

#### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	5	3	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	4	0	0	0	4
Resident	22	4	2	5	33
Trade Body or Organisation	2	0	0	0	2
	35	7	2	6	50



- 70% (35) of respondents, including 5 of the 8 bus operators, agreed with the proposed circumstances.
- 14% (7) of respondents did not agree. Some of the bus operators were concerned about the length of time of the service permit application process and that this would increase the likelihood of operators having to seek short notice applications with the Traffic Commissioner for changes outside of Greater Manchester.
- 16% (8) of respondents neither agreed nor disagreed with the proposal.
- One response suggested that appeal/arbitration should be part of the process and that service permits should not be restricted for commercial reasons by TfGM. Two responses sought clear guidelines on timescales and said that these needed to be adhered to.



## TfGM assessment and response

The proposed 98-day timescale seeks to minimise the need for operators to seek short notice changes with the Traffic Commissioner for any sections of services outside of Greater Manchester because the service permit application decision will be made within 28 days. This leaves a further 70 days to follow the full registration notice period for sections of route outside of Greater Manchester.

The proposed Reduced Notice element of the permit process is to allow urgent or unforeseen changes to be accommodated. This could, for example, include an amendment to the timetable due to changes to school hours, or the need to re-route a service due to a Traffic Regulation Order.

As defined by the Regulations, an appeals process is administered by the Traffic Commissioner. A service permit applicant may appeal to the Traffic Commissioner over a permit application refusal, the conditions attached to a service permit, or a decision to revoke or suspend a service permit.

Service Permit applications will be only assessed against the statutory test and other considerations will not influence whether a permit can be granted.

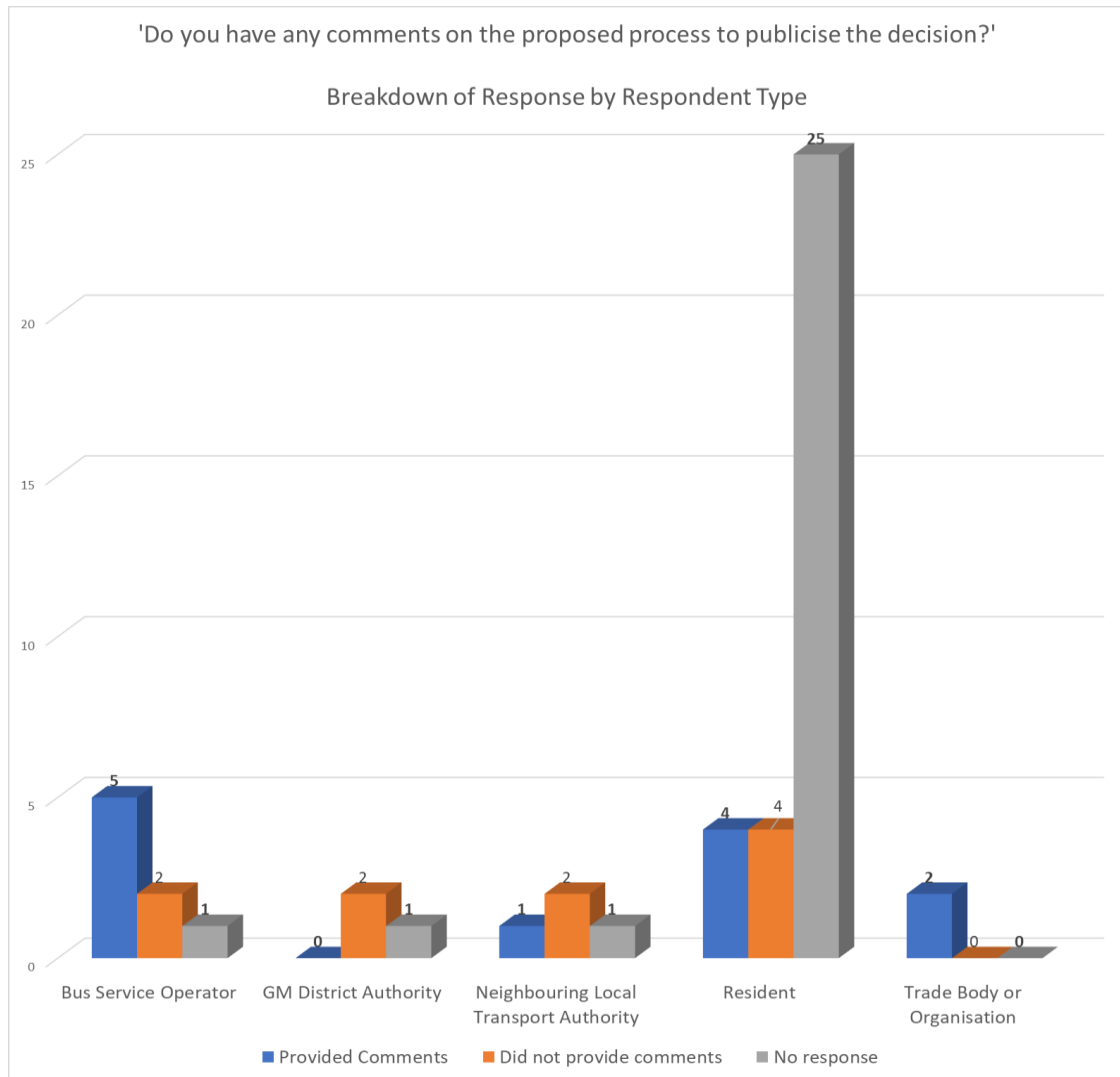
### 6.10 Publication of the Decision

*The consultation asked if the respondents had any comments on the proposed process to publicise the decision in writing within 14 days, with a summary of the applications and outcomes also made available online. Participants were also asked if they had any alternative proposals for TfGM to consider.*

#### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	5	2	1	8
GM District Authority	0	2	1	3
Neighbouring Local Transport Authority	1	2	1	4
Resident	4	4	25	33
Trade Body or Organisation	2	0	0	2
	12	10	28	50



- 24% (12) of respondents commented on this, with three bus operators asking for details of the applications not to be published if the operator wished to appeal, or until the service was registered with the Traffic Commissioner if it also operated outside of Greater Manchester.
- Four respondents thought the decision should not take up to 14 days to be communicated and that it should be done at the point the decision is made. Three of these also sought clarity as to whether the decision must be notified within 10 days and not 14 days.
- One respondent asked for confirmation that the decision would be made in writing, with another adding that the decision should fully detailed.

- One respondent thought that all permits should be granted and another that the information should be publicly available.

### **TfGM assessment and response**

The Regulations relating to service permits require the franchising authority to notify operators within 10 days of their decision if the permit application is to be declined, and within 14 days if it requires Conditions to be attached.

TfGM will decide on the permit application within the 28-day period, based on the statutory criteria. It is proposed that the applicant will be informed in writing when the decision is made, or as soon as practical afterwards, along with any Conditions that will be required if the permit has been granted. Any delay in notifying the applicant will comply with the regulations and should not affect the effective time of the service unless this has already been raised with the operator as a concern.

It is proposed that TfGM may also publish details of those service permit applications granted but, in response to the consultation, it will do this no earlier than 42 days before the effective time of the service permit. This will allow sufficient time for operators to register any element of the service outside of Greater Manchester.

The published details will be as follows:

- Service Permit number
- Variation number
- Operator name
- Licence Number
- Service number (except tram and rail replacement services)
- Service type
- Service start point, via points and end point
- Date received
- Effective time
- End Date
- Whether it is a cross boundary service or not

Details of any unsuccessful applications will not be published.

## 6.11 Changes or cancellation of Permit Services

*The consultation sought views on the notice periods as follows:*

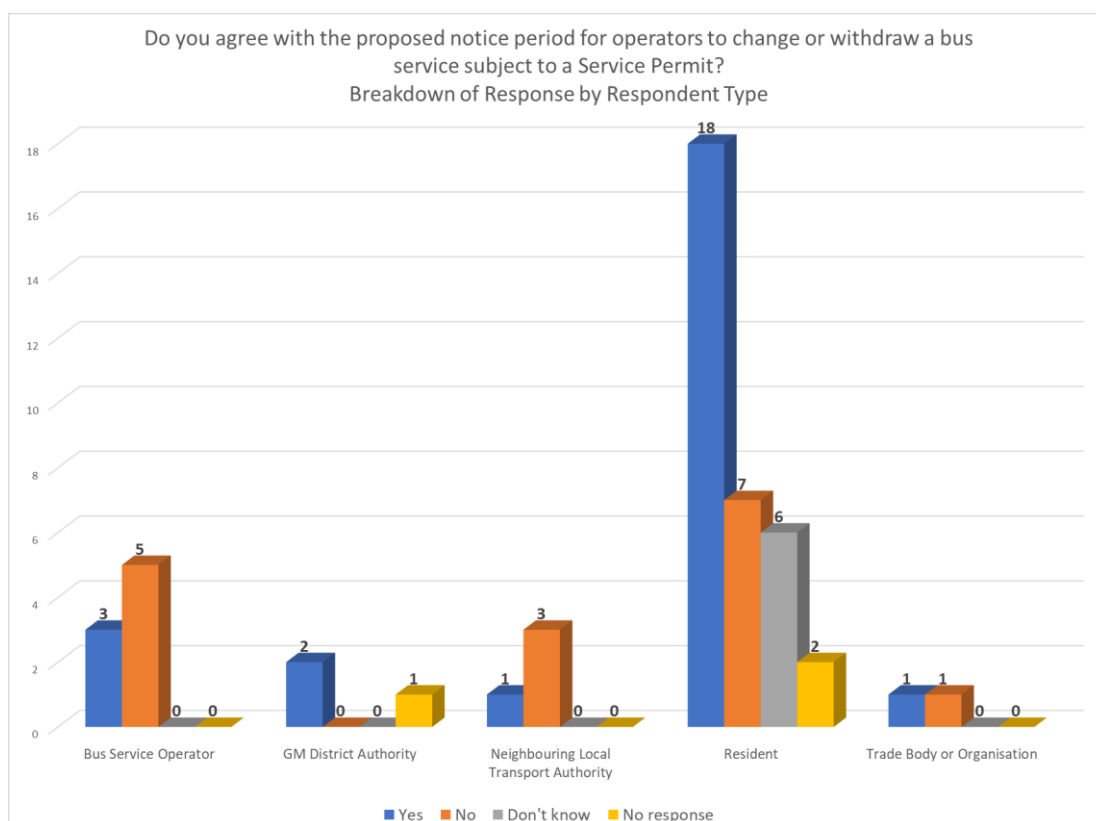
- a) Views on proposed notice period for operators to change or withdraw a bus service; and*
- b) Views on the proposed circumstances where a franchising authority may reduce the notice period to change or withdraw a bus service.*

### Summary of responses

Of the 50 online responses received:

- a) Responses related to views on proposed notice period for operators to change or withdraw a bus service***

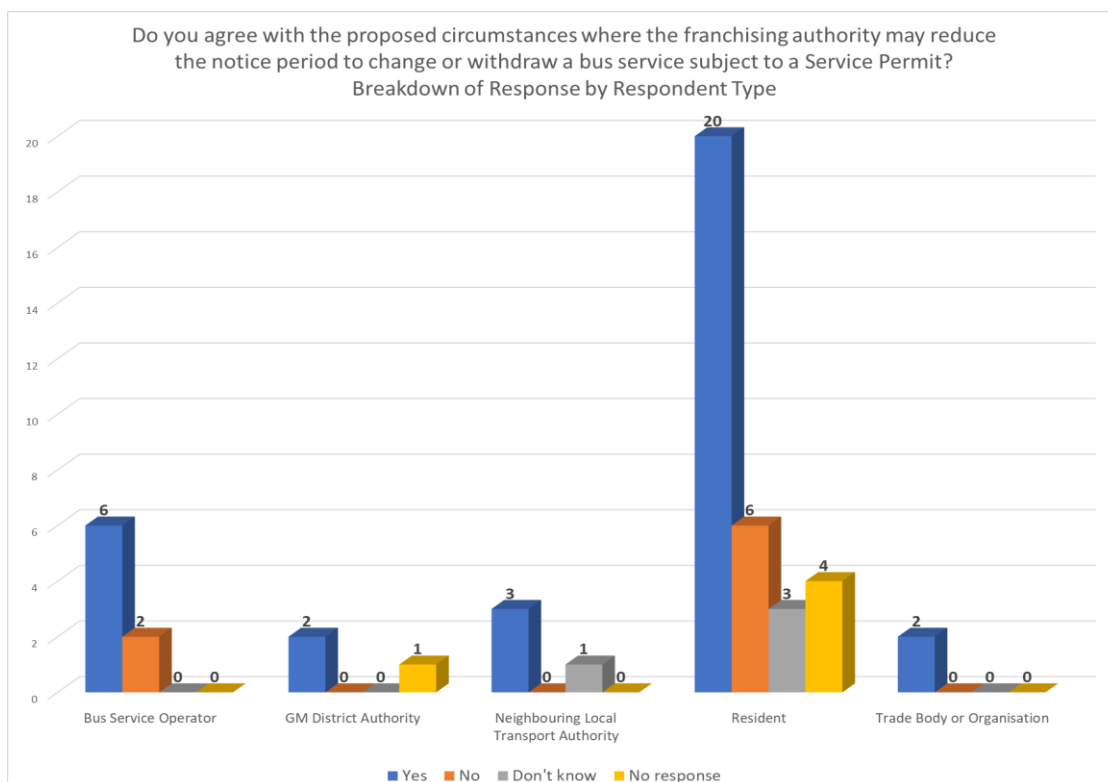
Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	3	5	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	1	3	0	0	4
Resident	18	7	6	2	33
Trade Body or Organisation	1	1	0	0	2
	25	16	6	3	50



- 50% (25) of respondents agreed with the proposed notice period.
- However, 62% (5) of the bus operators and 25% (1) of the transport authorities sought further clarity on what changes would be permitted at less than 98 days' notice. There was a concern from some transport authorities that this might delay significant changes being made to bus services in their areas.
- 32% (16) of respondents did not agree with proposals. Four of those disagreeing with the proposals were also seeking further clarity on the changes permitted at less than 98 days' notice, whilst one suggested a 28-day notice period, one a 112 day notice period, three a 56 day notice period and three a 70 day notice period.
- 18% (9) of respondents neither agreed nor disagreed with the proposal.

***b) Responses related to the proposed circumstances where a franchising authority may reduce the notice period to change or withdraw a bus service***

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	6	2	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	3	0	1	0	4
Resident	20	6	3	4	33
Trade Body or Organisation	2	0	0	0	2
	33	8	4	5	50



- 66% (33) of respondents agreed with the proposed circumstances where a franchising authority may reduce the notice period.
- 16% (8) of respondents did not agree with proposals. Three of those disagreeing with the proposals were concerned that a reduced notice period would be too short and said that no reduced notice period should be allowed for. Two of those responding sought further clarity on the circumstances where a reduced notice period would be permitted.
- 18% (9) of respondents neither agreed nor disagreed with the proposal.

### TfGM assessment and response

Only very minor changes to, or cancellations of a Service Permit would be permissible at reduced notice, requiring no greater than 56 days as defined by the regulations.

Seasonal variations at Christmas/New Year and on Public Holidays will be permitted, as currently, at 21 days' notice and will not incur a fee.

Most variations to timetables, including those for summer school holiday periods, will require a new service permit application at 98 days' notice.

This does not preclude the use of reduced notice applications where appropriate to satisfy urgent or unforeseen circumstances.

It is proposed that TfGM develops a guide to service permit applications which sets out the circumstances that changes to services would be permitted at less than 98 days' notice.

The consultation documents stated that where a Service Permit is revoked or suspended this would take effect 14 days after the notice is given. Although no comments regarding this were raised in the consultation, the effective date for a revocation or suspension has been amended to 56 days after the date on which the notice is given, as this is the earliest date the Regulations permit.

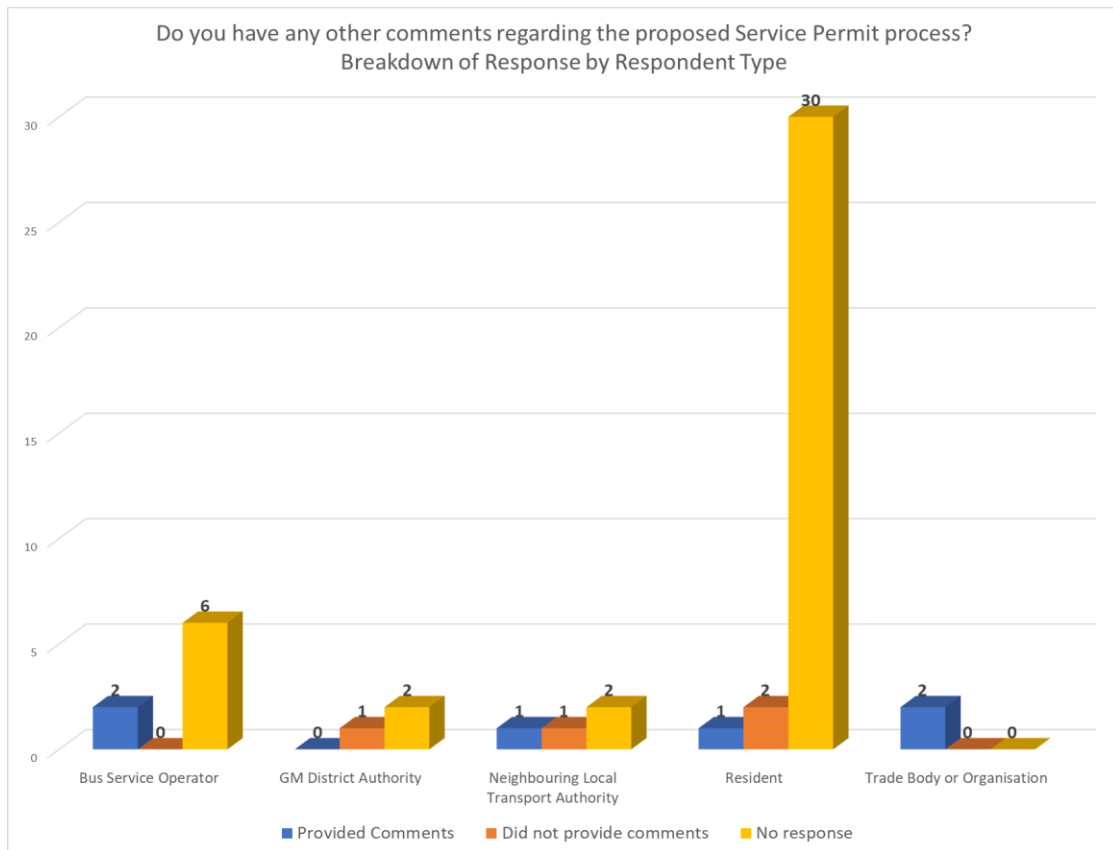
## 6.12 Comments on the overall process

*Respondents were asked if they any other comments regarding the proposed Service Permit process.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	2	0	6	8
GM District Authority	0	1	2	3
Neighbouring Local Transport Authority	1	1	2	4
Resident	1	2	30	33
Trade Body or Organisation	2	0	0	2
	6	4	40	50



- 12% (6) respondents provided comments regarding the proposed Service Permit process, ranging from those wanting all bus services in Greater Manchester to be franchised services, including all cross-boundary services, to those who felt that cross-boundary services should have unfettered access to operate in Greater Manchester.
- One bus operator was concerned that commercial considerations could be a reason not to grant a permit and that appeal rights/arbitration was missing from the process.
- Another operator wanted to see “grandfather rights” i.e., for existing services to be granted a service permit automatically to existing services without applying for a service permit.
- One local transport operator wanted the process to take account of the impact on bus passengers in neighbouring LTA areas.

### TfGM assessment and response

Service permit applications are required to be assessed against the criteria set out in section 123Q of the Transport Act 2000. A permit must be granted if the service will benefit passengers in Greater Manchester



and will not have an adverse effect on franchised services in the scheme area. It is not possible to apply “grandfather rights” to determine whether a service meets the statutory test and service permit applications for new services will be given equal consideration to those relating to the continuation of existing services. A service permit applicant may appeal to the Traffic Commissioner over a permit application refusal, the conditions attached to a service permit, or a decision to revoke or suspend a service permit.

## **7. Conditions/Description of Conditions**

*Conditions may be attached to a Service Permit, including an existing permit service, which the operator would have to comply with. These conditions may vary depending on the type of service proposed.*

*TfGM may also introduce, amend, or remove a condition during the period of the permit.*

*Respondents were asked whether they agreed to or comment on the types of potential conditions that TfGM may attach to a permit.*

### **6.13 Operational**

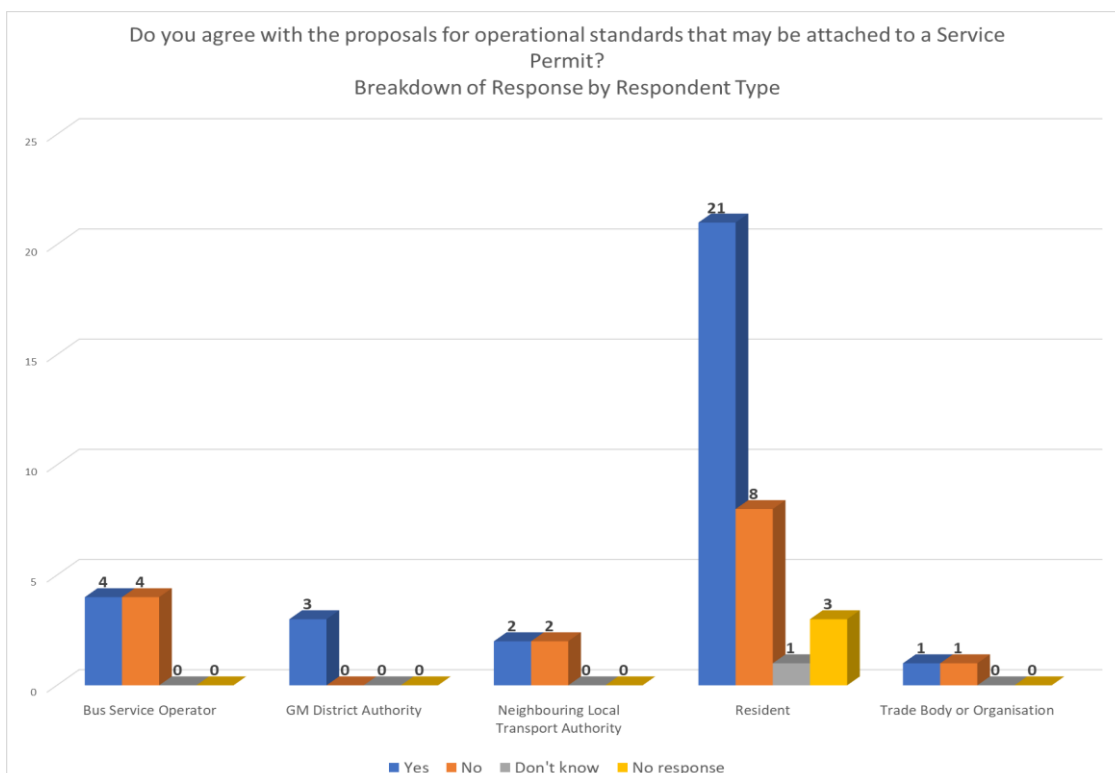
*Respondents were provided a list of proposed operational conditions and descriptions of such conditions and asked whether they agreed or had any comments on the proposals. The proposed operational conditions which were described covered specific aspects:*

- *Environmental Standards*
- *Accessibility*
- *Health & safety*
- *Vehicle Types, the route, stopping places and terminus points*
- *The use of Additional/Duplicate vehicles*
- *Service performance & operational standards*

#### **Summary of responses**

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	4	4	0	0	8
GM District Authority	3	0	0	0	3
Neighbouring Local Transport Authority	2	2	0	0	4
Resident	21	8	1	3	33
Trade Body or Organisation	1	1	0	0	2
	31	15	1	3	50



- 62% (31) of respondents agreed with the proposed operational conditions.
- 30% (15) of respondents did not agree.
- 8% (4) of respondents neither agreed nor disagreed with the proposal.
- 50% (4) of bus operator respondents agreed with the proposed standards. Three others asked for operators to be given 'reasonable time' to meet any required standards after a permit is granted and to consider applying fewer conditions where most of the service is provided outside Greater Manchester.
- 2 of the 4 (50%) of the transport authority respondents also agreed with the proposed standards, with the remaining two concerned about the budgetary impact of operators having to

raise standards for their contracted services and the potential timeline.

- Two respondents thought a requirement for Euro VI vehicles was unnecessary, particularly for rail replacement services as it might restrict their ability to secure sufficient compliant vehicles; while two others felt they should be Euro VI and switch off their engines at termini, such as Piccadilly Gardens (1).
- Another respondent thought that operators should be allowed to determine what type and size vehicles they used, while three others thought they should be allowed to run duplicates if necessary.

### **TfGM assessment and response**

Although TfGM does not consider the proposed Conditions that were described to be unduly onerous, given that these operational standards are already being provided by most operators in the case where enhanced standards are proposed these will be applied in a proportionate manner.

It is recommended that operators engage with TfGM prior to submitting a service permit application to better understand what Conditions may be attached to the service permit. Any representations regarding whether a condition is appropriate in the context of the relevant service will be considered on a case-by-case basis.

TfGM recognises the unique characteristics of tram/rail replacement services and, in response to the consultation, vehicle types and engine specifications will not form part of the Conditions for these services.

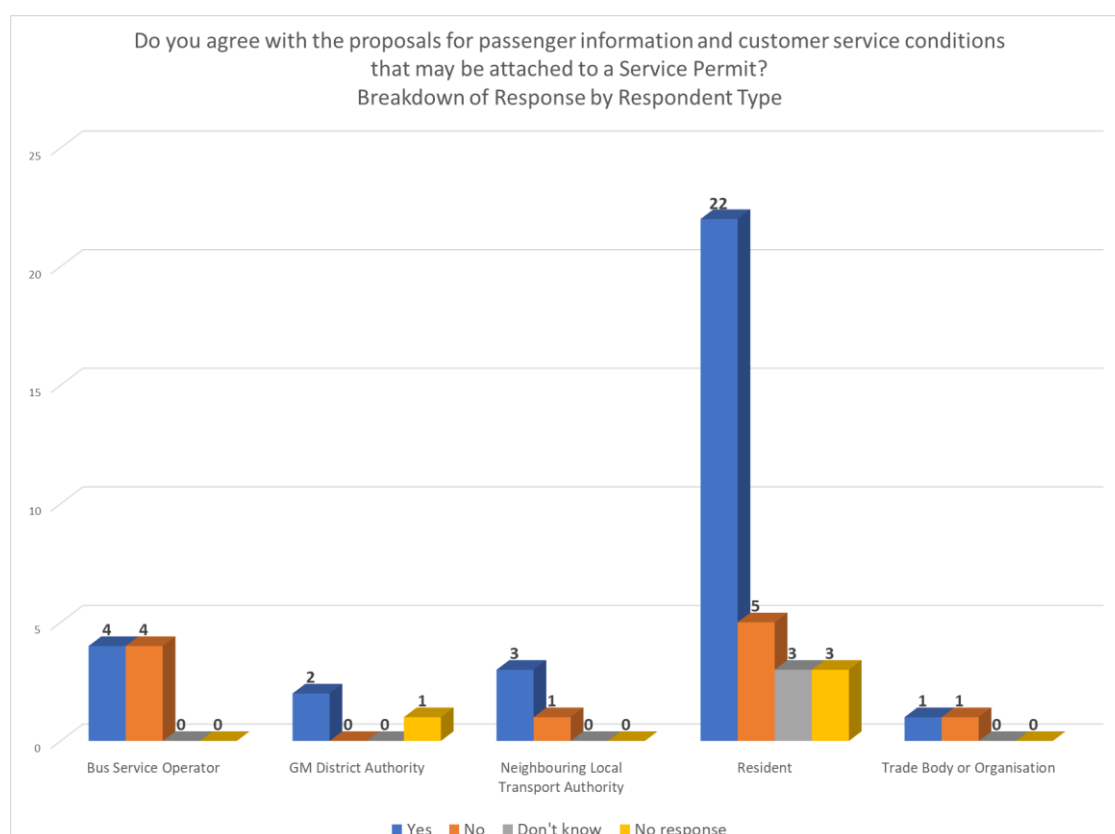
## **6.14 Passenger Information & Customer Service**

Respondents were asked if they agreed to the proposed passenger information and customer service conditions / descriptions of conditions that may be attached to a service permit or if they wanted to make any comments about them.

## Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	4	4	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	3	1	0	0	4
Resident	22	5	3	3	33
Trade Body or Organisation	1	1	0	0	2
	32	11	3	4	50



- 64% (32) of respondents agreed with the proposals for passenger information and customer service conditions.
- 22% (11) of respondents did not agree.
- 14% (7) of respondents neither agreed nor disagreed with the proposal.
- 4 of the 8 (50%) bus operator respondents agreed with the proposed standards. The four others were all concerned about the implications of avoiding duplicate service numbers in Greater Manchester for neighbouring LTA areas. One operator additionally said that route numbers were indirectly part of an

operators marketing and the identity of a route. This latter point was also made one trade body respondent.

- 75% (4) transport authority respondents agreed with the standards, with one requesting more time for bus operators to be able to comply.
- Three other respondents thought that services numbers should not be changed, while one asked for them to better co-ordinated by area.
- Two respondents highlighted the need for TfGM to consider how a service's number fits in with a neighbouring area numbering scheme.
- Two respondents sought clarity on what TfGM considered a 'reasonable timescale' for operators to respond to complaints.
- One sought clarity on what driver training would be required
- One cross boundary bus operator sought additional standards concerning CCTV that complied with its own vehicle specification, but not currently featured on all others.

### **TfGM assessment and response**

TfGM proposals on service numbers are to ensure that the service numbers of permit services do not duplicate that of another service in the same locality or district(s) of Greater Manchester, as this is likely to cause confusion to passengers. Where an application proposes to utilise a service number that clashes in such a way, it is proposed that TfGM will engage with the applicant and relevant neighbouring LTAs to identify an appropriate alternative service number.

Although suggestions to require additional passenger information and customer service standards are welcome, TfGM is not proposing to require enhanced features such as internal and external CCTV for permit services given fewer operators currently meet these standards and the potential costs these could have on other LTAs and cross-boundary service providers. Vehicle standards are likely to continue to gradually evolve over time however and TfGM will continue to liaise with operators and neighbouring transport authorities regarding these.

It is considered unhelpful to prescribe a specific timescale for operators to respond to complaints, as this will vary dependent upon the nature and complexity of the complaint and each operator's complaints handling procedures and response targets.

Driver training standards will be similar to those already existing for those operating subsidised services for TfGM and cover areas which all operators should expect to comply with, including customer care, disability awareness training, and, where applicable, an awareness of the bus station/city centre safety requirements.

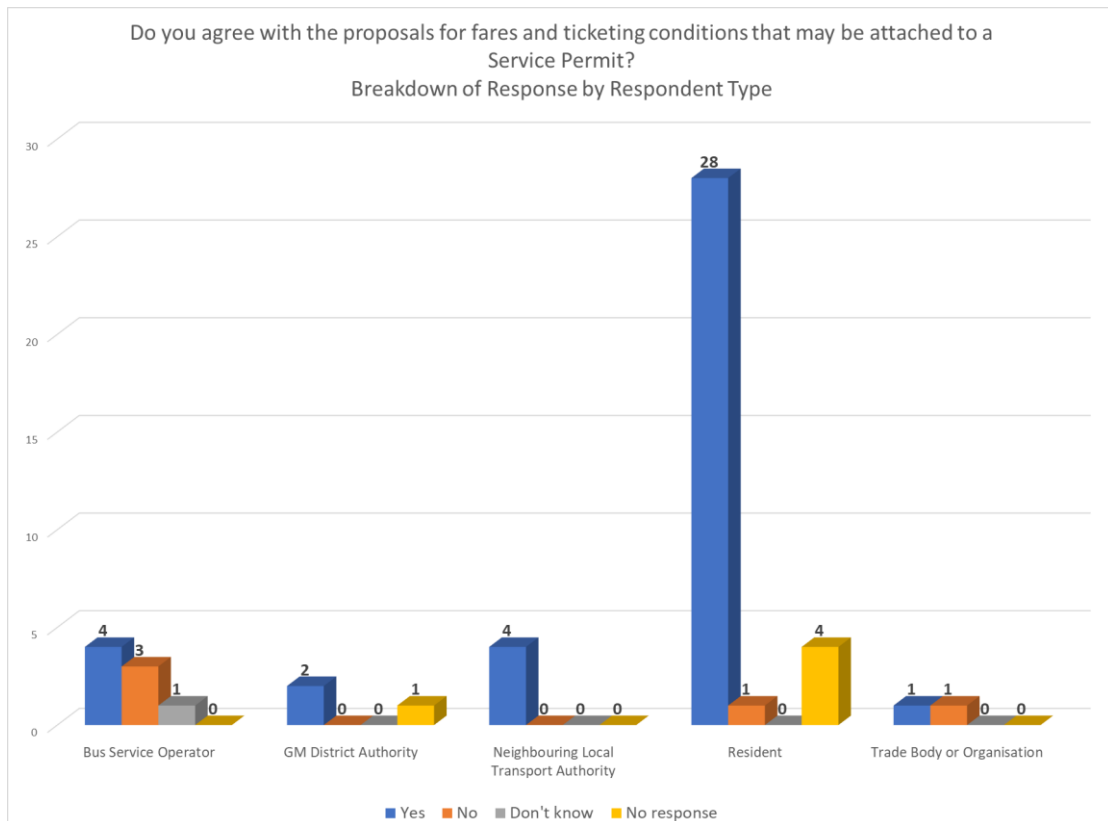
## 6.15 Fares & Ticketing

*The consultation document highlighted that TfGM would require its fares and tickets to be issued, retailed, and accepted on the permit service, along with any ticket offers, promotions, or prices for journeys within the Greater Manchester Concessionary Boundary, unless it was specifically exempted from doing so by TfGM. TfGM will continue to reimburse Operators under the principle of ‘no better and no worse off’ in line with the existing concessionary and capped fares scheme arrangements in place. Respondents were asked if they agreed with these proposals or had any further comments to make about them.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	4	3	1	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	4	0	0	0	4
Resident	28	1	0	4	33
Trade Body or Organisation	1	1	0	0	2
	39	5	1	5	50



- 78% (39) of respondents agreed with the proposal for fares and ticketing conditions that may be attached to the Service Permit.
- 10% (5) of respondents did not agree.
- 12% (6) of respondents neither agreed nor disagreed with the proposal.
- 50% (4) of bus operators who responded agreed with the proposals. Two bus operators sought greater clarity on the reimbursement process/ formulae, with one operator also wanting the right to raise their fares at least annually, even if TfGM did not. Another saw the requirements as unduly onerous and thought they could affect the viability of their existing cross boundary services.
- One trade organisation did not wish to see restrictions on operators operating cross boundary services to offer their own multi-use tickets with a concern that this could affect viability of services. Another noted that there was no facility for operators to raise fares at least annually in line with inflation, whether or not TfGM raised their fares.
- 100% of the four transport authorities who responded agreed with the proposals, however one also sought clarity on any

exemptions and the grounds for doing so. One noted that a reduction in revenues for accepting lower fares on contracted services could require reimbursement to the contracting authority.

- One respondent wanted to see the cash fares accepted on all buses and require change to be given. Another asked for simpler fares, one asked for other operator tickets to be accepted on all buses, and one asked for fare increases to kept to a minimum.

### **TfGM assessment and response**

Operators currently operating services in Greater Manchester are required to accept certain multi-operator tickets pursuant to the terms of a statutory ticketing scheme. These fares (amongst others) are currently managed by GMTL, which manages the setting of fares. TfGM currently have in place a capped fare scheme that caps the price of some of these fares, reimbursing operators for the impact of such cap. The proposal is that service permits will require acceptance of certain tickets and this condition will therefore mostly continue these existing ticketing arrangements both with operators both being required to accept certain tickets specified in the permit by TfGM, with those tickets capped by the fare scheme and with those operators continuing to be reimbursed to ensure they are 'no better and no worse off.', as a result of the cap being applied to those ticket prices.

The reimbursement arrangements for any such fares which are specified will sit outside of the Service Permit scheme, but compliance with any conditions will be dependent upon those reimbursement arrangements being in place. TfGM's existing reimbursement arrangements already allow for reimbursement to take into account of underlying fares changes made by operators, which may be made at least annually, and in other exceptional circumstances.

Fares and ticketing conditions will be applied unless there are specific reasons for not doing so, such as a service that operates only a small proportion of mileage within Greater Manchester.

The conditions will not stop operators from charging their own fares on services, only requiring that the specified fares are accepted.

Therefore, operators or LTAs, where applicable, will continue to be able to set their own fares alongside retailing and accepting TfGM specified tickets and products.



As a result of the above, TfGM's proposals are not expected to have the adverse impacts raised as a concern: as cross-boundary operators will still be able to charge their own fares in addition to those specified by TfGM; the proposals should not adversely affect the commerciality of services, as operators will be reimbursed for adverse impacts; and operators will still be able to raise fares at least annually.

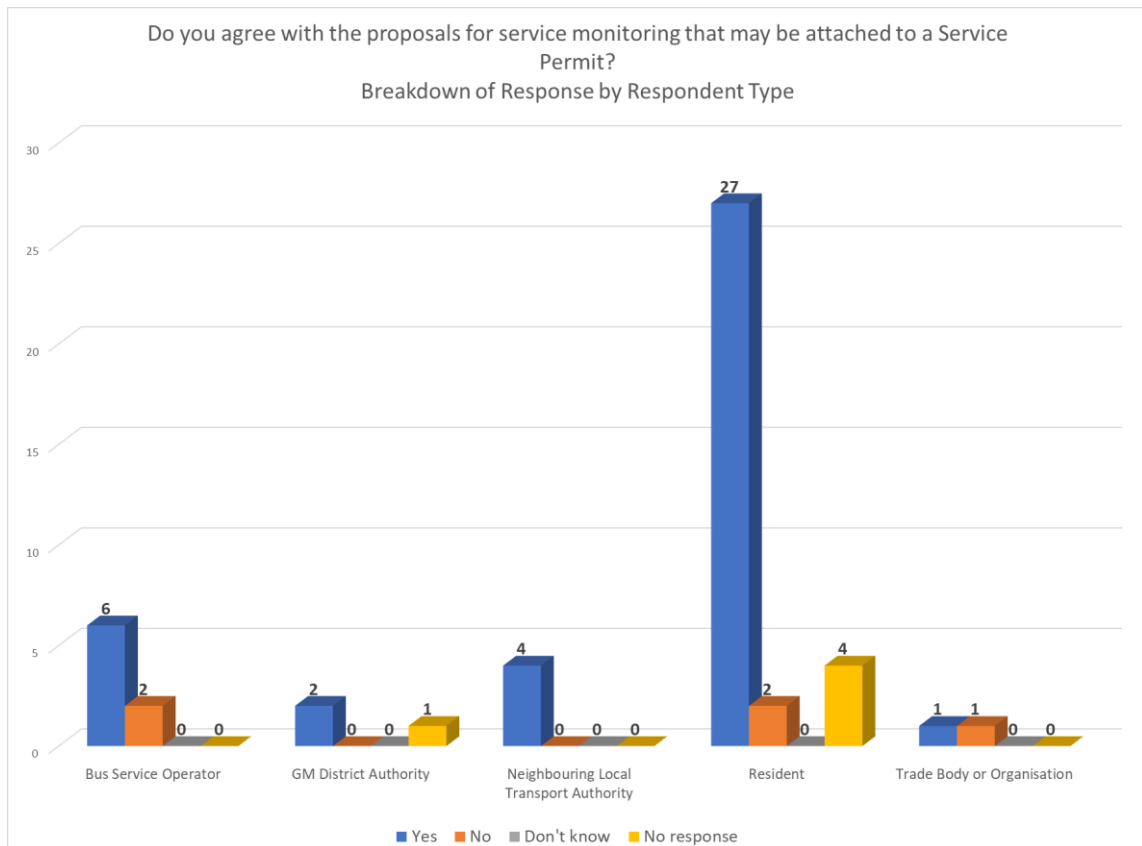
## 6.16 Service Monitoring

*The consultation proposed that Authorised representatives of TfGM would be allowed to board vehicles operating the permit service to observe or record any information relevant to the operation of the Service Permit. TfGM would also require service quality and performance data for the purpose of confirming compliance with service permit condition. Respondents were asked if they had any comments on these proposals.*

### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Yes	No	Don't know	No response	Total
Bus Service Operator	6	2	0	0	8
GM District Authority	2	0	0	1	3
Neighbouring Local Transport Authority	4	0	0	0	4
Resident	27	2	0	4	33
Trade Body or Organisation	1	1	0	0	2
	40	5	0	5	50



- 80% (40) of respondents agreed with the proposals for service monitoring that may be attached to Service Permits.
- 10% (5) of respondents did not agree with the proposals.
- 10% (5) of respondents neither agreed nor disagreed with the proposal.
- 75% (6) of bus operators who responded agreed, with the remaining two wanting strict guidelines to be agreed on what TfGM could monitor with regards to commercial bus services.
- 100% (4) of the transport authorities who responded agreed with the proposals, with one also wanting to be informed if a permit service serving their area breached the service permit conditions in GM.
- One bus operator wanted permit services to be treated no differently as franchised services with regards to submission of performance issues to the Traffic Commissioner or the Driver & Vehicle Standards Agency (DVSA). They also expressed a concern that TfGM might attempt to attach a Condition requiring the operator to expand their times or days of operation of the service.

## TfGM assessment and response

As with registered local bus services outside of Greater Manchester, post franchising there will be a need to monitor local bus services within the conurbation to ensure they comply with the agreed specifications. It is important that TfGM can ensure that permit conditions are complied with, and a monitoring regime will be required for this purpose. The standards applied to the monitoring of franchised services will not be below those which will be required for service permit services.

In the Consultation it was highlighted that in the event of performance issues TfGM would liaise with service permit operators and may, where appropriate, inform the Traffic Commissioner and DVSA. In light of feedback from the Consultation, it is additionally recommended that TfGM may engage where appropriate with neighbouring LTAs to better understand the causes and agree practical solutions to address them.

A franchising authority can only attach to a service permit conditions of a description on which it has consulted, and it cannot force an operator to simply run more journeys should it feel there are deficiencies in the proposed route or timetable. It may however raise any concerns with the operator, outside of the permit application process, to see if they can be resolved for the benefit of passengers.

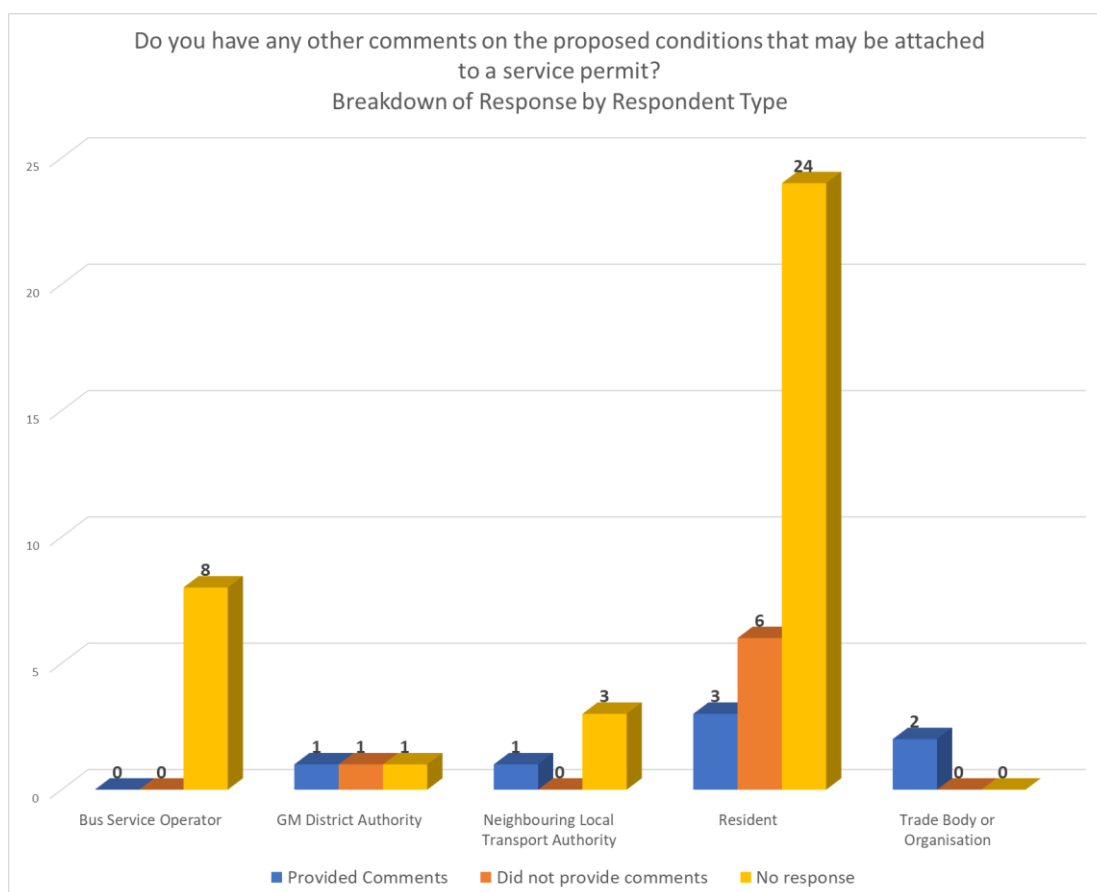
### 7.5 Overall Comments on the Attachment of Conditions/Descriptions of Conditions

Respondents were asked if they any other comments regarding the proposed conditions that may be attached to a Service Permit.

#### Summary of responses

Of the 50 online responses received:

Breakdown of responses	Provided Comments	Did not provide comments	No response	Total
Bus Service Operator	0	0	8	8
GM District Authority	1	1	1	3
Neighbouring Local Transport Authority	1	0	3	4
Resident	3	6	24	33
Trade Body or Organisation	2	0	0	2
	7	7	36	50



- 14% (7) of respondents provided comments regarding the proposed conditions that may be attached to a Service Permit.
- One trade body asked that TfGM view cross boundary services as complementary rather than competitors to the franchised bus network, and not do anything that might result in their loss. A view echoed by one transport authority respondent that asked for sufficient time to be granted to allow cross boundary operators to gradually raise their standards.
- One district council requested that the contact details for permit service operators to be shared with them.
- One resident response requested the reinstatement of particular routes or frequencies, while another wanted to see cash accepted on all buses and for the driver to issue passengers with a ticket.
- One resident response thought that the Conditions being applied should be monitored to ensure they were not adversely affecting permit services.

## **TfGM assessment and response**

TfGM understands the important role and value that cross-boundary and other complementary services can deliver alongside the franchised bus network. Many of the proposed conditions for permit services are already being largely met by most operators, whilst other conditions are ones which can be easily complied with by operators. As such, TfGM does not consider these to be unduly onerous. The attachment of conditions will however be considered on a case by case basis and will account for different circumstances and the types of service being proposed.

Operators are strongly encouraged to engage with TfGM before submitting a permit application, which will enable potential conditions to be discussed and any allow any issues to be identified along with potential solutions for these.

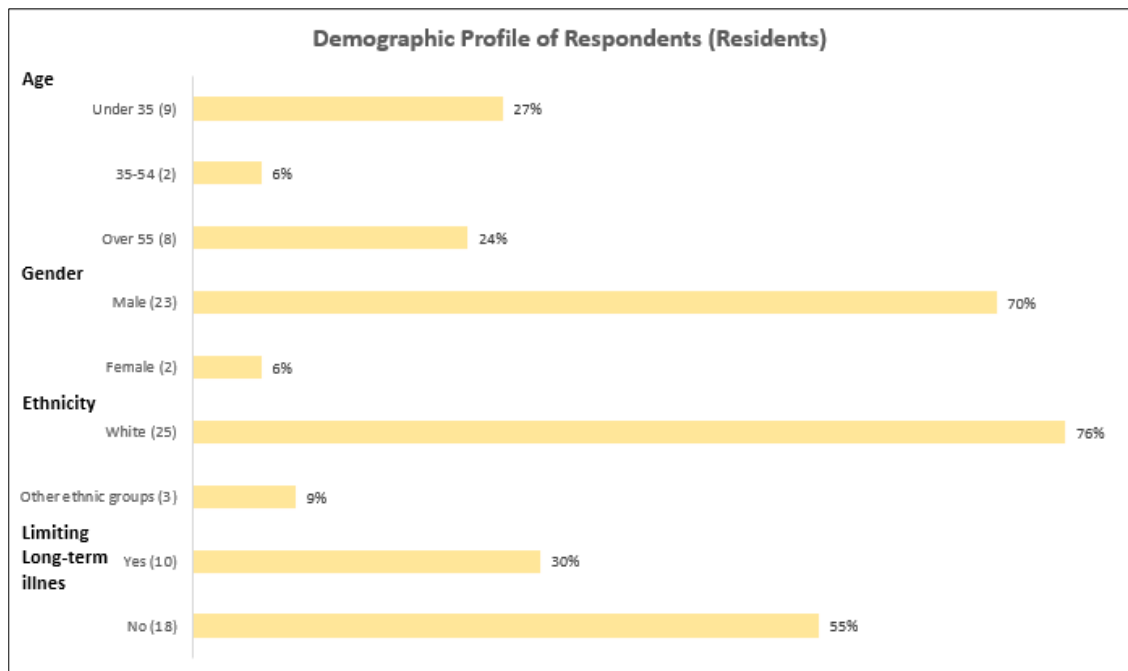
Consultation with stakeholders will be co-ordinated through TfGM, however if a stakeholder wishes to discuss an application directly with the applicant, then this request will be passed on to the relevant operator.

The service permit application process provides a means for operators to apply for, and be granted, a Service Permit, which enables bus operators to provide non-franchised services within Greater Manchester, subject to these meeting the statutory test. The decision as to which service permits are applied for rests with bus operators and TfGM cannot compel operators to reinstate specific services, or service frequencies, or to set fares and ticketing requirements beyond those relating to the issuing, retailing and acceptance of TfGM fares and tickets.

It is proposed that TfGM produce a guide to service permit applications to provide applicants with more details and answer any frequently asked questions.

## Appendix 1

A total of 33 residents responded to the consultation. The chart below provides a summary of the demographic profile of those who responded.



The number of residents who responded to the survey by all protected characteristic groups is as follows:

### Age:

- 9 people under 35 (of which 8 are between the ages of 18 and 24 and, and 1 under the age of 18)
- 2 people between the age of 35 and 54
- 8 over the age of 55
- 1 person did not specify the age
- 13 people preferred not to respond

### Disability

- 10 people say their day-to-day activities are limited because of a health condition or disability.

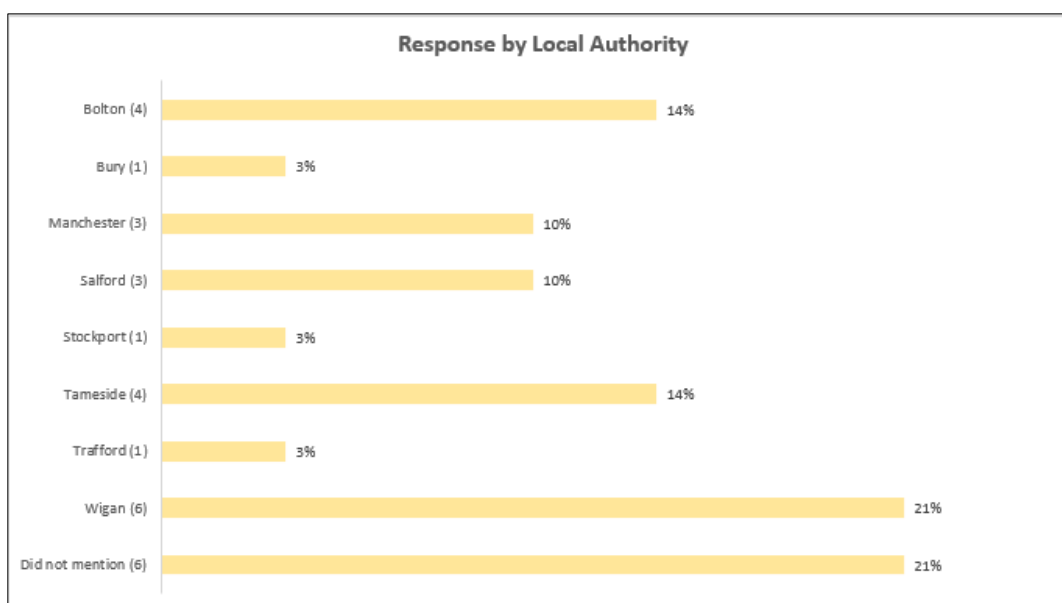
## Gender

- 23 men (including trans men)
- 2 women (including trans women)
- 1 prefer to describe their gender in another way
- 5 preferred not to mention their gender
- 2 persons did not respond

## Ethnicity

- 25 people from a white background
- 3 people from a non-white background
- 4 preferred not to mention
- 1 person did not respond

There were 29 (88% of the total number of resident responses) responses by local authority area of residence, shown in the figure below:



4 responses (12% of the total number of resident responses) were also provided from people living outside of GM.

Appendix 2

Service Permit Policy Statement



## The Greater Manchester Franchising Scheme for Buses 2021

### Service Permit Policy Statement

## The Franchising Schemes (Service Permits) (England) Regulations 2018

### Regulation 3 (2) (d)

#### **1.1 Introduction**

Following the making of the Greater Manchester Franchising Scheme for Buses 2021 (the Scheme), Transport for Greater Manchester (TfGM) on behalf of Greater Manchester Combined Authority (GMCA) will become responsible for the arrangement and operation of local bus services in Greater Manchester through the phased introduction of bus franchising between September 2023 and January 2025.

**‘Local services’** that are not provided as part of the franchised network, not excepted from the franchised network or are not an interim service (as defined in s.123O of the Transport Act 2000) will require a Service Permit to operate within areas of Greater Manchester once the Scheme becomes effective in those areas.

A **‘local service’** has the meaning given to it by Section 2(1) of the Transport Act 1985 and is **where a public service vehicle is used to carry passengers by road at separate fares**. The route can be of any overall length if a passenger can alight within 15 miles of where they boarded (and there is not a point on the road between those places which is more than 15 miles away from either of them).

School, college, works or other special services may be local services and require a permit, even if they are free services, in accordance with the definition of separate fares given by the Public Passenger Vehicles Act 1981. However, free services where there is no payment of separate fares on behalf of users e.g., supermarket services, are not local services, and do not require a permit. Services are not a local service and do not require a service permit if all the following conditions apply:

- someone other than the operator or their agent is responsible for arranging the journey and for bringing the passengers together;
- the journey is not advertised beforehand to the public;
- all passengers travel to or from the same place (e.g., to a school or factory) or in the case of a tour, all passengers must be carried for the greater part of the journey; and
- passengers pay the same fare no matter how far they travel.

Services to schools within Greater Manchester that are not available to the public, often referred to as a “closed” services, are exempt from the franchising scheme and do not require a service permit. Services operated under a permit granted under either section 19 or 22 of the Transport Act 1985 also do not require a service permit.

Rail and Metrolink replacement services can be local services and whilst they do not currently require registration with the Traffic Commissioner will require a service permit if they are a local service. A streamlined application process will however apply for rail and Metrolink replacement services.

If applicants are unsure whether they require a Service Permit, they should contact the TfGM Bus Services team for advice. If it appears to TfGM that in operating that local service, the person is failing or has failed to take all reasonable precautions and to exercise all due diligence to avoid contravening s 123J(3) of the Transport Act 2000 TfGM must inform a traffic commissioner.

## **1.2 The Statutory Test**

The criteria that must be satisfied if a franchising authority is to grant a service permit is set out in section 123Q of the Transport Act 2000:

**The franchising authority must grant the service permit applied for if it is satisfied that—**

**(a) the proposed service will benefit persons making journeys on local services in the area to which the scheme relates, and**

**(b) the proposed service will not have an adverse effect on any local service that is provided under a local service contract in the area to which the scheme relates.**

The franchising authority may not grant the service permit applied for if it is not satisfied as to the matters in (a) and (b) above.

## **Service Permit Application Procedure**

### **1.3 Before you Apply**

Applicants are advised to check that the proposed route and timetable for a bus service is achievable at all the times of day it is intended to run. It remains the responsibility of applicants to ensure that sufficient resources will be available to provide the service and to consider the overall feasibility and viability and safety of the service before applying for a Service Permit, including the ability to operate the proposed vehicles along the route. Applicants should also ensure an appropriate level of service is proposed to fully fulfil its purpose, including the operating hours and days of operation.

Applicants are strongly encouraged to speak to TfGM's Bus Services team, in confidence, at least 21 days before submitting an application to discuss their proposals, particularly where the application includes operation along roads not currently served by buses. This is to ensure that any infrastructure issues can be considered and taken into account by TfGM in determining whether the statutory requirements are met, as this may require TfGM to apply additional conditions, or engage with the operator to ensure that they are proposing to provide a service on an appropriate route.

It is through this pre-application engagement process that TfGM and operators will discuss (amongst other matters) the details of the proposed service, such as the route, stopping points and frequency, working together to address any issues which may give TfGM cause to refuse the permit on application.

### **1.4 When to Apply for a Service Permit**

An application for a new permit should be submitted at least 98 days (14 weeks) before the proposed '**effective time**'. The '**effective time**' means the beginning of the day on which a local service may first be provided under the service permit.<sup>i</sup>

If there is a specific need for a service or change to begin sooner than this, a permit may be granted at fewer than 98 days at TfGM's sole discretion.

In particular where the Traffic Commissioner would be entitled to exercise their discretion to allow for a short notice registration under regulation 7 Public Service Vehicles (Registration of Local Services) Regulations 1986, then TfGM would also be able to determine that the period for application of the service permit could be reduced to enable that short notice application to be made. Applicants should note that TfGM will retain discretion as to whether to shorten such time periods and applicants should therefore ensure that they provide details to TfGM as to why one or more of the reasons specified in Regulation 7(2) of the Public Service Vehicles (Registration of Local Services) Regulations 1986 apply to the permit service.

By reflecting the short notice provisions that apply to a registration with the Traffic Commissioner TfGM seeks to ensure that the permit process will not adversely affect any required short notice registrations where these apply on a cross boundary route, provided that such services continue to meet the requirements for a service permit and satisfy any conditions attached to the service permit.

In the case of services which enter Greater Manchester from neighbouring areas, the sections of services outside Greater Manchester must be registered with the appropriate Traffic Commissioner as appropriate. It is recommended that a service permit is obtained before registering sections of services outside of Greater Manchester. The 98 day notice period allows for the service permit application to be completed prior to such registration whilst continuing to comply with the standard periods for registration with the Office of the Traffic Commissioner. TfGM will liaise with the neighbouring Transport Authorities and the Office of the Traffic Commissioner, where appropriate, to ensure proposed start dates meet the requirements of all parties as far as possible.

## **1.5 How to Apply for a Service Permit**

Applicants must complete an application form which can be obtained from [www.tfgm.com/service-permits](http://www.tfgm.com/service-permits). Applications should be made to the TfGM Bus Services team via a dedicated TfGM Service Permit application email address provided on the application form, with an online payment system for the accompanying fee (see 1.7 below). Should you require an alternative method of applying for a service permit, please contact the TfGM Bus Services team to discuss.

## **1.6 Information to be submitted with an application for a Service Permit**

In addition to the information required in the application form, applicants must also submit the following information with their application:

- a. A list and map of the route that the proposed service will serve
- b. A full list of the proposed stops, stands, and terminal points
- c. The proposed service number
- d. The proposed start date for the service
- e. A full working timetable, including days of operation, or a relevant TransXchange file that supplies this information
- f. If applicable, confirmation that any proposed bus station site access and departure slots at a TfGM bus station or City Centre stop have been reserved with the relevant bus station beforehand
- g. The commercial fares that will be charged and any operator or other tickets that would be valid or available on the service
- h. Details of the vehicle(s) type(s) to be used on the service, including their age, accessibility, seating and total capacity, and emission standards

The above information is to ensure that TfGM has sufficient information to apply the statutory tests and consider what, if any, conditions should be attached to the permit. The permit will relate to the service as described in the application form and accompanying information, so care should be taken to ensure that this information is correct, to ensure that the permit allows operation of the service by the operator once a permit has been granted. Whilst TfGM may specify the description of the service in the permit to allow for minor deviations without the need to apply for a new permit, the scope of such deviations, if any, will be at TfGM's discretion, due to the need to ensure that any permitted service meets the statutory tests.

In the case of rail replacement and tram replacement services, much of the above information will not be relevant and the operator responsible for providing and/or co-ordinating rail replacement services will only need to provide the following details with their application:

- a. A list and map of the proposed stations / tram-stops and rail / tram routes which may be replaced with any replacement bus services
- b. A list of the proposed stops, stands, and terminal points
- c. The proposed start date

Any omissions or inaccuracies in the application information may delay TfGM's ability to consider a permit application, or result in the application being refused. It is particularly important that application includes full details of the route and ALL of the proposed stops, stands, and terminal points. This will require engagement with TfGM prior to the application being submitted if the application include roads not currently served by buses (see 1.3 above).

## **1.7 Application Fee**

Applications for new permits, or renewals of permits, should be accompanied by a non-refundable fee of £160.

Applications that relate to the variation of an existing permitted service are accompanied by a non-refundable fee of £65. Any failure to pay the application fee may delay TfGM's ability to consider a permit application.

There will be no charge for cancellations of a local service.

TfGM will review the service permit fees on at least an annual basis.

Details of the online payment system for payment of the application fee can found at [www.tfgm.com/service-permits](http://www.tfgm.com/service-permits).

## **1.8 The Period of Validity of Service Permits**

A Service Permit will normally be issued for a specified period of up to five years where it is considered that the statutory test set out in 1.2 above will be met for that period of time. Service Permits will be non-transferable.

TfGM may issue a Service Permit for a shorter specified period of validity where it considers that the requirements referred to above may only be met for that shorter period, and such permits may be 1, 2, 3 or 4 years in length, as is deemed appropriate, to minimise the need to revoke permits.

Where a service is being provided under contract to a Local Transport Authority, the permit length may be aligned with the expiry date of the contract to provide the service (a specified period of up to eight years).

A Service Permit will no longer be valid once the specified period of validity has expired and a new application will be required should an operator wish to continue to operate the local service in the franchised area.

### **1.9 The Period of Time within which a decision will be made on an application for a Service Permit**

The decision whether to grant or refuse the application will be taken by TfGM, which must grant a Service Permit if it is satisfied that the criteria set out in section 123Q of the Transport Act 2000 are met (see 1.2 above).

The period within which a decision will be made on an application will be 28 days, starting with the date on which the application is received.

To inform the decision-making process TfGM will discuss the application for any cross-boundary service with the relevant neighbouring Transport Authorities. TfGM may also discuss the application with, and request information from, one or more of the following stakeholders:

1. Highway Authorities
2. Greater Manchester Police, in relation to new routes or infrastructure
3. The Office of the Traffic Commissioner
4. Any other person or body considered relevant

Applicants will also normally be notified of the outcome within a period of 28 days beginning on the date the application is received. This notification may also include TfGM's written reasons for the decision (if required) but if not, such reasons will be provided in accordance with the statutory timescales set out below:

- a. If TfGM grants a service permit with conditions, it must give notice of its reasons for doing so to the applicant within a period of 14 days beginning with the date on which it grants the service permit with conditions
- b. If TfGM attaches conditions to a service permit after it has been granted, it must give notice of its reasons for doing so to the holder of the service permit within a period of 14 days beginning with the day on which it attaches those conditions
- c. If TfGM does not grant a service permit it must give notice of its reasons to the applicant within a period of 10 days beginning with the date on which it decides not to grant the service permit

Applicants should identify any information in their application which is commercially sensitive so that in seeking the information referred to above TfGM can, if necessary, seek appropriate confidentiality undertakings from such stakeholders.

### **1.10 The period of time between the date on which a service permit is granted and the 'effective time'**

The 'effective time' of a permit means the beginning of the day on which a local service may first be provided under that service permit.

The period of time between the date on which the service permit is granted and the effective time shall generally be 70 days. This period is consistent with the requirement that applications should be submitted at least 98 days (14 weeks) before the proposed 'effective time'.

However, where the Traffic Commissioner would be entitled to exercise their discretion to allow for a short notice registration under regulation 7 Public Service Vehicles (Registration of Local Services) Regulations 1986, then it is intended to reserve the right to determine that the period for application of the service permit should also be reduced to enable that short notice application to be made. Applicants should note that TfGM shall retain discretion as to whether to shorten such time periods and applicants will therefore need to ensure that they provide details to TfGM as to why one or more of the reasons specified in Regulation 7(2) of the Public Service Vehicles (Registration of Local Services) Regulations 1986 should apply to shorten the period of time from when the service permit is granted to the effective time.

### **1.11 Publication**

Where TfGM grants a Service Permit it will provide notice of that decision in writing and shall also include:

- a. Any conditions attached to the Service Permit.
- b. The date on which the Service Permit is granted.
- c. The effective time and
- d. The period of validity and expiry date of the permit.

TfGM shall send the above information to the applicant and to the Office of the Traffic Commissioner. The appropriate neighbouring transport authority (or authorities) will also be notified in cases of cross-boundary services.

Where TfGM does not grant a service permit it will give notice of its reasons to the applicant within a period of 10 days beginning with the date on which it decides not to grant the service permit

Details of permits granted may be published online no earlier than 42 days before the effective time.

### **1.12 Making changes to, or withdrawing a local service**

Operators may vary or withdraw a local service which is subject to a service permit, subject to providing at least 56 days' (8 weeks') notice to TfGM before the changes proposed can take effect. Where a variation requires updates to the service permit, this will require a further permit application to TfGM, which will be subject to the 98 day application period set out in 1.4 above. Permit holders are strongly encouraged to speak to TfGM's Bus Services team beforehand to confirm whether a variation to a local service will require a further permit application.

As noted at 1.10 above, TfGM has discretion to shorten the period of time for such changes to take effect in circumstances where the Traffic Commissioner would be entitled to exercise discretion to shorten the notice period for registration.

However, these circumstances and the decision as to whether short notice may be applied remains at the discretion of TfGM.

### **1.13 Revocation and Suspension of Service Permits**

The Transport Act 2000 and the Regulations allow for service permits to be revoked or suspended and set out the grounds for doing so, and the procedure to be followed as set out below.

A permit may be revoked or suspended by TfGM in the following cases:

- a) If the service no longer complies with the requirements of section 123Q(5) of the Transport Act 2000, which provides that an authority must be satisfied that:
  - The proposed service will benefit persons making journeys on local services in the area to which the scheme relates
  - The proposed service will not have an adverse effect on any local service that is provided under a local service contract in the area to which the scheme relates
- b) If the holder of the Service Permit has failed to comply with a condition attached to the Service Permit; and
- c) If the public would be endangered if the service continued to operate (in which case the Service Permit may be revoked or suspended with immediate effect)

Where TfGM decides to revoke or suspend a Service Permit, it must give written notice of its decision to the holder of the Service Permit. That notice will include:

- The grounds on which the Service Permit is being revoked or suspended
- The date on which the revocation or suspension of the Service Permit is to take effect; and
- The effect of the suspension or revocation

Where the Service Permit is suspended, the notice must also include:

- The measures the holder of the Service Permit must take to have the suspension lifted
- The date on which the suspension will cease to have effect if the holder of the service permit takes the measures referred to above; and
- Any arrangements for the suspension to be reviewed

Where a Service Permit is revoked or suspended, the date on which the revocation or suspension is to take effect will be 56 days after the date on which the notice is given. If the Service Permit is being revoked or suspended on the basis that the public would be endangered if the service continued to operate however, TfGM may revoke or suspend the Service Permit with immediate effect (in which case the Service Permit will no longer be valid from the date notice is given by TfGM).

### **1.14 Right of Appeal**

Before considering whether to refuse an application for a service permit or attach conditions to a service permit, TfGM will take reasonable steps to discuss with the operator and affected authorities to try and resolve any conflicting issues.

A person may appeal against a refusal to grant a service permit or against the attaching of any conditions to a service permit. A person may also appeal against the revocation or suspension of a service permit. Such appeals are to be made to the Traffic Commissioner.

A person, or TfGM, may appeal to the Upper Tribunal against a decision of a Traffic Commissioner.

### **1.15 Further Information**

For further information, please contact:

TfGM Bus Service team

2 Piccadilly Place

Manchester

M1 3BG

Telephone: 0161 244 1000

Email: [service.permits@tfgm.com](mailto:service.permits@tfgm.com)

Website: [www.tfgm.com/service-permits](http://www.tfgm.com/service-permits)

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<sup>i</sup> As defined in [The Franchising Schemes \(Service Permits\) \(England\) Regulations 2018 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2018/1100/contents/schedule/paragraphs)



Appendix 3

Service Permit Conditions Notice

**Greater Manchester Franchising Scheme for Buses 2021**  
**Service Permit Conditions and Descriptions of Conditions Notice**

**Transport Act 2000, s 123R**

## **1.1 Introduction**

The Transport Act 2000 allows for conditions or conditions of a description to be attached to service permits.

Different conditions conditions/conditions of a description can be attached for different circumstances, or for different sorts of services.

Government guidance<sup>1</sup> explains that for example, the authority may apply a 'lighter-touch' set of conditions to services which have a limited number of stopping places in the franchising area but may require services which operate wholly within the franchising area to comply with more stringent conditions, to ensure they integrate effectively with the network of franchised services.

TfGM may attach conditions or conditions of a description to a Service Permit at the time it is granted, or after it has been granted. If it does this, it must give the applicant notice of its reasons for doing so within a period of 14 days beginning with the date on which it grants the permit or attach the conditions to an existing permit.

A person who is granted a service permit with conditions, or a person to whose permit conditions are attached after the service permit has been granted, may appeal to the Traffic Commissioner against the attaching of the conditions, or any of them.

A Notice specifying the conditions, or description of conditions that may be attached to a service permit can be withdrawn, and a new notice published instead. If a notice is withdrawn, conditions attached to the service permit before it was withdrawn cease to have effect (subject to being attached again).

## **1.2 Conditions and Descriptions of Conditions that may be attached to Service Permits**

Conditions marked with a \* will not be attached to service permits for rail or tram replacement services

<b>Operational Standards</b>
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### **OP1. Environmental \***

Vehicles on permit services must meet, or exceed, Euro VI emission standards. **Where appropriate TfGM may require that vehicles used for services meet equivalent emission standards to those that will be met by services under local service contracts**

### **OP2. Accessibility \***

All operational staff who are materially involved in the provision of the permit service shall receive disability, equality, and customer care training as part of the operator's planned training programme for its operational staff. **This will ensure that high standards of customer care are met by operational staff, ensuring confidence in bus travel in Greater Manchester**

#### **OP3. TravelSafe \***

The operator of the permit service shall participate in the Travel Safe Partnership, including allowing TfGM officers to travel on the permit service for the purposes of passenger safety and security and revenue protection. The operator may also be required to embrace additional policies and standards, such as incident reporting through the TravelSafe Incident portal and information sharing with TfGM in relation to incidents involving its staff or vehicles on the permit service upon request. **This will ensure that high standards of customer safety are met by permitted services, ensuring confidence in bus travel in Greater Manchester.**

#### **OP4. Vehicles TROs and highways requirements**

Permit service operators shall comply with any requirements as to

1. The size and type of vehicles which may be used.
2. Compliance with existing Traffic Regulation Orders.
3. Compliance with any proposals to amend the highway layout or Traffic Regulation Orders.

For the avoidance of doubt, to ensure that the service fully fulfils its purpose and appropriately benefits persons making journeys on local services in the area to which the Scheme relates, TfGM may also specify clearly in the permit itself, the route, including its starting points, waiting and departure locations, times, stopping places and termini including minimum service levels, operating hours (first and last bus) and days of operation based upon the application. These would define the service to which the permit was granted, including the extent to which TfGM was happy to accept minor deviations in the service provided without a new permit being required to be granted, where TfGM had agreed to such deviations.

**TfGM expects to use these conditions to ensure that operators comply with their service permit application, in particular in respect of elements of the service specification which TfGM have relied upon in determining to grant a permit.**

#### **OP5. Duplicate Vehicles \***

Duplicate vehicle(s) which provide additional capacity on a permit service may only be operated over any part of the route of the permit service within Greater Manchester, with, and in accordance with, TfGM's prior consent. **The permit will be granted on the basis of the timetable and other details provided within the permit application. Running of duplicate buses to increase capacity within a timetable slot may mean that the service breaches the statutory requirements, in particular if it leads to congestion on routes also used by local services under local service contracts. This condition will allow the operator to agree such duplicate vehicle use on a short-term basis but allow TfGM to intervene if such duplicate vehicles adversely affect other services.**

#### **OP6. Service Performance & Operational Standards**

The permit service shall be provided in accordance with the principles, operating standards and statutory guidance issued by the Traffic Commissioners. Any non-compliance may be reported to the Office of the Traffic Commissioner and/or the Driver and Vehicle Standards Agency. **The permit service will need to comply with these requirements outside Greater Manchester, so this ensures consistent standards throughout the journey.**

## Passenger Information & Customer Service

### CS1. Passenger Information \*

Permit service operators shall comply with any marketing initiatives reasonably required by TfGM, including:

- a) providing required information in the appropriate way as specified by TfGM pursuant to section 139 – 141 Transport Act 2000;
- b) publishing on vehicles operating the permit service notices relating to TfGM concessionary fares and up to two other passenger information or marketing notices provided by TfGM. **TfGM already has rights in respect of information provision within Greater Manchester – this condition ensures that operators under service permits do not detract from consistent provision of information across the network, which could adversely affect passengers and their confidence in the franchised bus network.**

### CS2. Service Numbers \*

Where service numbers are to be used, applicants must take account of existing service numbers to avoid situations of more than one service operating with the same number in the same locality or district(s) of Greater Manchester. TfGM reserves the right to allocate a different service number that the operator will be required to use as a condition of a permit. **Conditions relating to service numbers ensure that there is consistent service numbering within Greater Manchester and that this does not have an adverse effect on any franchised services. Where such clashes exist, TfGM will engage with the applicant to identify an alternative service number.**

### CS3. Communication with passengers

The operator will properly investigate and address customer complaints relating to the permit service to TfGM's reasonable satisfaction and within a reasonable timescale. **This condition ensures that passengers within Greater Manchester are able to benefit from proper management of any complaints and have confidence that such complaints will be dealt with properly, whatever bus they travel on.**

## Fares & Ticketing

### FT1. Fares and acceptance of TfGM tickets and passes \*

The operator shall retail and accept TfGM's specified range of tickets and passes at the same fare scale as that provided by TfGM for journeys within the Greater Manchester Boundary, unless specifically exempted from doing so, either in full or part by TfGM. Operators should note that whilst this condition may be imposed on a service, this will be subject to TfGM ensuring that operators are reimbursed appropriately for acceptance of tickets and fare scales specified by TfGM, such that they are no better and no worse off as a result of compliance with this condition and such tickets being available within the Greater Manchester boundary.

**Such conditions will be intended to ensure that whilst operating within Greater Manchester services do not adversely affect the local services provided under local service contracts or passengers, by ensuring that passengers can make use of common tickets. Such conditions will, however, be subject to ensuring that compensation/reimbursement**

arrangements are in place to ensure that operators are not worse off as a result of such a requirement and those ticket types still being available within Greater Manchester.

## Service Monitoring

### SM1. Service Monitoring

Authorised representatives of TfGM shall be allowed to board vehicles operating the permit service without prior notice and require the provision of any data reasonably required for the purpose of confirming compliance with service permit conditions. **It is important that TfGM can ensure that permit conditions are complied with – this approach is consistent with the survey rights that TfGM have previously exercised, for example to manage concessionary travel schemes.**

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<sup>i</sup> [tps://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/918664/bus-services-act-2017-franchising-scheme-guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/918664/bus-services-act-2017-franchising-scheme-guidance.pdf)

Appendix 4

Full Equality Impact Assessment

## EQUALITY IMPACT ASSESSMENT INTRODUCTION

In accordance with s149(1) of the Equality Act 2010 Greater Manchester Combined Authority (GMCA), and Transport for Greater Manchester (TfGM) are required in the exercise of their functions to have due regard for the need to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity between persons who share a relevant protected characteristic, and persons who do not share it.
- Foster good relations between those who have a relevant protected characteristic and those who don't.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and people who do not share it involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of the persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Consider intersectionality and overlapping and interdependent systems of discrimination or disadvantage.

“Relevant protected characteristics” are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; married/civil partnership and sexual orientation.

N.B. ‘Carers’ and Low-Income Households and Other have also been included in the template, as although not defined as ‘protected characteristics’ by the Equality Act (2010), it is important to consider the effect on groups. It is important to note that the categories contain important subcategories.

As part of its compliance with this ongoing duty, TfGM undertakes an Equality Impact Assessment (EqIA) for any significant strategy, project, policy, process or procedure.

Using a standard screening form designed to identify any adverse impacts on members of the above “protected characteristic groups” and to record actions planned to ameliorate any adverse impacts, should any be identified.

## Equality Impact Analysis

**Save a new version of this document in a different file area prior to populating it**

**For support in completing this form, please refer to the document or contact the Inclusion & Equalities Manager.**

### Section one: Proposal Context

<b>a) Name of Proposal</b> (e.g., projects, policies, plans, programmes and services)	Greater Manchester Franchising Scheme for Buses – Service Permits Scheme and Conditions
<b>b) Function</b>	Bus Franchising – Network Strategy & Design
<b>c) key contact for proposal</b>	Anthony Crompton
<b>d) New or Existing Proposal</b>	<p><b>New Proposal</b></p> <p>In March 2021, a decision was taken by the Mayor of Greater Manchester to introduce a bus franchising scheme covering the entirety of Greater Manchester. Under franchising, most services and their frequencies will be determined by GMCA. Bus operators would run these services under a local service (franchise) contract awarded by TfGM on GMCA’s behalf. Once franchising becomes effective, no local service which has a stopping place within Greater Manchester may be provided unless:</p> <ul style="list-style-type: none"> <li>• It is provided under a franchise contract.</li> <li>• It is an interim service.</li> <li>• <b><i>The service is provided under a service permit.</i></b></li> <li>• The service is excepted from regulation under the scheme.</li> </ul> <p>TfGM will become responsible for the arrangement and operation of local bus services through the phased introduction of the franchising scheme across Greater Manchester between September 2023 and January 2025.</p> <p>Local bus services that are not provided as part of the franchised network, not excepted from the franchised network or are not an interim service (as defined in s.123O of the Bus Services Act 2017 (the “Act”)) will require a Service Permit issued by TfGM to operate within Greater Manchester once the franchising scheme begins.</p>



<p><b>e) Aims, objectives &amp; purpose of the proposal summary, including desired outcomes (attach proposal as applicable)</b></p> <p><b>PLEASE ATTACH PROPOSAL/ BUSINESS CASE (if available)</b></p>	<p><b>Purpose:</b> To introduce the Service Permits process as part of the wider Bus Franchising Scheme and a statutory requirement of the Act. The aim of the Service Permits process is to allow services that aren't either a franchised service or an exempted service to apply for a permit to operate in the area of the Franchising Scheme. The Service Permits will allow bus operators operating cross-boundary services to continue to provide vital transportation links to the public between GM and the neighbouring authorities.</p> <p><b>Aim:</b> A scheme for implementing Service Permits in Greater Manchester is operational.</p> <p><b>Objective:</b> To issue Service Permits in advance of Tranche 1 Go Live (24.09.2023) (and subsequent Tranches) for Bus Franchising to bus operators running local bus services:</p> <ul style="list-style-type: none"> <li>• that are not provided as part of the franchised network.</li> <li>• not excepted from the franchised network.</li> <li>• are not an interim service.</li> </ul> <p>A Service Permit will normally be issued for a specified period of up to five years. Where a service is being provided under contract to a Local Transport Authority, the permit length may be aligned with the expiry date of the contract to provide the service (a specified period of up to eight years).</p>
<p><b>f) Main Stakeholders</b></p>	<p>External: Bus Operators, Neighbouring Local Transport Authorities, GM Travelcards Ltd, Confederation of Passenger Transport, Office of the Traffic Commissioner</p>

## Section Two: Baseline Assessment/Scoping

To assess the impacts of the proposal, you first need to understand the current inequalities in provision, access, participation, or opportunities as they are now, before the implementation of your proposal. These groups of people may be different from your target audience or main stakeholders. Please see the EqlA Guidance notes before completing this section.

Protected Characteristic	How well are people within this protected characteristic served within the current service provision, policy or infrastructure?	Are there any existing: barriers to access, or participation, or disadvantages faced by groups of people within this protected characteristic? (in relation to aim of proposal)	Evidence source	Stakeholder/Community Groups relevant to proposal e.g. representative community groups, dedicated services, schools, places of worship
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## Equality Impact Analysis

Age	<p>Bus services are accessible for all ages.</p> <p>GM TRADS data shows a slightly higher than average proportion of bus users amongst people aged 60 and over. Also, 21% of bus trips in 2019 were made by people who have a national concession pass (or concession pass plus) for disabled people.</p>	<p>TfGM research on use of travel information sources has highlighted that older users may be more reliant on transition (print-based) information (bus timetables etc). Older residents are also less likely to have access to the internet using a smartphone, potentially limiting access to some information, and using smartphone APPS and buying online tickets.</p>	<p>GM TRADS (2019), Travel information research (2019).</p>	
Disability	<p>Bus services are accessible for people with disabilities but require improvements. People with physical impairments are less likely than people without physical impairments to make bus trips (accounts for 5% of bus trips). Along with this, 9% of the GM population have a physical impairment.</p> <p>Disabled people in GM are less likely than those without a disability or long-standing health condition to have access to a car and therefore more likely to rely on public transport, including bus.</p> <p>People with a communication or sensory impairment, learning disability or cognitive impairment, or mental health difficulties are more likely than those with no disability to travel</p>	<p>Disabled bus users are less satisfied than those without a disability. This is focussed mainly on a number of aspects: ease of getting to the stop, personal security getting to the stop and waiting at a bus stop.</p> <p>There are also issues with limited capacity for wheelchair users and lack of accessible on-bus information via visual and audio announcements.</p> <p>In the year ending March 2020, there were 8649 disability hate crimes (a rise of 9% from the previous year). In the year ending March 2022, disability hate crimes increased further to 14,242.</p>	<p>GM Bus Passenger Survey (2019), GM TRADS (2017-2019). Hate Crime, England and Wales, 2019 to 2020 – GOV.UK. Hate Crime, England and Wales, 2021-2022 – GOV.UK.</p>	

## Equality Impact Analysis

	by bus. Those with a disability or long-standing health condition are also more likely to travel by taxi.			
<b>Sex</b>	<p>Bus services accessible to all sexes. Women were more likely to use bus services than men in 2017-2019, but men were more likely to use buses in 2021.</p> <p>It is also recognised that woman are more likely to 'trip-chain' than men.</p>	<p>Women who use the bus at night are more likely to be dissatisfied with perceived and actual personal security at night, either getting to the bus stop, waiting at the stop, or on the bus itself. Moreover, women are less likely to use bus services at night.</p> <p>Women are also less satisfied than men with aspects of onboard experience (e.g. personal space on board, comfort and cleanliness etc.).</p>	GM TRADS (2017-2019, 2021), Network Principles (2022), Invisible Women.	
<b>Gender Reassignment</b>	All genders able to access bus services.	<p>Transgender people are more likely to feel unsafe or experience victimisation or harassment when travelling on the bus network (particularly at certain times – night - or in certain areas).</p> <p>In England and Wales, transgender identity hate crimes by 16% (to 2,540). These percentage increases are smaller than seen in recent years. In the year ending March 2022, there were 4,355 transgender hate crimes showing a sharp increase.</p>	<p>Hate Crime, England and Wales, 2019 to 2020 – GOV.UK.</p> <p>Hate Crime, England and Wales, 2021-2022 – GOV.UK.</p>	
<b>Race/Ethnicity</b>	<p>Services are available to all races/ethnicities.</p> <p>GM residents from black or black British backgrounds are more likely than average to be bus users and more likely than</p>	Access to buses/the bus network may be affected by over or under-provision of services in particular areas where people of different ethnicities live.	GM TRADS (2019), Census (2011).	

## Equality Impact Analysis

	<p>average to use the bus frequently (five or more days per week). Census figures also show this group are more likely than average to use the bus to access work in GM.</p> <p>People from Black or Black British backgrounds in GM are also less likely than average to have access to a car.</p> <p>Also, people from mixed ethnic backgrounds in GM are more likely than average to be use bus users and more likely than average to use buses frequently (five or more days per week). In GM, this group is also less likely than average to have access to a car.</p>			
<b>Marriage/Civil Partnership (workforce only)</b>	N/A	N/A	N/A	N/A
<b>Pregnancy &amp; Maternity</b>		Issues have been noted for parents with prams on buses in particular: lack of space on board and time to get the pram onto the bus and settled before the bus pulls away.	Network Principles (2022).	
<b>Religion/Belief</b>	N/A	N/A	N/A	N/A
<b>Low Income Households</b>	Bus services available for all but users are more likely to be from low-income households/areas with higher deprivation levels than the GM average.	Barriers arise for those living in areas with lower bus coverage. Bus users are also less likely to have access to a car, meaning that they have reduced options for alternative travel.	GM TRADS (2021).	

## Equality Impact Analysis

	Between 2 fifths and half of bus users are from the 'urban adversity' ACORN category (45% in 2021).			
<b>Carers</b>	Carers able to access bus services.	Carers are not currently entitled to reduced/free fares in GM which may present a barrier to travel.		
<b>Other/General</b>	Many rural areas have limited or no connection to public transport; and traditionally rural transport has been based predominantly on road vehicles.	The lack of transport accessibility and connectivity in rural areas has a strong impact on those with limited access to private motorised transport, such as children, older people and people with disabilities.	Velaga et al. (2012)	

## Section Three: Engagement, Consultation & Data Gathering

You may be required to involve and consult stakeholders during your assessment to understand the impact of the proposals. The extent of the consultation/engagement will depend on the nature of the policy, plan or project and whether there has been previous engagement activity with the groups who will be impacted (directly or indirectly) that is relevant to this proposal. (Don't forget to involve trade unions if staff are affected and consider socio-economic impact as well as community and third sector groups for different protected characteristics).

<b>If consultation or engagement activity hasn't been undertaken with people who may be affected by the proposal, or is not planned, why not?</b>
n/a

## Equality Impact Analysis

Planned activity	Stakeholders/ communities involved	Estimated timeframes	Methods	How will you publicise the engagement activity
Consultation	Bus Operators, Neighbouring Local Transport Authorities	February 2023	Online questionnaire	Direct contact with main stakeholders via email. TfGM website and notices on interchanges to reach any other interested party.

You have a duty under the Public Sector Equality Duty to consider what measures can be taken to design and deliver engagement activity that is accessible to different groups of people and implement the measures wherever this is feasible to do. This particularly necessary where you have identified barriers in accessing the relevant scheme, service or provision, or in participating in engagement activities for particular groups of people who have an interest in or are likely to be impacted by the change. This includes considering how you communicate or publicise the engagement activity. You should consider all potential adjustments and consider the feasibility. If you are unsure what measures are required to make the engagement activity more accessible, you should ask representatives of the relevant communities or groups. You can also contact the TfGM engagement team [engagement@tfgm.com](mailto:engagement@tfgm.com)

Using the information identified in section 2, complete the table below to identify what actions need to be considered and actions

Demographic Group	Barrier to participation	Actions which could remove barriers	Feasibility/ expected impact of action	Agreed Action
n/a				

## Section Four: Equality Impact Assessment - Please use the EqIA Guidance document for reference

For the following question describe any potential positive or negative impacts of the proposal for different groups of people.

To explore the impacts of your proposal, you should use your baseline as a comparison with how the proposal could impact these inequalities (either positively by reducing the inequality or negatively by worsening it). Think about how this might differ from the baseline for people with each protected characteristic. You should consider the impact of not inaction based on your findings from section 1.

Include any sources of data you have used to inform this view (including desktop research and engagement activity).

## Equality Impact Analysis

(A) Please check all that apply	(B) Describe positive/negative impacts of different elements of your proposal.	(C) Specify Positive/Negative per Impact	(D) user data, survey, engagement/consultation etc, related EqIAs/Interdependencies	(E) consider how you will you mitigate identified negative impacts?	(F)	(G) The date you will review your changes/mitigations have been effective
<b>Age</b>						
Equality Group	Impact Description	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/>	No differential impact					
Children (under 13) <input type="checkbox"/>						
Young People (13- 18) <input type="checkbox"/>						
Young Adults (18 –30) <input type="checkbox"/>						
Adult (30-55) <input type="checkbox"/>						
Older Adults (55+) <input type="checkbox"/>						
<b>Disability</b>						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/>	The permitted services will be required to comply with PSVAR. Therefore, no differential impact expected.	Neutral	Service Permit Potential Operational Conditions - Accessibility	Condition added to Service Permit Scheme re accessibility: Vehicles must also comply with the Public Service Vehicle Accessibility Regulations 2000 (PSVAR), which requires them to be fully accessible		
Mobility <input type="checkbox"/>						
Visual <input type="checkbox"/>	The Department for Transport is introducing rules that will require almost every local bus or coach service to provide audible announcements and visual displays identifying the route and direction, each		<a href="#">New onboard announcements to make Britain's buses accessible for everyone -</a>			
Hearing <input type="checkbox"/>						
Dexterity <input type="checkbox"/>						
Communication <input type="checkbox"/>						
Learning/Understanding/Concentrating <input type="checkbox"/>						

## Equality Impact Analysis

Memory <input type="checkbox"/> Mental health <input type="checkbox"/> Stamina, breathing or fatigue <input type="checkbox"/> Social or behavioural <input type="checkbox"/> Other specify_____ <input type="checkbox"/>	upcoming stop, and the beginning of any diversions.  The changes will be implemented gradually, with almost all vehicles required to comply by October 2026.  At present, there is patchy provision across the country, with only 30% of buses outside London providing this information, which can be a major barrier for disabled people wanting to travel by bus or coach.		<a href="https://www.gov.uk">GOV.UK (www.gov.uk)</a>	All staff involved with the service to receive disability, equality, and customer care training, as part of the operators planned training programme for its operational staff.		
Gender						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/> Male (inc Trans Male) <input type="checkbox"/> Female (inc Trans Female) <input type="checkbox"/> Gender Fluid <input type="checkbox"/> Gender neutral <input type="checkbox"/>	No differential impact					
Gender Reassignment						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
Transgender <input checked="" type="checkbox"/>	No differential impact					
Race/Ethnicity						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date



Equality Impact Analysis

All <input checked="" type="checkbox"/> Pakistani <input type="checkbox"/> Indians <input type="checkbox"/> Bangladesh <input type="checkbox"/> Chinese <input type="checkbox"/> Caribbean <input type="checkbox"/> African <input type="checkbox"/> Mixed /Multiple Ethnic Groups <input type="checkbox"/> Scottish & Welsh <input type="checkbox"/> Gypsy <input type="checkbox"/> Irish Travellers <input type="checkbox"/> Irish <input type="checkbox"/> Polish <input type="checkbox"/> Spanish <input type="checkbox"/> Romanians <input type="checkbox"/> Arabs <input type="checkbox"/> Jewish <input type="checkbox"/> Other Specify_____ <input type="checkbox"/>	No differential impact					
Religion/Belief						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/>  Buddhism <input type="checkbox"/>  Christianity <input type="checkbox"/>  Hinduism <input type="checkbox"/>  Judaism <input type="checkbox"/>  Islam <input type="checkbox"/>  Sikhism <input type="checkbox"/>	No differential impact					

## Equality Impact Analysis

No religion <input type="checkbox"/>						
Other specify ____ <input type="checkbox"/>						
<b>Sexual Orientation</b>						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/>	No differential impact					
Gay man <input type="checkbox"/>						
Lesbian <input type="checkbox"/>						
Bi-sexual <input type="checkbox"/>						
Transgender <input type="checkbox"/>						
Non-binary <input type="checkbox"/>						
Other specify ____ <input type="checkbox"/>						
<b>Marriage/Civil Partnership</b>						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
Not applicable						
<b>Pregnancy/Maternity</b>						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
Not applicable						
<b>Carers</b>						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
Not applicable						

## Equality Impact Analysis

Deprivation						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/> Low-income household <input type="checkbox"/> Socially excluded <input type="checkbox"/> No recourse to public funds <input type="checkbox"/> Digital exclusion <input type="checkbox"/> Homeless people <input type="checkbox"/> Asylum seekers/refugees <input type="checkbox"/> Other specify _____ <input type="checkbox"/>	There is a possibility that a socially deprived area is no longer served due to an operator not applying for a permit.	Negative		Pre-engagement with operators to facilitate and encourage operators to apply for permits.  Review network and identify areas that are unserved as a result of an operator not applying for a permit. Engage with Neighbouring Authority to consider whether putting in place suitable mitigations is appropriate e.g., running a special service.		
Other Groups						
Equality Group	Impact	Positive/Negative Impact	Evidence Source	Action proposed to mitigate any negative Impact	Lead	Review Date
All <input checked="" type="checkbox"/> Armed forces <input type="checkbox"/> looked after children <input type="checkbox"/> people with poor literacy <input type="checkbox"/> health literacy <input type="checkbox"/> rural areas <input type="checkbox"/> Other specify <input type="checkbox"/>	No differential impact					

Section Five: Evidence Gaps

Are there gaps in information that make it difficult or impossible to form an opinion on how your proposals might affect different groups of people, please explain what evidence gaps have been identified. Are there groups for who you don't have data or insight in regard to how the proposal might impact a protected group.

Protected Characteristic	Evidence Gap

Your completed EqlA should be sent to the TfGM Equalities Lead for approval.

Process signed off by	
Date completed	
Equality Validator's Comments	
Validated by (Equality Team)	
Date validated	
Next Review Date	