

Appendix 1

1. Do you find Option 1 to be a feasible option for consideration?

The Council recognises that the current bus licensing system needs improvement particularly in relation to service improvements, routes options and enforcement.

2. Do you find Option 2 to be a feasible option for consideration?

The Council would not support the creation of a single licensing scheme for all. This could adversely affect school, church and community groups who unlikely would be able to meet any increase in financial or competence requirements.

3. Do you find Option 3 to be a feasible option for consideration?

The Council would support a 3 tier system but would request further clarification on the implications of this system for the voluntary bus operator license.

4. Which of the 3 options do you believe to be most viable?

The Council considers Option 3 as the most viable but would require further consideration of the proposals for the voluntary sector to provide assurances that groups and services are not adversely affected.

The Council have concerns in relation the requirement for voluntary bus operators to have suitable operating centres as this may not always be possible. Also the nature of community work often involves collaboration with other groups therefore the restriction that voluntary groups can only transport their own members appears untenable

5. In relation to option 3 – Do you agree with the requirements detailed in relation to Tier 1 applicants?

Yes

6. Do you agree with the requirements detailed in relation to Tier 2 applicants?

Yes

7. Do you agree with the requirements detailed in relation to Tier 3 applicants?

The Council would request further clarification on the financial implications for Tier 3 applicants and provisions, to ensure services offered by voluntary groups are not adversely affected.

8. Do you agree with the proposal of separate carriage of alcohol on buses?

Yes

9. Do you agree that the Department will be the only body with the power to issue permits?

The Council would not support the intention of the Department to bring all tiers of licensing under its control. The Council would suggest that tier 3 license/permit should be retained with a revised number of designated bodies. Designated bodies such as District council along with Education and library boards and Health and Social Services Boards should retain the function to grant permits in relation to the use of small buses for non profit making use.

Currently there are a large number of designated bodies who have authority to issue small bus permits. The Council would support clear guidelines for designated bodies to issue the permit to ensure consistency.

10. Do you agree with the proposed five year review period?

The Council considers that bus licenses should be reviewed regularly to ensure high quality services for the public.

11. Do you agree with the proposal in relation to variation of vehicles on a license, as long as the original authorised number is adhered to?

Yes

12. Do you agree with the Departments proposal to publish notices of license application?

The Council would support the publishing of licenses to inform the public on applications for a full, restricted or variation of the licence. However, the Council would request clarification on whether local councils will continue to be informed of roads service licenses and comments requested. Clarification is also required in relation to the Council's role as a statutory consultee.

13. Do you agree that the listed bodies should have the ability to make objection on the grounds of fitness, finance and the professional competence of an operator, and environmental/general suitability of an operating centre? (Advertising of the application will afford the opportunity to bodies such as: a prescribed trade union or association, the PSNI, a District Council, DoE Planning Service, DoE NIEA, DRD Roads Service to make an objection to the grant of a license.)

Yes.

14. Do you agree with owners/ occupiers in the vicinity of an operating centre would have the ability to make representation to the Department on environmental grounds?

Yes

15. Do you agree that any person may complain about the suitability of an operating centre at any time during the license/permit validity?

Yes

16. Do you agree with the factors considered in relation to suitability of an operating centre?

Yes

17. Do you agree with the proposed conditions which may be applied to a license in relation to environmental conditions?

Yes

18. Do you agree with the declaration required with the application form in relation to vehicle maintenance / servicing and compliance with traffic and transport related laws?

The Council would support this undertaking to ensure good quality licensed vehicles. The Council would seek to ensure that mechanism and resources are in place for monitoring and enforcement. Consideration should be given to extending this undertaking to include service offered or conduct of staff – standards, equality etc

19. Do you agree with the public enquiry proposals?

The Council would support powers for the Department to hold a public enquiry into an application for an Operators license and hear objections and representations. Clarification is needed on whether the views of councils will be sought in relation to enquires.

20. Do you agree with the Departments proposal on disciplinary actions, and the powers to revoke, suspend or curtail licenses/permits as a result of this?

The Council would support proposals for disciplinary action to be taken where an operator: no longer fills the statutory requirements for holding a license; contravenes the conditions of the license; fails to keep any undertakings; uses an unauthorised operating centre; or incurs convictions or prohibitions.

21. Do you agree with the Departments proposals on appeal procedures?

Yes, the Council would support new procedures to allow an applicant or a license holder to appeal the decision of the Department.

22. Do you agree with the Departments introduces fees on a cost recovery basis?

The Council has concerns that fees will apply to all the tiers including Voluntary Groups Operator License who operate on a non profit making basis. Clarification will be needed of fee levels and the appropriate level of costs associated with the operation, including appeals. .

23. Do you agree with the proposals in relation to impounding of vehicles?

The Council would support the proposals to impound illegally operated buses.

24. Do you agree with proposals relating to the strengthening of on road enforcement?

The Council would strongly support strengthening of enforcement procedures in particular in relation to contravention of parking restrictions and prohibitions.

25. Do you agree that the Department must change the NI system of Bus Operator Licensing in order to bring it up to date so that it contributes to the provision of a fair and safe passenger transport industry?

The Council would be generally supportive of the measures to improve the bus licensing system in Northern Ireland. However, the Council would recommend a precautionary approach to changes relating to bus services that operate under the current 10B permit. They offer a valuable service to the community and proposals to include small bus permits under the licensing framework should be subject to further consideration and consultation with the affected groups.