



Welsh Government Consultation

Improving Public Transport

Unite the Union

Unite is the largest trade union in the UK with 1.4 million members in a range of industries including transport, construction, financial services, manufacturing, print and media, energy, the voluntary and non-profit sectors, education, creative industries, local government and the NHS.

Part 1: Bus Services

Buses are a social and economic necessity especially for those on lower incomes and from disadvantaged groups as the main users of buses. In a recent ILO¹ report it found that women are less likely to have access to a private car and more likely to rely on public transport, as are those on lower incomes - support for fair and effective public transport is central to equality and social inclusion. It should not be left to market forces to determine where and when buses should run. Local councils must therefore have control over bus services not only through franchising but they must also have the ability to run buses themselves in the interests of the communities and the local economy.

Buses are an essential form of transport for thousands of people across Wales. Efficient and affordable buses are vital to the economy. Buses provide greater access to education and jobs and play a vital role in reducing emissions and road congestion. For the elderly and most vulnerable groups in society, buses are key to addressing loneliness and social exclusion. Yet funding for supported buses has been reduced by £10million in the last eight years², leaving many rural and some urban areas without public transport. It is vitally important for local authorities to work together to form an integrated bus network.

According to the latest data from StatsWales, the numbers of local bus passenger journeys in Wales is falling year on year³ and Unite is concerned about the impact this has on jobs and communities.

It is noticeable that throughout this white paper there is little mention of workers within the public transport sector. Our members in the passenger transport sector deserve to be rewarded fairly for the service they deliver keeping buses running and

¹ ILO report - [url](#)

² Campaign for Better Transport: Buses in Crisis [url](#)

³ StatsWales: [url](#)

the economy going. However, with a squeeze on profitability around routes, bus companies have looked at other ways to reduce costs and have focused on worker's pay, terms and conditions. For example Cardiff Bus driving and engineering staff, 98% of whom are Unite members, have been informed that their pensions will be cut and the company is intent on making further cuts to terms and conditions including pay rates, overtime payments, partial paid breaks and occupation sick pay. Last year staff accepted a 1% pay increase, significantly below the increased cost of living.

Driver fatigue is gravely impacting on bus drivers. Unite has called for proper implementation of the European driving hours regulations in the UK as bus drivers are driving for longer periods and over greater distances than their European counterparts. This is a matter of public safety on our roads. Within the context of Brexit, the final settlement must retain all that we have fought for within the EU – from regulations on vehicle standards to health and safety legislation and we should, as a minimum, retain parity with that in Europe.

When subsidies are made to bus companies there must be complete transparency on how these funds are used. It should be incumbent upon the companies to deliver a bus service that takes account of the social and economic interests of the communities utilising the service as well as ensuring workers are given the support they require to fulfil their role.

Q1– Q7 Joint Transport Authorities

A single JTA for the whole of Wales with regional delivery boards would allow for strategic planning with varying characteristics based on demographics, geography etc. The JTA should comprise of all stakeholders involved with bus networks: Welsh government, local authorities, bus operators, community and trade union representation.

Unite believes that Welsh Ministers should be represented on the JTA as it would show commitment to the delivery of bus services in Wales, however as previously stated Unite believes that a JTA should have trade union representation also.

Unite supports the necessary intervention of the Welsh Ministers when required. Intervention at any level is required when an organisation is failing. Our members in Cardiff Bus have raised concerns over the operation of the company, not only with regard to withdrawal of routes around the city but in relation of members terms and conditions and an intervention in the running of Cardiff Bus has been requested by our members.

Q8 – Q9 Enhanced Quality Partnerships

Unite's past experience of partnerships has been a disappointing one. Trade unions are not consulted when partnerships are formed and all too often operators abandon the partnerships claiming commercial reasons and face no penalty. Enhanced

partnerships should not be agreed solely between the local authority and operator but should include trade unions also.

It is unclear if existing bus operators can object to the setting up of the partnership. This gives the incumbent considerable power over new entrants' route which no other provider would have access to, giving advantage when putting in a bid. There should be a facility to revoke a partnership plan if the bus operator fails to provide the services as laid out on the proposals or scheme as defined and if it fails to run a bus based on users' needs.

Q10 – Q15 Franchising

When considering different models for franchising: contracts can be let for individual bus routes (as in London); for groups of routes at the depot level (as proposed by North East Combined Authority NECA); or for a whole region or city (as in other European countries). Each option has pros and cons. Factors to be taken into account are the need to minimize disruption to staff when franchises change hands (which is worst under the London model), and the effect of franchising on small operators (who risk substantial losses under region-wide franchising). The best option may be depot-level franchising with some actions to support small operators, such as franchising some routes individually, or taking municipal ownership of some depots and vehicles. Franchising powers to local transport authorities should require them to adopt minimum staff terms and conditions that must be met by all operators. This would prevent competition taking place on the basis of a 'race to the bottom' in employment terms and conditions, which has happened in London and has resulted in industrial relations problems and strikes by bus workers. There must be explicit acknowledgement of TUPE Regulations (Transfer of Undertakings (Protection of Employment) Regulations) are applied to bus franchising, to protect employees when franchises change hands.

The 'Licence for London' covering 25,000 bus workers in the capital was launched in January 2017 by Unite and the Mayor of London, Sadiq Khan, and puts an end to the previous system where bus drivers moving from one bus company to another would be paid the lowest driving wage as if they were starting their careers, even though they may have driven with another company at a pay grade equivalent to their level of service and experience. Unite's shop stewards, members and officers at London Buses are to be congratulated on this landmark achievement.

Q16 – Q17 Local Authority Bus Services

Unite is committed to a policy of full public ownership of buses as we see this as the best way for the bus system in Wales to operate in the interests of passengers, communities and the wider economy. Unite sees little benefit to bus users, communities or workers in private companies hiving off profits to pay to shareholders while fares rise, bus routes are withdrawn, public subsidy increases and the terms and conditions of workers in the industry are being eroded. Unite would argue that there should be clear provision that local authorities can set up and run

municipally⁴ owned services and create a regulation zone around them that protects them from competition from commercial companies.

It also cannot be underestimated how much pressure local authority budgets are under and additional funding will be needed to from Welsh Government to assist local authorities with this.

Q18 – Q19 Eligibility age for the mandatory concessionary fares

Unite opposes raising the age of concessionary fare.

Q20 – Q21 Public Transport information and monitoring

Unite agrees that information should be disclosed relating to routes, fares, timetables and tickets.

PART 2 – Taxis and private hire vehicles

Q22 – Q27 National Standards

Unite has consistently called for a national minimum standard for taxi and private hire vehicles (phv), vehicles and operators and so welcomes the proposed legislative change which local authorities will have to regard when issuing licences.

National minimum standards would be a minimum standard that local authorities could enhance if they desired to in order to meet local requirements. Local authorities would retain control over the operators, vehicles, and drivers that operate within their authority. This is important in allowing democratically elected authorities to reflect the local needs of the population. Licensing authorities would retain the ability to impose additional or higher requirements, where necessary.

Although the paper references standards which will need to be met and that further consultation on their content will be required, it must be noted however, vehicle emission standards may be another standard that will vary according to the local licensing authority. Our members have raised concerns over Euro 6 emission standard or Ultra Low Emissions Vehicles from 2022. Under these proposals, a vehicle which is approximately 6.5 years old will be unlikely to get a licence. Consideration must be given to the financial burden this will place on drivers, many of whom are already reliant on working tax credits and housing benefit.

It is an expectation of passengers that a minimum level of safety is regarded when they travelling by taxi or phv. By equalising minimum standards across the 22 local authorities in Wales, this would help to remove one of the major reasons for cross-border hiring where operators and drivers seek areas with the cheapest and least stringent licensing requirements. Cross-border hiring is used to describe a situation

⁴ Transport for Quality of Life: Building a World Class Bus System for Wales [url](#)

where phvs or taxis, work predominantly away from the area in which they are licenced, rarely, if ever, working in their own licensing area. And often this can be many miles from their home authority.

Q28 – Q30 Enforcement

The increase in cross bordering can be evidenced by the latest number of taxi and phv registered drivers in Cardiff when compared to other local authorities. 893 Hackney Carriage licences were issued by Cardiff Council in 2018, down by 5%, however phv are at 1,275 which is a 12% increase. When compared with Newport Council, one of Cardiff's neighbouring authorities, the number of licences issued to drivers with a Cardiff address has risen by 502% from 2016 to February 2019.

It will be necessary to introduce a change that requires private hire journeys to start or finish in the area of licensing for which the driver, vehicle and operator are licenced. The triple lock licence requirement would continue to apply. Under this proposal private hire drivers will only be allowed to be offered and accept a journey when they are inside their home licensing area. Or for a journey that returns to their home area if they are outside their home licensing area when accepting the booking. A driver cannot be offered or accept a journey that doesn't start or finish within the driver's home licensing area. This proposal would be very easy to enforce as operators keep electronic records, and it would be a simple task to ascertain if operators and drivers were not conforming to the start and finish requirement.

Enforcement powers are urgently required to counter the growth of cross-border hiring.

At the moment a driver, vehicle or operator working outside of their home area are very unlikely to face any enforcement at all. The solution is to give enforcement officers powers to be able to enforce any licenced driver, vehicle or operator that is in their area.

With the advent of App based bookings there has been such a substantial increase in the number of cross-border hirings taking place that the Police submission⁵ to the UK parliamentary Task and Finish Working Group described cross-border hiring as "the single largest risk to policing nationally".

Unite believes capping private hire licences is essential in allowing local authorities to manage the growth of the private hire industry. As mentioned previously Cardiff has seen a 12% growth in private hire numbers in just one year. This has led to increasing congestion, slower journey times and increasing pollution. Local authorities require the ability to cap private hire numbers in order to retain control over the area they represent.

Unite has long called for UK legislation regulations to protect worker's rights and employment conditions that are being exploited within the so-called gig economy. Operators are using bogus self-employment to deny private hire divers the minimum

⁵ Transport for London Taxi and Private Hire [url](#)

wage, holidays and sick pay. Unite will support all measures to regulate the gig economy and ensure that all private hire drivers are properly classified as employees and entitled to full employment and worker's rights.

Q31 – Q32 Information Sharing

Unite agrees that there should be a database for relevant safeguarding information can be shared.

Unite's cab section puts passenger safety and wellbeing as a priority, and we endorse all measures which will improve safety standards.

Unite Taxi Education offers free road passenger transport training to taxi and private hire drivers to a level 2 NVQ.

Referring to the above issue of cross bordering and enforcement powers, a database of drivers and operators which would allow licensing authorities to populate and then check if an applicant or licenced driver has been refused a licence or suspended or revoked by another licensing authority would be beneficial.

Q33 – Q38 Joint Transport Authority

Unite believes Local Taxi boards made up of licensing authority, trade unions, the police and passenger representatives (including disability and women's safety groups) should be responsible for monitoring of supply and demand with the remit of developing the trade in a progressive and managed way.

The Welsh Language is part of Wales' cultural identity and it is important that people have the opportunity to speak it, however many of our members in the Cab section identify as BME and neither english nor welsh is their first language. This has caused barriers to work but also possibly to responding to this paper.

It must be noted that many of our members in this sector who self-identify as BME have raised concerns of the racist and threatening abuse they encounter as on a regular basis. More needs to be done this and Unite would welcome the opportunity to consult further on this.

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