

## **PE1626/K**

Petitioner submission of 16 April 2018

### **Introduction**

Unite would firstly wish to thank the committee for allowing Unite to respond to this petition following a period where there was a misunderstanding around the contact person within Unite. We further extend thanks to the committee for keeping the petition open given the confusion around this.

Unite would wish to draw the committees attention to our submission of [21<sup>st</sup> April 2017](#) (PE1626/H) which provided a response to submissions to the petition prior to that date.

A response to the two subsequent submissions made by the Scottish Government on 3<sup>rd</sup> May and 28<sup>th</sup> July 2017 respectively are provided below.

### **Our response**

The response from the Scottish Government dated [3<sup>rd</sup> May 2017](#) (PE1626/I) is presented as providing clarification on the points made in the Unite submission dated 21<sup>st</sup> April 2017.

We would however wish to pick up on further points regarding this response.

We note that in the Scottish Government's description of their definition of 'wholesale regulation' they refer to "compelling all local authorities to franchise or directly operate bus services". Unite's view of regulation, where operated by local authorities, does not regard franchising and municipal ownership as being necessarily mutually exclusive and we also acknowledge that it may be possible to apply a regulatory approach where local authorities may choose, without being compelled to do so, to directly operate some bus services in their area via the establishment of municipally owned bus companies. We note that several local authorities in Scotland have expressed a desire to set up municipal bus companies and, in our view, they should be allowed to do so and should receive support from the Scottish Government to assist them in this process. If such companies were to be established, it may be possible for the relevant local authority to also franchise for services and apply regulatory control of bus services in their area. For example, it may be possible for the authority to "bundle" routes for franchising (including non-profitable - but community essential routes - alongside profitable routes), directly award some of these franchises to a municipally owned bus company and also invite the municipally owned bus company to compete with other operators for the remaining franchises. In each case, the regulatory powers of the local authority would enable them to include requirements on issues such as frequency of service, levels of fares, standards of rolling stock, workers conditions etc. in the franchising process. Whilst Unite's policy position is that bus services should be publicly/commonly owned, we are open to

discussion on a range of options which may be progressive improvements on the current largely un-regulated situation. Such options may include a regulatory approach, franchising and alternative forms of ownership (including municipal and cooperative ownership). In considering all such options, Unite will, off course, require to consider to issues of concern to our members in the industry, including securing continued employment and protection and potential improvement of wages and conditions. Finally, in relation to the Scottish Government's response to our request for clarification on their definition of 'wholesale regulation', we would wish further information on the reasons why the Scottish Government do not favour a regulatory approach.

Similarly, we would wish further discussion and information on why, in relation to the Scottish Government's response to our questions regarding 'partnership', they assert that there is a need to consider whether the legislative framework regarding statutory Quality Partnerships is "adequately flexible to provide a true basis for partnership between local transport authorities and bus operators". In seeking further information and discussion on this, we note that the statutory provisions in the Transport (Scotland) Act regarding Quality Partnerships and Quality Contracts were introduced as a consequence of the previous failure of a wholly flexible and voluntary approach in relation to QPs and QCs.

In response to the Scottish Government submission dated [28<sup>th</sup> July 2017](#) (PE1626/J). Unite is represented as part of a delegation of STUC transport union affiliates which regularly meets with the Minister for Transport. At these meetings, a range of transport issues, including issues pertaining to the current and future operation of bus services, are discussed. Unite has also submitted a response to the Scottish Government's consultation on the future of bus services and, on occasions, Unite has had separate meetings with the Transport Minister specific to road transport issues, including the operation of bus services. However, it should be noted that these meetings were not specifically arranged with Unite to discuss petition PE1626 or the government's proposals for bus services prior to publication.

Unite would be happy to provide further clarification to the committee on any points made in this response and we urge the committee to keep the petition open for further consideration.