

# **PE2116/T: Accelerate the implementation of bus franchising powers**

## **McGill's Bus Service written submission, 23 September 2025**

I am aware that you will have a petition before you on Wednesday 24th September (PE2116) to 'Accelerate the implementation of the bus franchising powers' which is calling on the Scottish Parliament to urge the Scottish Government to improve the process for implementing the bus franchising powers contained in the Transport (Scotland) Act 2019 by:

- 1. introducing, without delay, the regulations and statutory guidance required to give bus franchising powers full effect***
- 2. amending the 2019 Act to remove the requirement for proposed franchising frameworks to be approved by a panel appointed by the traffic commissioner, instead empowering Regional Transport Partnerships (RTPs) to have the final say on approving proposals***
- 3. providing additional funding to help support RTPs in preparing franchising frameworks and assisting them with initial set-up costs once frameworks are approved.***

The purpose of this letter is to draw your attention to some fundamental facts missing in the petition. Amending the Act in the manner above would remove the checks and balances required to ensure that no miscarriage inadvertently happens. The effect of franchising will be to prevent anyone from operating local bus services unless they have been awarded a contract from the authority. To have that contract awarded you would have to win a public procurement competition and if you happen to be one of the current operators in that area and don't win, your business is effectively rendered insolvent immediately. The consequences of that are far reaching for businesses and individuals, and, it is for that reason, the Scottish parliament adopted the three-person panel approach taken in the 2019 Transport (Scotland) Act.

The creator of this petition has advertised widely that it is her, and her organisation's belief, that it is taking too long to achieve bus reform and that we should be following the course set in England. It should go without saying, that any delay experienced to date is not the fault of the three-person panel as we have not reached that stage yet. Changing the legislation would simply make the journey to bus reform even longer and this was pointed out in the debating chamber earlier this year by the Transport Minister, Jim Fairly MSP. Nothing has changed in that regard and given that we are even closer to the Scottish Parliament elections, it is highly unlikely that there would be time in the parliamentary calendar to start that debate. On top of that, the imminent publication of the regulations and statutory guidance for the 2019 Act would have to be halted and re-drafted if there was a decision to amend the legislation prior to it being enacted.

The three-person panel requirement was put into place to review bus franchising plans by local authorities and to stop any unseemly rush towards regulation of bus services for ideological reasons. In short, it must be for the purpose of bringing about

real effective benefits to bus users. The creator of the petition is correct that this does not exist in the English legislation and that is just one of the reasons that the English legislation is already being superseded. The new 'Better Buses Bill' currently making its way through the English parliament will refine the 2017 English legislation and prevent the damaging effects seen in Greater Manchester for example. If the English legislation is to be our benchmark, then, as the new Bill is now clear of the 3rd reading stage in the Commons and is in its final stages, I would advocate that you refuse this petition and await the Royal Assent of the English Bill in order that Transport Scotland officials can provide a read across to the Transport (Scotland) Act 2019 to allow an informed position to be taken, both by Local Authorities, RTPs and the Scottish parliament.

Regulation of bus services carries with it such huge impacts that the bus users of Scotland deserve the fullest consideration before enactment or premature adjustments are made due to emotive factors. Emotions are masking the facts in much of the discourse. For example, the petitioner makes much of the support the SPT 2nd consultation received but that masks the fact the Government's own funded survey of bus users in 2025, carried out by the executive non-departmental public body, Transport Focus, rated the bus services in Strathclyde as the best in Scotland. Indeed, the Strathclyde region's bus services were so good that they scored 8th best in the UK whilst the Manchester Bee network scored 5th worst at 36th place.

Another emotive response is that there are calls for the Scottish government to fund these schemes. At a time when public funds are under extreme pressure, we have to ensure that best value for money is being achieved and that projects demanding large scale funding are well examined. Experts have costed the funding requirements for the SPT case for change between £45m per annum to £400m per annum. Ongoing funding of this magnitude demands close scrutiny and carte blanche should not be given to local or regional authorities to spend Holyrood's money.

I would urge the committee to refuse the petition on these grounds