



FUTURE OF TRANSPORT REGULATORY REVIEW: CONSULTATION RESPONSE

England's Economic Heartland (EEH) is the Sub-national Transport Body (STB) for the region stretching from Swindon across to Cambridgeshire, and Northamptonshire down to Hertfordshire, incorporating the area defined as the Oxford to Cambridge Arc. We provide the strategic voice on the region's infrastructure and services.

As the STB for the region, we are publishing our draft Transport Strategy on 14 July 2020. Setting out the need for a new approach to the planning, development and delivery of infrastructure priorities: the strategy places the user at the heart of the transport system and sets the ambition to harness innovation in a way that will encourage the new business models necessary to meet the Government's and our own partners' net-zero carbon targets.

The Heartland's knowledge-intensive economy is underpinned by a network of 11 universities (and their associated research facilities) of which the universities of Oxford and Cambridge continue to be ranked in the top three universities in the world.

More than one in 10 of the UK's knowledge sector jobs are located in the region, creating an ecosystem of innovation and capability that is globally renowned. The network of cutting-edge science parks, research institutions, businesses and incubators provides the capacity and capability to harness this potential to the benefit of the region, its communities and businesses.

The vision for the draft Transport Strategy is

"To realise sustainable growth opportunities and improve the quality of life and wellbeing for Heartland residents and businesses, by harnessing the region's globally renowned centres of innovation to unlock a world class, de-carbonised transport system".

The vision for the Transport Strategy is supported by four key principles, these are:

- Achieving net-zero carbon emissions from transport no later than 2050
- Improving quality of life and wellbeing through an inclusive transport system accessible to all which emphasises sustainable and active travel
- Supporting the regional economy by connecting people and businesses to markets and opportunities
- Ensuring the Heartland works for the UK by enabling the efficient movement of people and goods through the region and to/from international gateways.

This vision and these principles are consistent with the Government's overarching 25-year Environment Plan and the ambition set out by the National Infrastructure Commission that realising the economic potential of the Heartland should be achieved in a way that delivers net environmental gain. However, if we are to achieve this, we



need to achieve a step change in the way we plan, develop and deliver planned growth, and do so in a way that maximises the potential for future transport solutions, data and digital connectivity.

The UK's traditional approach to identifying our future transport requirements is no longer fit for purpose. The rise in e-commerce, enabled by investment in digital infrastructure, is changing the way people access services and facilities.

Increasingly the focus is about our ability to 'connect' with a service, be it to better plan a journey through the use of intelligent transport systems, journey planning technologies or removing the need to travel at all. The future of our transport system is as much a consideration of digital infrastructure as a way of connecting as it is physical infrastructure.

A focus on connectivity serves to emphasise the importance of a co-ordinated approach to shaping the future of our places, one that aligns decision making across policy areas to achieve a common vision of the future. As a centre for science and technology-based innovation, England's Economic Heartland is committed to harnessing the region's capacity to use 'living laboratories' as the means of developing and trialling new transport solutions, ones that provide the user with choice and which secure modal shift.

Sub national transport bodies have extensive and detailed knowledge of every part of England and, their long term strategies provide a framework for innovation and future technologies to be created and embedded over the long term.

Our Regional Evidence Base provides the evidential basis for the development of the long term transport strategy and investment pipeline for the region while also providing a key oversight into how the region is likely to operate now and in the future (see 5.c3 below for more information).

In addition, the EEH draft transport strategy sets out the long term ambitions for the region, built around a commitment to a highly connected network (both physical and digital). We already work with our partners to encourage the widespread adoption of innovative approaches at the regional and national scale and it is in this context that England's Economic Heartland welcomes the opportunity to respond to the Department for Transport's consultation on the regulatory review for the future of transport.

Answers to the specific questions set out by the Department for Transport are attached to this document as an Annex.

Submission by England's Economic Heartland
3rd July 2020



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Annex 1 – Complete Response to DfT’s consultation on the Future of Mobility Regulatory Review.

Question 2.1

Do you think micromobility vehicles should be permitted on the road? Please explain why.

EEH believes that micromobility vehicles should be permitted on the road. In allowing them to do so, the Government would be able to ensure the following outcomes:

- To maximise the societal benefit of new modes it must be simple to follow guidance and legislative requirements for their use.
- Existing guidance for cycles/eBikes should be followed where suitable. Roads often have a better surface condition than footpaths and utilisation of road space will avoid conflict with pedestrians.
- Roads are often the most direct route between consolidation points (stations/Park & Rides) and end-point trip attractors.
- Urban and peri urban localities will derive the most benefit (to congestion) if a mode-shift from single occupancy cars can be achieved; the build form of these conurbations does not (in most cases) allow for the scaled creation of segregated space – unless city and town centre access restriction on other modes are enacted.
- It's notable that the largest benefit in carbon terms from Micromobility would come from the mass adoption of e-bike in peri urban and rural localities, replacing the 5-10 mile "short" journey that makes up most car-based trips.
- For larger (emerging) powered delivery vehicles, secondary guidelines should be developed. A minority of these cargo vehicles have a road footprint like that of a small car – and therefore the highway/road is the only viable place for use. They are not suited to cycle lanes/pathes or shared pavements as they can block or cause issues for pedestrians and cyclists.
- For emerging personal mobility devices, a level of competency should be assumed for the safe use of the mode on the public highway – in much the same way as CPTs and highways code states for cyclists. Explicit guidance needs to be issued to both users and the police on this point.
- The ideal solution would be to have comprehensive networks of cycle/micro vehicle routes across a place. However, having (a) footways/footpaths, (b) cycle/micro ways, and (c) routes for motor vehicles all in one place is liable to be confusing, untidy and land-hungry. It would also take a long time to achieve.
- The best approach therefore would be for places which adopt a no- or low-car approach to allow all micro vehicles. That way there would be two main spaces (a) footways/footpaths, and (b) 'roads' (for use by cycles, micro vehicles and the occasional delivery vehicle, moving slowly).
- This, in turn, would mean it would be sensible for the law to permit local authorities to allow micro vehicles (by traffic regulation order or similar) on routes they consider suitable. This would ideally be in low- or no- car developments (e.g. Tipner West in Portsmouth), but could also be applied to other places the local authority considered suitable.
- Any mass deployment of micro-mobility on our streets as they currently are will result in additional risk to some road users. If the same streets are re-purposed to



positively provide for pedestrians and micro-mobility, then the risk will diminish. It's been observed that "*motorways are very safe for pedestrians particularly as pedestrians aren't allowed on them*".

Question 2.2

If you can, please provide **evidence** to demonstrate the potential:

a) *Benefits of micromobility vehicle use*

In order to respond to this question, EEH has explored examples of best practice across the world.

The Heartland region is an ideal location for companies to locate, building on the existing innovation ecosystem already in place. One such example is Pedal & Post, an Oxford based zero-emission first/last mile courier service (<http://www.pedalandpost.co.uk/>)

In Germany, a survey of 1,250 people across five cities where electric scooters are in use (Berlin, Hamburg, Munich, Cologne and Frankfurt) found a combined 50.9% of responses recorded that electric scooters replace some form of car trip (personal, taxi, carpooling or ride-hail). A study from the city of Portland, Oregon, found that 35% of people using an electric scooter there would have otherwise used a car for their most recent journey.

<https://www.nunatak.de/paper/new-urban-mobility/>

https://www.agora-verkehrswende.de/fileadmin/Projekte/2019/E-Tretroller_im_Stadtverkehr/Agora-Verkehrswende_Shared-E-Scooters-Paving

b) *Risks of micromobility vehicle use.*

At least 29 people have died in e-scooter accidents since companies like Bird and Lime popularised rentable shared scooters in 2018, according to a Quartz analysis of global media reports. Most of the victims were male and were riding the scooter, though a handful of pedestrians have also died after being hit by scooters. Rider fatalities overwhelmingly involved a collision with a motor vehicle.

The best estimates come from a handful of studies, like a [recent report](#) in JAMA: The Journal of the American Medical Association that observed a "dramatic increase" in injuries and hospitalizations associated with e-scooter use in the US from 2017 to 2018. A joint study from Austin Public Health and the US Centres for Disease Control and Prevention last May estimated [20 rider injuries per 100,000 trips](#).

Question 2.3

If micromobility vehicles were permitted on roads, EEH expects them likely to be used instead of:

Vehicle type	Often	Sometimes	Never
Private vehicles	X	X	
Taxi or private hire vehicles		X	



Public transport	X	X	
Delivery vehicles	X	X	
Cycling		X	
Walking		X	
Other (please specify)			

Question 2.4

a. In your opinion, which of the following micromobility vehicles should be permitted, if any, on roads, lower speed roads, and/or cycle lanes and cycle tracks?

- All types
- Electric scooters
- Electric skateboards
- Self-balancing vehicles
- Electrically assisted cycle trailer
- Segway
- Other (please specify)

EEH believes that Electric Scooters and Electrically assisted cycle trailers should be allowed on the roads and lower speed roads.

All types of vehicles set out above (excluding electric skateboards/uni-wheel/hover boards) should be allowed on low speed roads.

b. Please explain your choices for using micromobility vehicles (or not) on roads and/or only lower speed roads, providing evidence where possible.

Large e-bike(s) and powered trailers should be used on all roads excluding Motorways/dual carriageways.

If we are to see a significant shift in first last mile freight, new low carbon modes should be facilitated wherever possible. Experience in major conurbations (such as Oxford) shows these larger form vehicles can safely be used on urban roads and facilitate the introduction of Low and Zero Emission Zones at a minimal cost to consumers and business.

All Types on lower speed roads (excluding electric skateboards/uni-wheel/hover boards).



We broadly agree with the position stated in the consultation document. Many conurbations have sensibly instigated 20MPH speed limit significantly reducing the number of casualties. Micromobility solutions are easier to integrate into these environments.

However - Electric skateboards/uni-wheel-hover boards pose significant safety issues for other active travel modes due to issues with user competence and technological limitations (breaking etc.).

c. Please explain your choices for using micromobility vehicles (or not) on cycle lanes and tracks, providing evidence where possible.

All (except large e-bike trailers, as defined by DfT) electric skateboards/uni-wheel-hover boards to be used on cycle paths and tracks.

The largest commercial cargo e-bike units are not particularly suited to use in cycle lanes due to size. Similarly, the reasoning above stands: smaller modes electric skateboards/uni-wheel-hover boards could be dangerous for other cycle path and track users – particularly children and less confident users.

d. What impact do you think the use of micromobility vehicles on cycle lines and cycle tracks would have on micromobility vehicle users or other road users?

These spaces are in urban localities often congested. In many localities existing cycle lanes are often narrower than design guide specifications. Adding in further users may risk dis-benefiting existing users.

Question 2.5

Mobility scooters and pedestrian operated street cleaning vehicles are already permitted on the footway. Should any other micromobility vehicles be permitted to use the pavement or pedestrian areas? If so, which types of devices should be permitted and in what circumstances?

Aside from devices that are required for accessibility and includes, no micro mobility devices should be allowed on the pavement or in pedestrian areas.

Question 2.6

a) What do you think the minimum standards for micromobility vehicles should be?

Age restrictions, speed limiters and CE/Kite marked safety standards should all be standard as suggested. Helmets should be strongly encouraged. The report on Safe Micro-mobility published by the International Transport Forum in February 2020 forms a useful starting point in developing the regulatory framework in the UK.

b) Should different standards be set for different types of micromobility vehicle?

The UK currently has different standards for different forms of vehicle. It holds that there should be a variation to standards for vehicles as diverse as electric scooters and e-bike freight trailers. The underlying principals can be aligned though – e.g. speed restrictions, safety standards, operational realm and a requirement (weight based?) on registration.

Question 2.7

Are there other vehicle design issues for micromobility that you think we should be considering? Please provide examples.

If the vehicle is to be used in cycle lanes, then breaking/stopping capability must be accounted for.



Some powered skateboards /some self-balancing vehicles are not inherently designed to stop if the operator falls or loses control. Such a vehicle weighing 5-15KG traveling at 25KPH could cause serious accident/injury. Because of the small dense form, the impact would be unexpected and significant.

Designs that include a “cut switch” type mechanism should be encouraged.

Many new e-Scooters come equipped with brake lights this is welcomed - however more generally - appropriate lighting needs to be a legal requirement for all forms of micromobility.

GPS and the ability to restrict operation in certain geofenced areas would be a sensible requirement.

Question 2.8 In your opinion, what should the requirements be for micromobility users, with regard to:

User requirements	Like Electrically Assisted Pedal Cycles (EAPCs)	Like mopeds	Other requirements (please provide details)
Vehicle approval	X		
Vehicle registration and taxation	X		
Periodic vehicle testing	X		
User driving licence	X		DfT eScooter consultation states that this is likely to be a requirement for trails
Insurance	X		Further debate is required with insurance companies but as above this is a requirement for trails. If that becomes policy – difficult for e-Scooter operators.
Helmet use	X		



Minimum age	X		
Speed limits	X		

If you believe regulating micromobility vehicles like EAPCs or like mopeds would be problematic, please explain why.

Additional legislative burden means enforcement would be impossible in rural/peri urban locations. The low cost of new units enables a low/zero regulation market to flourish (see e-bay). Scooters are inherently attractive to young people. Use of privately-owned scooters by >16 would be almost impossible to enforce without societal co-operation/ significant fines.

Number plates/ unique identifiers are difficult on small vehicles - technically challenging for ANPR. It may be possible to insist on U-ID GPS tracker in all legal units, but this adds significant cost to national operation.

Buses, taxis and private hire vehicles

Chapter 3 sets out the proposals for Flexible bus operations (Demand Responsive Transport) within the context of legislation for buses, taxis and private hire vehicles. Whilst this chapter identifies three categories of flexible bus service (bottom of page 33), the common thread amongst all of them is that they all have a defined 'area of operation', although the 'many to one' and 'one to many' operating models can respectively pick up passengers from locations within or outside the area of operation. In this context there are similarities with private hire operations that are regulated/licensed by Local Authorities.

There is a need to address the perceived threat of the Private Hire sector, by changes to Legislation that both ensure parity with the Taxi/Private Hire trade (e.g. the need for Disclosure Barring Service security checks on drivers) together with making changes to the legislation to allow DRT services which, dependent on how they operate (see my second paragraph above) can have similarities with the taxi/Private Hire trade in order to avoid any friction between these and the emerging DRT market.

Question 3.1

Should an updated regulatory framework for flexible bus services allow for each category of service to be regulated differently? If so, how do you think it should be regulated differently?

Yes- flexible bus services will best support Principles 1,4, and 6 as well as FoT Value 4 through acting as a feeder service for mass transit services. A feeder service is better facilitated through the 'many to one' and 'one to many' operating models. Further, these operating models are best suited for providing access to essential services such as hospitals, GP surgeries, and shopping.

The ability to access data and information must form a critical part of future planning for flexible bus services , for instance by requiring mass transit providers to provide real time journey data into an integrated platform that can be utilised by flexible bus service providers to increase feeder service operations.



We note that the Pick Me up service in Oxford has ceased operating. We would therefore encourage the department to provide clarity on concessionary fare provision to insure that operations are supported where legally possible.

The ‘many to many’ operating model has more potential risks—for instance, in directly competing with existing mass transit bus services. This could result in a two-tier public transport system, providing better access to those who are willing to pay more, replacing journeys that may otherwise have been completed with existing mass transit services (potentially leading to increased congestion), with the extra charge for doing so going directly to the flexible bus service provider.

A potential solution to this challenge is a greater degree of scrutiny for this type of service, requiring regular reports on journeys to the relevant transport authority(ies), with punitive measures levied against the flexible bus service provider for replicating journeys made by mass transit, or prohibiting the use of Concessionary Pass reimbursement for such journeys.

Question 3.2

How do you think we should define the area of operation for a flexible bus service?

Restrictions on area of operation should be loosened, allowing for larger catchment areas, thereby increasing efficiency by encouraging larger operating fleets. Data should be the route for deciding areas of operation; ensuring routes are determined by user-need rather than administrative requirements.

Question 3.3

In your opinion, does the 20-minute time window to arrive at each passenger pick-up remain appropriate? If not, how should the time window be altered?

Real-time progress updates allow for a greater degree of flexibility with this time window, leading to greater efficiency—allowing flexible bus operators to remain agile in changing routes and adding passengers while a journey is in progress. However, reliable service times is valued by patrons, particularly for drop-off times that are coordinated with work start times, appointments, and transfers onto mass transit services. These competing needs should be balanced, perhaps by broadening the time window if passengers are notified through real-time progress updates.

Question 3.4

Do you think operators of flexible bus services should be required to provide real-time progress updates?

Not through regulation and enforcement — the ease by which this information can be provided, and the benefit to the service provider in doing so suggests that this information will be provided without regulation. The addition of regulation may restrict small-scale services. However, data management must be a key part of any service offering going forward.

Question 3.5

In your opinion, how could the carriage of more ad-hoc bus passengers be encouraged without impacting negatively on the service received by passengers who have booked in advance?

Regulation has a limited role in this, and the space between ad-hoc and booked passengers is diminishing to the point where differentiation between the two is unhelpful. Perhaps more helpful is differentiation between passengers who have



booked x amount of time in advance to accommodate those who have booked journeys to make appointments etc.

The challenge of meeting the needs of all is greatest during peak times. This might be best met through regulations that encourage hybrid services that are scheduled during peak times and demand responsive during off-peak times.

Question 3.6

What sort of fare structure do you think should apply to flexible bus services?

This is an issue for bus operators to work with Government and regional/local bodies on.

Question 3.7

- a) *Do you think there should be less rigid registration requirements around notice periods for flexible bus services?*

This is an issue for bus operators to provide evidence on.

- b) *Which elements of the registration requirements do you think could be improved to enable flexible bus services?*

This is an issue for bus operators to provide evidence on.

Question 3.8

Do you think the Bus Service Operators Grant (BSOG) should be adjusted to accommodate the development of flexible bus services? If so, how?

Yes, in order to allow and enable flexibility in the bus and coach sector. The transition from current operating models to new models of the future is complex and requires support, flexibility and flexible investment from Government.

Question 3.9

Do you think the record keeping requirements for flexible bus services are still appropriate? If not, what changes do you think should be made?

The value of holding contact information for a year is less than the value of other information collected. In addition to information being provided to the Traffic Commissioner, the need for consolidated data and information provision as a key part of services in the future means that some journey information should be provided to the relevant transport authority(ies).

Question 3.10

Do you think we could use flexible bus services to improve transport in rural areas?

Yes—pilots of flexible bus service(s) in a rural areas in England's Economic Heartland found a significant need for transport that was best suited for a scheduled service during morning peak times and a demand responsive 'one to many' and 'many to one' service during off-peak times.

Over 35% of the population in England's Economic Heartland live in small market towns and rural hinterlands, significantly above the national average. Connectivity in rural areas is therefore a strategic issue for the Heartland. The decline in the viability of traditional public transport solutions, combined with continued challenges in accessing reliable digital connectivity, emphasises the need to encourage new models of connectivity for rural communities and the businesses that operate in them.

Flexible public transport services (bus or other) tailored to the population of the area,



supported by data and information provision need to be planned and delivered as soon as possible.

Question 3.11

What do you think would be the correct requirement for Disclosure and Barring Service (DBS) checks on flexible bus services?

DBS checks should be completed for flexible bus service drivers to facilitate provision of service for vulnerable segments of society. This needs to be addressed as there is a perceived threat to the Private Hire sector. There must be parity with the Taxi/Private Hire trade.

Question 3.12

a) *What areas of the bus, taxi and private hire vehicle (PHV) framework should we consider in future stages of the Future of Transport Regulatory Review?*

An area that is not considered in this review of flexible bus service regulation that is worthy of consideration is accessibility.

Digital access to information is a very significant part of the solution for the Future of Transport. However, the functionality and cost efficiency of app-based booking platforms leading to the dominance of this means of booking, at times to the exclusion of all others, some consideration should be given to the accessibility of services to those who do not have the access or digital literacy to utilise these booking platforms. Ensuring that flexible bus services can be booked by all is of equal importance to ensuring that the vehicles themselves can be accessed by all.

- c) How else, in your view, can the Government support innovation in the bus, taxi and PHV sectors?
 - By continuing to invest directly in vehicle innovation that facilitates multi use vehicles – a Skate Platform approach will allow better utilisation.
 - Further investment in zero carbon fuel infrastructure.
 - Thorough the development of a national ticketing backend that facilitates intraregional ticketing
 - Better digital connectivity making coach travel more attractive
 - Government subsidised bus travel for under 25s (post CV19 this may be required to restart the bus industry



Mobility as a Service (MaaS)

Overarching comment from EEH

Much of discussions around MaaS highlights that many see this as a 'product' – something that can be procured, something that can be specified, which leads to a discussion about how to deliver that product. There is perhaps a need to go back to basics and remember where the original idea came from – how the consumer has an easy way to get access to information on travel choices and then make a payment. Could government therefore look at this as being a question of consumer legislation/regulation as opposed to transport regulation?

Question 4.1

In your opinion, in the development of Mobility as a Service platforms, what should be the role of local authorities, central government, or other transport authorities? Please provide details.

Centralised regulation could be used to encourage the integration of all modes of transport into MaaS offerings. MaaS applications should provide the flexibility to quickly and easily add further modes/services in an area – we recognise that most platforms already have this capability, simple well documented APIs should be the standard.

Approaching MaaS holistically, there could be a case for local authorities to be able to franchise an area, covering both fixed-route public transport and demand-responsive services, so as to be able to support comprehensive services, cross-subsidise, and avoid wasteful and inefficient competition.

Question 4.2

- a) *Can you provide evidence for further measures that are required for the standardisation and interoperability of data, for example the routing, ticketing and timetabling data, to deliver Mobility as a Service?*

The development of a new ticketing system will allow full transparency and interoperability with wider MaaS providers. You cannot have MaaS if a physical ticket/token is required to get onto a platform. You cannot facilitate national roaming if every town relies on its own travel card.

Demand generated through assessment of ticket sales is not robust – there is a need for better and deeper understanding of suppressed demand to understand where MaaS and better public transport can make an impact. We need robust capacity prediction to facilitate system balancing – the right size/number of vehicles in the right place at the right time.

- b) *Who should lead these further measures (e.g. central government, local government, industry, or other)? Please explain why.*

These are huge tasks in a fragmented deregulated Public Transit system. The impacts of COVID19 may help accelerate this transition – but it needs to be Government-mandated, without being overly regulated.

Question 4.3

In your opinion, is the roll out of the integrated style of ticketing required to facilitate



Mobility as a Service prevented by any regulatory or commercial barriers? If so, please provide details.

There remain continuous barriers in a deregulated market where commercial sensitivities prevent multi operator solutions. A secure and independent data exchange platform, overseen by Sub National Transport bodies or Government, would enable operators to better plan and invest in future transport routes.

Question 4.4

What competition concerns do you think Mobility as a Service might present that could be difficult to address through existing regulations?

It's important to retain, and indeed strengthen, the ability of local authorities to regulate in some way numbers and behaviours of vehicles. Although this is possible through the deployment of access-restricting TROs – there may be value in maintaining a distinction between pay-per-trip (bus) and pay-per-vehicle (taxi) regulatory regimes.

The experience of Uber-type operations could run the risk of increasing vehicle movements and congestion in urban areas as well as abstracting passengers and income from public transport services. Demand responsive journeys in taxi-type vehicles (autonomous or driven) need to be planned and incorporated as part of a wider public transport provision, in the context of an ambition for an overall reduction in the use of private vehicles.

Question 4.5

In your opinion, does the current framework for consumer protection need to be expanded to include liability for multi-modal journeys? If yes, please provide evidence.

Question 4.6

Could Mobility as a Service present any particular accessibility and/or inclusivity concerns which might be difficult to address through existing regulations? If yes, please provide evidence.

Responses provided above set out some of EEH's primary concerns regarding accessibility and inclusivity. A study about MaaS in metropolitan areas (published by the Urban Transport Group in 2019) suggests that whilst people that are "Tech savvy" and "early adopters with a high disposable income" will respond positively to MaaS, this can leave out people with disabilities, those on lower incomes, and those who live in less central and dense urban areas.

Question 4.7

- a) What actions could help to ensure all sectors of the population can access Mobility as a Service applications?

Priorities actions include:

- **Improving digital connectivity.** EEH's recently completed analysis of pathways to decarbonisation identified the role that a highly connected network (physical and digital) would play in enabling the region to respond to its decarbonisation ambitions. MaaS has the potential to play a key role in the move towards decarbonisation, providing digital connectivity is universally high performing – even in the rural areas of the region.
- **Digital literacy training**
- **Provision of alternate booking methods** i.e.: phone banks and or Chatbots



- **Efficient and streamlined use of data** to enable clear, accessible information platforms about travel choice.

b) Who do you think should be responsible for delivering these actions (e.g. central government, local government, industry, or other)? Please explain why.

The solution must be a joint approach. The creation of public private partnerships or community interest companies between operator groups and Local Government with Sub National Transport Bodies could be supported by central government pump prime funding. Sub National Transport Bodies are well placed to leverage additionality from such programmes in partnership with local authorities.

c) What do you think government could do to encourage, incentivise or enforce the delivery of these actions?

There is a key role for government to fuel ambition and confidence in the Future of Mobility by: setting a clear statement of intent and ambition back up by funding; industry incentives and clarity on the long term future of transport in a decarbonised world.

Question 4.8

In your opinion, what further action is necessary, if any, to ensure that Mobility as a Service platforms provide:

a) Safe and appropriate use of data?

- An independent data broker to provide aggregated anonymised information/data to Sub National Transport bodies, and local transport authorities to show demand and travel patterns. There is a role for government to coordinate data, building on the Open Bus data requirement, launched in 2020.

b) Protection of an individual's information?

No further action is needed as existing GDPR legislation supports protection of information.

Question 4.9

a) Can you provide any further evidence of the positive or negative impacts of Mobility as a Service on active travel and/or sustainable modes? Please provide examples.

b) Can you provide evidence of measures that could be incorporated into Mobility as a Service platforms to encourage active travel and/or sustainable modes?

Question 4.10

Do you think guidance, or a Code of Practice for the Mobility as a Service industry would be useful? If so, what content do you believe would be beneficial to include in a Code of Practice?

Yes—and this should be reciprocal with mobility providers: All mobility providers should be required to provide data for transport planning and allow for integrated booking/payment. MaaS providers should allow use of all available mobility providers in booking systems.

Wider issues

Ensuring inclusive future transport

Question 5a.1



Can you provide evidence of how regulatory frameworks outside of the UK have explicitly sought to improve access to transport for people with protected characteristics?

This is not an area that EEH has explored as part of its transport strategy development. We have undertaken an integrated sustainability appraisal and formed an Influencers Group – with representatives of a wide range of sectors, including those considering accessibility and inclusion issues.

Question 5a.2

In your opinion, how can regulation of future transport technologies and services secure equitable access to transport for people with protected characteristics? Please provide examples.

Age and disability significantly impact the ability of individuals to access digital tools such as smartphones. Booking systems for future transport technologies and services require regulation to ensure all services are accessible by all.

Enabling trials of new modes

Question 5b.1

In your opinion, which specific areas of road traffic law might benefit from having a statutory exemption power included to help support safe trials of transport technologies? Why have you suggested these areas?

Question 5b.2

In managing the risks of allowing exemptions to transport legislation for trials, what do you believe should be the role of:

- Local authorities
- Combined authorities or the Greater London Authority
- National government?
- Trialling organisations?

Sub National Transport Bodies, Combined Authorities and Local authorities should be able to operate and support the implementation of future transport solutions within a robust legal framework that gives them enablement powers as well as protection. The framework should be developed in partnership with Local Authorities. In addition, local and regional bodies should be given further developed powers to enable pilots/trials, although any pilot will need to be supported by an appropriate and sustainable funding regime.

In addition, in conjunction with, local and regional bodies, Living Labs should continue to provide testbeds for new modes and sector innovations.

Local leadership of new transport services

Question 5c.1

With regard to managing new transport technologies and services, are there powers currently held by national government which you think should be devolved to local authorities, combined authorities or the Greater London Authority? If so, please provide evidence and examples.



The question implies that the public sector needs to try and control new technologies and services: there's a strong argument that this will frustrate innovation.

With the rise in user focused services, the role of the public sector shifts more towards consumer protection – (see Uber and driver checks). The fact that Uber impacted 'traditional' transport services is perhaps not something that we should try and control – innovation is by definition, disruptive.

However, there is a clear role for the public sector, at sub national transport body to act as a convenor of ambition: working across the public and private sectors to lever the right outcomes and streamline approaches. The creation of further statutory Sub National Transport Bodies allows the ideal legislative framework to enable bodies, such as England's Economic Heartland, who are already working across boundaries to convene ambition and creative innovative investment opportunities.

Question 5c.2

Where the local transport authority and the local highway authority are separate local authorities (such as in London and the Combined Authority areas), what should be the balance of powers and responsibilities to maximise the benefits of future transport?

Question 5c.3

In this context, what role might sub-national transport bodies most usefully play, in your opinion?

Sub national transport bodies have extensive and detailed knowledge of every part of England and, their long term strategies provide a framework for innovation and future technologies to be created and embedded over the long term.

The Regional Evidence Base provides the evidential basis for the development of the long term transport strategy and investment pipeline for the region while also providing a key oversight into how the region is likely to operate now and in the future (through the policy scenario model). The EEH Regional evidence base comprises of:

- GIS-based Databank – containing up to date information on known plans for growth (economic and housing). The databank is updated annually using information supplied by local planning authorities and local enterprise partnerships
- Policy Scenario Model – a regional model that is used to assess the relative implications of alternative scenarios. The model has the ability to consider both alternative development scenarios (scale and distribution of future growth) and alternative policy scenarios. Its back-casting ability enables the interventions required to achieve a particular outcome to be explored
- Population Segmentation – part of the output from a technical study linked with First Mile/Last Mile project, this provides insight into the behaviours of the region's residents in a way that complements this strategy's user-centred focus
- Pathway to Decarbonisation – making use of the National Infrastructure Systems Model (NISMOD) to inform this strategy's approach to decarbonising our transport system



- Passenger Rail Study – a baseline assessment of the Heartland’s rail network and levels of service, providing an evidence-led review of existing rail infrastructure and identifying where strategic connectivity gaps exist.
- Outline Transport Strategy – the responses submitted provide insight on the key issues this strategy needs to address for our residents and businesses
- Technical Studies – the output of technical work commissioned to explore specific aspects of our transport system

Our evidence base, which is available for partners in local and central government to make use of, provides a consistent baseline for our region.

In addition, the EEH draft transport strategy sets out the long term ambitions for the region, built around a commitment to a highly connected network (both physical and digital). Enabling these ambitions, through the existing partnerships and governance that is in place, creates the perfect conditions to deliver a different path and outcome for the Future of Transport. Working with the Sub national transport bodies, who are formed of partnerships of local authorities and local enterprise partnerships provides the right framework to lever in change and deliver the right outcomes.

Question 5c.4

In your opinion, could any non-regulatory measures help to empower local authorities, combined authorities or the Greater London Authority to manage transport innovation? Please provide examples.

The ability to access data and information must form a critical part of planning for future transport solutions. By enabling as much open access to data to local and regional bodies as possible, such as the TIS data (Mobile phone based origin and destination data held by Highways England), local authorities and regional bodies will be much better placed to support and plan future transport.

Question 5d.1

*Are there any specific, urgent areas of the regulatory framework that you feel we are not addressing through the eight workstreams already announced for the Future of Transport Regulatory Review? Please provide **evidence**.*

