



**Community
Transport
Association**

Response to the Department for Transport

Consultation on the detail of the Graduated Fixed Penalty and Deposit Schemes

Closing Date: 30 August 2007

The Community Transport Association

The CTA is a rapidly growing national charity giving voice and providing leadership, learning and enterprise support to member organisations, which are delivering innovative transport solutions to achieve social change. CTA UK promotes excellence through providing training, publications, advice and information on voluntary, accessible and community transport.

Voluntary and community transport exists to meet the travel and social needs of people to whom these would otherwise be denied, providing accessible and affordable transport to achieve social inclusion.

The CTA is the representative body for third sector passenger transport operators in the UK. CTA Member organisations are involved in the provision of transport, especially accessible services.

The CTA is the UK's largest provider of training, advice and information on accessible, voluntary and community transport provision. The CTA is part-funded by the Department for Transport, the Scottish Executive, the Welsh Assembly Government and the Department for Regional Development (Northern Ireland).

CTA's Response to Consultation

The CTA welcomes the opportunity to contribute to Department for Transport consultation process. After reading through the consultation we have decided to respond on those specific areas that we believe would have a marked effect on our sector.

Contact Details

Any queries regarding this response should be directed to:

Brian Shawdale
Advice and Training Director
Community Transport Association
Highbank
Halton Street
Hyde
Cheshire
SK14 2NY
Tel: 0870 774 3586
Fax: 0870 774 3581
E-mail: brian@ctauk.org

After reading through the document the CTA are concerned that, in the background information in chapter 1, drivers with a registered address in Northern Ireland will not be treated on a par with drivers with a satisfactory Great Britain address. The CTA believes that all residents of the United Kingdom should be treated the same. Would this mean that if same legislation were to be introduced in Northern Ireland, drivers from Great Britain would have to carry enough funds for a fixed penalty deposit?

Q1. Do you think the list of offences at paragraph 2.5 is appropriate for VOSA officials to deal with by way of fixed penalties?

Yes, CTA believes that the offences are appropriate for VOSA officials to deal with.

Q2. Do you think that the bandings proposed at Annex A are appropriate?

Yes, CTA believes that the bandings proposed are appropriate.

Q3. Do you think that the graduations proposed at Annex B are appropriate?

Yes, CTA believes that the graduations proposed are appropriate.

Q4. Do you agree that the deposit levels proposed at Annex A and Annex B are appropriate?

Yes, CTA believes that the deposit levels proposed at Annex A and Annex B are appropriate.

Q5. If not, what changes would you suggest?

None

Q6. Are there any comments you want to make about the draft guidance at Annex C? If so, please explain your views.

The CTA have concerns that currently there may not be the expertise within the VOSA enforcement team of the legal aspects of voluntary sector passenger transport which differs from the legislation for commercially operated vehicles.

Our concerns that a £120 penalty may be given, in error, to a voluntary driver of a Section 19 permit vehicle for failure to use a tachograph chart or driver card. This type of vehicle falls into the new derogation exemption of vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers which does not need to have a tachograph fitted. If the volunteer driver fails to have access to funds to pay the fixed penalty deposit it may lead to the vehicle being prohibited from further use until a deposit is paid. This could have an impact on the voluntary sector passenger transport schemes that do not have immediate access to funds but are still operating with in the law.

Many voluntary sector passenger transport schemes operate using volunteers. Any impression created by enforcement offices that a volunteer driver is driving illegally will have a significant impact on that particular volunteer's contribution in the future and has the potential to impede further recruitment of volunteers.