

Commission of the European Communities

Consultation on communication COM(2009)279/4 : *A sustainable future for transport : towards an integrated, technology -led and user friendly system*

Note by London TravelWatch

1. London TravelWatch is a consumer organisation which exists to reflect the concerns and promote the interests of London's travelling public. Its role is to
 - investigate users' complaints (at the appeal stage)
 - monitor service performance standards
 - be consulted by the transport operators on all aspects of the services they deliver, including routes, times, fares, tickets, terminals, vehicles, safety and information
 - provide user-oriented input into policy making by public authorities at national and local level
 - represent the interests of users of all transport modes within Greater London (train, bus, underground, light rail, tram, ferry, river bus, car users on trunk roads, cyclists and pedestrians) and rail users of a wider area outside of Greater London. This includes surface access to airports, and access by other modes to rail stations. We also represent the interests of passengers travelling on the main Trans-European Network route through London and on Eurostar international journeys to and from London.
2. London TravelWatch welcomes the consultation undertaken by the Commission on the development of its transport policy objectives and strategy for the next decade. The issues raised in its communication are of critical concern to every citizen, because of the complexity of the economic, social and environmental impacts of transport activity. The breadth of the discussion presented, and the depth of the analysis evident in the supporting documents, clearly demonstrate the scale of the challenges with which policy-makers are presented, and the seriousness with which the Commission is approaching them. We will study the final outcome of this process with close interest.
3. We are aware of, and broadly concur with, the response to this consultation made by the European Passengers Federation, an EU-wide association of passenger transport users' organisations in which we play an active part. So it is not necessary for us to revisit the same comments here. And it is not practicable for a small organisation such as ours to attempt to do justice to most of the questions listed in the Commission's invitation to reply. We prefer instead to focus on one specific matter which bears directly on our own experience.

4. At paragraph 13 of its communication, the Commission refers to the legislation which it has promoted with the aim of strengthening passengers' rights. When fully adopted and implemented in the rail and bus industries, which our remit covers, this has the potential to be of real value in codifying some of the minimum obligations of service operators to their consumers, and in redressing the long-standing imbalance in their respective rights and duties. We are actively pressing our government for it to be applied in the case of all journeys by these modes, as we do not believe that there are legitimate reasons why the users of purely domestic services (who constitute the vast majority of passengers) should be placed in an inferior legal position relative to those making cross-border journeys. We therefore hope that the Commission (and the national authorities responsible for implementing these measures) will resist pressure from transport undertakings and their representative bodies to restrict the scope of these hard-won rights.
5. But the Commission continues, in the same paragraph to observe that "on the other hand, public transport (bus and rail) has been identified as one of the sectors where consumer satisfaction is the lowest." This is a reference to evidence contained in the second (2009) edition of its *Consumer markets scoreboard*, which reports the results of a number of indices of the effectiveness of the markets for goods and services in meeting the needs and expectations of their purchasers (or users), collated from across the member states. In summary, these show that
 - Out of 19 categories of goods and services, users of "extra urban" (i.e. long distance and rural) transport were the most likely to have experienced problems, and users of urban transport were the second most likely to have done so.
 - Out of the same 19 categories, users of urban transport were the least likely to be satisfied overall with the service received, and users of extra urban transport the second least likely (these being the only categories in the list of whose users less than half were satisfied)
 - But out of the same 19 categories, users of urban transport were the fourth least likely to have discussed their problems with the service provider, and users of extra urban transport the fifth least likely to have done so.
 - Yet out of a basket of 11 broad categories of goods and services, transport gave rise to the second greatest number of complaints addressed to third parties (i.e. appeals to bodies other than the supplier).

6. These findings are wholly consistent with research into consumer dis/satisfaction undertaken in Britain. The broad conclusions of this can be summarised as showing that, compared with users of a cross-section of other paid-for public services, bus and rail travellers
 - have a higher than average propensity to have had cause to be dissatisfied with the services they use, but
 - have a lower than average propensity to have made formal complaints about the causes of their dissatisfaction, and
 - have a higher than average propensity, if they do make a formal complaint, to be dissatisfied with the outcome.
7. We acknowledge that some of the attributes of public transport are such that it can never satisfy all of the wishes of all of its passengers. It is known in North America as “mass transit”, a term which reflects the fact that it cannot be tailored precisely to the individual trip requirements of every user. Unlike the car, it does not provide a door-to-door link, or run exactly at the moment of the user's choice. Because it is a time-critical service, a late or cancelled trip can never be replaced by another which meets the original journey need. And because the charge for individual local journeys may be low, and the time lost by passengers is not priced, compensation for small delays (even if their aggregate impact over time is large) is likely to be limited or nonexistent. So there may be little incentive for passengers to register formal complaints, and little incentive for operators to exert themselves to make amends in any tangible way. But in the medium and longer term, many passengers may cease to be “captives” of the system, and when opportunities arise to make fewer or shorter journeys by public transport, or ultimately none at all, they will take them. And if they then switch to motorised alternatives, the consequences will be contrary to those which the Commission's policies are directed at achieving.
8. The definition of a local journey should be subject to the ability of national governments to specify the length of such journeys. In the UK bus users in particular rural users have suffered as a result of the implementation of a 50km limit on the length of local bus service routes, which has resulted in withdrawal of services, or implementation of user unfriendly practices such as formally dividing services into separate parts to comply with the legislation, either resulting in the final destination not being able to be shown or in the worst cases forcing passengers to interchange en route to another vehicle.
9. Complaints are a valuable source of information about shortcomings in service standards and delivery, in the eyes of those who make them. We

have sought to use our influence with transport operators to raise their standards of complaint handling, and we conduct frequent audits of this aspect of their performance. The means of registering complaints should be simple, and well publicised. Organisations which fail to take them seriously, and adequately to address the issues raised, are courting commercial failure. But users' preparedness to make formal complaints is heavily conditioned by their confidence and competence in dealing with official or quasi-official bodies (particularly if they are only accepted in writing), and by their expectation of their action resulting in any material change. Complainants are often a small and atypical sub-set of users generally, and the issues they raise may be heavily skewed by (e.g.) the likelihood of their receiving monetary compensation. So a miss-sold ticket may be more likely to result in a complaint than (say) persistent overcrowding, even though the latter impacts on many more users. They are an important source of user feedback, but by no means the only or best indication of how well an organisation is meeting its purpose.

10. The Commission rightly identifies the importance of price signals in driving users' modal choices, and in recent years in most of Britain the cost of public transport to the user (other than those who benefit from various fares concessions) has been rising in real terms, while the average cost of motoring has been static or falling. So – except in London, where a combination of “sticks” such as congestion charging and parking restrictions and “carrots” such as integrated ticketing and higher volumes of service have achieved a net switch away from private car travel – pricing practices have not been consistent with declared policy goals. But consumers' choices are based on perceived value-for-money, not price alone, and many people will not be induced even by very low or zero fares to use public transport services whose availability and quality does not meet their needs.
11. So we fully endorse the call made by the European Passengers Federation for service performance standards and targets to be set by reference not only to outputs (such as network density and capacity, or service frequency and reliability) but also to outcomes – i.e. the extent to which public transport succeeds in satisfying the expectations of those for whom it is provided. This is particularly important in the public transport sector because in most EU member states, virtually all rail services and most urban bus services are provided by public authorities – either through direct ownership or service contracts with operators. Because the operators are not operating in a conventional commercial market (and frequently do not carry any revenue risk), appropriate means must be found to incentivise them to maintain and enhance the quality of the services they provide, and to ensure that both they and the public authorities to which they are accountable are sensitive to the experiences and requirements of current and prospective users. Only transport users

themselves are qualified to judge how successfully what is offered meets their expectations.

12. A number of techniques are available for this purpose, such as user satisfaction polling and mystery traveller surveys. And a number of sponsoring authorities (including Transport for London and the regional passenger transport executives in English conurbations) now have practical experience of incorporating the results of such measures into their contractual regimes (e.g. the “quality incentive contracts” for bus operations in London). Comparison with services run on a wholly commercial footing elsewhere, in which objective s such as increasing modal share play no explicit part, has confirmed the effectiveness of such policies in delivering wider public policy goals, and triggering a renaissance in the quality and public acceptability of the services provided.
13. In its 2008 green paper on urban transport, *Towards a new culture for urban mobility*, the Commission asked (inter alia) “How can the quality of collective transport in European towns and cities be increased?” In its reply, the International Union of Public Transport (UITP), representing both transport authorities and operators, pointed out that “Good quality of service is a critical element for increasing the use of public transport and thus ensuring the modal shift that is necessary. Regulation 1370/2007 contains provisions to enable competent authorities to set requirements for quality of service. The ... European standards of quality in public transport (EN 13816 on quality and EN 15140 on the measurement of quality) represent the basis for managing service quality in public transport.” And UITP went on in its response to advocate “introduction of compulsory quality requirements and quality management systems in the sector.”
14. As representatives of passengers, we endorse this view, and are heartened by the apparent unanimity between all of the relevant parties on the importance of this way forward. In its invitation for replies to the communication, the Commission has invited suggestions (at question 4) for enhancements to the legislative framework, and (at question 5) for measures to modify transport needs and behaviour. We commend to it the view that quality targets and incentives including measures of user satisfaction should become an essential element in the regime for procuring public transport services. And by benchmarking these across the member states, the Commission could do much to assist in driving up standards of provision and thus assisting public transport to play a full and growing part in delivering the policy outcomes sought in the next decade. It should also be noted that in most cases (except in Great Britain) passenger representative groups such as ourselves are not organisations set up by statute. It would be worth the consideration of the commission to consider whether it should be a requirement on member states to give

statutory basis to passenger / user representation. This we feel is particularly important given the need to open up markets to competition so that consumers can hold providers to account for the services that they provide.