Local Bus Service Performance Standards Consultation

For local authorities in England and Wales

1 Overview

The Local Bus Service Performance Standards Consultation, published by the Traffic Commissioners for Great Britain, proposes significant updates to the regulation of local bus service reliability and punctuality. While much of the consultation focuses on operators, several proposals have important implications for local authorities, particularly those responsible for highways, traffic management and bus service improvement. The consultation runs until **11 December 2026** and applies to **England and Wales.**

The consultation signals a stronger expectation that local authorities play an active role in supporting bus reliability. Traffic Commissioners are considering making greater use of powers to investigate whether congestion, roadworks, traffic signal management and wider network management are contributing to poor bus performance. This briefing aims to summarise the consultation and highlight the key areas relevant to local authorities' highways and transport teams.

Scope of Consultation

Following these published strategic objectives the Senior Traffic Commissioner wishes to receive views on whether the approach that traffic commissioners adopt in relation to local bus service punctuality standards continues to reflect modern local bus services. In addition, views are also sought on the approach traffic commissioners should take to:

- The failure of an operator to comply with the requirements of the Public Service Vehicles (Open Data) (England) Regulations 2020
- How a traffic commissioner should exercise their powers **to seek information from a local authority** in relation to their duties under the Traffic Management Act 2004
- An operator who operates a local bus service in a franchised area without the required authority from the franchise authority

Traffic commissioners can only regulate in accordance with the legislation. It is for Parliament to consider whether the legislation needs to be changed. This document will seek to set out the legislation and respondents are advised to respond with those limitations in mind.

There are 22 questions in the consultation (listed in full below) but the OTC does not require you to submit evidence or views in response to every question listed, if not applicable. Responses should be limited to 500 words per question. Responses are to be sent by email to tccoconsultations@otc.gov.uk

In particular, **Questions 12 and 13** relate directly to local authorities, and if authorities are limited on time to review and respond to the whole consultation, we would encourage responses targeted to those questions.

More information and the full consultation and background information is on the government website

1.1 Key Implications for Local Authorities

Increased Accountability for Network Management

Under the Traffic Management Act 2004, Traffic Commissioners can require local traffic authorities to provide information relating to their network management duties where bus punctuality issues are identified. The consultation suggests greater use of these powers.

Authorities may be asked to provide evidence on:

- Traffic flow monitoring and management
- Traffic signal operation
- Planned and emergency roadworks coordination
- Parking controls and bus lane enforcement
- Engagement with bus operators
- Actions taken to minimise disruption to bus services

Commissioner Reports

Traffic Commissioners may issue reports recommending actions by local authorities and operators where network conditions are affecting services. The consultation seeks views on whether such reports should be published and shared with the Secretary of State. This could increase public scrutiny and accountability regarding local authority support for bus services.

Enhanced Partnership Schemes

The consultation highlights the importance of collaboration between operators, local authority transport teams and highways teams. Evidence of proactive engagement by local authorities may help demonstrate that delays are being actively addressed and support improvement plans rather than immediate regulatory action against operators.

Good Practice

The consultation proposes including examples of good local authority practice within future statutory guidance.

Senior Traffic Commissioner would like to invite views on whether the revised Statutory Guidance could include examples of **good and poor practice** for local authorities in the document. **Good practice** should also highlight the benefits of **working across neighbouring authorities to ensure main bus routes are not affected by roadworks at multiple points at the same time**.

This could include matters such as:

- Monitoring and managing traffic flow
- Managing traffic signals
- Coordinating and managing road and street work effectively
- Controlling parking, including bus land enforcement
- Requiring operators to monitor the performance of services and inform the authority of any difficulty in maintaining timetables
- Providing operators with detail, frequent, clear and advance information about emergency and programmed works on the highway (both highway and statutory undertaker works and Traffic Management Act pre-notice requirements when these apply
- Undertaking effective and regular dialogue with operators, including on major infrastructure changes and resulting impacts on services

Bus Performance Standards

The consultation proposes to determine if the existing punctuality benchmark (**95% of services operating no more than one minute early and five minutes late) i**s still fit for purpose in 2026 or not.

There is also scope for clarity on the approach taken to implement performance improvement plans where reliability falls between 80% and 95%, rather than moving directly to formal regulatory action, an opportunity to deliver improvements.

Mitigatory Features

The Senior Traffic Commissioner wishes to receive views on these and proposals for any other scenario that could be offered as mitigation.

The suggestions are listed below, with full information on each feature on the DfT website, but highlighted is the 'Collaboration and Process' point as this is around partnerships with local authorities.

- Nature of services
- **Collaboration and Process**:
    - *"An operator is already expected to build positive relationships within the local authority but evidence of raising issues with both the local transport team and highway's team within a local authority might help provide assurance to a traffic commissioner. If an operator demonstrates good collaboration with the local authority to resolve performance issues, a traffic commissioner could take greater assurance from a proactive response to poor performance to improve the overall performance levels within the operator's control."*
- Passenger Information
- Comparisons with similar services
- Enhanced Partnership Schemes and performance standards
- Extreme temperatures

2 Questions

Performance Standards

Question 1

- Is the 95% standard for timetabled services to run between one minute early and five minutes late still relevant today, and that it should apply to all timetabled services?

If not, please state what the standard should be and how services could be differentiated?

Question 2

- Where an operator's performance is between 80-95% would it be appropriate for a clearer statement to be set out in the Statutory Document that a traffic commissioner would usually allow time for performance improvement plans to be put into place and performance to then be assessed over a period of time before considering formal regulatory intervention at a public inquiry?

Please state any circumstances where you consider a public inquiry would be appropriate.

Frequent Services

Question 3

- Does the 15-minute performance period for frequent services remain appropriate? Please provide any views on any impact in extending it to 20 minutes.

Flexible services

Question 4

- Do you agree that flexible services should be expected to arrive or depart no more than five minutes late from the time period specified in the booking on 95% of occasions? If not, please give reasons.

Mitigatory features

Question 5

- Do you agree that the mitigatory examples set out above are appropriate. Please explain reasons why you believe any should not be included.

Should additional mitigatory examples also be included? If so, please explain.

Question 6

- If you believe that the performance standard should alter depending on the nature of service, please give examples of services and the reasons why the performance standard should differ.

Question 7

- If the provision of real time passenger information should be a mitigating factor what should the operator be expected to provide in order to rely upon the mitigation?

Question 8

- Please provide thoughts on what evidence should an operator provide of working in the community on reducing digital exclusion in order for a traffic commissioner to take it into account.

Question 9

- What weight should a traffic commissioner give where an operator is meeting a standard set out in an Enhanced Partnership Scheme which is lower than the expectations described in the current Statutory Document?

Question 10

- Should the guidance make a clearer statement that timetables must reflect the expected running time of the individual journey even if it creates a more complicated timetable for passengers? Please set out any benefits and drawbacks.

Question 11

- Please provide suggestions on when it may be appropriate to allow an extended timing point beyond 15 minutes.

Traffic Management Act 2004

Question 12

- **Please provide your view on the benefits and impact of a traffic commissioner using their powers to request reports from a local authority when traffic management issues are cited as a reason for poor punctuality.**

Please provide any evidence on the estimated cost to providing reports.

Question 13

- **Would a statement on what the Senior Traffic Commissioner considers to be good practice for local authorities be useful in managing network issues and roadworks?**

If yes, please provide examples of what you consider to be good practice.

Question 14

- Should a traffic commissioner publish any report and send a copy to the Secretary of State?

Question 15

- Should a traffic commissioner allow a report to be used as mitigation by an operator?

The Public Service Vehicles (Open Data) (England) Regulations 2020 (Bus Open Data)

Question 16

Do you agree that operators who have failed to publish any datasets and to engage with the support available to them should expect a financial penalty at the higher end of the scale? If not, please give reasons?

Question 17

Do you agree with the points set out as potential mitigation, and can you provide any further items that could be used as mitigation?

Question 18

Do you consider that it would be appropriate for cases regarding the failure to provide information to BODS (or any future equivalent service) to be dealt with outside of a public inquiry where a traffic commissioner considers the facts are clear? If not, why not? Please set out any benefits you consider arise from doing so, or from holding public inquiries.

Question 19
Should notice of penalties issued under section 155 of the Transport Act 2000 be published in Notices and Proceedings even where a public inquiry is not held? Please explain your answer.

Question 20
Please provide any view on whether BODS data can be utilised and used as evidence of an operator's performance against the reliability standards expected. The Senior Traffic Commissioner is particularly interested in views on whether it could be used as evidence with no corroborating monitoring exercise being conducted.

Question 21
Do you agree that the operation of a local bus service in contravention of the franchising scheme should result in a starting point for a financial penalty £550 for each vehicle authorised under the PSV operator's licences held by the operator?

Question 22
Is it proportionate for this sanction to be reduced depending on the factors set out above?

Responding to the consultation

The consultation does not expect authorities to submit evidence or views in response to every question listed, if not applicable. **Responses should be limited to 500 words per question.** tccoconsultations@otc.gov.uk

This consultation **will run until 11 December 2026**. Please ensure that your response reaches them before the closing date so that they can consider your comments.

When responding, state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation: make it clear who the organisation represents and how the views of members were assembled.

APSE Comment

The consultation indicates a move towards greater scrutiny of how local authorities manage road networks and support bus reliability. Local authorities should review current approaches to congestion management, roadworks coordination, operator engagement and Enhanced Partnership governance, and consider responding to the consultation to help shape future expectations and regulatory practice.

APSE encourages local authorities to respond to the relevant points in the consultation with their views on the partnerships between local authority highway and transport teams, and with bus operators, plus any implications on workload of the local authority highway and transport teams. At a time when devolution and public transport is a priority at a national government level, local authority and transport authority collaboration is key to ensure smoother services for passengers and local authorities alike. APSE continues to engage with DfT and the Transport Commissioner regarding compliance and fleet transport matters, and DfT representatives often present at APSE events and webinars. The Traffic Commissioner has presented at previous APSE Transport Seminars.

Bonni Jee, Principal Policy Lead, Transport, Highways, Waste and Recycling.

Sign up for APSE membership to enjoy a whole range of benefits

APSE member authorities have access to a range of membership resources to assist in delivering council services. This includes our regular network meetings, specifically designed to bring together local authority staff, elected members, directors, managers and heads of service, together with trade union representatives to discuss service specific issues, innovation and new ways of delivering continuous improvement. The networks are an excellent forum for sharing ideas and discussing topical service issues with colleagues from other councils throughout the UK.

Networks are a free service included as part of your authority's membership of APSE and are regular webinars, and occasional in-person meetings with lunch, to facilitate networking with peers in other councils. If you do not currently receive details about APSE Network meetings and would like to be added to our list of contacts for your service area, please email enquiries@apse.org.uk or click here.

Our national networks include:-

- Local Government Reorganisation
- Armed Forces and Veterans
- Building Cleaning and Facilities Management
- Catering (School Meals)
- Cemeteries and Crematoria
- Housing, Construction and Building Maintenance
- Social Value, Procurement and Commercialisation
- Parks, Horticulture and Grounds Maintenance
- Recycling, Waste and Street Cleansing
- Renewables and Changing Climate
- Roads, Highways and Street Lighting
- Sports and Leisure Management
- Vehicle Maintenance and Transport

Visit www.apse.org.uk for more details.

Association for Public Service Excellence
3rd floor,
Trafford House,
Chester Road, Manchester M32 0RS.
telephone: 0161 772 1810
web: www.apse.org.uk

Carbon Literate Organisation Platinum

INVESTORS IN PEOPLE™ We invest in people Gold

NEW MUNICIPALISM
Delivering for local people and local economies