

Matthews Coach Hire Limited

Callenberg, Inniskeen, County Monaghan

Submission regarding the supplemental consultation on the National Transport Authority's proposals to directly award a contract for public bus services to Bus Éireann in the region outside Dublin City from December 2014

The company made a submission in respect specifically to the original proposal for competitive tendering of “*approximately 7% to 10% of the services*” and in particular ‘*a portion of the Dublin coastal commuter services*’. The services suggested were the current Bus Éireann routes no’s 100, 101 and 133. There is clearly some coherence to this ‘grouping’ in that the routes concerned service the coastal corridor extending from Dundalk to Wicklow and encompass the greater Dublin metropolitan area.

It is not intended to repeat the issues detailed in the said submission but this submission is limited to the identification of some specific matters that may relate to the current supplemental consultation.

The routes being considered on this occasion are those currently operated by Bus Éireann on the commuter corridor to the west of Dublin city include routes serving Athy, Clane, Celbridge, Edenderry, Kildare, Naas, Newbridge and Sallins. Specifically they are routes 120, 123, 124, 126, 126N and 130.

The issues this proposal raises are as follows:

1. There is absolutely no rationale provided in the published document concerning the supplemental consultation as to why this process has been undertaken, at such short notice and in the context that the routes under consideration are presented as a possible option to the Dublin coastal commuter services. This potential option is the possible tendering of certain PSO bus services currently operated by Bus Éireann on the commuter corridor to the west of Dublin city including routes serving Athy, Clane, Celbridge, Edenderry, Kildare, Naas, Newbridge and Sallins **in substitution for the portion of the Dublin coastal commuter services** considered in the original consultation process. In the absence of any policy rationale for this suggestion it is difficult to see how this proposal is identified as an option to the Dublin coastal commuter services.
2. Whilst there is clearly some coherence to the original ‘grouping’ in that the routes concerned service the coastal corridor extending from Dundalk to Wicklow and encompass the greater Dublin metropolitan area, **such ‘coherence’ is completely lacking from this supplemental proposal**. Clearly if this option was the only one available it would significantly diminish the possibility of medium sized bus operators from engaging in the tendering process. Whilst the original proposal operated along a relatively narrow coastal corridor with a consistent level of infrastructure, population density etc., this is not the case with the alternative proposal. **It is clear that this will not provide sufficient scale to provide for effective competition**.
3. In general, little rationale is provided as to why any particular routes have been selected for tendering options. Similarly, the reasons why the Dublin coastal commuter route would be better suited to tendering than others are not stated except to the extend

identified in our own submission including the coherence of the proposal which raises the possibility of an actual competitive tendering process for these routes taking place.

4. **Depot ownership.** The original proposal states in respect to the said Dublin coastal routes that: **“There is potential for some outer Dublin commuter PSO services currently operated by Bus Éireann to be tendered. Services on certain corridors are likely to be less depot-dependant and may be suitable for tendering.” This consideration is completely absent from this supplemental consultation and the specific routes involved.**
5. A simple examination of the map of the proposed routes clearly demonstrates the extent of the geographical area involved and completely contradicts the argument identified at 4 above. However the supplemental proposal specifically raises the issue of depot ownership yet again.
6. This raises the issue of the ownership of, the management of and the access to existing transport infrastructure that is in the ownership of the state transport companies and Bus Éireann particular.
 - (a) Measures to overcome the challenges presented by the ownership of such infrastructure by the companies concerned do not appear to have not been identified or addressed in the original tendering proposal. Clearly access to and the use of such infrastructure will be central to proposed tender that may be submitted by a ‘private’ transport operator. It is interesting to note that the supplemental consultation document refers to such locations as ‘Clane, Celbridge, Edenderry, Kildare, Naas, Newbridge and Sallins’ but it makes little reference to the terminal points of such routes and the impact on depot requirements etc. **This is even more evident in respect to this supplemental proposal where depots would possibly be required in such diverse locations as Mullingar, Portlaoise and Athy.**
 - (b) As an initial step towards resolving the issues concerned Section 62 of the Dublin Transport Act should be implemented immediately. It is illogical that the private sector continues to be excluded from access to such facilities particularly in the context that such facilities were in most cases funded from the public purse. It is absolutely essential that provision must be made to extend to all private operators the use of stations and depots that are currently in CIE ownership. **As an initial step such access should be provided immediately. Otherwise we are all being disingenuous about the proposed tendering process in either this version or the original version.**
 - (c) The issue of the commencement of Section 62 of the 2008 act must be addressed and indeed its application extended throughout the State. The tendering proposal cannot be taken seriously in the absence of addressing this core issue which goes to the route of integration, networking, connectivity and interchange.
 - (d) The proposed routes for tendering being 100, 101 and 133 involve a total distance of 145 kilometres from Dundalk to Wicklow. Clearly such a route length for a small number of medium distance routes would imply the need for a ‘depot’ either at each end of this route system or in Dublin. This again raises the issue of access to and use of ‘depots’.
7. **Scale of contract involved.** This company welcomes the scale of contract that may be involved in the original tendering process for the said Dublin coastal routes. ***“The proposed options involve tendering routes involving something in the region of 7 to 10% of the Bus Éireann PSO fleet, or 30 to 40 buses.”*** This scale of operation will allow a significant

involvement from private transport companies operating within the state and perhaps provide for a more level 'playing field' when competing against tenders from larger operators based primarily outside of the state. However this consideration is clearly interrelated to the 'coherence' of the routes open to tendering. **This 'coherence' is absent from this supplemental proposal.**

- 8.** Finally the original issue as to the rationale for offering this proposal as 'an option' to the Dublin coastal routes is returned to in a slightly broader context. The NTA proposed in the original Consultation Paper that a new contract for the operation of all services covered by the current Public Contract outside the Dublin Area will be awarded directly to Bus Éireann on 1st December 2014. While the consultation proposed that 7 to 10% of the services covered by the current contract will be opened to competitive tendering in 2016 no rationale to any great extent was offered for the figure of 7 to 10%. If part of this process is to genuinely test the market for competitive tendering of Bus Éireann PSO routes why not place **both** the option proposed in the supplemental consultation paper **and** the Dublin coastal routes within the proposed tendering process. **At a minimum it would generate a response to what are two very distinct bundles of PSO routes.**