

Page 1	Page 3
<p>1 Thursday, 27 September 2018 2 (9.00 am) 3 EXPERT EVIDENCE OF MR MIKE WESTON 4 CHAIRMAN: Good morning, Mr Weston. 5 MR MIKE WESTON: Good morning. 6 CHAIRMAN: Thank you for travelling from London to Hong Kong 7 to assist us with our inquiry. 8 As you no doubt know, we are assisted by counsel who 9 will pose questions to you, although there may be 10 questions that we, the committee, wish to pose to you. 11 If any of our questions are less than clear, by all 12 means indicate that that is the case and we will see 13 what we can do to make sure that the question is 14 accurate. 15 I will ask Mr Duncan then to begin the evidence. 16 Examination by MR PETER DUNCAN 17 MR PETER DUNCAN: Thank you, Mr Chairman. 18 Mr Weston, good morning. 19 MR MIKE WESTON: Good morning. 20 MR PETER DUNCAN: I would like to echo the chairman's 21 remarks and thank you for the assistance that you have 22 rendered to the committee, and in particular for 23 furnishing the committee with a written report. 24 Could I ask you to turn up that report, please, 25 which will be found in bundle EXP-1 at page 115.</p>	<p>1 MR MIKE WESTON: Yes. As head of bus infrastructure, which 2 I was appointed to in 1999, prior to that I had been 3 heavily involved in evaluation of bus route tenders. 4 But in 1999 I was appointed head of bus infrastructure 5 and had a range of responsibilities but was primarily 6 responsible for the provision of all the bus 7 infrastructure for the bus network; that's bus stops, 8 bus shelters, bus stations, some of the bus garages 9 which TfL owned but that wasn't the majority. So 10 responsible both for the provision of the infrastructure 11 but also for the day-to-day operation of that 12 infrastructure. 13 That role also included an oversight of the 14 engineering and bus specifications for the bus 15 operators, so buses were included in that definition of 16 infrastructure in that role. 17 MR PETER DUNCAN: Were you concerned with the safety of 18 buses at all in that role? 19 MR MIKE WESTON: No, not directly. Clearly, I was 20 responsible for the safety of the infrastructure. So, 21 for example, the safe operation of bus stations, and 22 monitoring of that locally. It was the role head of bus 23 operations in 2003 where I became responsible for the 24 safety of the London bus network, and then subsequently 25 in 2004 as operations director.</p>
Page 2	Page 4
<p>1 There are a number of topics that I wish to explore 2 with you, but before doing so I'm going to ask you a few 3 questions about your background and your experience, and 4 then also the context in which you have provided your 5 report. 6 So with regard, first of all, to your own 7 experience, can I direct you, please, to page 118 of the 8 bundle, and the section headed "Context", and the second 9 paragraph: 10 "This report has been prepared by [yourself] 11 an independent consultant with over 30 years' experience 12 within the bus industry including senior roles at 13 Transport for London most recently as director of 14 buses." 15 Then there is reference to a career resume at 16 appendix A. 17 I think if we would go to appendix A -- you will 18 find that at page 157, where we have the benefit of 19 "Personal profile", "Recent career history", and "Other 20 professional interests". 21 If I could just direct your attention to the section 22 headed, "Director of buses, Transport for London", and 23 under that part of the page, going back to 1999 to 2003, 24 "Head of bus infrastructure, London Buses". Can you 25 tell us a bit about what that involved?</p>	<p>1 So clearly, as head of bus infrastructure, there was 2 clearly a role in terms of safety, as you would expect, 3 but in terms of overall safety responsibility for the 4 bus network, that was assumed in 2003. 5 MR PETER DUNCAN: And that's when you took up the position 6 of head of bus operations? 7 MR MIKE WESTON: Yes, that's correct. 8 MR PETER DUNCAN: Then operations director -- you have 9 touched on that already -- could I just ask where that 10 position sat within the management hierarchy of 11 Transport for London? 12 MR MIKE WESTON: Yes. So at the time there were three 13 directors, actually, reporting in on the bus side of the 14 Transport for London business. I was the operations 15 director. There was a performance director who was 16 responsible for the performance of the bus contracts. 17 And then there was a finance director who also had other 18 responsibilities for other parts of the organisation. 19 We reported into a managing director who, as well as 20 being responsible for London Buses, was responsible for 21 other modes within TfL, and he reported into the 22 Commissioner for Transport for London. 23 MR PETER DUNCAN: Then, in 2013, you were appointed director 24 of buses. How did that position relate to your previous 25 position as operations director?</p>

Page 5	Page 7
<p>1 MR MIKE WESTON: In 2013, the decision was taken to combine 2 the roles of performance director and operations 3 director into one role. So, effectively, this new role 4 of director of buses became responsible for the bus 5 network, reporting into the managing director. As 6 I said, the managing director had other responsibilities 7 for the surface transport operation within London, so 8 really the director of buses was responsible day to day 9 for the provision of the bus network, the management of 10 the contractors, and as it says there in the evidence, 11 the budget of about 2 billion pounds per annum for the 12 procurement of the bus network.</p> <p>13 MR PETER DUNCAN: You have referred in the second paragraph 14 there to the fact that included responsibility for the 15 provision of a "safe network"?</p> <p>16 MR MIKE WESTON: Yes. As I previously said, probably the 17 head of bus operations was when I first became 18 responsible for the safety team that was allocated to 19 London Buses. Operations director took forward that 20 role, but clearly, as director of buses, as the senior 21 manager responsible for the bus network, I also assumed 22 responsibility for the safe operation of that network.</p> <p>23 MR PETER DUNCAN: You left that organisation, as 24 I understand it, in 2016, September.</p> <p>25 MR MIKE WESTON: Yes.</p>	<p>1 organisation and structure of the London bus franchising 2 system and to ascertain best practice which could 3 potentially be used in Hong Kong to further improve the 4 existing franchising model. The committee have already 5 had sight of Transport for London's document titled 6 'London's bus contracting and tendering process' dated 7 August 2015."</p> <p>8 Then if we jump a couple of paragraphs down: 9 "In commissioning the report, the IRC have asked for 10 the following: 11 (i) A description of the regulatory and governance 12 arrangements together with the operations and management 13 of franchised buses in London, having regard to bus 14 safety. 15 (ii) A summary of the regime obtaining in Hong Kong 16 in respect of franchised buses. 17 (iii) So that, having regards to the differences in 18 the two regimes at (i) and (ii), you are asked to 19 express opinions as to the adequacy of the regime 20 obtaining in Hong Kong and make recommendations, as are 21 warranted in your opinion, to enhance the safety of the 22 franchised system in Hong Kong." 23 Then the final paragraph: 24 "Sections 2 to 5 of the report give an overview of 25 London's public transport system, explains the structure</p>
Page 6	Page 8
<p>1 MR PETER DUNCAN: Since then, you have been working as 2 an independent consultant. Can you tell us just 3 a little bit in your own words what that work has 4 entailed?</p> <p>5 MR MIKE WESTON: Yes. It is probably worth just saying that 6 I took the opportunity to leave the organisation in 2016 7 as part of a sort of planned restructuring, and 8 I volunteered to leave after 31 years.</p> <p>9 As an independent consultant, I now focus on the bus 10 industry, and there are two main areas of my focus. One 11 is the environmental management of bus fleets, and 12 that's an area where I gained quite a lot of experience 13 in previous roles at Transport for London, but also 14 franchising and tendering of bus services and network 15 design, and I have been providing some support to 16 a number of transport authorities within Europe on those 17 subjects.</p> <p>18 MR PETER DUNCAN: Thank you. I now ask you to go back, 19 please, to page 118 of your report, and just focus on 20 the context in which you have provided this report.</p> <p>21 I think if I could just read out quickly some 22 excerpts from this, so we all understand the context. 23 The first paragraph: 24 "This report has been commissioned by [the 25 committee] ... to seek further understanding on the</p>	<p>1 of the UK bus industry and the history of London's bus 2 contracting regime and describes the current bus 3 contracting regime and how contractor performance is 4 monitored and managed. Section 6 gives an overview of 5 safety management within London's bus industry and 6 section 7 describes the various initiatives currently 7 being delivered by Transport for London and the 8 contracted bus operators under the bus safety programme. 9 The report concludes in section 8 with the author's 10 observations and opinions of how the approaches adopted 11 in London could be used to improve the Hong Kong 12 regime."</p> <p>13 So there we have the context in which your report 14 has been written. 15 You have referred, in that section, to some 16 differences in the two regimes, between London and 17 Hong Kong, and in order that we all understand what 18 those differences are, I would just like to refer to 19 a few of those before I explore some of these topics 20 with you. 21 The first, if we go to page 120 of your report, you 22 will see the number of passenger journeys in London, at 23 2.2 billion, I think that's in a year. So that's the 24 approximate number of passenger journeys. 25 In Hong Kong -- I will simply give everybody the</p>

Page 9	Page 11
<p>1 reference rather than taking you to the document -- but 2 at THB-2, page 103, we can work out that the equivalent 3 number of passenger journeys in Hong Kong is 4 1.4 billion. So that's the comparison with regard to 5 numbers of passenger journeys.</p> <p>6 The second comparison I would like to bring to your 7 attention is the proportion of the populations within 8 the two areas which use public transport.</p> <p>9 Perhaps we will go to the bundle on this occasion; 10 I'm not sure whether you have seen this. If you look at 11 THB-2, page 2, footnote 2 on that page -- this is from 12 a public transport strategy study conducted by the 13 Transport and Housing Bureau in June of last year, and 14 if you look at the footnote at the bottom of that page: 15 "According to a study conducted by the Land 16 Transport Authority of Singapore in November 2014, the 17 public transport usage rate in Hong Kong was the highest 18 among 27 major cities."</p> <p>19 And you can see from item 2 that the ratio in 20 Hong Kong is as high as 90 per cent, and the comparator 21 in London is 30 per cent. The 90 per cent you will see 22 in paragraph 1.4 on that page: 23 "Public transport services are closely related to 24 the daily life of the public. Every day, over 25 12 million passenger trips are made through different</p>	<p>1 MR MIKE WESTON: I can't -- no doubt somebody has 2 a calculator on the screen but it's over 50 per cent, 3 because obviously 2.2 billion out of just under 4 4 billion is more than 50 per cent, so it's 50-odd -- 5 56 per cent it comes up as, yes.</p> <p>6 CHAIRMAN: Right.</p> <p>7 MR PETER DUNCAN: So that's the 2.2 billion over 3.9 million 8 on that page?</p> <p>9 MR MIKE WESTON: Yes.</p> <p>10 MR PETER DUNCAN: I think that's where I got the 56 per cent 11 from.</p> <p>12 MR MIKE WESTON: Mr Chairman, those two tables aren't 13 entirely comparable, because for example, I noticed on 14 the Hong Kong figures you have ferries included, where 15 in London there are some river commuter services 16 included, so they're not -- but the magnitude of the 17 figures is correct.</p> <p>18 MR PETER DUNCAN: Thank you. The fourth difference is the 19 number of buses on respective networks. You have 20 referred to this at page 126 of the report, where we see 21 a reference of the bus fleet in 2018 consisting of 9,200 22 buses.</p> <p>23 I can give you the equivalent in Hong Kong -- I can 24 simply give members the reference to the page -- it's 25 THB-1 at page 30, paragraph 7. The equivalent number in</p>
<p>Page 10</p> <p>1 public transport services in Hong Kong. This accounts 2 for over 90 per cent of the total passenger trips each 3 day, which is the highest in the world."</p> <p>4 So I just bring your attention also to that 5 statistic.</p> <p>6 The third matter perhaps which is worthy of mention 7 is the percentage of bus use as a percentage of the 8 overall public transport journeys undertaken. You have 9 referred to this yourself at page 120. I have 10 a reference to 56 per cent in my notes. Perhaps I will 11 have to check that.</p> <p>12 In Hong Kong, if we are on THB-2 at page 103, we 13 will see that franchised buses, at item 2, account for 14 31.1 per cent, whereas heavy rail, which you can read as 15 the MTR, is at 38.9 per cent. So there is a greater 16 quantity in favour of the heavy rail system.</p> <p>17 CHAIRMAN: Obviously that's the figure for Hong Kong, and 18 that accords with my own memory, but what are you 19 suggesting is the figure of the percentage of the use of 20 franchised buses in London as a proportion of public 21 transport in London?</p> <p>22 MR PETER DUNCAN: Mr Chairman, I have --</p> <p>23 CHAIRMAN: Perhaps Mr Weston can help.</p> <p>24 MR PETER DUNCAN: Do you have that percentage at your 25 fingertips, Mr Weston?</p>	<p>Page 12</p> <p>1 Hong Kong is approximately 6,000.</p> <p>2 Moving on to another difference, and this is the 3 kilometres travelled annually by buses in the two 4 territories. We can see, for London, this figure at 5 page 120, just under the chart: 6 "During the period 2017/2018 the bus network 7 operated 490 million kilometres ..."</p> <p>8 Now, the equivalent figure for Hong Kong -- I will 9 ask the assistant to turn up the bundle at THB-1, 10 page 30, at paragraph 7. By multiplication, we get 11 a figure almost the same as London, 500 million 12 kilometres:</p> <p>13 "About 6,000 franchised buses operate on the road 14 every day. On average, franchised buses run over 15 1.4 million kilometres every day."</p> <p>16 Now, there is an interesting result of those 17 figures, and that is the number of kilometres travelled 18 by each bus in each territory per year. So, in London, 19 if we divide 490 million kilometres by number of buses, 20 that's 9,200, we get 53,260 kilometres per bus per year. 21 In Hong Kong, if we divide the 500 million by the 6,000 22 buses, then we get a figure of something like 23 83,333 kilometres per bus per year.</p> <p>24 Moving away from those statistics with regard to 25 road use, and looking at the periods of contracts under</p>

Page 13	Page 15
<p>1 which the bus operators work -- in London, you have set 2 out for us the fact that London bus contracts typically 3 run for an initial period of 5 years with the potential 4 for a two-year extension.</p> <p>5 We can see that on page 129, in the very last 6 paragraph on that page.</p> <p>7 In Hong Kong, by comparison -- and I will simply 8 give the committee the reference again: it's TD-1 at 9 page 73, paragraph 4; and TD-1, page 74, paragraph 8 -- 10 we have a franchise period of ten years, and that can be 11 extended on application by five years or two years, 12 depending on when the application for the extension is 13 made.</p> <p>14 Just one question for you, if I may, Mr Weston, with 15 regard to the London franchise -- London contracting 16 operation. It's five years, with the opportunity of 17 an extension for two. Can a bus operator normally 18 expect to get that same route back again at the end of 19 the seven-year period, or are the chances of renewal of 20 that route effectively not automatically in his favour.</p> <p>21 MR MIKE WESTON: No. If the route runs for either five or 22 seven years, it will then go back out to competitive 23 tender. Clearly, the incumbent often has an advantage 24 because perhaps the reason that they were successful 25 with the route the first time was because they had</p>	<p>1 difference between the different bus companies something 2 which is noticed or appreciated by the public? Does 3 that have any effect on public use?</p> <p>4 MR MIKE WESTON: Some members of the public will realise 5 that their local bus is run by a particular operator, 6 but the big difference between Hong Kong and London in 7 this respect is that all the buses in London are painted 8 red and have the Transport for London, London Buses, 9 logo on the side. They also have the bus company logo 10 on the side, but to most members of the public, it is 11 a red bus, it is run by Transport for London as far as 12 they are concerned, and if you asked most people in 13 London who is responsible for the buses, they would say 14 the Mayor of London is responsible, and people -- I'm 15 sure a lot of members of the public realise there are 16 different companies, but I think they very strongly 17 understand that actually those companies are working for 18 the transport authority, because the ticketing is 19 provided by the transport authority, they pay the 20 transport authority for their fares. So there is 21 a strong recognition that there is a coordination by the 22 transport authority in London.</p> <p>23 MR PETER DUNCAN: So the average Joe Public would see a bus 24 as being a bus of Transport for London rather than a bus 25 of, say, Stagecoach?</p>
Page 14	Page 16
<p>1 a garage or a depot nearer to the route than their 2 competitors. But, when it goes back out to tender, 3 clearly they will bid for it and so will other 4 operators, and it often depends on the state of the 5 market at the time. If another operator has recently 6 lost some routes, they may decide to be more competitive 7 on this route to try to win this route from the 8 incumbent.</p> <p>9 I haven't got the exact percentages, but I think 10 it's about two-thirds -- about 70 per cent of routes 11 stay with the incumbent upon re-tendering; 30 per cent 12 move between operators at the point of re-tendering.</p> <p>13 MR PETER DUNCAN: Thank you.</p> <p>14 Then another matter I would like to raise with you 15 is the number of bus operators working on the London 16 network. You have referred to this at page 126 of the 17 report, where we see a reference to domination by six 18 large bus groups, and then several smaller companies 19 making up the remaining 5.6 per cent of the network.</p> <p>20 Now, as you know, in Hong Kong, the franchised bus 21 operators consist of three groups, and I think it's fair 22 to say that the public in Hong Kong are quite aware of 23 the difference between, say, Kowloon Motor Bus on the 24 one hand and Citybus on the other.</p> <p>25 With the number of bus networks in London, is the</p>	<p>1 MR MIKE WESTON: Yes, that's correct.</p> <p>2 CHAIRMAN: Although the name of the individual bus operator 3 is located on the bus itself, on the exterior, is it 4 not?</p> <p>5 MR MIKE WESTON: Yes, that's correct. So as well as the 6 London Buses, Transport for London logo on the side of 7 the vehicle, the operator's logo is also displayed on 8 the side. But as I said, the buses are all red, so to 9 most members of the public they will appear the same.</p> <p>10 CHAIRMAN: At an earlier stage, were different liveries not 11 used by different bus companies?</p> <p>12 MR MIKE WESTON: Yes, in the early days of tendering from 13 the mid-1980s through to probably the early 1990s, the 14 private operators at the time, who were competing 15 against the in-house London Transport-owned bus company, 16 which was still publicly owned, were allowed to use 17 buses in their own liveries, and there were probably two 18 main reasons for this at the time. One was to show to 19 the public that things were changing, that things were 20 improving, and one of the ways of doing that was showing 21 that there were new operators coming into the market, so 22 having buses in different liveries was a good way of 23 illustrating that. And the second reason at the time 24 was really to show to the trade unions that things were 25 changing and that the system was moving from a publicly</p>

Page 17	Page 19
<p>1 owned and publicly employed operation to a private 2 operation. So there were probably two main reasons. 3 Eventually the decision -- and I think it was 4 probably in the early/mid-1990s -- was taken that 5 actually the marketing benefit of having a common livery 6 was far stronger than those other messages that were 7 probably by that point already accepted by the public. 8 MR PETER DUNCAN: I would like to move now, please, to 9 another quite significant difference between London and 10 Hong Kong, and that is the difference in the contractual 11 framework which exists and which permits the bus 12 operators to undertake their work. 13 As you appreciate, in Hong Kong, there are 14 negotiated contracts by the form of a franchise under 15 which the bus operators operate, whereas, as is evident 16 from your report, in London you have what might be 17 described, and I think has been described, as 18 a route-based competitive tendering system. 19 I would just like to ask you some questions -- bring 20 to your attention, first of all, some matters, and then 21 ask you some questions about the system which operates 22 in London in this respect. 23 Could I ask you to go to page 124. If I take you 24 through the first few paragraphs of 3.3, I think we will 25 get a very good idea of the system operating in London.</p>	<p>1 those paragraphs, "1994": 2 "Remaining routes placed onto negotiated contracts 3 with privatisation of the public owned companies. All 4 bus operation privately owned but controlled and managed 5 through the tendering process by London Transport." 6 So the first question I've got is: do negotiated 7 contracts exist at all now in London, or is everything 8 done by way of competitive tendering? 9 MR MIKE WESTON: No, they don't. Perhaps I can clarify the 10 1994 position. So, as it says in the report, by 1993 11 50 per cent of the bus routes had been competitively 12 tendered. Some of those had been successfully won by 13 private operators; some of them had been won by London 14 Transport in-house bus companies that were still 15 publicly owned. Because of a desire by the government 16 at the time to privatise the bus companies that were 17 still publicly owned and put them into the private 18 sector, it was necessary to put the remaining bus 19 routes, which at that point had basically received 20 a block subsidy internally from London Transport to 21 operate them -- it was necessary to put them onto some 22 sort of contract. So the decision was taken to put each 23 of these remaining routes that hadn't been subject to 24 competitive tendering onto a negotiated contract, where 25 the contract price was negotiated.</p>
Page 18	Page 20
<p>1 You say: 2 "It is useful to understand the contract regime 3 pertaining to London to understand how safety 4 management, by both TfL and the bus operators, fits into 5 this regime. The competitive tendering of individual 6 bus routes with the whole network being controlled, 7 regulated and planned by the Transport Authority 8 (Transport for London) is currently unique to London due 9 to government policy dating back to 1985. 10 Route tendering was introduced in 1985 with the 11 overall structure of awarding 5-year contracts, with 12 operators receiving 2-year extensions if they meet 13 certain performance criteria, having remained unchanged 14 over this period. 15 Gross cost contracts are used by TfL with the 16 operators being paid for each mile operated with 17 additional bonuses and deductions based on the 18 reliability of the service. Passenger revenue is 19 retained by TfL so in practice any enhancements to the 20 contract, including safety or other improvements to 21 buses, are funded by Transport for London not the bus 22 operator." 23 Then you have taken us through, again, some of the 24 history behind the evolution of the system. 25 If I could bring your attention then to the last of</p>	<p>1 But the important thing that this probably fails to 2 explain is that those negotiated contracts had a fixed 3 life, so that the companies or the management that were 4 buying these bus companies from London Transport had 5 a portfolio of competitively won contracts but also 6 a portfolio of negotiated contracts, but they knew the 7 end date of each of those contracts. So they knew that 8 in five years' time or four and a half years' time, that 9 route would be subject to competitive tendering. 10 So it was a way, really, of sort of accelerating 11 putting everything onto a route contract for 12 privatisation, but with a clear view that those 13 contracts would be re-tendered after a certain 14 timescale, and they subsequently were all re-tendered 15 and probably -- I'm just trying to think -- about five 16 years later, they had all been then subject to the first 17 round of competitive tendering. 18 CHAIRMAN: So by 1998/1999, all routes were operated on 19 a tendered basis? 20 MR MIKE WESTON: Yes, roughly. Those dates are roughly 21 about right, yes. 22 MR PETER DUNCAN: Thank you. 23 If we go back to the second paragraph on page 125, 24 there are references in the second line to "additional 25 bonuses and deductions" to the gross cost contracts</p>

Page 21	Page 23
<p>1 "based on the reliability of the service".</p> <p>2 I think if you go through to page 131, we get</p> <p>3 further detail as to these bonuses and deductions, at</p> <p>4 paragraph 4.3.3; is that correct?</p> <p>5 MR MIKE WESTON: Yes, that's correct. So the quality</p> <p>6 incentive contract was or is a gross cost contract but</p> <p>7 with additional incentives for reliability and</p> <p>8 performance.</p> <p>9 MR PETER DUNCAN: We can see the matters which are taken</p> <p>10 into account with regard to the incentives or</p> <p>11 disincentives, and there is reference to EWT, excess</p> <p>12 wait time. There is a quality of service indicator.</p> <p>13 And you say, at the end of the first paragraph:</p> <p>14 "These payments could range between plus 15/minus</p> <p>15 10 per cent and were aimed at increasing operators'</p> <p>16 focus on reliability of the service in addition to</p> <p>17 quantity (ie mileage operated) which had been the focus</p> <p>18 of the gross cost contracts."</p> <p>19 Does the element of safety have any relevance in the</p> <p>20 context of these bonuses or deductions?</p> <p>21 MR MIKE WESTON: No, these bonuses are -- the potential</p> <p>22 bonuses of plus 15 per cent of the contract price or</p> <p>23 minus 10 per cent are purely related to the reliability</p> <p>24 of the service, as measured either by excess wait time,</p> <p>25 which is the measure for high-frequency services, or by</p>	<p>1 MR PETER DUNCAN: Could you give us an idea of what the</p> <p>2 maximum contract price would be for -- I assume it would</p> <p>3 be the longest route or the most complicated route?</p> <p>4 MR MIKE WESTON: Yes. For a bus route of -- some of the</p> <p>5 bigger bus routes in London will have about 60 vehicles</p> <p>6 on them, and the contract price could be up to</p> <p>7 20 million pounds a year, so quite a significant</p> <p>8 contract, yes.</p> <p>9 CHAIRMAN: And the basis of the contract is the bus operator</p> <p>10 says, "I will do this route for 20 million pounds", and</p> <p>11 Transport for London will pay them 20 million pounds,</p> <p>12 plus or minus the bonus or the deduction?</p> <p>13 MR MIKE WESTON: Well, there are two payment regimes.</p> <p>14 There's the contract price which is then divided by the</p> <p>15 annual scheduled mileage to get a contract price per</p> <p>16 mile, and an operator is then paid that rate per mile</p> <p>17 for every mile that they operate. So effectively they</p> <p>18 lose the contract rate per mile for mileage that they</p> <p>19 fail to operate due to reasons within their control.</p> <p>20 So, for example, if they have no driver to run the</p> <p>21 journey or they have no bus because of mechanical</p> <p>22 failure, they would lose the rate per mile from the</p> <p>23 contract price.</p> <p>24 But it is fair to say those deductions are</p> <p>25 relatively small. Probably, for mechanical loss</p>
Page 22	Page 24
<p>1 on-time performance, which is the measure for lower</p> <p>2 frequency performance.</p> <p>3 So these payments only relate to the reliability of</p> <p>4 the service provided by the operators.</p> <p>5 MR PETER DUNCAN: Could I take you back now to 127.</p> <p>6 CHAIRMAN: Before you do that -- and in context, is the fact</p> <p>7 that a bonus of up to 15 per cent can be gained by good</p> <p>8 performance and a deduction of 10 per cent from the</p> <p>9 contract agreement important to bus operators, from</p> <p>10 a financial point of view?</p> <p>11 MR MIKE WESTON: Yes, from a financial point of view --</p> <p>12 I mean, the ability to get plus 15 per cent -- to get</p> <p>13 15 per cent is very, very difficult; the service has to</p> <p>14 be running almost perfectly. To get minus 10 per cent,</p> <p>15 again, is probably quite unusual because a service would</p> <p>16 have to be very poor. So probably the average payments</p> <p>17 range perhaps between 5 and 8 per cent of the contract</p> <p>18 price for an operator's portfolio of routes added</p> <p>19 together over the course of a year. That's significant</p> <p>20 and that roughly equates to the average return that</p> <p>21 a lot of the bus companies in London are making. So in</p> <p>22 many ways an operator achieving their reliability</p> <p>23 targets effectively is their profit on the contracts.</p> <p>24 So it is an important element and it is an important</p> <p>25 incentive to the operators to achieve those payments.</p>	<p>1 mileage, it's about 0.3 per cent; for staff, it is</p> <p>2 probably a very similar figure. So fairly small</p> <p>3 deductions for mileage not operated.</p> <p>4 For mileage that is not operated due to reasons</p> <p>5 beyond their control -- so this is traffic delays, or</p> <p>6 diversions due to planned or unplanned events -- they</p> <p>7 are not deducted. That is considered not to be within</p> <p>8 their control so they are not deducted. Then</p> <p>9 separately, as we have said, there are these incentive</p> <p>10 payments or deductions for the reliability.</p> <p>11 So the contract price relates to the quantity on</p> <p>12 a rate-per-mile basis, and then there is a relationship</p> <p>13 with these additional payments for reliability of the</p> <p>14 service.</p> <p>15 CHAIRMAN: So, to crystallise that in a short example --</p> <p>16 could you do that for us?</p> <p>17 MR MIKE WESTON: Yes. I will use simple figures to</p> <p>18 illustrate. So a contract price of 1,000 pounds and</p> <p>19 an operator is supposed to run 100 miles, the contract</p> <p>20 rate per mile will be 10 pounds per mile. For every</p> <p>21 mile they don't operate, they would lose 10 pounds per</p> <p>22 mile. These are very simple figures to illustrate the</p> <p>23 point.</p> <p>24 But clearly, if the service was better than the</p> <p>25 excess wait time minimum standard within the contract,</p>

Page 25	Page 27
<p>1 they could earn some bonuses up to 15 per cent of that 2 contract price. But, as I said earlier, plus 3 15 per cent is very, very difficult to achieve. The 4 average is probably nearer 8 to 10 per cent for a very 5 reliable service.</p> <p>6 CHAIRMAN: So, in order to avoid deductions for mileage lost 7 that is your fault, it is important to have 8 a maintenance regime for your buses and to have adequate 9 staff numbers? Would that be a simple way of looking at 10 it?</p> <p>11 MR MIKE WESTON: Yes, Chairman, that's correct. So making 12 sure you've got enough drivers every day to run the 13 service, and that's why most depots will have some spare 14 drivers because it is a way of protecting the mileage if 15 some drivers don't show up for work, perhaps due to 16 sickness. And then making sure you have adequate buses 17 each day that are ready for service, so that's around 18 adequate maintenance regimes but also adequate spare 19 vehicles to provide cover when other vehicles are being 20 maintained.</p> <p>21 But it is fair to say that the maturity of the 22 tendering system in London is such that the amount of 23 mileage that operators lose due to staff and mechanical 24 reasons is relatively small. It is pretty low, because 25 there's a maturity in managing those aspects of the</p>	<p>1 you wait nearly ten minutes; you may arrive five minutes 2 and wait five minutes, or you may arrive and literally 3 the bus arrives, but on average you should wait five 4 minutes.</p> <p>5 So the excess wait time is how long you wait over 6 that ideal wait time, and for a route the minimum 7 standard may be one minute or may be 1.2 minutes' excess 8 wait time. So that's how the calculation is used.</p> <p>9 Historically, as I said, it was done by manual data 10 collection. Now it is calculated automatically through 11 the vehicle location system. So historically it was 12 a sample; now it is effectively 100 per cent statistic 13 based on all buses on that route.</p> <p>14 MEMBER LO: A follow-up question. You said for factors out 15 of their control, like congestion, would not be 16 deducted, so how do they factor in congestion in their 17 calculation?</p> <p>18 MR MIKE WESTON: Sorry?</p> <p>19 MEMBER LO: You mentioned about for factors outside their 20 control, like detour, congestion, those factors will not 21 cause any reduction or deduction in payment scheme, but 22 how do they factor in congestion effect in this kind of 23 calculation?</p> <p>24 MR MIKE WESTON: Okay. So, for congestion, an operator, 25 when they are submitting their tender bid, would be</p>
Page 26	Page 28
<p>1 service.</p> <p>2 CHAIRMAN: That's because of experience; bus operators know 3 the margins that they need to have of staff and vehicles 4 not to fall into that problem?</p> <p>5 MR MIKE WESTON: Yes, that's correct.</p> <p>6 MEMBER LO: To operate the system, do you have to gather 7 information about the arrival time of every bus at every 8 bus stop?</p> <p>9 MR MIKE WESTON: Yes. So the excess wait time calculation 10 and the on-time performance calculations historically 11 were done by surveys, sample surveys, with inspectors 12 standing on the roads noting down -- these are Transport 13 for London-employed inspectors -- when buses went past 14 that location, and that data was then used to calculate 15 the excess wait time.</p> <p>16 It might be worth just briefly explaining what the 17 excess wait time is. The way that Transport for London 18 measure the reliability of high-frequency services is 19 through the statistic called excess wait time. So, for 20 a ten-minute frequency bus service, the assumption is 21 that passengers will arrive randomly at the bus stop. 22 They won't use a timetable, they will just arrive at the 23 bus stop. So, if the ten-minute service is running 24 perfectly, on average you should wait five minutes, 25 because you may have just arrived and missed the bus, so</p>	<p>1 expected to put in a timetable or a schedule. So 2 Transport for London will specify the frequency of the 3 service required and will specify the route of the 4 service. But the operator has to turn that into 5 an operating schedule and determine how many buses they 6 need to run that route reliably. And an operator is 7 expected to design a schedule to cope with the average 8 congestion on the majority of days.</p> <p>9 In extreme circumstances -- I'm trying to think of 10 an example -- so an unplanned demonstration in Central 11 London, a terrorist attack in Central London, for 12 example, where there is a lot of disruption and major 13 chaos and congestion, Transport for London will then 14 void those days from the calculation. So, in extreme 15 examples where the congestion is very, very bad and it 16 is clear that the operator couldn't predict that and 17 also couldn't manage the service in those circumstances, 18 those days would be void from the calculation.</p> <p>19 CHAIRMAN: So would that apply to, for example, a burst 20 water main, the Dartford Tunnel having a vehicle on fire 21 and being closed?</p> <p>22 MR MIKE WESTON: Yes. What tends to happen for more 23 localised incidents is that individual routes could be 24 void for those days, not necessarily -- I think for -- 25 I was managing the bus network on the day of the 7 July</p>

Page 29	Page 31
<p>1 2005 attacks on the Underground and bus network, clearly 2 all the data for that day and subsequent days was void 3 because it clearly wasn't the right thing to do, to try 4 to monitor and penalise the operators. 5 But individual routes could be void due to a local 6 issue, yes. 7 CHAIRMAN: Thank you. 8 MR PETER DUNCAN: So, going back to page 127, if we could 9 Mr Weston. You set out at paragraph 4.1 the contract 10 responsibilities, and if I could try and reduce this to 11 very simple terms by summarising four points -- if you 12 can just confirm this is the case or, if not, please 13 tell me -- first of all, Transport for London will 14 invite tenders for a particular route. Secondly, 15 a tender will put in a contract price for operating that 16 route. Thirdly, Transport for London will keep all the 17 fare revenue and thus assume the profits and the losses 18 associated with the patronage on that route. Then, 19 fourthly, Transport for London will simply pay the 20 contract price to the operator with the bonuses and 21 deductions you have just described. 22 Is that a very quick, very simple thumbnail summary? 23 MR MIKE WESTON: Yes, I think that's a good summary. 24 MR PETER DUNCAN: Now, on the routes which are made 25 available for tender, who decides on the routes and what</p>	<p>1 will bring a lot of extra capacity to the Underground 2 network, and as a result a lot of the bus routes in 3 Central London will lose patronage and therefore they 4 will be changed when the line opens. Some of them will 5 be withdrawn and some will be reduced, to make sure that 6 there is an efficient operation in terms of the services 7 provided. 8 MR PETER DUNCAN: Does this involve consultation with the 9 bus operators, or is this done exclusively within 10 Transport for London? 11 MR MIKE WESTON: There will be some dialogue with bus 12 operators, but essentially it is a sort of central 13 planning process. There is a duty on Transport for 14 London to consult with the local authorities in London 15 and stakeholders, including members of the public, so 16 Transport for London have to consult before service 17 changes are made. 18 So there will be some dialogue with the operators 19 but I wouldn't necessarily -- I wouldn't describe it as 20 consultation. 21 MR PETER DUNCAN: You mentioned just a few moments ago that 22 there was an aspirational approach -- persons living 23 within a certain area should have access to a bus 24 service. Assuming that route is unprofitable, would the 25 route nevertheless continue, to enable that aspiration?</p>
Page 30	Page 32
<p>1 factors are taken into account in determining a new 2 route or discard of an old route? 3 MR MIKE WESTON: Yes. So the route planning is done by 4 Transport for London, and it is done under what are 5 called the service planning guidelines which are some 6 high-level guidelines which set the sort of aspirations 7 for running bus services in London, and within those 8 guidelines, for example, there is an aspiration that 9 nobody is more than 400 metres from a bus stop in 10 London. It's not totally achieved, it's almost achieved 11 but not totally. And there will be various other 12 guidelines about trying to provide a comprehensive 13 service seven days a week, from a certain time in the 14 morning to a certain time in the evening. So there are 15 some guidelines that set the aspiration. 16 So all the route planning is done by Transport for 17 London and they will determine which services should be 18 enhanced, which services should be reduced. Some of 19 that will be based on loadings and how busy routes are. 20 Some of it will be based on working with colleagues in 21 other parts of the organisation to determine changes 22 likely to happen. 23 So at the moment, for example, there is a new 24 railway line opening next year now, called the Elizabeth 25 Line, which goes across Central London. Clearly, that</p>	<p>1 MR MIKE WESTON: Yes. So the decision on each individual 2 service change is done on a cost/benefit analysis. So 3 there is a subsidy for the London bus network, and if 4 you take that subsidy, for every pound you spend, you 5 will be looking to maximise the passenger benefits. So 6 every service change will go through a small 7 cost/benefit calculation to make sure it is getting some 8 passenger benefits to make sure it is worthwhile 9 investing that pound of money. 10 But it's worth saying there is subsidy into the bus 11 network and ultimately, Transport for London, under the 12 direction of the mayor, in theory, could operate the 13 service without subsidy, through a combination of 14 running less unprofitable services and/or charging more 15 to passengers to use the service. So the amount of 16 subsidy that is put into the network is very much 17 a political decision by the mayor, who sets the strategy 18 for the organisation. 19 CHAIRMAN: So it could be user pay or it could be 20 subsidised, as it is? 21 MR MIKE WESTON: Yes. As it says in my report, one of the 22 key things that the mayor determines is passenger fares. 23 So the decision to change passenger fares rests with the 24 mayor, not with Transport for London. So, clearly, that 25 has an impact on the financial performance of the bus</p>

Page 33	Page 35
<p>1 network.</p> <p>2 The current mayor, who was elected in 2016, in his</p> <p>3 manifesto made a commitment not to increase fares on the</p> <p>4 Underground or buses for four years of his initial term,</p> <p>5 and that clearly has big benefits to the travelling</p> <p>6 public in terms of value for money but obviously has</p> <p>7 implications on Transport for London in terms of fares</p> <p>8 income over the next four years.</p> <p>9 CHAIRMAN: Where does the money come from?</p> <p>10 MR MIKE WESTON: So the mayor has to find it from other</p> <p>11 sources, so, for example, from the Council Tax, the</p> <p>12 business rates; encourage -- well, part of it has been</p> <p>13 encouraging Transport for London to become more</p> <p>14 efficient as an organisation, through trying to reduce</p> <p>15 its costs. So a whole combination of ways of trying to</p> <p>16 balance the books.</p> <p>17 CHAIRMAN: What proportion of the costs of running the buses</p> <p>18 does the total amount of fares represent?</p> <p>19 MR MIKE WESTON: I'm trying to see if we've got any figures</p> <p>20 in here. At the moment, it is -- about a third of the</p> <p>21 cost of the operation is subsidy, so it's about 600.</p> <p>22 I'm just looking at my notes for the figure.</p> <p>23 CHAIRMAN: Take your time.</p> <p>24 MR MIKE WESTON: Yes, sorry, in the financial year 2016/17,</p> <p>25 70 per cent of the cost of the network was covered by</p>	<p>1 "By financial year 1997/98 the network broke even</p> <p>2 with passenger revenue covering operating costs."</p> <p>3 Then you have referred to the impact of elected</p> <p>4 mayors from 2000, at the top of page 121, and the</p> <p>5 figures, with the cost recovery of 70 per cent, apparent</p> <p>6 from the first paragraph on page 121.</p> <p>7 MR MIKE WESTON: Yes. Correct.</p> <p>8 MR PETER DUNCAN: So, for 2016/17, the amount of the subsidy</p> <p>9 seems to be something like 626 million pounds.</p> <p>10 MR MIKE WESTON: Yes, that's correct.</p> <p>11 MR PETER DUNCAN: So that's over 600 billion in Hong Kong</p> <p>12 dollar terms.</p> <p>13 The chairman asked you who meets that subsidy. Is</p> <p>14 it simply the ratepayers of London, or how is that</p> <p>15 actually met?</p> <p>16 MR MIKE WESTON: Historically, it was a combination of the</p> <p>17 ratepayers of London, both domestic, private ratepayers,</p> <p>18 but also businesses, but until this year it is also</p> <p>19 an element of government subsidy, so national subsidy.</p> <p>20 But from next year -- the government about three years</p> <p>21 ago gave notice to Transport for London that they would</p> <p>22 no longer be getting any revenue subsidy, ie subsidy to</p> <p>23 cover operating costs; they would only give the</p> <p>24 organisation capital grants, capital grants aimed at</p> <p>25 improving the infrastructure, so, for example, building</p>
Page 34	Page 36
<p>1 passenger revenue. So the other 30 per cent was</p> <p>2 subsidy, which was 626 million. But that's varied over</p> <p>3 the years, and I think my report makes reference that in</p> <p>4 1997/98, the network broke even, and the passenger</p> <p>5 revenue covered the cost of operation.</p> <p>6 But we are stressing that those decisions are</p> <p>7 very -- are political decisions. They are decisions of</p> <p>8 the mayor about how he or she wants financially the bus</p> <p>9 network to operate.</p> <p>10 CHAIRMAN: So if fares are frozen for four years, one could</p> <p>11 expect the 70 per cent covered by fares to drop to</p> <p>12 perhaps 60 per cent or some lower figure?</p> <p>13 MR MIKE WESTON: Potentially, unless the service volume is</p> <p>14 reduced, which the current business plan assumes it will</p> <p>15 be slightly.</p> <p>16 CHAIRMAN: Right. Thank you.</p> <p>17 MR PETER DUNCAN: I think you have referred to the financial</p> <p>18 performance and the subsidy aspects that the chairman</p> <p>19 has been asking you about, at pages 120 and 121 of your</p> <p>20 report. Do you see there reference to the financial</p> <p>21 performance?</p> <p>22 MR MIKE WESTON: Mmm.</p> <p>23 MR PETER DUNCAN: I think, at the bottom of page 120, the</p> <p>24 last sentence, you have referred to one of the points</p> <p>25 you've just made:</p>	<p>1 new Underground lines, enhancing stations, for example.</p> <p>2 So the last two or three years, Transport for London</p> <p>3 has seen its revenue grant from central government go to</p> <p>4 zero, so it has had to make up that shortfall from</p> <p>5 a combination of local funding from the 32 London</p> <p>6 boroughs and business rates and domestic rates, but also</p> <p>7 by some aggressive cost-cutting, in trying to cut</p> <p>8 overheads and reduce the costs of operating the</p> <p>9 business. So it's been quite a challenging time.</p> <p>10 At the same time, the mayor made a decision to</p> <p>11 freeze fares for four years. I refer in the next</p> <p>12 paragraph to the fact that contract prices go up with</p> <p>13 inflation. So, for the next four years, the contract</p> <p>14 prices will go up with inflation, but the fares revenue</p> <p>15 will effectively be frozen. So that's again a big</p> <p>16 financial challenge for the organisation.</p> <p>17 CHAIRMAN: What was the size of the central government</p> <p>18 subvention at the time the government indicated it would</p> <p>19 cease to provide it over a period of three years?</p> <p>20 MR MIKE WESTON: It was around about 600 million, I think,</p> <p>21 at the time they decided they were going to reduce it to</p> <p>22 zero, and they took the decision to reduce it to zero</p> <p>23 over about a three or four-year period.</p> <p>24 CHAIRMAN: So 600 million pounds reduced to nothing over --</p> <p>25 MR MIKE WESTON: Yes. It's quite a significant reduction.</p>

Page 37	Page 39
<p>1 That was a grant to the whole organisation, not just to</p> <p>2 the bus parts of the business, but the whole of</p> <p>3 Transport for London.</p> <p>4 CHAIRMAN: Are -- or were, perhaps -- subsidies of this kind</p> <p>5 provided for transport systems outside the metropolis,</p> <p>6 London?</p> <p>7 MR MIKE WESTON: For the railways, yes. For buses, no. So,</p> <p>8 outside of London, bus services are deregulated, so that</p> <p>9 any operator, or anybody that is approved to operate</p> <p>10 buses, can operate, can register to operate, whatever</p> <p>11 bus services they like commercially. So, in the big</p> <p>12 cities, Manchester, Birmingham, for example, any</p> <p>13 operator can commercially operate whatever service they</p> <p>14 feel they want to, and the local authority or the</p> <p>15 transport authority can then buy in the bits of service</p> <p>16 that they feel are perhaps missing.</p> <p>17 So, for example, if an operator operates a service</p> <p>18 commercially Monday to Saturday, the transport authority</p> <p>19 can then buy in a Sunday service, if it's not being</p> <p>20 provided commercially, and probably 90 per cent plus of</p> <p>21 the bus services are provided commercially, with the</p> <p>22 local authorities and transport authorities providing</p> <p>23 the top-up of what's not being operated commercially,</p> <p>24 although the government last year passed legislation to</p> <p>25 allow transport authorities outside of London to</p>	<p>1 MR MIKE WESTON: So the route agreement is a fairly big</p> <p>2 document, 160 to 200 pages, but each operator only signs</p> <p>3 up to the framework agreement once, and then every time</p> <p>4 they win a bus route they get a route agreement, which</p> <p>5 is the more specific information in relation to that</p> <p>6 route.</p> <p>7 MR PETER DUNCAN: Now, at page 129, in the second</p> <p>8 paragraph --</p> <p>9 CHAIRMAN: Before you move away from this -- we have had</p> <p>10 an account from Prof Stanley about the system that</p> <p>11 obtains in Melbourne, which involves an accreditation</p> <p>12 system. In what way, if at all, does the system in</p> <p>13 London, with a framework agreement, then prequalified</p> <p>14 operators -- in what way does that compare or can one</p> <p>15 contrast it with Melbourne and accreditation?</p> <p>16 MR MIKE WESTON: The prequalification system is effectively</p> <p>17 assessing the suitability of a business to become</p> <p>18 an approved supplier for bus services. And it is trying</p> <p>19 to -- it is looking for an established operator that has</p> <p>20 an operator's licence from a government agency, and it</p> <p>21 is not the decision point at which a business wins</p> <p>22 a contract.</p> <p>23 So the hurdles to become an approved supplier are</p> <p>24 relatively low. You have to be an established operator,</p> <p>25 you have to have an operator's licence, and you have to</p>
Page 38	Page 40
<p>1 consider franchising bus services, to look at</p> <p>2 introducing franchising systems, and at the moment</p> <p>3 Manchester are looking at potentially moving from</p> <p>4 a deregulated environment to a franchise-type system.</p> <p>5 CHAIRMAN: Thank you.</p> <p>6 MR PETER DUNCAN: Could I ask you to go back now to</p> <p>7 page 127, where you have dealt with the contract</p> <p>8 structure, and leading on to page 128, under the heading</p> <p>9 4.2, "Contract life cycle".</p> <p>10 If I understand this correctly, the operator would</p> <p>11 be bound by two agreements, first of all the framework</p> <p>12 agreement, which, according to the second arrow, sets</p> <p>13 out the general contractual requirements for operating</p> <p>14 bus services for Transport for London; and then, third</p> <p>15 from the bottom, a route agreement also which is issued,</p> <p>16 which details the specific route requirements, including</p> <p>17 minimum performance standards.</p> <p>18 Have you made available examples of those in your</p> <p>19 supporting documents?</p> <p>20 MR MIKE WESTON: Yes, there is a reference, web link, to the</p> <p>21 route agreement, that includes an example of -- sorry,</p> <p>22 the framework agreement, and the framework agreement</p> <p>23 includes an example of the route agreement.</p> <p>24 MR PETER DUNCAN: Thank you. Yes, I see that's referred to</p> <p>25 at page 189. Yes, thank you.</p>	<p>1 have some experience of running buses. But it is set</p> <p>2 relatively low because Transport for London, as well as</p> <p>3 trying to encourage big companies and big businesses to</p> <p>4 come in as approved suppliers, also see a place for some</p> <p>5 very small companies. So there are some very small</p> <p>6 companies who may operate 10 or 15 buses on school bus</p> <p>7 contracts, for example.</p> <p>8 So the prequalification process is a relatively open</p> <p>9 process, to encourage people to participate in the</p> <p>10 tendering process, and it is the tendering process that</p> <p>11 then decides the suitability of an operator to win</p> <p>12 a particular contract.</p> <p>13 So I certainly wouldn't describe it as</p> <p>14 an accreditation process. It is making sure that</p> <p>15 a potential operator has got the basic components in</p> <p>16 place to run buses in London.</p> <p>17 CHAIRMAN: Thank you.</p> <p>18 Yes, Professor.</p> <p>19 MEMBER LO: Does it include whether they have a depot? Is</p> <p>20 that a qualification criteria?</p> <p>21 MR MIKE WESTON: No. The requirement to have a depot -- as</p> <p>22 an approved supplier, you wouldn't have to have a depot.</p> <p>23 It is clearly a barrier to entry to the market, because</p> <p>24 getting a depot is a challenge, and where you locate it</p> <p>25 would be a challenge, and obviously one of the</p>

Page 41	Page 43
<p>1 challenges for TfL is that for a new operator, they</p> <p>2 might award them a route with perhaps 20 vehicles' worth</p> <p>3 of work, but your depot might be 150 capacity, so you</p> <p>4 have to be confident you can win more work over time to</p> <p>5 fill that depot up. But, as an approved supplier, you</p> <p>6 don't have to have a depot in London. Logically,</p> <p>7 because you are already an operator, you will have</p> <p>8 a depot somewhere, but it could be somewhere else in the</p> <p>9 UK. It could be somewhere else in Europe. It could be</p> <p>10 somewhere else in the world, in theory.</p> <p>11 MR PETER DUNCAN: At page 129, you have addressed the</p> <p>12 question of the evaluation of an operator's bid, which</p> <p>13 you describe in the first line:</p> <p>14 "... an assessment of all aspects of their current</p> <p>15 performance including safety."</p> <p>16 If I may continue to quote:</p> <p>17 "This approach allows Transport for London to</p> <p>18 reflect an operator's current performance into the</p> <p>19 tender evaluation process thus acting as a strong</p> <p>20 incentive for operators to constantly improve their</p> <p>21 performance. In terms of safety performance, along with</p> <p>22 performance on all other aspects of the route agreement</p> <p>23 this will feed into the tender evaluation process and</p> <p>24 could result in either operating contracts not being</p> <p>25 renewed or an operator failing to win a new contract.</p>	<p>1 A very, very big decision and potentially very</p> <p>2 disruptive to the transport network and members of the</p> <p>3 public.</p> <p>4 The benefit of the London system is that you can</p> <p>5 send some very clear messages to the operator by not</p> <p>6 awarding them some contracts for a period of time. It</p> <p>7 doesn't have a devastating effect on their business but</p> <p>8 sends a very strong message that they've got to improve</p> <p>9 their performance.</p> <p>10 So I think the purpose for this red line is not</p> <p>11 defined in black and white. It's not a clear</p> <p>12 definition. It's just a very strong check, in terms of</p> <p>13 the tender valuation. You are looking at the commercial</p> <p>14 aspects of somebody's tender bid, you are looking at</p> <p>15 their current performance in relation to quality of</p> <p>16 service, volume of service on their other contracts,</p> <p>17 looking at all the other monitoring data, to come up</p> <p>18 with a score for their performance, and then separately</p> <p>19 there is a look at their safety indicators to see</p> <p>20 whether there are any areas of concern.</p> <p>21 The example given there was it was pretty clear that</p> <p>22 this company was struggling with maintenance, mainly due</p> <p>23 to a high retirement rate of engineers. They were</p> <p>24 losing a lot of engineers who had been with the company</p> <p>25 for a large number of years, and they had failed to</p>
Page 42	Page 44
<p>1 However, safety is not currently scored as part of the</p> <p>2 technical evaluation but treated as a 'red line' in</p> <p>3 terms of the award of new contracts. An example given</p> <p>4 by Transport for London was a contractor in 2015 who due</p> <p>5 to concerns about maintenance standards, which were</p> <p>6 visible due to high mechanical lost mileage and poor</p> <p>7 engineering quality monitoring results, was not awarded</p> <p>8 new contracts whilst they addressed the area of</p> <p>9 concern."</p> <p>10 You have given one example there of the red line</p> <p>11 having been crossed, but could you give the committee</p> <p>12 some idea as to how one does cross the red line in this</p> <p>13 context?</p> <p>14 MR MIKE WESTON: Yes. It is fair to say that the red line</p> <p>15 is -- there is no definition of the red line in terms of</p> <p>16 what is and isn't acceptable.</p> <p>17 One of the big advantages of the route level</p> <p>18 tendering system over perhaps an area-based franchising</p> <p>19 system, such as for example in Singapore, is that the</p> <p>20 ability of the authority to adjust the size of a company</p> <p>21 through route awards is very, very flexible. The</p> <p>22 challenge with a big area franchise is that if</p> <p>23 performance in certain aspects of the contract isn't up</p> <p>24 to standard, it is a very big decision to terminate that</p> <p>25 contract. You may have a contract for 400 or 450 buses.</p>	<p>1 really anticipate that and recruit and train new people.</p> <p>2 So they were struggling to maintain their vehicles.</p> <p>3 That became visible in terms of a lot of mechanical</p> <p>4 breakdowns on the road, and poor engineering -- the</p> <p>5 quality monitoring that TfL undertook, the results were</p> <p>6 showing issues.</p> <p>7 So, it was then that, because of that concern, the</p> <p>8 view was taken that that needed to improve. The</p> <p>9 operator was given a warning to improve their</p> <p>10 performance, and in the intervening period they were not</p> <p>11 awarded any new contracts. So probably over that period</p> <p>12 they may have lost four or five contracts that they</p> <p>13 would have otherwise won. Then, once that performance</p> <p>14 is returned to an acceptable standard, they were then</p> <p>15 able to win contracts again.</p> <p>16 But it is worth stressing that red line is not</p> <p>17 defined; it's a judgment by the evaluation team and</p> <p>18 board of directors who will ultimately award those</p> <p>19 contracts. So they will have that discussion when they</p> <p>20 make that contract award.</p> <p>21 CHAIRMAN: But in the example that you have given, the</p> <p>22 breakdowns, the high mechanical lost mileage and poor</p> <p>23 engineering, those are factors that would have shown up</p> <p>24 in quality performance monitoring, would they not?</p> <p>25 MR MIKE WESTON: Yes. They will show up both in the lost</p>

Page 45	Page 47
<p>1 mileage returns, because of the number of breakdowns on 2 the road will start to increase, so the operator would 3 be getting deductions for lost mileage, but they will 4 also show up through the independent assessments that 5 Transport for London undertake.</p> <p>6 CHAIRMAN: I am just wondering where the two meet, the 7 safety side of things and the breakdown of buses and 8 therefore you are not meeting your requirements. Had 9 this reached the stage where the wheels were coming off 10 the bus and they were crashing into people?</p> <p>11 MR MIKE WESTON: No. I think the first visual sign of sort 12 of poorer maintenance tends to be mechanical breakdown, 13 so vehicles breaking down because of perhaps gearbox 14 failure or engine failure. I think it is fair to say 15 that operators would always make sure that those sort of 16 safety-related engineering things are done correctly 17 because they realise -- because the other aspect is, as 18 well as TfL's sanction of not awarding contracts, the 19 government agency, who have a national role, do their 20 own monitoring of engineering standards of bus companies 21 across the whole of the UK, and they can ultimately call 22 the operator to a public inquiry, and the traffic 23 commissioner can restrict the number of vehicles that 24 they can operate. 25 So there is another sanction that the government</p>	<p>1 quality monitoring scores, driver quality monitoring 2 scores, a whole host of things that could, if they start 3 to look out of kilter with other operators, would be 4 an indication that something is not right. It might not 5 necessarily be safety-related but it tends to indicate 6 that something is not going right in the company.</p> <p>7 CHAIRMAN: Are these safety performance indicators publicly 8 available yet, or are these matters to be announced 9 soon?</p> <p>10 MR MIKE WESTON: Not yet. They will be, yes. I think the 11 intention is that the safety performance indicators will 12 be made public but they haven't been as of yet. I think 13 they will be announced shortly.</p> <p>14 CHAIRMAN: So, at the moment -- or rather prior to, perhaps, 15 the trial of these safety performance indicators, how 16 was safety measured, if it was measured?</p> <p>17 MR MIKE WESTON: There was a lot -- a lot of the 18 monitoring -- there was a lot of trend analysis around 19 collisions, falls on buses, all the measures -- all the 20 statistics and data that was being gathered around 21 safety and incidents was being -- there was a lot of 22 trend analysis and a lot of comparison of performance 23 between individual operators. 24 So, for example, TfL produced a lot of graphs 25 showing the trends in falls on buses, in pedestrian</p>
Page 46	Page 48
<p>1 level can apply to a bus company.</p> <p>2 CHAIRMAN: So was this perhaps, really, a potential safety 3 issue? Your buses are breaking down so often that it 4 means you are not maintaining them properly and 5 therefore potentially there is a safety issue?</p> <p>6 MR MIKE WESTON: I think if both the operator and Transport 7 for London hadn't recognised the urgency of the issue, 8 it could potentially become a safety issue. I don't 9 think it did. I think it potentially could have become 10 a safety issue.</p> <p>11 CHAIRMAN: Yes. Thank you.</p> <p>12 MR PETER DUNCAN: You did mention a couple of moments ago in 13 one of your answers safety indicators in this context. 14 Does Transport for London keep a list of particular 15 safety indicators, or is this looked at from a more 16 generic point of view?</p> <p>17 MR MIKE WESTON: Yes, there's a whole host of safety 18 indicators, and at the moment, with the operators, they 19 have come up with a safety performance index which is 20 about 41 indicators, which they are going to turn into 21 a safety score for each operator, to try to bring all 22 the various monitoring together, to give a clear 23 indication of safety performance. 24 So there are a whole host of safety indicators, from 25 engineering, mechanical lost mileage, the engineering</p>	<p>1 conflict incidents, and those were broken -- those 2 trends were shown both at a network level but also at 3 an operator level, and operators, through one of the 4 forums that was held with all the operators, would share 5 that data, and were happy that other operators saw each 6 other's data, so they were able to compare their 7 performance with their peer group. 8 So a lot of the data was monitored and then shared 9 amongst the operators.</p> <p>10 CHAIRMAN: Is this data available on the internet?</p> <p>11 MR MIKE WESTON: Yes. So the data of all -- TfL, with 12 regards to bus data, bus safety, currently publish two 13 lots of data. They publish every quarter an Excel 14 spreadsheet of all incidents that have occurred on the 15 bus network, all safety-related incidents, so slips, 16 trips and falls on buses, incidents with other vehicles, 17 incidents with pedestrians, incidents with cyclists. So 18 that's produced quarterly as an Excel spreadsheet.</p> <p>19 CHAIRMAN: But is that done globally or is that done 20 operator by operator?</p> <p>21 MR MIKE WESTON: Well, it's a spreadsheet of all incidents, 22 but on the front end of the spreadsheet, anybody, 23 including members of the public, are able to interrogate 24 that by operator or by route. So there is a front 25 dashboard where you can filter the spreadsheet by</p>

Page 49	Page 51
<p>1 operator, by borough, which part of London, or by 2 individual bus route. So it allows the public to 3 interrogate that data on that basis. 4 Then, in addition -- 5 CHAIRMAN: But it's not presented, for example, Abellio have 6 a lot more trips, slips and falls than Stagecoach; it's 7 not presented in that way? 8 MR MIKE WESTON: No, not at the moment, no. A member of the 9 public or some other organisation could do that analysis 10 themselves and come to that conclusion, but it is not 11 presented in that way. 12 Then, in addition, every quarter, there is 13 a performance dashboard for the safety performance of 14 the bus network, at a network level, so it's showing the 15 trends compared with previous quarters on various things 16 like slips, trips and falls, accidents, and showing the 17 trends with previous quarters. Again, that at the 18 moment is done at a network level, not at an operator 19 level. 20 CHAIRMAN: And the network level produces figures for 21 fatalities and serious injuries as well? 22 MR MIKE WESTON: Yes, so for any incident on the bus 23 network. 24 CHAIRMAN: Yes, thank you. 25 MR PETER DUNCAN: With regard to that data, what is the</p>	<p>1 that's also published quarterly. 2 CHAIRMAN: Under a website for the Metropolitan Police? 3 MR MIKE WESTON: It might even be a national website, 4 because I think it's actually national data. 5 CHAIRMAN: From which data can London be extracted or not? 6 MR MIKE WESTON: Yes, from STATS19 you can extract it, yes, 7 by the whole of London, by London boroughs, by certain 8 specified geographical parts of London, and I think by 9 vehicle type. 10 CHAIRMAN: So certainly, for example, you say the police 11 data encompasses serious incidents, so one could compare 12 all fatalities in or around buses from the police data 13 and the Transport for London database? 14 MR MIKE WESTON: Yes. I mean, those figures should 15 correlate. There should be no reason why they should be 16 any different, clearly. The minor injuries may not -- 17 because there may be some minor injuries where the 18 police have attended, but there might be some minor 19 injuries where the police didn't attend. So the minor 20 injuries might not but certainly the serious and 21 fatalities should actually correlate with each other. 22 CHAIRMAN: Thank you. 23 MR PETER DUNCAN: In this context, could I ask you to turn 24 to page 150 of your report. At paragraph 7.8, is there 25 a paragraph on Transport for London's safety performance</p>
Page 50	Page 52
<p>1 actual source of the data? Who provides the data into 2 the system? 3 MR MIKE WESTON: There are two -- the main source of the 4 data is the bus operators inputting into a central 5 database, which is called the incident reporting system. 6 So all operators have a requirement to enter all their 7 incidents onto this central database, and that's the 8 main source of the information, and there's audits 9 undertaken by Transport for London to ensure that 10 operators are correctly populating that database. 11 In addition, that data is cross-referenced with the 12 police data for serious incidents. So the police, if 13 they attend an incident, will have their own database. 14 It's about to change its name but it's currently called 15 STATS19 data. So TfL will cross-reference to make sure 16 that all incidents will be picked up. But clearly, the 17 police data is only the serious incidents they attend or 18 incidents that are reported to them. 19 So, for example, trips and falls on the bus that 20 aren't related to a road traffic incident wouldn't 21 necessarily be picked up by the police. But the main 22 source of that data is individual bus operators entering 23 data onto a central database. 24 CHAIRMAN: Is the police data available publicly? 25 MR MIKE WESTON: Yes, that's also published quarterly. Yes,</p>	<p>1 indicator, as part of the bus safety programme? Do you 2 see that? 3 MR MIKE WESTON: Yes. 4 MR PETER DUNCAN: Is that the safety performance indicator 5 which Mr Chairman referred to but which has not yet been 6 published? 7 MR MIKE WESTON: Yes. This is a proposal which TfL are 8 working on, and one of the bus operators explained to us 9 in August what would be involved in this basket. So, 10 basically, it is 41 measures that are brought together 11 into a safety performance score, and these measures may 12 be weighted in different ways. So the measures may be 13 "killed or seriously injured" figures, they may be 14 "slips, trips and falls", various other monitoring 15 results from engineering monitoring to driver 16 monitoring, and they are all brought together. 17 The idea is they are brought together into 18 a benchmark score of 80 for each operator, and the aim 19 then is to monitor an operator's trend against that 20 baseline of 80, and they are weighted in such a way 21 that -- it is weighted so that the whole basket -- the 22 trend is not just -- if you are unfortunate in having 23 a fatal incident, which may not even be down to the bus 24 company's fault, that doesn't send the score completely 25 off the scale. So it's about trying to monitor trends</p>

Page 53	Page 55
<p>1 within the company and not to use it as comparing your 2 performance with your peer group, because I think the 3 concern then is that if you're the best, you think you 4 don't need to necessarily do anything else to improve, 5 but I think there is a recognition that everyone can be 6 better and be safer. So the idea is your safety 7 performance indicator is benchmarked at 80, and then 8 along with TfL you monitor your performance against that 9 baseline of 80 and you try and improve on it and improve 10 that score.</p> <p>11 I think the intention is that will be announced 12 publicly, the content of it will be announced publicly 13 in due course, but it hasn't been as of yet.</p> <p>14 CHAIRMAN: When you say, "This was explained to us", you are 15 referring, are you not, to a meeting that you and I had 16 with managing directors and other officers of RATP --</p> <p>17 MR MIKE WESTON: That's correct.</p> <p>18 CHAIRMAN: -- at the end of August?</p> <p>19 MR MIKE WESTON: Yes. They showed us the table of all the 20 indicators, I think.</p> <p>21 CHAIRMAN: And this was explained to us by Mr Jon Pike who 22 was the head of safety and risks?</p> <p>23 MR MIKE WESTON: Yes, that's correct.</p> <p>24 CHAIRMAN: But as you say, we are looking forward to having 25 this made available, if it is made available, in the</p>	<p>1 a benchmark for safety?</p> <p>2 MR MIKE WESTON: I think, as it says in the report, the 3 methodology has been adopted from the rail industry, and 4 my understanding of it is that you are trying to come up 5 with a score that's not so sensitive to individual 6 incidents, because ultimately, if you are a large bus 7 operator, operating maybe 2,000 buses, you will 8 unfortunately have some incidents involved in running 9 those buses. So the idea is to come up with a group of 10 measures that are then weighted and brought together to 11 create a score.</p> <p>12 If that score starts to move either way, you have 13 clearly done quite a lot to shift or to improve, or 14 not -- or allowed some to get worse -- a lot of those 15 individual indicators. So it is trying to provide 16 a more robust measure than just looking at one specific 17 area.</p> <p>18 So, for example, if you took the view that your 19 prime measure would be the number of traffic collisions 20 that a bus company has, it's a measure, but it could be 21 perhaps an unfair measure because it could be that on 22 certain routes there's been some circumstances on the 23 road that have led to more collisions beyond the 24 operator's control. It may not be a robust overview of 25 an operator's safety performance, and this is trying to</p>
Page 54	Page 56
<p>1 middle of next month?</p> <p>2 MR MIKE WESTON: Yes. I think it is going to be made 3 available as part of their intended announcement of 4 their bus safety standard in the middle of October.</p> <p>5 MR PETER DUNCAN: Will this be likely to have any effect on 6 the red-line approach to safety which is currently the 7 manner in which safety is taken into account in 8 assessing an operator who applies for either a renewal 9 of a route or a new route?</p> <p>10 MR MIKE WESTON: Well -- I mean, it is difficult to predict 11 how it will be used, but certainly, if your first 12 quarter or first period, you are benchmarked at 80, and 13 your score starts to get progressively worse, I would 14 expect that to start ringing alarm bells and potentially 15 being a red line.</p> <p>16 So it will be a strong indicator that your safety 17 performance has deteriorated, because this is such 18 a wide basket of measures that, you know, any 19 significant deterioration would show up in this score. 20 So you would expect that to really start to ring the 21 alarm bells and be an area of concern.</p> <p>22 MR PETER DUNCAN: Now moving to another topic --</p> <p>23 CHAIRMAN: Before you do so -- why, if you have any view on 24 this, has it proved necessary to have such a wide 25 measure, encompassing 41 indicators, to determine</p>	<p>1 take a wider basket of measures into account to give 2 a broader indication of their safety performance.</p> <p>3 CHAIRMAN: And what is the ambit of this wider basket?</p> <p>4 MR MIKE WESTON: Sorry, what is the --</p> <p>5 CHAIRMAN: Ambit. One can readily understand why you look 6 at collisions. You might look at what are described as 7 "trips, slips and falls". You might look at infractions 8 of road traffic law, speeding, harsh braking. But what 9 other factors come into play?</p> <p>10 MR MIKE WESTON: I think included in these measures will be 11 things like the driver quality monitoring results, so 12 how well drivers are monitoring. I think they are also 13 going to include public correspondence around safe 14 driving. It's just trying to get a very broad basket of 15 measures that the overall score then becomes a sort of 16 good, high-level indicator of an operator's broader 17 performance in terms of safety.</p> <p>18 CHAIRMAN: By public correspondence, you mean complaints?</p> <p>19 MR MIKE WESTON: It could be complaints, yes.</p> <p>20 CHAIRMAN: Thank you.</p> <p>21 MR PETER DUNCAN: One of the topics, Mr Weston, which was 22 raised at the hearing when Prof Stanley was assisting 23 the committee was the possible engagement in Hong Kong 24 of a competitive bidding system, but where the bus 25 operator of course collects the fare revenue and assumes</p>

Page 57	Page 59
<p>1 the profit risk himself.</p> <p>2 I want to ask you a little bit about this, but</p> <p>3 perhaps just to put this in context can I take you to</p> <p>4 the transcript of Prof Stanley's evidence where these</p> <p>5 possibilities were identified. We will get that from</p> <p>6 the transcript at Day 16, page 45.</p> <p>7 CHAIRMAN: What was the date of that?</p> <p>8 MR PETER DUNCAN: That was 15 September, Mr Chairman.</p> <p>9 CHAIRMAN: Thank you.</p> <p>10 MR PETER DUNCAN: Have you had the opportunity of reading</p> <p>11 this evidence?</p> <p>12 MR MIKE WESTON: Yes.</p> <p>13 MR PETER DUNCAN: Thank you. In that case, I can take you</p> <p>14 through it quite quickly, I think.</p> <p>15 Perhaps I can start at page 45, at line 10, where</p> <p>16 counsel for the committee says this:</p> <p>17 "I'm going to explore with you the second and third</p> <p>18 part a bit later, but the first part refers to the</p> <p>19 benefits from the existence of competitive tendering in</p> <p>20 Melbourne.</p> <p>21 To some extent, you have explained bits of it</p> <p>22 already, but can I test with you the concept of</p> <p>23 competitive tendering and how that fits within the Hong</p> <p>24 Kong environment where the bus operators collect the</p> <p>25 fares and assumes the profit risk from the provision of</p>	<p>1 "Presumably, another way in which it might be</p> <p>2 negotiated is the prospective new operator might say,</p> <p>3 'I can do these routes for 10 per cent less than the</p> <p>4 fares that the incumbent is doing it'?</p> <p>5 Answer: Exactly, lower fares.</p> <p>6 Chairman: There would be no payment to government,</p> <p>7 'but we are providing better value to the public'?</p> <p>8 Answer: Absolutely. That's the kind of degree of</p> <p>9 freedom is what happens to fares.</p> <p>10 Mr Chan: So that's the advantages of competitive</p> <p>11 bidding --"</p> <p>12 So, bearing in mind those four possibilities,</p> <p>13 I would like then to take you to your report, at</p> <p>14 page 131, at paragraph 4.3.2, and the first paragraph,</p> <p>15 which seems to describe a situation which is not</p> <p>16 dissimilar to Hong Kong, at least as far as sharing the</p> <p>17 revenue is concerned. So it's "Net cost contracts":</p> <p>18 "During the period 1995 to 2000 the organisation</p> <p>19 adopted a net cost contract regime with bus operators</p> <p>20 retaining the revenue for each route and taking the</p> <p>21 revenue risk. Operators would bid for contracts based</p> <p>22 on forecast revenue and either bid for a subsidy from</p> <p>23 London Transport for unprofitable routes or offered to</p> <p>24 pay London Transport a share of the surplus on</p> <p>25 profitable routes."</p>
Page 58	Page 60
<p>1 route bus services."</p> <p>2 Then, going down to line 22:</p> <p>3 "I understand there are a number of options</p> <p>4 available, but perhaps I can get you to explain some of</p> <p>5 those options."</p> <p>6 Then I think we can leave quite a bit out, because</p> <p>7 all I want to do is to identify what those possibilities</p> <p>8 appear to be from the evidence of Prof Stanley. I can</p> <p>9 jump down, I think, to the bottom of page 48. At</p> <p>10 line 21, Mr Derek Chan -- he is the counsel for the</p> <p>11 committee:</p> <p>12 "So, if I understand your answer correctly, there</p> <p>13 can be a number of possibilities ... One is a bidder</p> <p>14 proposing to pay the government a sum for the operation,</p> <p>15 for the right to operate an area or a number of routes.</p> <p>16 The second possibility is the bidder offering to share</p> <p>17 part of the margins with the government, as part of the</p> <p>18 bid."</p> <p>19 Then, at line 6:</p> <p>20 "... a third possibility exists that there is no</p> <p>21 bidding price and the competition is based entirely on</p> <p>22 an assessment of the quality of the service expected to</p> <p>23 be provided."</p> <p>24 Then, at line 22, the chairman offers I think</p> <p>25 a fourth alternative:</p>	<p>1 If I could just continue with the second paragraph:</p> <p>2 "Net cost contract only operated for a short period</p> <p>3 of time partly due to the heavy administrative burden it</p> <p>4 placed on London Transport in allocating revenue (the</p> <p>5 majority of which came from prepaid tickets) across over</p> <p>6 700 routes. Also, it became clear that operators in</p> <p>7 practice had very little influence over the actual route</p> <p>8 revenue as route planning, setting frequencies and fares</p> <p>9 was still controlled and managed by London Transport."</p> <p>10 Now, let's assume, just for the sake of the</p> <p>11 discussion, that the first of the two problems in the</p> <p>12 second paragraph could be overcome, so we don't have</p> <p>13 that administrative burden. Leaving that out of the</p> <p>14 situation, is this net cost contract approach something</p> <p>15 that you would suggest for consideration in Hong Kong,</p> <p>16 or would you not think that it is workable?</p> <p>17 MR MIKE WESTON: I think it becomes easier if you were</p> <p>18 looking at area franchises, where an operator was</p> <p>19 running and operating all the routes within a certain</p> <p>20 part of Hong Kong, or even in a certain part of London.</p> <p>21 The difficulty in London was one operator could be</p> <p>22 operating one route down a corridor and there could be</p> <p>23 four or five other routes operated by another operator,</p> <p>24 or a number of operators. Hence, the ability to</p> <p>25 actually influence your own route revenue is very, very</p>

Page 61	Page 63
<p>1 small.</p> <p>2 So I think the real issue is, there is nothing wrong</p> <p>3 with net cost contracts; it's a model that is used for</p> <p>4 a number of the railway contracts, operating contracts,</p> <p>5 in the UK. There is nothing wrong with the model. You</p> <p>6 just have to ensure that the operator has some influence</p> <p>7 over the revenue and has the ability to change the</p> <p>8 revenue, either through some control of fares, either</p> <p>9 through the ability to change the level of service, or</p> <p>10 the ability to perhaps market or promote the service.</p> <p>11 And in London Transport's case, all these levers, as</p> <p>12 I call them, were with the authority, not with the</p> <p>13 operator. So, essentially, an operator had very little</p> <p>14 influence over what the actual revenue would be, because</p> <p>15 even if they ran a very good, reliable service, if they</p> <p>16 were operating in a corridor with three or four other</p> <p>17 operators, and a lot of those buses were still going to</p> <p>18 the same common destination, passengers would just get</p> <p>19 on the first bus that comes along. They won't choose</p> <p>20 operator A over operator B.</p> <p>21 So I think the real answer to the question is it can</p> <p>22 work -- it can probably work better where an operator</p> <p>23 has an area franchise, so manages all the routes in</p> <p>24 a certain part of the city, but also you've got to make</p> <p>25 sure the operator has the ability to control a number of</p>	<p>1 tendering brings about that relate more specifically to</p> <p>2 the safe operation of buses?"</p> <p>3 We can see then the answer of Prof Stanley which</p> <p>4 really runs from page 50 right through to page 56, at</p> <p>5 line 16. Have you had the opportunity of reading this</p> <p>6 part of Prof Stanley's evidence?</p> <p>7 MR MIKE WESTON: Yes, I have.</p> <p>8 MR PETER DUNCAN: I think it's fair to say, if I may now be</p> <p>9 permitted to try to summarise his evidence, that there</p> <p>10 are no advantages relating specifically to safety out of</p> <p>11 competitive tendering. In fact, he thinks that the risk</p> <p>12 might be the other way.</p> <p>13 Is that how you read his evidence?</p> <p>14 MR MIKE WESTON: Yes. I mean, that's how I would read it.</p> <p>15 I wouldn't disagree with the high-level view that there</p> <p>16 are no advantages to safety of competitive tendering,</p> <p>17 but I would say there are also no disadvantages, and it</p> <p>18 then depends on the model of competitive tendering</p> <p>19 that's adopted.</p> <p>20 So, in London, the route level tendering process,</p> <p>21 whilst the tendering process itself doesn't bring any</p> <p>22 specific advantages in terms of safety, the tendering</p> <p>23 evaluation process itself is an opportunity for the</p> <p>24 authority to look at safety before making a decision</p> <p>25 and, as we talked about earlier, the example of a bus</p>
Page 62	Page 64
<p>1 aspects of the service, because if all those controls</p> <p>2 are kept by the transport authority then it probably</p> <p>3 doesn't really work.</p> <p>4 Hopefully that answers the question.</p> <p>5 MR PETER DUNCAN: Thank you. Incidentally -- I don't think</p> <p>6 I have asked you this before -- but how many routes are</p> <p>7 there altogether in London?</p> <p>8 MR MIKE WESTON: There's about 700, and they vary from</p> <p>9 individual routes that just do a school journey. There</p> <p>10 are actually -- all the bus routes in London, even if</p> <p>11 they run school bus routes, are still open to members of</p> <p>12 the public, but there are some journeys at school time</p> <p>13 specifically to take children to specific schools that</p> <p>14 run dedicated routes but members of the public can use</p> <p>15 them.</p> <p>16 So some routes might be individual school buses, one</p> <p>17 bus per route, up to some of the bigger routes, there</p> <p>18 may be 60 to 70 buses, but overall there's about 700 bus</p> <p>19 routes.</p> <p>20 MR PETER DUNCAN: Thank you. Another matter, if I may, that</p> <p>21 arose from Prof Stanley's evidence -- if we can go back</p> <p>22 to that, Day 16, at page 50. It follows on from the</p> <p>23 evidence to which I have just referred. At page 50,</p> <p>24 line 9, Mr Chan then asks this question:</p> <p>25 "Are there any perceived advantages that competitive</p>	<p>1 company whose mechanical engineering standards were not</p> <p>2 as good as they should have been, it gives the transport</p> <p>3 authority the ability to then alter its recommendation,</p> <p>4 taking safety into account.</p> <p>5 So the tendering process and competition process</p> <p>6 itself may not directly influence safety, but the</p> <p>7 presence of the tendering process, certainly in London's</p> <p>8 case, allows the authority to take safety into account</p> <p>9 when awarding contracts and renewing contracts.</p> <p>10 CHAIRMAN: That is, the example you have given, taking</p> <p>11 safety into account where there is a negative side to</p> <p>12 a particular bus operator -- for example, failed</p> <p>13 maintenance programme. How, in this system, could the</p> <p>14 willingness of a company to be involved in innovation,</p> <p>15 with the use of technology, to be taken? In other</p> <p>16 words, a positive side of safety. This company is</p> <p>17 deploying forward-looking cameras on all its buses to</p> <p>18 pick up safe distances to travel -- how could that be</p> <p>19 picked up in this process of competitive tendering?</p> <p>20 MR MIKE WESTON: I think the challenge is that clearly, if</p> <p>21 the authority have set some minimum standards in terms</p> <p>22 of safety, in terms of equipment, CCTV, on buses and</p> <p>23 forward CCTV cameras is an example in London, then all</p> <p>24 operators tendering for those routes have to meet those</p> <p>25 common standards.</p>

Page 65	Page 67
<p>1 So, if the authority set the standard, then it is</p> <p>2 a given and all operators have to meet those standards</p> <p>3 to be awarded the contract. I think the challenge of</p> <p>4 a competitive tendering process is that ultimately you</p> <p>5 have a commercial evaluation, you have a technical</p> <p>6 evaluation, and it is very difficult for a relatively</p> <p>7 small piece of innovation within a tender -- so, for</p> <p>8 example, an operator deciding they are going to use</p> <p>9 a new telematics system that might improve driver</p> <p>10 performance -- that clearly will help their technical</p> <p>11 score, but ultimately, to a degree, the overall</p> <p>12 technical score and commercial score will still dominate</p> <p>13 the decision.</p> <p>14 So it is probably quite difficult to let individual</p> <p>15 bits of innovation influence the overall decision of</p> <p>16 contract award. That's the challenge and that's</p> <p>17 probably why London will see a move towards more common</p> <p>18 standards, safety standards, for all operators, in terms</p> <p>19 of things like the bus safety standard.</p> <p>20 So it probably -- the tendering process, because</p> <p>21 clearly cost is always going to be an important element,</p> <p>22 maybe discourages additional innovation over and above</p> <p>23 what the operator has -- sorry, over and above what the</p> <p>24 transport authority has deemed necessary, unless the</p> <p>25 operator believes there is a strong business case in</p>	<p>1 MR MIKE WESTON: Yes, and maybe that is the right</p> <p>2 conclusion, that safety should be a given and the</p> <p>3 standards should be -- you know, certain standards</p> <p>4 should be achieved by all operators bidding for routes,</p> <p>5 and where you are looking for innovation is in other</p> <p>6 aspects of the way in which they provide the service.</p> <p>7 You want competition to affect the efficiency of their</p> <p>8 organisation, their overheads, how they run the routes,</p> <p>9 and that's where you want the impact of competition to</p> <p>10 give value for money back to the public sector.</p> <p>11 CHAIRMAN: So performance rather than safety; that's where</p> <p>12 competition comes in?</p> <p>13 MR MIKE WESTON: Yes.</p> <p>14 CHAIRMAN: Is there a parallel between that kind of scenario</p> <p>15 and the airline industry, where standards are mandated</p> <p>16 by the authorities rather than individual airlines</p> <p>17 equipping their aeroplanes with better equipment, as it</p> <p>18 were, for safety?</p> <p>19 MR MIKE WESTON: Yes. I'm not an expert on the aviation</p> <p>20 industry, but the impression you get of the industry is</p> <p>21 that safety is not seen as a competitive advantage by</p> <p>22 an airline over another airline. They treat it as</p> <p>23 a given that they all have to achieve a safety standard,</p> <p>24 and maybe that's the sort of approach that Transport for</p> <p>25 London are trying to achieve, so there's a safety</p>
Page 66	Page 68
<p>1 their own right for some of this innovation.</p> <p>2 So, if they believe some of the technology or some</p> <p>3 innovation will actually reduce accidents enough to save</p> <p>4 them money, then they may do it off their own</p> <p>5 initiative. But I think small bits of innovation are</p> <p>6 very difficult to take into account in an evaluation</p> <p>7 process of this nature.</p> <p>8 CHAIRMAN: So this would lead to a regulator or central</p> <p>9 authority-led imposition of minimum standards, rather</p> <p>10 than bus operators volunteering improvements in safety</p> <p>11 standards?</p> <p>12 MR MIKE WESTON: I think that's probably the way it would</p> <p>13 end up going, and I think if you look at what Transport</p> <p>14 for London are doing with the bus safety standard,</p> <p>15 that's basically -- my assessment of that is the</p> <p>16 authority is saying, "There is lots of technology out</p> <p>17 there. We can either leave it to individual operators</p> <p>18 to innovate and adopt which ones they think are</p> <p>19 appropriate, or we could set a standard that everybody</p> <p>20 has to adopt, and if everybody has to adopt it,</p> <p>21 everybody has to cost that into their tender bids." So</p> <p>22 it keeps the playing field level, keeps the competition</p> <p>23 fair.</p> <p>24 CHAIRMAN: So, in such circumstances, competitive tendering</p> <p>25 would be neutral to enhance safety?</p>	<p>1 standard that's the given and it's not seen as</p> <p>2 a competitive advantage for one operator over another</p> <p>3 operator.</p> <p>4 CHAIRMAN: Thank you.</p> <p>5 MR PETER DUNCAN: Have you seen such a movement in any of</p> <p>6 the cities in Europe towards that approach?</p> <p>7 MR MIKE WESTON: In terms of safety?</p> <p>8 MR PETER DUNCAN: In terms of a uniform standard for all</p> <p>9 buses being imposed by bodies such as Transport for</p> <p>10 London, rather than leaving it to the individual bus</p> <p>11 operators to decide what innovations they will</p> <p>12 introduce.</p> <p>13 MR MIKE WESTON: No. I think from my knowledge, certainly</p> <p>14 in Europe, Transport for London, with their bus safety</p> <p>15 standard, are leading the way. It's fair to say that</p> <p>16 most operators in Europe, most of the big operator in</p> <p>17 Europe, will be trying some new technology to improve</p> <p>18 safety, but I think, from my knowledge, TfL are the</p> <p>19 first big transport authority to try to bring all of</p> <p>20 this together and try to come up with a common standard</p> <p>21 for all of their bus fleets.</p> <p>22 MR PETER DUNCAN: Another matter you raised, in the context</p> <p>23 of competitive tendering, with particular reference to</p> <p>24 Hong Kong, is depot ownership and depot availability.</p> <p>25 Can I bring your attention to page 151 of your</p>

Page 69	Page 71
<p>1 report. Right at the end of that page, you have 2 introduced the topic by saying: 3 "The availability of bus depots is often seen as 4 a barrier to competition." 5 We can see the content of the paragraph for 6 ourselves, and it ends up by saying: 7 "Any future competitive tendering of bus services in 8 Hong Kong would require a clear strategy around depot 9 ownership and availability." 10 Would you like to expand on that for us and just 11 amplify the point you were making there, Mr Weston? 12 MR MIKE WESTON: Yes. If you look at the London competitive 13 situation, the biggest challenge for a new operator 14 coming into the market is depot availability. That's 15 the combination of finding a suitable site where you can 16 build a depot but also the economics of -- if you want 17 to come into the market and you decide to build a depot 18 for 150 vehicles, the first route you win might be 19 25 vehicles, but to make that depot economic to run you 20 have to be able to fill it up with contracts, otherwise 21 it won't be economic. 22 So, even in London, the main barrier to entry is 23 probably the availability of a depot site, and it's not 24 impossible but it is a barrier. That's with 25 a route-level tendering system. The challenge, if you</p>	<p>1 for various historical reasons. Some of them were 2 vacant at the time of privatisation of the bus companies 3 in the mid-1990s, but due to the expansion of the bus 4 network, since 2000 these depots have been reopened and 5 then leased to the bus companies to use for their 6 contracts. Of those, two of those depots are shared. 7 So there is one in east London that's shared between 8 Hackney Community Transport and Arriva, and there is one 9 in north London that's also shared. It's fairly 10 unusual, it takes both operators working closely 11 together to make that work, but not impossible. So 12 there are two depots that are actually shared. They 13 will have separate parts of the depot for parking but 14 they are using the same sort of entrance and the same 15 sort of generic facilities. 16 MR PETER DUNCAN: So, in Singapore, have they provided 17 depots for individual operators or are they also on 18 a shared basis? 19 MR MIKE WESTON: No. The first two contracts in Singapore 20 are new, purpose-built depots, but it is on the back of 21 an expanding bus network in Singapore. So they have 22 expanded the network into new areas and then built 23 a depot to serve those areas. So a slightly different 24 approach. But, if they carried on tendering, at some 25 point they would probably have to think about a strategy</p>
Page 70	Page 72
<p>1 were going down the road of an area-based franchising or 2 bigger franchises, is that investment in new depot 3 facilities would be enormous, and it would act as a big 4 barrier to competition. The model adopted in Singapore 5 for their tendering is that the authority have provided 6 both the depot and the vehicles, so effectively the 7 operators are bidding to run the contracts or run the 8 franchise but with the vehicles and depot provided by 9 the Land Transport Authority in Singapore. So that's 10 quite a different model. 11 So I think the point here is that unless -- if there 12 was going to be some competitive tendering of bus 13 services in Hong Kong, there would need to be a clear 14 strategy around the barriers to entry into the market, 15 and as I see, the biggest barrier to entry is probably 16 depot ownership, and unless there is a clear strategy 17 around depot ownership then the likelihood is that the 18 competition would be very weak and it would be probably 19 only the incumbent competing for some of the services. 20 MR PETER DUNCAN: Is there any sharing of depots in London 21 amongst the operators? 22 MR MIKE WESTON: The majority of bus depots in London are 23 owned by the bus operators. Probably, of the 85, 24 I think about 75, at least 75, are owned by the bus 25 operators. About ten are owned by Transport for London,</p>	<p>1 around the existing depots and how they were brought 2 into the competitive tendering process. 3 CHAIRMAN: So the barrier that depots pose to competition 4 would be less dealing with new routes in developing 5 parts of -- for example, in Hong Kong, developing parts 6 of Hong Kong, a new town, we would have perhaps rural 7 land which is now being made urban and that would be 8 your opportunity for the authorities to secure depots? 9 MR MIKE WESTON: Yes, and my understanding is that's what's 10 happened in Singapore. It's been new services from new 11 depots. So it's been easier to achieve. But, clearly, 12 if there were bus services into a new part of Hong Kong 13 and there was a requirement for a new depot anyway, in 14 theory that could be provided by the Transport 15 Department as opposed to individual operators. 16 Depots is probably the biggest barrier that exists 17 to bringing in new competition. 18 CHAIRMAN: In London, has there been consolidation, where 19 perhaps a company outside of the UK has come into the 20 market and acquired smaller bus companies and thereby 21 acquired depots and entered the market in that way? 22 MR MIKE WESTON: Yes. The last big operator or the last 23 operator to enter the market was an Australian company 24 that had been trying to enter the market for a number of 25 years, but had found this barrier of depot availability,</p>

Page 73	Page 75
<p>1 and also not just availability of the depot but where 2 across London do you decide to put your depot to compete 3 was the barrier. So, in the end, they acquired some of 4 the depots of a bus company called First Group who were 5 selling up their London business and they entered the 6 market on the back of acquisition as opposed to starting 7 from scratch.</p> <p>8 CHAIRMAN: I'm looking at page 126 of your report, where we 9 have a list of the ultimate groups of the bus operators. 10 Is the Australian company you are describing 11 ComfortDelGro Corporation?</p> <p>12 MR MIKE WESTON: No. The Australian company is under 13 "Other", because they run about 3 or 4 per cent of the 14 network. It's called Tower Transit.</p> <p>15 CHAIRMAN: Ah, yes. They operate in Singapore, don't they?</p> <p>16 MR MIKE WESTON: Yes, Tower Transit operate in Singapore and 17 so do ComfortDelGro. ComfortDelGro is a Singaporean 18 company. Go-Ahead also operates in Singapore.</p> <p>19 CHAIRMAN: For example, a company like RATP Development -- 20 is that a French company?</p> <p>21 MR MIKE WESTON: Yes. There are two parts to RATP. RATP is 22 the publicly owned transport operator in Paris, so they 23 operate all the buses and the Metro in Paris. But RATP 24 Development is their commercial arm that bids for 25 overseas contracts. So I think, for example, they just</p>	<p>1 the French, Paris public transport operator; and 2 Stagecoach is again a UK public company. So effectively 3 three of them are overseas state-owned companies and one 4 is a private company. So quite a mix.</p> <p>5 CHAIRMAN: Yes. 6 Mr Auyeung?</p> <p>7 MEMBER AUYEUNG: When one company buys the other, is it part 8 of the condition that they take over the drivers?</p> <p>9 MR MIKE WESTON: Yes. The framework agreement requires that 10 if any bus company in London wants to buy another bus 11 company, they need to seek agreement of Transport for 12 London and seek agreement and novation of the contracts 13 from one bus company to another. So ultimately TfL 14 could object to a takeover of one company by another, 15 and probably would if it led to -- if one of the big six 16 companies there listed was trying to take over another 17 one of the big six, TfL may object on competition 18 grounds, and also the competition authorities in the UK 19 may take a view that they want to intervene and review 20 the competitiveness of the market.</p> <p>21 So they have to seek the agreement of TfL. 22 Also in the UK, if they were buying the company, 23 then they are assuming the assets and obligations of 24 that company anyway, but there is also legislation in 25 Europe, in UK and Europe, called the transfer of</p>
Page 74	Page 76
<p>1 won one of the contracts for the Riyadh Metro, for 2 example, to operate the Riyadh Metro. And as it says 3 there, they run about 11 per cent of the London bus 4 network.</p> <p>5 CHAIRMAN: Which metro were you describing?</p> <p>6 MR MIKE WESTON: I think it's Riyadh they just won.</p> <p>7 CHAIRMAN: Riyadh, in Saudi Arabia?</p> <p>8 MR MIKE WESTON: Yes.</p> <p>9 CHAIRMAN: But did not RATP Development take over several 10 smaller London bus companies, historic bus companies?</p> <p>11 MR MIKE WESTON: Yes, RATP also bought out a company called 12 Quality Line, and they bought out part of another French 13 transport company operating in London called Transdev. 14 So they sort of evolved a little bit over the last few 15 years. There has certainly been a lot of consolidation 16 of the smaller bus companies selling out to these six 17 big groups over the last few years.</p> <p>18 CHAIRMAN: And how many of these companies have overseas, 19 overseas from the United Kingdom, ownership? We have 20 RATP, French.</p> <p>21 MR MIKE WESTON: Running down the list fairly quickly, 22 Abellio is the Dutch railways; Arriva is owned by 23 Deutsche Bahn, the German railways; ComfortDelGro is 24 a Singapore-based company; Go-Ahead is a UK PLC, public 25 limited company in the UK; RATP, as I said already, is</p>	<p>1 undertakings, the transfer of undertakings of 2 employment.</p> <p>3 So effectively, if one operator wins a contract from 4 another, the operator that's lost the contract can 5 insist that the drivers move to the other company, and 6 the drivers have the right to move if they want to. So 7 they have to move with the contract, or they can move 8 with the contract. Sometimes an operator will take the 9 view that he wants to keep the drivers because he may be 10 short of drivers anyway, so he might decide to keep the 11 drivers, and often drivers will want to stay with the 12 company where they are because the depot is probably 13 closer to where they live, as opposed to where the new 14 company might be based. But ultimately drivers have the 15 right to transfer with contracts between companies.</p> <p>16 MEMBER AUYEUNG: Thank you.</p> <p>17 CHAIRMAN: And to do so on their existing terms of 18 employment?</p> <p>19 MR MIKE WESTON: Yes, that's what the legislation says, that 20 they have to transfer on existing terms and conditions. 21 A company may subsequently decide to negotiate to change 22 those terms and conditions, but at the point of transfer 23 they have to stay on the existing terms and conditions.</p> <p>24 CHAIRMAN: Was this not one of the -- declared as 25 an achievement of the mayor in the recent year or two?</p>

Page 77	Page 79
<p>1 MR MIKE WESTON: Yes. The current mayor has done a number 2 of things around drivers' terms and conditions. It's 3 slightly different in the sense that the legislation 4 requires you to move with -- if the contract moves and 5 you want to move, you can opt to move to the new 6 contractor, but they have to take you on your existing 7 terms and conditions. 8 What the mayor has separately done, he has insisted 9 that if a driver applies for a job with another bus 10 company, perhaps because they are moving house and it is 11 more convenient to go and work for Go-Ahead as opposed 12 to Abellio, and they are successful in the job -- at the 13 moment, if you opted to move by applying for a job, you 14 start on the starter wage rate. What the mayor has 15 agreed with the operators or told the operators they 16 must do is if I'm a driver and I've got 15 years of 17 experience in driving, and I apply to move from Abellio 18 to Go-Ahead because it is more convenient for where 19 I now live, I must be paid the rate that a 15-year 20 service driver at Go-Ahead would be paid. So I haven't 21 got to go back to the start of the promotional ladder in 22 terms of driver seniority. 23 CHAIRMAN: Thank you. 24 MR MIKE WESTON: That's trying to make it fairer for drivers 25 to transfer for sort of personal reasons.</p>	<p>1 performance management and collaboration between 2 franchised operators and the Transport Department." 3 A second point you have made, if I can refer you to 4 the following page, 154, in the second paragraph, is 5 what you described as an over-dependency on the 6 statutory regulations applied to all vehicles. 7 You follow this up, in the last paragraph, by 8 saying: 9 "In terms of experience from London, compliance with 10 the statutory requirements relating to both vehicles and 11 drivers is very much expected and it is the initiatives, 12 projects and collaborative working beyond these that 13 have and will make the real-world differences to 14 safety." 15 You then refer to: 16 "The collaboration between the London bus operators 17 and Transport for London and their willingness to 18 innovate and try new technologies and approaches has, 19 and as part of the bus safety programme, will deliver 20 real results in terms of incident and injury reduction. 21 [So] The Transport Department should consider how they 22 can improve the collaborative working with the 23 franchised bus operators." 24 So some sentiments there with regard to 25 collaboration.</p>
Page 78	Page 80
<p>1 CHAIRMAN: Mr Duncan. 2 MR PETER DUNCAN: Mr Chairman, are you minded to take 3 a break? 4 CHAIRMAN: Yes. 5 MR PETER DUNCAN: It would be a convenient moment, if you 6 are. 7 CHAIRMAN: I think it is. We think alike. We are going to 8 break up our morning. I'm conscious that it's been more 9 than two hours that you've been testifying. We'll take 10 a 20-minute break now and resume at 11.30. Thank you. 11 (11.10 am) 12 (A short adjournment) 13 (11.30 am) 14 CHAIRMAN: Yes, Mr Duncan. 15 MR PETER DUNCAN: Thank you, Chairman. 16 Mr Weston, can I ask you to turn, please, to 17 page 153 of your report. In section 8.6, you deal with 18 the matter of the contractual relationship between the 19 transport authority and the bus operators. 20 One of the points you make there appears in the 21 first paragraph, the second sentence: 22 "Whilst the contractual structure is different in 23 Hong Kong the high-level contractual model adopted in 24 Hong Kong does not necessarily need to change to achieve 25 improvement in terms of the contractual monitoring,</p>	<p>1 The question I wish to ask you is: given that the 2 Transport Department here is the regulator in this area, 3 is there a danger of this close collaboration developing 4 into something too cosy between the regulator and the 5 bus operators? 6 MR MIKE WESTON: I think the two can sit side by side quite 7 happily, and I think the reason why I have made those 8 points in my report is, firstly, when I was at the TfL 9 and was director of buses, I think I rarely referred to 10 the framework agreement or the route agreement in any 11 discussions with operators around performance or around 12 issues, and I think that typified the nature of the 13 relationship. 14 I think, when the chair and I met with some of the 15 London operators in August, I don't think any of them 16 mentioned the contract. The contract wasn't seen as 17 an issue, wasn't seen as a barrier. I suppose I have 18 also made that point because I feel that if 19 an organisation -- and it would apply equally to TfL -- 20 wanted to make significant changes to a certain aspect 21 of the operation, and safety is the one we are clearly 22 interested in today, then doing it via the contract 23 potentially becomes a very long process to actually 24 agree how you will change the contract and what you will 25 change in the contract.</p>

Page 81	Page 83
<p>1 I think if TfL had tried to introduce their bus 2 safety standard and some of the other safety initiatives 3 via changes to the contract, it would have taken a lot 4 longer to deliver and it would have been a far slower 5 process. 6 So I think there is an issue around the speed of 7 delivering things, and you can deliver some things 8 quicker through collaboration. I'm sure then at some 9 point some of those things will get incorporated into 10 the contract, into the framework agreement, at the 11 appropriate point in time. 12 So I think that's one of the reasons there's a speed 13 at which some of these things can be done if they are 14 not totally locked into the franchise agreement or the 15 contract. 16 I am also a strong believer that if -- it is 17 important that there is a franchise agreement, there's 18 a contract in place, or a framework agreement, that is 19 clearly important in case of some dispute around the 20 contract, but I am a strong believer that certain things 21 can be taken forward more quickly and more effectively 22 through collaboration, and that came out very, very 23 clearly in the discussions in August with operators and 24 with Transport for London, that collaboration, working 25 together, was making quite significant progress in this</p>	<p>1 MR MIKE WESTON: So the Bus Operator Forum, where operators 2 would come together on an eight-weekly cycle, to meet 3 with Transport for London managers, to discuss issues of 4 common interest, and there are various subgroups below 5 that that meet, again, to discuss issues of common 6 interest but also to share best practice. And there is 7 a safety subgroup -- 8 CHAIRMAN: Before we get into the subgroup -- who are the 9 people that meet at the Bus Operator Forum? 10 MR MIKE WESTON: It will be the managing directors of the 11 individual bus companies, and the director level and 12 senior managers of Transport for London, who will come 13 together to that forum. 14 CHAIRMAN: Where is that meeting held? 15 MR MIKE WESTON: That's held at TfL's offices, usually on 16 about an eight-weekly cycle. 17 It's probably got three objectives. One is to share 18 good practice. It's a forum where operators can raise 19 concerns, generic concerns they have, that they feel 20 this forum can discuss. So they wouldn't necessarily 21 raise specific issues that they have to do with their 22 contract; it's more generic concerns. 23 CHAIRMAN: Could you give some examples? 24 MR MIKE WESTON: I'm trying to think of an example. It 25 might be around enforcement of bus stops, for example,</p>
Page 82	Page 84
<p>1 safety field and in terms of the safety agenda. 2 I think that's why I have emphasised on 3 collaboration. 4 There was a comment about the statutory requirements 5 and meeting those. In terms of the UK requirements, 6 there is just, in terms of vehicle maintenance standards 7 and in terms of operators' requirements to meet the 8 statutory requirements, there isn't a big issue. Most 9 operators comfortably achieve those in London. So 10 relying on those as your mechanism for improving won't 11 really drive forward improvement. 12 CHAIRMAN: What are the aspects of collaboration that exist 13 in London between Transport for London and the 14 franchised bus operators that you would point to as 15 evidencing the success that is to be achieved by 16 collaboration? 17 MR MIKE WESTON: I think there's a number. The first one 18 that's referred to in the report is the mechanism of the 19 Bus Operator Forum, which is the forum of the managing 20 directors of the bus companies and senior managers from 21 the Transport for London buses department, who come 22 together regularly to discuss issues of common interest, 23 and safety is clearly one of those. 24 CHAIRMAN: Where do we find this in the report? 25 MR PETER DUNCAN: It's at page 136, Chairman.</p>	<p>1 parking at bus stops, where it's a generic issue for all 2 operators. So it's a good forum to discuss what TfL can 3 do to try to support enforcement at bus stops, for 4 instance. It's those sorts of generic issues. 5 So it wouldn't be a forum where an operator would 6 raise specific issues they've got with their contract or 7 with their route agreements. It would be more -- 8 CHAIRMAN: Taking that as an example, how would action be 9 taken as a result? Who would do what? 10 MR MIKE WESTON: So TfL is then best placed to escalate 11 those issues to either local authorities, who will be 12 responsible for enforcement on certain highways, their 13 own operational staff who may be able to contribute to 14 enforcement, or the police, depending on the type of 15 road. 16 So, again, TfL is often very better placed to 17 escalate these things to other organisations who can 18 help. 19 So those are the common issues. And then it is 20 a good opportunity where TfL can use, through early 21 engagement on some of the issues that they are thinking 22 about, for example, sharing what the business plan might 23 look like for the next five years for the organisation, 24 which therefore could impact on the volume of work 25 that's available to the operators, giving them advance</p>

Page 85	Page 87
<p>1 notice of schemes that may be coming in, so big planning 2 schemes for Central London, for example, changes to the 3 bus networks, so using it as a forum to share what the 4 organisation is planning to do.</p> <p>5 CHAIRMAN: And, for example, things like the Elizabeth Line, 6 the consequences of that, would that be something that 7 would be raised?</p> <p>8 MR MIKE WESTON: Yes. When I was at TfL, I can recall there 9 being a couple of presentations by the bus planning 10 department on the impact that line would have on the bus 11 network in terms of how routes might change. So it's 12 a good forum for sharing those sorts of issues.</p> <p>13 CHAIRMAN: You mentioned subgroups. Can you describe them 14 for us?</p> <p>15 MR MIKE WESTON: Yes. There are a number of subgroups. The 16 most pertinent ones in terms of safety are the safety 17 subgroup and the engineering subgroup. So the safety 18 subgroup is attended, again, by all the bus companies, 19 sometimes at a managing director or director level, 20 sometimes by the bus companies' head of safety. That's 21 where again common issues around safety would be 22 discussed.</p> <p>23 The forum is also used as a place for operators to 24 share lessons learnt from incidents, road traffic 25 incidents. One of the things that I know the</p>	<p>1 company to install a warning system whereby, when the 2 driver leaves the cab, it warns him or her to make sure 3 the handbrake has been deployed.</p> <p>4 It is likely that TfL's bus safety standard would 5 include that type of system as standard across the 6 network, and it may even be more of an interlock.</p> <p>7 But again it is a good example of where it's 8 important that those sorts of lessons are shared across 9 the contracted bus operators, and that operators don't 10 see it as information that they should keep to 11 themselves, that they are willing to share it, and they 12 are willing to share with other operators those sorts of 13 lessons learnt.</p> <p>14 Then the engineering subgroup is generally made up 15 of the engineering directors that will share issues 16 around maintenance of vehicles. So often operators will 17 have similar types of vehicles from the same 18 manufacturers, so again there is an opportunity to share 19 some of the lessons learnt for new vehicles coming into 20 the fleet for issues they have had around maintenance, 21 et cetera. So again another forum for collaboration and 22 sharing good practice.</p> <p>23 CHAIRMAN: And how often would the subgroups meet?</p> <p>24 MR MIKE WESTON: On a similar cycle to the main group. 25 I mean, you could achieve this in a number of ways, but</p>
Page 86	Page 88
<p>1 organisation was very conscious about, certainly when 2 I was there, and still is, is that if one operator has 3 an incident and does a very in-depth investigation and 4 gets down to the root causes, it's clearly important 5 that the other operators share the benefit and the 6 wisdom of that investigation. It might not be totally 7 applicable to them, but there might be some things that 8 are applicable to them, but I think it would be remiss 9 if the operators and TfL didn't share those lessons 10 learnt and that good practice amongst each other.</p> <p>11 So the forum is also used to share the outcome of 12 investigations.</p> <p>13 CHAIRMAN: For example, just by memory, there was 14 an incident involving a bus driver who got out of his 15 cab and hadn't put the handbrake on, and what that 16 particular bus operator did to ensure that couldn't 17 happen again.</p> <p>18 MR MIKE WESTON: Yes. The incident you refer to, Chair, was 19 where a driver had a problem with a wheelchair ramp and 20 it wouldn't go back in correctly, so the vehicle 21 therefore couldn't move. He called out an engineer. 22 The engineer went to try and fix it but because the 23 driver hadn't put the handbrake on, when he fixed it, 24 the vehicle started to move, and unfortunately the 25 engineer was killed in that incident. So that led the</p>	<p>1 I think the underlying message here I think is that the 2 bus operators in London are more than happy to 3 collaborate and work together on issues that aren't 4 necessarily of competitive advantage. And safety is one 5 they see actually it's the greater good of everybody to 6 improve safety, hence their willingness to work together 7 and to collaborate.</p> <p>8 CHAIRMAN: Apart from the representatives of the bus 9 companies, and on the other hand Transport for London, 10 do any of these meetings involve the attendance of bus 11 drivers or trade union members?</p> <p>12 MR MIKE WESTON: No. There's two separate lines of 13 communication with the trade unions. One, TfL hold 14 a meeting with -- I mean, London predominantly has one 15 trade union --</p> <p>16 CHAIRMAN: That's Unite?</p> <p>17 MR MIKE WESTON: Unite, who probably represent 95-plus 18 per cent of bus drivers, so in that sense consulting or 19 liaising with a trade union from TfL's point of view is 20 relatively easy, because there is only one trade union 21 to liaise with.</p> <p>22 So TfL have some regular meetings with the trade 23 union to discuss things of generic interest. For 24 example, they would meet with the trade union probably 25 to share some of their thoughts on the bus safety</p>

Page 89	Page 91
<p>1 standard, for example. But it is left down to the 2 individual bus companies to deal with their local trade 3 union representative in terms of local issues and local 4 terms and conditions.</p> <p>5 So there is a sort of two-tier approach to dealing 6 with trade unions, with the official discussions and 7 negotiations taking place at company level, not by TfL.</p> <p>8 CHAIRMAN: Mr Duncan.</p> <p>9 MR PETER DUNCAN: Thank you, Mr Chairman.</p> <p>10 When was the forum established?</p> <p>11 MR MIKE WESTON: That's a good question. At least 15 years 12 ago, very established. I chaired it probably for six or 13 seven years. But a good 15 years, a very established 14 process, and maybe the fact that it's stood the test of 15 time perhaps gives it some credibility in terms of its 16 usefulness, otherwise I'm sure it wouldn't still be -- 17 the forum and the subgroups still wouldn't be there, if 18 they weren't deemed to be useful.</p> <p>19 MR PETER DUNCAN: Was it formed as a reaction to 20 a particular event, or was it a proactive move, just to 21 improve standards generally?</p> <p>22 MR MIKE WESTON: If I recall, it was proactive, and I think 23 it was probably at some point post the privatisation of 24 the publicly owned companies, when it was felt there was 25 a need to bring everybody together to discuss these</p>	<p>1 buses are desirable? Is there any equivalent body in 2 London for this?</p> <p>3 MR MIKE WESTON: Well, the structure in London, it appears 4 to be that TfL are leading the development of those 5 standards and reviewing those technologies, but then 6 liaising with the operators, either through workshops or 7 through the Bus Operator Forum structure.</p> <p>8 So I would say that the Bus Operator Forum and the 9 safety subgroup are the nearest to that committee, but 10 then it depends whether Prof Stanley was suggesting that 11 committee should be broader than the bus operators and 12 the Transport Department, whether it should have broader 13 membership than that.</p> <p>14 So I think the equivalent would be the Bus Operator 15 Forum, in London's case.</p> <p>16 MR PETER DUNCAN: Right, and if I understand your answer 17 correctly, initially any developments that might be 18 available with regard to technology would be something 19 which TfL itself would identify and then ensure that 20 it's discussed during the course of the forum meetings?</p> <p>21 MR MIKE WESTON: Yes. Or operators have identified them and 22 brought them up through the Bus Operator Forum 23 structure. In all fairness, often the operators will 24 identify some of this technology before TfL does, but 25 the structure and the lines of communication are there</p>
Page 90	Page 92
<p>1 sorts of common issues.</p> <p>2 MR PETER DUNCAN: I wonder if I could refer you to 3 Prof Stanley's report, page 94.</p> <p>4 There's a paragraph 5.3, "Conclusions on other 5 matters", where he says in this part of his report: 6 "In light of this discussion, the main areas that 7 the author proposes that Hong Kong should consider in 8 terms of possibly improving working/driving/rest 9 provisions for, and technology used in, route bus 10 operation are to", and there's a number there, but he 11 refers to an item 6: 12 "establish a standing committee on bus safety, 13 meeting at least twice yearly to review and evaluate the 14 latest technology that may impact on bus safety, 15 particularly for route bus operation, and advise 16 government on desirable safety inclusions in the FB 17 fleet and other bus systems. The newly formed working 18 group on enhancement of franchised bus safety could form 19 the basis for this committee but membership should be 20 broadened to include other bus operators."</p> <p>21 The question I've got for you is: is there a body or 22 a group of any sort in London which effectively meets 23 the objectives of Prof Stanley's standing committee, 24 something which reviews and evaluates the latest 25 technology with regard to what safety inclusions in the</p>	<p>1 for all these ideas to flow both ways between the 2 authority and bus operators.</p> <p>3 MR PETER DUNCAN: Now, I would ask you to go to another page 4 of Prof Stanley's report, this time at --</p> <p>5 CHAIRMAN: Before you do, just let me pursue this.</p> <p>6 So, for example, the Guardian drowsiness machine, 7 that might be something that a particular bus operator 8 had raised at a safety group meeting, and then it became 9 something that Transport for London implemented a trial 10 of the device; is that what you are describing?</p> <p>11 MR MIKE WESTON: Yes. The technology you describe there -- 12 which was the Seeing Machines, I think it was called, 13 wasn't it, where the cameras identify when drivers 14 potentially were falling asleep -- the trial of that 15 came about because TfL introduced something called the 16 safety innovation fund and they went out to all the 17 operators, saying, "We would like to fund a number of 18 trials of new technology and make sure that we monitor 19 those trials properly, make sure we get some good data 20 on how successful they are", and so they asked for 21 operators to put in bids for some of this funding, and 22 that was an example of one of the trials that came 23 about, on the back of this safety innovation fund, which 24 I think at the time, the first round was 500,000 pounds, 25 so half a million pounds of funding was put into these</p>

Page 93	Page 95
<p>1 various trials.</p> <p>2 CHAIRMAN: And this, as I recall it, was July 2017, and</p> <p>3 people were asked to bid and then awards were made in</p> <p>4 November 2017?</p> <p>5 MR MIKE WESTON: Yes, that's correct.</p> <p>6 CHAIRMAN: Then the trials rolled out?</p> <p>7 MR MIKE WESTON: Yes, the trials rolled out, and then the</p> <p>8 output and the monitoring and the results of those</p> <p>9 trials are fed into or are feeding into the bus safety</p> <p>10 standard.</p> <p>11 CHAIRMAN: And that's what will be reported on in the middle</p> <p>12 of October, the success or otherwise of these various</p> <p>13 trials?</p> <p>14 MR MIKE WESTON: Yes. I think it's on 16 October TfL are</p> <p>15 planning an event for bus operators and suppliers, not</p> <p>16 only to announce the first phase of their bus safety</p> <p>17 standard but also to feed back to all the operators the</p> <p>18 results of the various technology trials that have taken</p> <p>19 place.</p> <p>20 CHAIRMAN: So the role of Transport for London was to come</p> <p>21 up with the money to fund -- one part of the role was to</p> <p>22 come up with the money to fund the trial of safety</p> <p>23 devices?</p> <p>24 MR MIKE WESTON: Yes, but I think also to help the operators</p> <p>25 come up with the methodology for monitoring the trials.</p>	<p>1 assisted in ensuring that the monitoring was done</p> <p>2 properly?</p> <p>3 MR MIKE WESTON: Oh, okay, sorry. So it's a combination of</p> <p>4 they would have helped the operators develop the</p> <p>5 monitoring framework, but they have also used</p> <p>6 an external consultancy called TRL to undertake some of</p> <p>7 the monitoring on behalf of TfL and the operators.</p> <p>8 CHAIRMAN: TRL is Transport Research?</p> <p>9 MR MIKE WESTON: Yes, it historically stood for Transport</p> <p>10 Research Laboratory which was actually</p> <p>11 a government-owned transport research centre focusing on</p> <p>12 accidents and crashworthiness of vehicles but was</p> <p>13 privatised a number of years ago. So it's effectively</p> <p>14 a consultancy but specialising in road transport matters</p> <p>15 and technical assessment of road transport matters.</p> <p>16 CHAIRMAN: That is how the bus operators were assisted in</p> <p>17 monitoring the trials?</p> <p>18 MR MIKE WESTON: Yes. Some of them. Some of them, they may</p> <p>19 have monitored themselves, but TRL have been involved in</p> <p>20 trying to understand the costs and benefits of these</p> <p>21 various technologies.</p> <p>22 CHAIRMAN: TRL was involved in the test of the intelligent</p> <p>23 speed assistance or assessment trial, was it not?</p> <p>24 MR MIKE WESTON: Yes, they were, in 2000 --</p> <p>25 CHAIRMAN: June 2015?</p>
Page 94	Page 96
<p>1 There are two aspects, in my view, to a trial of new</p> <p>2 technology. It is easy to engage a supplier to fit</p> <p>3 technology to your bus. What's important is you've got</p> <p>4 some robust monitoring in place, that you clearly assess</p> <p>5 the benefits and understand whether it's actually</p> <p>6 delivering results, because that helps justify the</p> <p>7 future investment in that technology. And in the past</p> <p>8 I think things have been trialled where the monitoring</p> <p>9 hasn't perhaps been as robust as it should be, hence it</p> <p>10 is very difficult to determine whether or not that piece</p> <p>11 of technology is successful.</p> <p>12 CHAIRMAN: So who in Transport for London would have given</p> <p>13 that assistance to the successful bus operators in their</p> <p>14 bids to get money to do trials?</p> <p>15 MR MIKE WESTON: What Transport for London did in early 2015</p> <p>16 is set up a dedicated team to focus on the bus safety</p> <p>17 programme, and it included somebody who was seconded</p> <p>18 from the road safety team of TfL, and the aim was so</p> <p>19 they would focus, and that team is still focusing, on</p> <p>20 improving bus safety and delivering the bus safety</p> <p>21 programme.</p> <p>22 So there is a dedicated team of two or three people</p> <p>23 whose job is purely focused on this agenda and driving</p> <p>24 bus safety.</p> <p>25 CHAIRMAN: But, more specifically, how would they have</p>	<p>1 MR MIKE WESTON: Yes, and then early 2016.</p> <p>2 CHAIRMAN: Reported at the end of 2016?</p> <p>3 MR MIKE WESTON: Yes, correct.</p> <p>4 CHAIRMAN: Do we have that report in our bundle?</p> <p>5 MR PETER DUNCAN: Yes. It's in SEC-3, Mr Chairman.</p> <p>6 CHAIRMAN: Thank you.</p> <p>7 MR PETER DUNCAN: I beg your pardon, it's in MISC-3.</p> <p>8 I believe it starts at page 1002 of that bundle.</p> <p>9 CHAIRMAN: So we see from this report, do we not, at</p> <p>10 page 1003, that the report had been amended and issued</p> <p>11 in November 2016? But I think it's apparent from the</p> <p>12 report that the initial testing had begun in June 2015.</p> <p>13 MR MIKE WESTON: Yes. So my understanding is that in</p> <p>14 June/July 2015, the "before" data for the two selected</p> <p>15 bus routes was collected.</p> <p>16 CHAIRMAN: Yes.</p> <p>17 MR MIKE WESTON: And TfL selected two routes, one that went</p> <p>18 through Central London and then one that went from inner</p> <p>19 London to outer London. So they selected two quite</p> <p>20 different bus routes, the route 19 and the 486, and the</p> <p>21 "before" data was collected in July 2015. I think it</p> <p>22 took a number of months then for the technology to</p> <p>23 settle down and to be properly calibrated. There were</p> <p>24 some teething issues during 2015.</p> <p>25 So the "after" data for route 19 was collected in</p>

Page 97	Page 99
<p>1 September 2015, and for route 486 in January 2016.</p> <p>2 CHAIRMAN: And one of the two bus companies involved, was</p> <p>3 that Go-Ahead?</p> <p>4 MR MIKE WESTON: Yes, the 486 is Go-Ahead.</p> <p>5 CHAIRMAN: And Mr John Trayner is the managing director of</p> <p>6 Go-Ahead?</p> <p>7 MR MIKE WESTON: That's correct.</p> <p>8 CHAIRMAN: Who we met in London?</p> <p>9 MR MIKE WESTON: We did.</p> <p>10 CHAIRMAN: Can you help us then to understand, just briefly,</p> <p>11 what role Transport for London and TRL had played in</p> <p>12 ensuring that this trial was monitored and assessed</p> <p>13 properly?</p> <p>14 MR MIKE WESTON: So effectively TfL commissioned this trial</p> <p>15 of intelligent speed adaptation, and just to clarify,</p> <p>16 effectively what this technology does is it uses the</p> <p>17 digital speed map that's available for London, and each</p> <p>18 of the vehicles fitted with equipment talk to the</p> <p>19 digital speed map, and therefore restricts the driver's</p> <p>20 ability to accelerate beyond the speed limit. So it</p> <p>21 controls the driver's speed at the speed limit. So it</p> <p>22 doesn't take away any of his or her braking ability, but</p> <p>23 at the point at which the speed limit is reached, it</p> <p>24 stops the driver accelerating any further.</p> <p>25 So this technology was funded on these two routes by</p>	<p>1 MR MIKE WESTON: Yes. I think the concept has been around.</p> <p>2 It's clearly dependent on the digital speed map existing</p> <p>3 and being kept up to date. The concept of the</p> <p>4 technology had been around but I think this was the</p> <p>5 first time it had been trialled on buses. I think about</p> <p>6 three or four years before this trial, it was fitted to</p> <p>7 one of TfL's cars, and I had the opportunity to drive</p> <p>8 the car to see how it performed, and at the speed limit,</p> <p>9 you weren't able to accelerate beyond.</p> <p>10 So this was the sort of first full-scale trial of</p> <p>11 the technology on buses in London.</p> <p>12 CHAIRMAN: This was technology that had been written about</p> <p>13 in the EU, had it not? Had there not been papers</p> <p>14 extolling its virtues and inviting people to experiment</p> <p>15 with it?</p> <p>16 MR MIKE WESTON: Yes. I think there was some reference to</p> <p>17 that during our discussions in London, but I'm not</p> <p>18 totally familiar with those papers.</p> <p>19 CHAIRMAN: So the process of doing this trial, had it</p> <p>20 involved the use of the equipment on a car, first of</p> <p>21 all, three or four years earlier; then the funding of</p> <p>22 the equipment to be installed on these two bus routes,</p> <p>23 and then the funding of the consultancy --</p> <p>24 MR MIKE WESTON: Yes.</p> <p>25 CHAIRMAN: -- TRL to do the monitoring and the report?</p>
Page 98	Page 100
<p>1 Transport for London, but they commissioned TRL to do</p> <p>2 the monitoring, and the reason for that is that whilst</p> <p>3 I think the bus companies quite rightly could get a feel</p> <p>4 for how successful it was from driver feedback and from</p> <p>5 their own observations, it does take quite a lot of</p> <p>6 detailed monitoring to get some robust before and after</p> <p>7 data to show the real impact on the average speed of</p> <p>8 buses and the actual number of buses exceeding the speed</p> <p>9 limit before and after.</p> <p>10 So I think there was a recognition, and this is</p> <p>11 a good example, of some new technology where it is</p> <p>12 important that you have some robust monitoring in place,</p> <p>13 ideally before it is installed but definitely after it</p> <p>14 is installed, to make sure you understand the changes</p> <p>15 and therefore understand what the benefits are.</p> <p>16 So that's at TfL. TRL's role was the monitoring of</p> <p>17 these two bus routes, both before and after the fitment</p> <p>18 of the ISA kit.</p> <p>19 CHAIRMAN: And to produce this very comprehensive report?</p> <p>20 MR MIKE WESTON: And to produce the report, yes.</p> <p>21 CHAIRMAN: This technology, intelligent speed assistance,</p> <p>22 was a technology that had been around for many years,</p> <p>23 had it not? Perhaps not implemented -- perhaps this was</p> <p>24 the time when it was ready to be implemented -- but the</p> <p>25 concept had been around for many years?</p>	<p>1 MR MIKE WESTON: Yes.</p> <p>2 CHAIRMAN: The project had been underway, therefore, for</p> <p>3 some years?</p> <p>4 MR MIKE WESTON: Yes, but I don't think the funding was --</p> <p>5 I don't think the availability of funding was the issue.</p> <p>6 If I recall, the issue was the technology becoming</p> <p>7 mature enough to be successfully fitted to a vehicle</p> <p>8 that was in passenger service. So I think that was what</p> <p>9 TfL were waiting for, as opposed to the funding wasn't</p> <p>10 the reason that it wasn't being trialled.</p> <p>11 CHAIRMAN: Is it known what the funding cost Transport for</p> <p>12 London?</p> <p>13 MR MIKE WESTON: I don't have those figures but I would</p> <p>14 suggest that actually, probably, in reality, the</p> <p>15 monitoring was probably more expensive than the actual</p> <p>16 equipment for the number of buses fitted.</p> <p>17 CHAIRMAN: Yes.</p> <p>18 MR MIKE WESTON: I would suspect the monitoring would be the</p> <p>19 bigger cost involved. But in the context of the bus</p> <p>20 network, it would have been relatively -- well, it would</p> <p>21 have been very small sums of money.</p> <p>22 CHAIRMAN: But this is an example of the authority, in this</p> <p>23 case Transport for London, funding the trial, the bus</p> <p>24 operator agreeing to participate in the trial?</p> <p>25 MR MIKE WESTON: Yes. And hopefully a good example of the</p>

Page 101	Page 103
<p>1 level of monitoring and assessment that you need to go 2 into when looking at new technology. Hopefully the 3 report gives you a feel for the sort of depth of 4 analysis that's needed to make sure that you are 5 investing your money in the right types of technology. 6 CHAIRMAN: And a rigorous monitoring and then analysis in 7 the report itself? 8 MR MIKE WESTON: Yes, rigorous analysis, but also 9 independent analysis, which is quite valuable as well. 10 So commissioning somebody to independent monitor is of 11 value as well. And TRL have also been engaged in the 12 assessments of all the other technologies that are being 13 considered as part of the new bus safety standard in 14 London. 15 CHAIRMAN: By that, do you mean the various devices, the 16 drowsiness device, the forward-looking device, the one 17 that picks up the pedestrians about to cross the road? 18 MR MIKE WESTON: Yes. 19 CHAIRMAN: TRL have been involved in the monitoring side of 20 that? 21 MR MIKE WESTON: Monitoring and understanding the 22 cost/benefits of those different technologies. 23 CHAIRMAN: Yes, Mr Duncan. 24 MR PETER DUNCAN: Thank you, Chairman. 25 If I could ask you some supplementary questions on</p>	<p>1 latest ISA systems in an attempt to reduce speed and 2 road accidents in the capital." 3 If I could stop there. It would seem that this 4 particular trial was not restricted, as you referred to 5 before, to buses, or did not extend to buses; it was 6 vehicles, it looks like, in general? 7 MR MIKE WESTON: Yes, that's correct, because TfL also have 8 some generic road safety responsibilities as 9 an organisation, because the strategic road network in 10 London is TfL -- TfL owns and is TfL's responsibility. 11 So, within TfL, there is a road safety unit, responsible 12 for road safety generally. So these trials that this 13 report is referring to, which is the ones -- I wasn't 14 involved in but I recall because this would have been 15 the cars that were fitted -- this wasn't specifically 16 buses, this was vehicles generally, looking at the 17 appropriateness of ISA for vehicles generally. 18 MR PETER DUNCAN: And if we look at the penultimate 19 paragraph on the "Introduction" page: 20 "To date a year-long project has already been 21 undertaken by TfL to understand and explore the London 22 drivers' attitudes, motivations and barriers to ISA." 23 Then if we go through to page 960, in the context of 24 cost/benefit analysis, do we see set out at page 960 25 a list of the perceived benefits and barriers to the</p>
Page 102	Page 104
<p>1 that topic, Mr Weston. First of all, with regard to 2 when intelligent speed adaptation design was first 3 considered by Transport for London. 4 If you would be good enough to look at that volume, 5 MISC-3, at page 939, please. 6 Do we see there a report, dated as long ago as 7 December 2009, on the topic of intelligent speed 8 adaptation design? 9 MR MIKE WESTON: Mmm. 10 MR PETER DUNCAN: I think, if you look through to page 943, 11 we see the commencement of the executive summary: 12 "This report outlines results from a project 13 commissioned by TfL to further explore drivers' 14 attitudes towards intelligent speed adaptation ... and 15 specially to understand drivers' response to the design 16 of the user interface." 17 So there was a study as long ago as 2009. 18 If I can take you then to 945, the introduction to 19 the paper refers, in the first paragraph, if I may 20 quote: 21 "ISA software development began in France in the 22 1980s and has been trialled and evaluated in a number of 23 different markets since, proving effective at reducing 24 driver speed and incidents on the road. In May 2009 25 Transport for London commenced a trial of one of the</p>	<p>1 introduce of ISA? 2 MR MIKE WESTON: Yes. 3 MR PETER DUNCAN: If I could then take you, please, through 4 to page 1004 of the same bundle. You will see the 5 contents page of the TRL client contract report, 6 published in November 2016. 7 I would just like to dwell upon some of the content 8 of the report, the details of which we can see by 9 reading the report, but in the context of the rigorous 10 analysis, as Mr Chairman referred to it, as far as cost 11 and benefits are concerned. 12 If we go through the contents, there's eight 13 headings: 14 "1. Is ISA an effective method of speed compliance? 15 2. Is ISA an efficient method ...? 16 3. What is the impact of ISA vehicles on the 17 behaviour of surrounding traffic speeds? 18 4. What is the impact of ISA vehicles on the 19 behaviour of surrounding vehicle actions? 20 5. ... benefits and disbenefits of ISA for Transport 21 for London." 22 Then you can see those headings and details set out 23 at 5.2 to 5.13 in detail, and then item 6, the benefits 24 and disbenefits of ISA for the bus operator; and then 7, 25 the benefits and disbenefits of ISA for the bus driver;</p>

Page 105	Page 107
<p>1 and then 8, the benefits and disbenefits of ISA for the 2 bus passenger.</p> <p>3 So those are the various matters which TRL have 4 explored and the details of which we can find in the 5 report itself, in the report that was submitted to 6 Transport for London.</p> <p>7 I think, at page 1011, we can see the reference to 8 2015 for the trial that the chairman referred to. 9 I think it's in the last paragraph on that page: 10 "Subsequently, in 2015 TfL carried out a trial of 11 ISA on London buses using an intervening ISA system by 12 Zeta Automotive Ltd."</p> <p>13 I think that's the trial that's been referred to 14 before; is that correct?</p> <p>15 MR MIKE WESTON: Yes. That's the sort of -- yes, I think 16 that was a very small-scale trial before these two 17 routes were trialled on a slightly bigger basis, on 18 a larger basis.</p> <p>19 MR PETER DUNCAN: Could I now take you back, please, to 20 Prof Stanley's report, this time at page 70. Have you 21 had the opportunity of reading this page of his report?</p> <p>22 MR MIKE WESTON: Yes, I have.</p> <p>23 MR PETER DUNCAN: On this page, Prof Stanley is bringing to 24 our attention the fact that one of the notable 25 differences between the arrangements between Melbourne</p>	<p>1 having been developed in collaboration with the 2 Transport Safety Director. The Transport Safety 3 Director has a strong focus on the development and 4 improvement of safety culture in a bus business and 5 safety risk management, working with operators and the 6 industry to improve practice. Guidance material is 7 available, such as Guidance -- Safety Culture, September 8 2016 ... and the director has indicated his willingness 9 to share materials and ideas with Hong Kong, if desired.</p> <p>10 The independence of the Transport Safety Director 11 both elevates safety as a desirable policy outcome and 12 provides an independent source of accountability and 13 transparency on safety processes and outcomes that 14 exceed what is likely to result if ... bus safety was 15 left solely to the public transport regulatory agency 16 and/or a governmental department to manage. The 17 Transport Safety Director's audit processes and industry 18 engagement has led the agency to the conclusion that 19 Melbourne's route bus services and practices are safe 20 and that the safety focus should be on developing 21 a proactive and forward-looking safety risk management 22 culture, as distinct from practices that react to safety 23 concerns after they happen."</p> <p>24 Then, going down the page, in bold: 25 "The major recommendation from the study is that the</p>
Page 106	Page 108
<p>1 and Hong Kong is that Melbourne has a separate -- I am 2 quoting from the paragraph underneath the italicised 3 part: 4 "... Melbourne ... has a separate independent safety 5 regulator operating at the tactical level. Transport 6 Safety Victoria was first established under the state's 7 Transport Integration Act 2010, as discussed in 8 section 3.3.1 of the first report under this brief, 9 a role that has no equivalent independent safety entity 10 in Hong Kong. The Transport Department monitors safety 11 performance of franchised bus operators and is involved 12 in promoting safety initiatives. However, the absence 13 of an independent safety regulator in Hong Kong seems 14 likely to lessen the relative focus on safety matters."</p> <p>15 So, to summarise that, it would appear that in 16 Melbourne, the safety aspect of the operation is taken 17 away from the regulator and put in the hands of 18 an independent regulator aimed at the safety aspects.</p> <p>19 We can see more detail of this by going to page 99 20 of the same report. If I could read from the 21 second-last paragraph on that page: 22 "Operator support is available from BusVic, the 23 industry association, if desired, across all three 24 areas. For example, BusVic has developed templates ... 25 which are available to its members, these templates</p>	<p>1 committee should give consideration to, within the 2 legislative framework, recommending", and it's the 3 second bullet: 4 "the creation of the independent position of 5 Transport Safety Director, whose role is to be 6 responsible for administering matters related to safety 7 duties, ensuring compliance and enforcement."</p> <p>8 Now, we can see the role of that body in Victoria 9 and the recommendation. I suppose one of the questions 10 that might be asked is whether we actually need another 11 bureaucracy, as it would be, to carry out this role. Do 12 you have any views on that?</p> <p>13 MR MIKE WESTON: Yes. I think it does depends very much on 14 the sort of local structures and circumstances that 15 already exist in Melbourne or Hong Kong or London.</p> <p>16 But I would suggest that if you look at some of the 17 progress that TfL are currently making with the bus 18 operators around safety, and the bus safety standard and 19 the bus safety programme, and the relative speed in 20 which that's being delivered, I would just -- I'm not 21 adverse to the idea of a separate safety regulator in 22 some way, and it is something that already exists in the 23 UK rail industry, as is referred to in my report, and it 24 is something that TfL are thinking of trying to 25 encourage for the UK tram industry, in terms of setting</p>

Page 109	Page 111
<p>1 standards and good practice.</p> <p>2 But my fear would be that if it was suggested to</p> <p>3 establish this in London, for example, the potential is</p> <p>4 that whilst that's being established you get a period of</p> <p>5 inertia, with not much particularly happening. So</p> <p>6 I would be fearful in London, if the suggestion was</p> <p>7 made, that you may end up with a period of the current</p> <p>8 activity and current progress that's been made slows</p> <p>9 down whilst this regulator is established. So that</p> <p>10 would be my concern.</p> <p>11 But no particularly strong views, just a little bit</p> <p>12 of a concern that it perhaps stifles progress in the</p> <p>13 short term, and maybe progress can be made quicker</p> <p>14 through collaboration and the current structures and the</p> <p>15 current players working together more closely.</p> <p>16 CHAIRMAN: If I understand your evidence correctly, you are</p> <p>17 satisfied that appropriate progress is being made by</p> <p>18 virtue of collaboration between the franchised bus</p> <p>19 operators and Transport for London, in the various ways</p> <p>20 you have described?</p> <p>21 MR MIKE WESTON: Yes, but the caveat on that comment is that</p> <p>22 that's within the tendering and competitive structure</p> <p>23 that London currently has. So whether that model</p> <p>24 transfers easily to other jurisdictions is a matter of</p> <p>25 debate, I suppose.</p>	<p>1 other vehicles that they build for other parts of the</p> <p>2 world. So there is clearly some good crossover by those</p> <p>3 manufacturers who I'm sure will be keen to sell some of</p> <p>4 this technology into other regions.</p> <p>5 CHAIRMAN: One example of that would be, for example,</p> <p>6 changes to the design of the front of buses. As</p> <p>7 I understand it, changes that would modify the box shape</p> <p>8 of the front of the bus, putting in curves, so that</p> <p>9 rather than being knocked down and put under the wheels</p> <p>10 of a bus, the person who has impact with the front of</p> <p>11 a bus would be knocked sideways; do I understand that</p> <p>12 change correctly?</p> <p>13 MR MIKE WESTON: Yes. So one of the initiatives that is</p> <p>14 likely to be included in the bus safety standard, when</p> <p>15 it is announced next month, is a sort of -- I call it</p> <p>16 softening of the front-end design of a bus. So it's not</p> <p>17 physical softening, but it's using more curves, looking</p> <p>18 at the rake of a windscreen, looking at having the</p> <p>19 spindles for the wipers at the top of the windscreen,</p> <p>20 not at the bottom, because if they are at the bottom</p> <p>21 they then become a point of impact for pedestrians if</p> <p>22 they are hit by the bus and potential injury.</p> <p>23 So I suppose it is trying to make the front end of</p> <p>24 the design of the bus more forgiving. If a pedestrian</p> <p>25 is hit by a car at a certain speed, at a relatively low</p>
Page 110	Page 112
<p>1 So, you know, it seems, from the evidence that</p> <p>2 I have seen over the last few years and the evidence</p> <p>3 that we have gathered for this report, it seems that</p> <p>4 quite significant progress is being made around the</p> <p>5 safety agenda for buses in London, but that's being made</p> <p>6 within the current structure that they have in London.</p> <p>7 So taking that model exactly and trying to put it into</p> <p>8 another region may not necessarily deliver results in</p> <p>9 exactly the same way. But the evidence from London is</p> <p>10 it certainly seems to be delivering some quite</p> <p>11 significant results and making some quite rapid progress</p> <p>12 around the use of technology and setting standards.</p> <p>13 CHAIRMAN: What view do you take on what I understand to be</p> <p>14 Transport for London's claim that they are setting</p> <p>15 global standards?</p> <p>16 MR MIKE WESTON: From my knowledge, it is the only transport</p> <p>17 authority that seems to be trying to set a bus safety</p> <p>18 standard for its bus fleet, and so it will set the</p> <p>19 scene, and it will certainly have a knock-on effect into</p> <p>20 other parts of the UK and possibly places such as</p> <p>21 Hong Kong and Singapore, mainly because the main bus</p> <p>22 manufacturers into London also supply the rest of the</p> <p>23 UK, and also the key suppliers into Hong Kong and</p> <p>24 Singapore. So you can see how there's going to be some</p> <p>25 obvious transition of some of this best practice to</p>	<p>1 speed generally they will be thrown off the bonnet onto</p> <p>2 the pavement, onto the road, but at the same speed with</p> <p>3 a bus, you are more likely to be more seriously injured</p> <p>4 because of the design of the bus.</p> <p>5 So it's trying to make the front end of a bus more</p> <p>6 forgiving in an accident with a pedestrian. In my mind,</p> <p>7 the likelihood is that is more of a design cost as</p> <p>8 opposed to an actual manufacturing cost, and the logic</p> <p>9 would be if that design is proved to be beneficial in</p> <p>10 London, why wouldn't the likes of Alexander Dennis and</p> <p>11 Wrights, who supply to the rest of the UK and to</p> <p>12 Hong Kong, adopt that for buses that they sold into</p> <p>13 their other markets. It would be a pretty obvious thing</p> <p>14 to do. So I think that's a good example of where we</p> <p>15 might see some good practice and best practice move</p> <p>16 across into other markets relatively quickly.</p> <p>17 CHAIRMAN: Just to come back to your observations as far as</p> <p>18 this is concerned. The model works in London, that has</p> <p>19 regard to the structure that obtains in London, and the</p> <p>20 issue of a progressive, proactive transport authority</p> <p>21 achieving the same success is going to depend on the</p> <p>22 local structures in Hong Kong?</p> <p>23 MR MIKE WESTON: Yes, and I think the question is which</p> <p>24 model will deliver these benefits quickest, using the</p> <p>25 current structures that are in place and trying to build</p>

Page 113	Page 115
<p>1 on those or establishing a separate regulator that in</p> <p>2 the short term possibly will slow the progress down.</p> <p>3 So it's trying to, I suppose, learn from the</p> <p>4 relative speed in which London has made some progress</p> <p>5 over the last couple of years and trying to see how that</p> <p>6 sort of good practice could be implemented sooner rather</p> <p>7 than later.</p> <p>8 CHAIRMAN: Mr Duncan.</p> <p>9 MR PETER DUNCAN: Thank you, Chairman.</p> <p>10 So I think, between you and Prof Stanley, you have</p> <p>11 provided the committee with various options to improve</p> <p>12 this aspect. One might be something equivalent to the</p> <p>13 Bus Operator Forum. Another might be a standing</p> <p>14 committee which Prof Stanley suggested, although there</p> <p>15 doesn't seem to be a standing committee in Victoria.</p> <p>16 Then a third option might be this independent regulator,</p> <p>17 the transport safety regulator. So they all seem to be</p> <p>18 matters for the committee's consideration. Would you</p> <p>19 agree with that?</p> <p>20 MR MIKE WESTON: Yes, and perhaps the difference between the</p> <p>21 Bus Operator Forum structure and the standing committee</p> <p>22 is perhaps fairly small and may be one of semantics and</p> <p>23 description more than anything. They may be the same</p> <p>24 thing in practice.</p> <p>25 I suppose the question out of that is whether that</p>	<p>1 right.</p> <p>2 We may have touched on this earlier, just a few</p> <p>3 moments ago, but one of the questions I was interested</p> <p>4 in asking you was how long this bus safety programme was</p> <p>5 in the making?</p> <p>6 MR MIKE WESTON: Not very long, and partly the reason I know</p> <p>7 is because I was still at TfL in February 2016 and was</p> <p>8 responsible for launching the bus safety programme.</p> <p>9 The background to it is not that safety wasn't</p> <p>10 a priority and it's not that safety wasn't being</p> <p>11 progressed and taken forward and the Bus Operator Forum</p> <p>12 for safety existed and a lot of these things were</p> <p>13 happening anyway.</p> <p>14 There was increased public pressure around the</p> <p>15 safety of buses, and that was partly driven by increased</p> <p>16 transparency from TfL in terms of publishing safety</p> <p>17 data, but it was also led by a number of stakeholders,</p> <p>18 including some members of the public that had been</p> <p>19 involved in serious bus accidents, that led to a lot of</p> <p>20 pressure on the organisation to move the safety agenda</p> <p>21 forward. So the bus safety programme was trying to pull</p> <p>22 together various aspects of work that were currently</p> <p>23 happening into a coordinated programme, where previously</p> <p>24 there had been lots of initiatives but it wasn't being</p> <p>25 seen as a coordinated programme. And February 2016 was</p>
Page 114	Page 116
<p>1 committee would benefit from other third parties being</p> <p>2 involved, such as obviously the police or other</p> <p>3 authorities being involved in the debate.</p> <p>4 MR PETER DUNCAN: You have no doubt heard of ISO, ISO 39001</p> <p>5 in particular. Does that standard have any sort of role</p> <p>6 in the bus system in London?</p> <p>7 MR MIKE WESTON: I'm not sure. I know that certainly</p> <p>8 Go-Ahead have got an ISO standard for their engineering</p> <p>9 practices, but whether it's the same number or</p> <p>10 a different one, I don't know. So there are some bus</p> <p>11 companies in London that have ISO accreditation for</p> <p>12 certain aspects of their operation, but it is not</p> <p>13 a requirement of Transport for London to have any</p> <p>14 particular ISO accreditation. But I certainly know</p> <p>15 Go-Ahead do for their engineering practices, but whether</p> <p>16 it's the same number or not, I'm not sure.</p> <p>17 MR PETER DUNCAN: Could I take you to page 146 of your</p> <p>18 report, where you deal in detail with the bus safety</p> <p>19 programme, and introduced on page 146 in this way:</p> <p>20 "In February 2016 Transport for London, partly in</p> <p>21 response to increased public and stakeholder pressure,</p> <p>22 launched its bus safety programme the core elements of</p> <p>23 which can be summarised as follows".</p> <p>24 We can see the "Core elements" in the left-hand</p> <p>25 column, and we can see the "Recent additions" on the</p>	<p>1 when that was launched, to try to progress this agenda</p> <p>2 in a more coordinated way.</p> <p>3 MR PETER DUNCAN: So how many people would have participated</p> <p>4 in the design of the programme?</p> <p>5 MR MIKE WESTON: Probably two or three people. Very small</p> <p>6 team. It would have been signed off internally at</p> <p>7 a higher level, but it would have been brought together</p> <p>8 by two or three people within the buses safety team.</p> <p>9 MR PETER DUNCAN: And the programme, would you describe it</p> <p>10 as a reactive step, a proactive step, or a mixture of</p> <p>11 both?</p> <p>12 MR MIKE WESTON: It wasn't reactive to a specific incident.</p> <p>13 I think it was an evolution of a number of things that</p> <p>14 were already happening, but probably a useful refocus on</p> <p>15 the agenda.</p> <p>16 So, you know, I think it's clear in my mind that the</p> <p>17 bus operators and TfL have always taken safety</p> <p>18 seriously, for a number of years, but this was a useful</p> <p>19 point to try and refocus and rejuvenate the agenda and</p> <p>20 give it a little bit more direction. That was the</p> <p>21 purpose of this.</p> <p>22 But it wasn't triggered specifically by a specific</p> <p>23 event, but there was increasing public pressure. There</p> <p>24 had been an increasing number of incidents with</p> <p>25 cyclists, because the number of cyclists in London was</p>

Page 117	Page 119
<p>1 rising quite dramatically. There had been some serious 2 bus accidents as well in Oxford Street. So a number of 3 things were bubbling under that were putting more 4 pressure on TfL to move this agenda forward. 5 But I should stress that a lot of this work was 6 already happening but probably not in such a coordinated 7 way. 8 MR PETER DUNCAN: If I could bring your attention to 9 page 148. There's particular reference within the 10 programme to the bus safety standard. That's introduced 11 in the first paragraph, if I may quote: 12 "A core output of the bus safety programme is the 13 development of a new bus safety standard. TfL have been 14 working in collaboration since 2016 with road safety 15 consultant TRL, Loughborough University, the bus 16 operators and manufacturers to assess and then recommend 17 features which should be incorporated into future bus 18 design to help drive safety improvements." 19 Then in the second paragraph: 20 "Several potential technologies including 21 intelligent speed assistance, autonomous braking, 22 runaway bus prevention, pedal confusion prevention, 23 acoustic and visual conspicuity, mirror design and 24 frontal crash protection are being considered as part of 25 this programme with both the costs and benefits of each</p>	<p>1 staff about the bus safety standard, it was pretty clear 2 that they have discounted seat belts as one of the 3 options to be rigorously assessed fairly quickly. The 4 view has clearly been taken that they don't want to 5 pursue seat belts, I suspect because they know what the 6 cost is and they feel that there are greater benefits 7 from some of the other options that are listed above on 8 that page. 9 I don't want to use the word they were "dismissive" 10 of seat belts -- that sounds a little bit flippant 11 because I don't think they were dismissive -- but it 12 clearly is not featuring in their thinking in terms of 13 the new bus safety standard. That was pretty clear from 14 the discussions we held with TfL in August, that seat 15 belts were not being considered. 16 CHAIRMAN: Mr Duncan's question was whether or not it had 17 been dismissed, rejected, or not considered as a result 18 of a rigorous analysis. The contrary is the impression 19 that we anticipate to be confirmed in the future: it 20 hadn't even been considered? 21 MR MIKE WESTON: The impression we had -- we were given the 22 impression that it hasn't been considered. 23 CHAIRMAN: Not looked at? 24 MR MIKE WESTON: Not looked at. 25 MR PETER DUNCAN: If we look at page 134, have you set out,</p>
Page 118	Page 120
<p>1 being thoroughly assessed to ensure that the causality 2 [I think that's casualty] reduction is maximised in 3 return for the financial investment made." 4 Then we see a reference to intelligent speed 5 assistance, and then the plan to announce the first 6 phase of its bus safety standard on 16 October 2018, to 7 which the chairman has referred, and the three 8 introductory phases. 9 If I could pick it up after that: 10 "Although it is currently envisaged the standard 11 will apply to new buses (around 700 per annum) 12 consideration is also being given to the potential for 13 retrofitting to existing buses possibly as part of their 14 midlife refurbishment which takes place around 7 years. 15 It is worth noting that TfL have adopted a rigorous 16 approach to the assessment of each potential option 17 using cost/benefit analysis to target the interventions 18 which will give the greatest return for each pound spent 19 in terms of injury/accident reduction. 20 It is not anticipated that seat belts will form part 21 of the new bus safety standard." 22 When you say, "It is not anticipated", is that as 23 a result of the rigorous cost/benefit analysis which has 24 been applied to this particular topic? 25 MR MIKE WESTON: I think, during the discussions with TfL</p>	<p>1 it appears in blue on that page, a quotation from the 2 Department for Transport guidance note, which states the 3 current situation with regard to seat belts on buses? 4 Is that the Department for Transport guidance note? 5 MR MIKE WESTON: Yes. The blue is a direct copy of their 6 guidance. 7 MR PETER DUNCAN: I'm going to ask you -- I will take you 8 through that, because we want to examine the situation 9 in Hong Kong, as it has evolved and as it is currently 10 recommended. So it is important, I think, that we 11 understand this. 12 "General requirements since 1 October 2001, seat 13 belts have been required to be installed in each forward 14 and rearward facing seat in all new buses. The use of 15 an approved and properly fitted restraint system can 16 help prevent death or serious injury, not only by 17 restraining the occupant from forward motion but also by 18 preventing their ejection from the vehicle, particularly 19 in accidents where the vehicle rolls over. 20 The only exemption from this requirement is for 21 buses that are designed for urban use with standing 22 passengers. An exemption is permitted for these 23 vehicles because they are typically used for short 24 journeys, in both time and distance, undertaken at 25 moderate speeds on urban routes. Although we are aware</p>

Page 121	Page 123
<p>1 that vehicles equipped with seat belts are used by some 2 operators for urban fare-paying services, ultimately, it 3 is for the operator to choose the type of vehicle used 4 to provide a service." 5 So that's the Department for Transport guidance 6 note. 7 CHAIRMAN: Just for the record, this comes from a statement 8 made by the Department for Transport issued in May 2010, 9 does it not, headed "Seat belts on urban buses"?" 10 MR MIKE WESTON: Yes, that's correct. 11 MR PETER DUNCAN: I think that note, Mr Chairman, to which 12 you referred, is now in the bundles. 13 CHAIRMAN: Yes. Can you give us a reference for that? 14 MR PETER DUNCAN: It's being shown up now on the screen. 15 CHAIRMAN: But do you have a page reference for future 16 purposes? 17 MR PETER DUNCAN: It's in MISC-3, Mr Chairman, at page 1274. 18 CHAIRMAN: Thank you very much. 19 MR PETER DUNCAN: Now, with regard to the position in 20 Hong Kong with regard to seat belts on buses, I'm going 21 to take you through some, if I can call it that -- I was 22 going to say the history, but various considerations of 23 this matter, and then will ask you a couple of questions 24 at the end with regard to your opinion on certain 25 matters.</p>	<p>1 19. We have conducted a research on overseas 2 practices regarding the fitting and wearing of seat 3 belts in buses. A summary of the corresponding seat 4 belt requirements is at [the annex]. It can be seen 5 that no overseas country requires fitting of seat belts 6 in passenger seats of buses designed for urban use or 7 for carrying standing passengers." 8 Then at 20: 9 "In view of the above, we consider that it is not 10 appropriate to introduce mandatory requirements for 11 installation and wearing of passenger seat belts for 12 franchised buses." 13 So that is the situation as per the Transport 14 Department's recommendation in 2006. 15 If we can move from that to SEC-3 at page 1323. 16 This is a paper headed for the information of the 17 Legislative Council Panel on Transport, so the same 18 panel, and the heading this time, "Progress on measures 19 to enhance safety of franchised bus operation". 20 At page 1329, we can see this is issued in January 21 2007. 22 If we look at page 1323, we have the subheading, 23 "Retrofitting seat belt on franchised bus[es]", and if 24 we look through paragraph 3, some reports on the 25 progress of retrofitting.</p>
Page 122	Page 124
<p>1 We can start, I think, at SEC-3 at page 1310. This 2 is a paper issued by the Environment, Transport and 3 Works Bureau, as it then existed, in 2006. You will see 4 that from page 1316. It is a submission to the 5 Legislative Council Panel on Transport, with the 6 heading, "Safety of franchised bus operations". 7 At 1315, you will see the topic, "Seat belt on 8 franchised bus[es]". 9 Paragraph 18: 10 "Under Road Traffic (Safety Equipment) 11 Regulations ... it is a mandatory requirement to provide 12 seat belt for the driver ... As regards the passenger 13 seats, about 34 per cent of franchised buses have been 14 equipped with seat belt[s] at exposed seats. These seat 15 belts had been installed by the bus manufacturers as 16 standard equipment when the buses were purchased. All 17 franchised bus operators have committed that new buses 18 to be purchased by them will have seat belts installed 19 at the exposed seats. In the light of recent traffic 20 accidents, Transport Department has been reviewing with 21 the franchised bus operators on retrofitting of seat 22 belts on the existing buses, taking into account of the 23 technical difficulties such as the structural strength 24 of the seats, adequate anchorage points and design of 25 the bus ...</p>	<p>1 I can pick it up, I think, at paragraph 4: 2 "We have collected information from other countries 3 on the requirements of fitting and fastening of seat 4 belts on buses. So far, we are not found any country 5 that have legal requirements for the provision of seat 6 belts on passenger seats of buses designed for urban use 7 and are allowed to carry standing passengers. According 8 to the transport authorities of these countries, the 9 benefit of imposing a seat belt requirement in their 10 buses is uncertain." 11 And there's a summary at the annex. 12 So I think it's fair to say that between 2016 and 13 2017, there was no change in the view of the department; 14 there was the same recommendation on each occasion. 15 The next report I would like to commend to you is to 16 be found at TD-1/94. So Transport Department volume 1 17 at page 94. 18 The heading on this page is, "TD_Paper_08", 19 "Application of new devices or technology on franchised 20 buses", and if you go through to page 107 -- 21 CHAIRMAN: This is a submission made by the Transport 22 Department in April of this year? 23 MR PETER DUNCAN: That's correct, Mr Chairman, thank you 24 So we have jumped from 2007 now, Mr Weston, through 25 to 2018, and this is not a submission made to the</p>

Page 125	Page 127
<p>1 Legislative Council. It is actually one of the 2 documents submitted by the department to the committee, 3 assisting the committee in its work.</p> <p>4 If I could bring your attention first to page 94, 5 you will see, at paragraph 4:</p> <p>6 "Arising from the serious traffic accident involving 7 a franchised bus of the Kowloon Motor Bus on Tai Po Road 8 resulting in the death of a number of passengers in 9 February 2018, the Transport Department set up a working 10 group with representatives from all franchised bus 11 companies and bus manufacturers in mid-March 2018 to 12 review the technical feasibility and desirability of 13 installing some new safety devices or applying new 14 technology on the safety devices of franchised buses for 15 enhancing protection to bus passengers. The outcome of 16 the discussion and recommendations of the working group 17 are set out in the ensuing [passages]."</p> <p>18 You will see then from that what had prompted the 19 setting up of this working group was the accident in 20 Tai Po.</p> <p>21 Paragraph 7 of the report, under the heading, 22 "Installation of seat belts for all passenger seats" -- 23 perhaps I should start with paragraph 5: 24 "In the light of an accident in July 2006 in which 25 a KMB bus collided with another vehicle resulting in</p>	<p>1 international standards. To fulfil the requirements, 2 reinforcement of the existing floor structure and 3 replacement of all the existing passenger seats with new 4 passenger seats are required. Subject to detailed 5 assessment, the bus manufacturers have initially 6 confirmed that it may be technically feasible to 7 retrofit safety seat belts on all passenger seats of 8 upper deck of the existing buses which are manufactured 9 in certain specified years. They would also make 10 further study on such feasibility and advise the 11 recommended models or batches of buses used by the 12 franchised bus operators that are suitable for 13 installation of seat belts. Based on the Transport 14 Department's understanding, the retrofitting work will 15 involve substantial modifications, including 16 reinforcement of the structure of a franchised bus, 17 replacement of all seats with seat belts, as well as 18 conducting pull tests of the seat belts and seats to 19 confirm their compliance with the international 20 standards, et cetera. The retrofitting and testing work 21 for each franchised bus will take considerable time to 22 complete and hence will affect the bus availability rate 23 for bus operation during the process. The franchised 24 bus operators will further study the proposal." 25 So that was the situation at April 2018, this year,</p>
Page 126	Page 128
<p>1 a passenger on the upper deck of the bus being thrown 2 out of the bus and another similar accident in December 3 2007 ... the TD recommended and the franchised bus 4 operators agreed that safety seat belts should be 5 retrofitted on the four front seats on the upper deck of 6 all the post-1997 licensed buses to prevent passengers 7 from falling out from the upper deck front seats. At 8 present, the seat belts for all the exposed seats have 9 become a standard feature of all franchised buses."</p> <p>10 Then paragraph 7: 11 "As regards the installation of seat belts for all 12 passenger seats on franchised buses, the three 13 double-decked bus manufacturers ... have confirmed that 14 it is technically feasible, upon the request of the 15 franchised bus operators, to supply all new buses with 16 seat belts for all passenger seats which comply with the 17 aforesaid international standards. Correspondingly, all 18 franchised bus operators indicate that they agree to 19 incorporate this requirement for procurement of new 20 buses.</p> <p>21 8. As for retrofitting of seats on all passenger 22 seats of existing buses, the bus manufacturers have 23 concerns that the floor structure (especially on the 24 lower deck) of the franchised bus is not designed for 25 seat belt installations for compliance with the</p>	<p>1 as reported to the committee.</p> <p>2 It's getting on for 1 o'clock so I will leave the 3 following developments until after the break.</p> <p>4 CHAIRMAN: Yes, certainly.</p> <p>5 Mr Weston, we are going to take our lunch break now.</p> <p>6 Can I ask, Mr Duncan, what progress we have made and 7 what estimate, if any, you have of how much longer your 8 questioning would last, given that we acknowledge that 9 certainly my interruptions may delay you?</p> <p>10 MR PETER DUNCAN: Thank you, Mr Chairman. I will do my best 11 to anticipate the extent of Mr Chairman's so-called 12 interruptions. I think we have made good progress. 13 I think we will finish this by 3.30; if not by 3.30, 14 before 4 o'clock, this afternoon.</p> <p>15 CHAIRMAN: Thank you for that indication.</p> <p>16 In which case, we will adjourn then until 2.30 this 17 afternoon. Thank you.</p> <p>18 (1.01 pm)</p> <p>19 (The luncheon adjournment)</p> <p>20 (2.30 pm)</p> <p>21 CHAIRMAN: Good afternoon.</p> <p>22 MR PETER DUNCAN: Good afternoon.</p> <p>23 CHAIRMAN: Yes, Mr Duncan.</p> <p>24 MR PETER DUNCAN: Thank you, Mr Chairman.</p> <p>25 Mr Weston, good afternoon.</p>

Page 129	Page 131
<p>1 MR MIKE WESTON: Good afternoon.</p> <p>2 MR PETER DUNCAN: Prior to the luncheon break, I had taken</p> <p>3 you to a document dated April 2018, that was Transport</p> <p>4 Department Paper No. 8.</p> <p>5 I am now going to ask you to look at another</p> <p>6 document. Here, we are going to go back a little bit in</p> <p>7 time, to March 2018. We will find this in KMB-12 at</p> <p>8 page 4869-1. At this page, you will see the</p> <p>9 commencement of a document which is headed, "Working</p> <p>10 Group on Enhancement of Safety of Franchised Buses",</p> <p>11 "Notes of 1st meeting held on 13 March 2018 at 3.00 pm</p> <p>12 at ..." and it gives the place and it gives the people</p> <p>13 attending the meeting.</p> <p>14 If you go to page 4869-6, you will see the section</p> <p>15 on "Installation of seat belts", and it's that</p> <p>16 information which has been summarised in a different</p> <p>17 form and provided to the committee in the document</p> <p>18 I showed you just before lunch, TD_08, so I won't ask</p> <p>19 you to dwell on that any further.</p> <p>20 What I would like to do is to take you to 4869-9,</p> <p>21 which confirms the scope of work for the working group.</p> <p>22 So this is the scope of work that the working group set</p> <p>23 for itself, and we can see that set out in full on</p> <p>24 page 4869-9.</p> <p>25 With regard to items (2) and (3), there is --</p>	<p>1 So what I am interested in is your opinion as to</p> <p>2 whether the period of three months that you will see on</p> <p>3 page 4869-11, "A report on the outcome and</p> <p>4 recommendations of the review is expected to be</p> <p>5 submitted to the Commissioner for Transport in 3 months'</p> <p>6 time", whether you would consider that period to be</p> <p>7 sufficiently adequate to undertake a rigorous cost and</p> <p>8 effect analysis of all those matters set out in the</p> <p>9 scope of work.</p> <p>10 What is your opinion on that?</p> <p>11 MR MIKE WESTON: On the face of evidence from London,</p> <p>12 I suppose I would cite two examples. First, the ISA</p> <p>13 study that we talked about this morning, and the time</p> <p>14 that study took to gain both pre and post data, and also</p> <p>15 the time it has taken so far for TfL to deliver its bus</p> <p>16 safety programme, which started -- work started in early</p> <p>17 2016 and has already delivered some elements, but the</p> <p>18 main focus of that, the bus safety standard, phase 1</p> <p>19 won't be announced until next month and will start to be</p> <p>20 implemented on vehicles from 2019.</p> <p>21 Now, you could ask the question, has TfL taken too</p> <p>22 long to consider and deliver these suggestions, as</p> <p>23 opposed to being able to do it a lot quicker? I would</p> <p>24 suggest that to gather bus data from trials, you either</p> <p>25 need to have a small number of trial buses in service</p>
Page 130	Page 132
<p>1 perhaps I will read them out quickly. Item (2):</p> <p>2 "To examine the technical feasibility,</p> <p>3 cost-effectiveness, applicability and any other issues</p> <p>4 relating to installation of seat belts on all seats</p> <p>5 other than exposed seats;</p> <p>6 (3) To explore the technical feasibility,</p> <p>7 cost-effectiveness, applicability and any other issues</p> <p>8 relating to the installation of on-vehicle safety</p> <p>9 device, including but not limiting to the following --</p> <p>10 (a) Speed display unit for passengers;</p> <p>11 (b) Active/passive roll stability control;</p> <p>12 (c) Electronic stability control;</p> <p>13 (d) Speed control aided by GPS;</p> <p>14 (e) Speed limiter to cap maximum speed within</p> <p>15 70 kilometres per hour;</p> <p>16 (f) Collision prevention and lane-keeping device;</p> <p>17 and</p> <p>18 (g) Monitoring device on captain's condition</p> <p>19 eg dozing, drowsiness."</p> <p>20 What I would like to ask you is this. You told us</p> <p>21 this morning, in fact, in your evidence and I think it</p> <p>22 appears in your report, that with regard to safety</p> <p>23 measures, there will, at least in London, be a rigorous</p> <p>24 examination of the cost on the one hand and the effect</p> <p>25 on the other, before any measure is introduced.</p>	<p>1 for a reasonably long period of time, or a very, very</p> <p>2 large numbers of buses in service for a shorter period</p> <p>3 of time, to collect robust data.</p> <p>4 So in theory, yes, you could undertake trials and</p> <p>5 assessments in three months, but in my view, to collect</p> <p>6 robust data on the benefits of those trials, you would</p> <p>7 have to do a large number of vehicles. I can't remember</p> <p>8 quite how many vehicles were involved in the ISA scheme</p> <p>9 but you would have to make sure you had a big enough</p> <p>10 sample to get some robust data.</p> <p>11 So three months does seem remarkably quick, although</p> <p>12 I'm sure in London some people would say the time TfL</p> <p>13 have taken could have been quicker. So maybe there is</p> <p>14 a balance there between the two.</p> <p>15 CHAIRMAN: As far as ISA is concerned in London, there were</p> <p>16 two bus routes, but presumably, in order to sustain the</p> <p>17 service on two bus routes, that would involve many, many</p> <p>18 buses?</p> <p>19 MR MIKE WESTON: Yes. I can't remember the exact number,</p> <p>20 but I think the 19, for example -- the route 19 is quite</p> <p>21 a big route, probably 30 or 40 buses. But I don't think</p> <p>22 all the buses were installed with the ISA equipment. It</p> <p>23 was just a smaller sample that were installed and</p> <p>24 monitored.</p> <p>25 So three months does -- if you use TfL as</p>

Page 133	Page 135
<p>1 a comparator and you assume that TfL hasn't been 2 dragging its heels, this three months does seem a very 3 quick turnaround of an assessment of all these 4 technologies and all these options.</p> <p>5 MR PETER DUNCAN: Thank you. I'm now going to take you 6 through to April.</p> <p>7 CHAIRMAN: Before you do that, although this initial 8 13 March agenda suggested that a report would be 9 expected to be submitted to the Commissioner for 10 Transport in three months' time, in fact six months have 11 gone past and no final report at least has been 12 submitted that we're aware of. Just to give you that 13 context.</p> <p>14 MR MIKE WESTON: Which perhaps suggests that the three 15 months was ambitious in the first place.</p> <p>16 CHAIRMAN: Mr Duncan, there is one other matter. Just let 17 me flag it. There was a LegCo meeting when issues 18 germane to this working group were discussed, I think on 19 15 February. Is that something you are going to go to 20 at some stage? Three motions were passed.</p> <p>21 MR PETER DUNCAN: Yes. I can take the committee to that.</p> <p>22 CHAIRMAN: At some stage, because it gives context as to why 23 it is that the Transport Department was considering the 24 matters that they did consider in the working group.</p> <p>25 MR PETER DUNCAN: Certainly, Mr Chairman. I would like to</p>	<p>1 by phases. Mr Luk Chung Hung recalled that there had 2 been times all seats of certain bus models of Long Win 3 Bus Company were retrofitted with seat belt. He asked 4 why there was no such kind of buses at the moment.</p> <p>5 Commissioner for Transport advised that all exposed 6 seats of new buses purchased after 2003 had been 7 installed with seat belts. After a serious bus accident 8 in 2007, franchised bus companies had acceded to TD's 9 request for retrofitting seat belts to the exposed seats 10 and front-row seats on the upper decks for buses 11 designed after 1997. Transport Department would, 12 together with KMB and other franchised bus operators, 13 actively study measures to enhance safety, including the 14 technical feasibility of retrofitting seat belt to all 15 seats. Managing director for KMB supplemented that KMB 16 held an open mind on any suggestion to improve bus 17 safety and would discuss the above suggestion with the 18 Transport Department. In reply to Mr Luk, Commissioner 19 for Transport said that Long Win had once proactively 20 installed seat belts to all seats but no longer provided 21 them having regard to the low usage.</p> <p>22 Ms Claudia Mo noted the view of some transport 23 experts that seat belt might not help reduce the number 24 of casualties for such kind of serious bus accident. 25 She was also concerned that, in case all seats were</p>
Page 134	Page 136
<p>1 go to that now, to try to keep track of the dates in 2 a reasonably chronological order.</p> <p>3 We can actually find that, I think, at SEC-3, at 4 page 1342.</p> <p>5 At this page, Mr Weston, you will see minutes of the 6 meeting of the Legislative Council's Panel on Transport 7 of 15 February. So it is before the first meeting of 8 the working group which we have just seen was held in 9 March.</p> <p>10 If we go to page 1359 -- just give me a moment, 11 please.</p> <p>12 CHAIRMAN: Yes. Take your time.</p> <p>13 One of the passages I had in mind is at paragraph 3 14 on 1360, one of the motions, which gives a shopping list 15 of matters that the LegCo Panel urges the administration 16 to explore.</p> <p>17 MR PETER DUNCAN: Yes. I think the precursor to that can 18 actually be found on page 1356.</p> <p>19 CHAIRMAN: Yes.</p> <p>20 MR PETER DUNCAN: There is a discussion on measures to 21 enhance bus safety, and paragraph 59: 22 "The deputy chairman [of the meeting] suggested 23 that, to minimise the number of casualties in case of 24 bus accident, all franchised bus operators should 25 consider retrofitting seat belts to all seats in buses</p>	<p>1 retrofitted with seat belt, whether there would be 2 difficulties to require all passengers to wear the seat 3 belts. She enquired about the timetable of considering 4 the suggestion of retrofitting all seats with seat belts 5 and whether a consultation would be conducted in this 6 regard.</p> <p>7 Commissioner for Transport said that the 8 administration kept an open mind on the suggestion of 9 retrofitting seat belt to all seats in franchised buses. 10 However, apart from technical feasibility, passengers' 11 acceptability should also be taken into account when 12 considering the suggestion of retrofitting seat belt[s] 13 to all seats. It would study the investigation report 14 to be submitted by KMB in one month's time and would 15 examine the suggestion having regard to relevant 16 considerations."</p> <p>17 Then I think, Mr Chairman, the motions commence at 18 page 1359, at paragraph 77: 19 "The chairman advised that he had received three 20 motions respectively ... He considered that the proposed 21 motions were directly related to the agenda item under 22 discussion. Members agreed that the motions be 23 proceeded with ..."</p> <p>24 And the motion was moved by Mr Chan Hak Kan and 25 seconded, and the translation appears at 1360, and</p>

Page 137	Page 139
<p>1 paragraph 3 reads:</p> <p>2 "explore ways to further strengthen the safety</p> <p>3 installations on buses, including enhancing the</p> <p>4 protection for high-risk seats, retrofitting seat belts</p> <p>5 on more seats and making it compulsory in phases for</p> <p>6 passengers to wear seat belts, installing an external</p> <p>7 camera at the bus captain's seat, modifying the speed</p> <p>8 limiters on buses to ensure safe driving on high-risk</p> <p>9 road sections, and installing an auxiliary system for</p> <p>10 automatic emergency braking, so as to reduce the risk of</p> <p>11 injuries among passengers in an accident."</p> <p>12 So you can see the motions of the Legislative</p> <p>13 Council which preceded the first meeting of the working</p> <p>14 group, and reference there to seat belts and some of the</p> <p>15 pros and cons.</p> <p>16 MR MIKE WESTON: Yes.</p> <p>17 MR PETER DUNCAN: So, if it is in order, I will then take</p> <p>18 you further, please, into the chronology by asking you</p> <p>19 to turn up minutes of the second meeting of the working</p> <p>20 group, which we will find at KMB-12/4887-1.</p> <p>21 CHAIRMAN: This is 23 April 2018?</p> <p>22 MR PETER DUNCAN: This is the meeting, indeed, on 23 April</p> <p>23 2018. These are the notes.</p> <p>24 The relevant section I think you will find,</p> <p>25 Mr Weston, on page 4887-5.</p>	<p>1 of the seat belts on all passenger seats at upper deck</p> <p>2 was still uncertain. Even if it proved to be</p> <p>3 technical[ly] feasible, the subject still needed further</p> <p>4 deliberation taking into consideration the financial</p> <p>5 implications and impacts on bus operation (ie the</p> <p>6 availability of bus) due to the time required for the</p> <p>7 substantial modification of buses. Transport Department</p> <p>8 encouraged all franchised bus operators to continue to</p> <p>9 study the technical feasibility of retrofitting seat</p> <p>10 belts on all passenger seats on each bus model before</p> <p>11 reaching the final decision."</p> <p>12 So that's the position after the second meeting, and</p> <p>13 then the third meeting we can see, which was held on</p> <p>14 23 June -- so we've had March, April, and now we have</p> <p>15 June -- is at KMB-12/4908-1.</p> <p>16 The relevant part of these notes with regard to seat</p> <p>17 belts appear at page 4908-7. At 25:</p> <p>18 "The meeting noted that it was technically feasible</p> <p>19 to supply all new buses with seat belts for all</p> <p>20 passenger seats conforming to relevant international</p> <p>21 standards and all franchised bus operators committed</p> <p>22 that all new franchised buses would be incorporated with</p> <p>23 seat belts on all passenger seats."</p> <p>24 And we have seen that the additional cost of that is</p> <p>25 going to be about 5,000 pounds per bus.</p>
Page 138	Page 140
<p>1 So:</p> <p>2 "After checking with the bus manufacturers on the</p> <p>3 feasibility for installation of seat belts for all</p> <p>4 passenger seats for new buses, all franchised bus</p> <p>5 operators advised that it was technically feasible to</p> <p>6 install seat belts for all passenger seats for new buses</p> <p>7 to be procured. KMB/Long Win supplemented that it would</p> <p>8 cost about an additional of 5,000 pounds for each</p> <p>9 double-decker to install seat belts for all passenger</p> <p>10 seats. All bus operators agreed to incorporate this</p> <p>11 requirement in their new single-decked buses and</p> <p>12 double-decked buses to be procured.</p> <p>13 For new buses which had been procured but not yet</p> <p>14 delivered, KMB said they would request the bus</p> <p>15 manufacturers to install seat belts for all passenger</p> <p>16 seats if it would be feasible to include such</p> <p>17 requirement. KMB/Long Win advised that 145 new buses to</p> <p>18 be delivered before September 2018 could be able to</p> <p>19 install with seat belts for all passenger seats.</p> <p>20 Citybus and New Lantao Bus would advise Transport</p> <p>21 Department by end of April 2018 if the bus manufacturer</p> <p>22 could install seat belts for all passenger seats for new</p> <p>23 buses being manufacture[d].</p> <p>24 For existing buses, Citybus and Kowloon Motor Bus</p> <p>25 advised that the technical feasibility for installation</p>	<p>1 Then at 26:</p> <p>2 "As for existing buses, the meeting noted that</p> <p>3 retrofitting seat belts on all passenger seats of the</p> <p>4 upper deck of some existing double-deck bus models</p> <p>5 should be feasible. Kowloon Motor Bus advised that they</p> <p>6 would retrofit seat belts on all passenger seats of the</p> <p>7 upper deck or deploy buses with seat belts on all</p> <p>8 passenger seats on routes which serve long-haul</p> <p>9 passengers or are operated on expressways with limited</p> <p>10 boarding or alighting activities at the en route stops.</p> <p>11 [Post-meeting note: KMB advised that there would be</p> <p>12 about 400 new buses with seat belts on all passenger</p> <p>13 seats by mid-2019. KMB would deploy these buses to the</p> <p>14 required routes. Retrofitting seat belts to existing</p> <p>15 buses would depend on the actual situation/requirement</p> <p>16 at that moment.]</p> <p>17 27. In the light of KMB's initiative, the meeting</p> <p>18 had discussed and come to the views that having regard</p> <p>19 to the technical feasibility in retrofitting seat belts</p> <p>20 on existing buses; operation of franchised buses in</p> <p>21 Hong Kong which were mostly deployed on urban routes</p> <p>22 with standing passengers; and the costs and downtime</p> <p>23 incurred to retrofit seat belts on all existing buses,</p> <p>24 as well as overseas experiences, that there were</p> <p>25 insufficient justifications to make it a mandatory</p>

<p style="text-align: right;">Page 141</p> <p>1 requirement for all buses to be fitted with seat belts 2 on all passenger seats. Nevertheless, members reckoned 3 that as in the case of exposed seats and in bus 4 compartment with no standees allowed, seat belts might 5 give extra protection to seated passengers to prevent 6 passengers from falling out from these seats. 7 28. In this regard, Citybus was requested to 8 consider retrofitting seat belts on all passenger seats 9 on the upper deck for the buses operating selected bus 10 routes for long-haul passengers or operating on 11 expressways with limited boarding and alighting 12 activities along the routes. Citybus indicated that it 13 would be difficult for their companies to allocate their 14 buses to solely operate specific routes as their buses 15 would serve a number of routes in a day under their 16 existing operations. In addition, Citybus observed that 17 very few passengers would make use of seat belts, it 18 would not be financially viable to retrofit existing 19 buses with seat belts on all passenger seats. Citybus 20 requested the government to fund the retrofit of seat 21 belts to existing buses if that was what the government 22 wanted." 23 And the section concludes, in paragraph 31: 24 "... the Transport Department requested all 25 franchised bus operators to estimate the number of</p>	<p style="text-align: right;">Page 143</p> <p>1 labour one week to retrofit a bus (eg one man-month). 2 Taking into account the labour cost and material cost, 3 it was estimated that the retrofit cost for one bus 4 would be around \$240,000." 5 Then the final paper, I think, which I then need to 6 show you, is a paper which the Transport Department 7 provided by way of an update to the LegCo's Transport 8 Panel the following month, that's July of this year. We 9 will find that in TD-1 at page 403. 10 At page 403, we can see the heading, "For discussion 11 on 25 July 2018". It's to the Legislative Council Panel 12 on Transport, "Enhancement of safety of franchised 13 buses", and if you go through to page 412, you will see 14 that it's a paper which has been provided by the 15 Transport and Housing Bureau and Transport Department in 16 July. 17 The purpose of the paper is set out on page 403, and 18 the background is set out, referring to the working 19 group and its scope of work. There are various sections 20 in that paper. The one of relevance to seat belts, 21 I think I can take you directly to paragraph 16 which is 22 on page 409: 23 "Having regard to the points mentioned in 24 paragraphs 10 to 15 above ..." 25 And it's in that section where the detailed</p>
<p style="text-align: right;">Page 142</p> <p>1 long-haul bus routes operating via expressway with 2 relatively fewer bus stops and the corresponding number 3 of buses involved, and provide the information to the 4 Transport Department for reference the soonest 5 possible." 6 If we can then move from what you can see in that 7 meeting to another document, this time at page 4938-1. 8 You will see the notes of what is described as the 3rd 9 meeting, held on 27 June this year, of the sub-working 10 group on in-vehicle safety devices for franchised buses. 11 So this is six days later, in the sub-working group. 12 If we go to page 4938-5, at paragraph 15 we see the 13 heading, "Installation of seat belts for all passenger 14 seats": 15 "Transport Department informed the meeting of their 16 view to retrofit seat belts for bus routes serving 17 long-haul passengers, or operating on expressways with 18 limited boarding or alighting activities at the en route 19 stops where passengers tend to use them. Transport 20 Department had already requested franchised bus 21 operators to provide return on the number of buses 22 involved in these service natures. New World/Citybus 23 emphasised that they did not [agree] to such retrofit 24 work unless it would be funded by the government. 25 New World also mentioned that it would take 3-4 skilled</p>	<p style="text-align: right;">Page 144</p> <p>1 matters -- I think which we have already gone through in 2 the previous notes. 3 "... the working group has arrived at the following 4 recommendations with a view to giving extra protection 5 to seated passengers: 6 (a) seat belts should be provided for all seats in 7 future procurement of new buses; and 8 (b) subject to further assessment on the technical, 9 operational and financial feasibility, consideration may 10 be given to retrofitting all seats in the upper deck 11 with seat belts on buses deployed for specific bus 12 routes, ie long-haul routes which are operated via 13 expressways with relatively fewer bus stops. 14 The Transport Department will require the franchised 15 bus operators to explore in more details in conjunction 16 with the bus manufacturers to ascertain the technical 17 feasibility of retrofitting seat belts on the upper deck 18 of different bus models, the operational and capacity 19 considerations in developing the timetable for the 20 retrofitting works and how such considerations may be 21 addressed, as well as the financial implications, in 22 order to decide whether and, if so, how all passenger 23 seats on the upper deck of existing double-deck buses 24 deployed for long-haul routes mentioned in 25 paragraph 16(b) can be retrofitted with seat belts. In</p>

Page 145	Page 147
<p>1 the meantime, the Transport Department will work with 2 the franchised bus operators to promote the use of seat 3 belts if they are available (at exposed seats or on new 4 buses)."</p> <p>5 I think, in addition to those papers, I should also, 6 before asking you a couple of questions, refer you to 7 just some aspects of the evidence that the committee has 8 heard. First of all, evidence from Citybus, who gave 9 evidence at an early stage of the inquiry. We will find 10 this at Day 4 of the transcript at page 102.</p> <p>11 CHAIRMAN: Which transcript bundle is this to be located in? 12 MR PETER DUNCAN: It will be in 2A, Mr Chairman. 13 CHAIRMAN: Thank you. To give this context, this is 30 May 14 2018.</p> <p>15 MR PETER DUNCAN: That's right. That's before some of the 16 matters we have just seen.</p> <p>17 The part I wish to bring your attention to is at 18 page 102. Perhaps I should go to the question, which 19 you will find at page 101, at line 15, where I am 20 examining Mr Samuel Cheng, who is a representative of 21 Citybus:</p> <p>22 "Can you point to anything specific which you would 23 regard as beyond your financial capabilities at the 24 moment, but which, if it could be funded, would 25 add materially to the matter of safety? Is there any</p>	<p>1 certain exposed seats on board and they have been fitted 2 with seat belts, but then in fact I ride on the buses 3 many times. I seldom see passengers occupying such 4 seats put on the seat belts. In future, if you ask our 5 company to spend \$100 million to \$200 million, or more 6 than \$200 million to work on this, while we query very 7 much the effectiveness, of course, if the administration 8 would like to impose such a requirement, that is to 9 retrofit the seat belts, then I very much hope that the 10 government will provide a subsidy so that we can install 11 the seat belts.</p> <p>12 So this is one of the examples. Thank you.</p> <p>13 Chairman: So your point really is this: if the 14 government thinks that it's worthwhile doing because it 15 gives passengers who might want to put a seat belt on 16 the opportunity to do so, but it's your experience that 17 if they don't do so, then it's up to government to fund 18 this, rather than impose it on your own? Is that the 19 point?</p> <p>20 Answer: If the government sees the need for seat 21 belts, in order for the passengers to put on the seat 22 belts if they want to, if that's the case then I hope 23 the government would fund the exercise because if we 24 fund it, it would be a waste of resources."</p> <p>25 I think if you go to page 58 --</p>
Page 146	Page 148
<p>1 specific matter?</p> <p>2 Mr Samuel Cheng: I cannot give any examples which 3 will substantially enhance the safety. Rather, there 4 are certain things which the public would think that, 5 when done, the safety would be enhanced.</p> <p>6 I can give examples. Say, for example, this 7 morning, you explored the idea of retrofitting safety 8 seat belts for the upper deck. This morning, Mr Li 9 talked about the cost. It will be 15,000 to 10 20,000 pounds per bus, and we have got 1,100 buses 11 falling into this category. If they all have to be 12 retrofitted with safety belts on the upper deck, the 13 total cost, as we have given, will be HK\$180 million to 14 HK\$240 million."</p> <p>15 That's Citybus.</p> <p>16 Then if I could take you to Kowloon Motor Bus, more 17 recently, Day 15 --</p> <p>18 CHAIRMAN: Perhaps before we leave that, there is 19 an observation that is relevant to the cost side of it, 20 and that's the usage side of it. That's at the bottom 21 of page 102. Perhaps you would draw Mr Weston's 22 attention to that. Line 19 -- or line 16, perhaps.</p> <p>23 MR PETER DUNCAN: If I leave out the next couple of 24 paragraphs, Mr Weston, and pick it up at line 16: 25 "This morning, we have said that currently there are</p>	<p>1 CHAIRMAN: Of this transcript on Day 4? 2 MR PETER DUNCAN: The transcript, yes. 3 CHAIRMAN: Yes. 4 MR PETER DUNCAN: -- there is a similar sentiment from 5 Mr Cheng at an earlier stage, at line 24 on page 58. 6 Yes, I had just referred to an extract from the forward 7 planning programme for Citybus, where Mr Cheng's 8 evidence is to this effect. I quote from line 25: 9 "It is feasible to install seat belts on all seats 10 or on all seats on the upper deck. However, our 11 observation shows that very few people wear the seat 12 belts currently available at the exposed seats. Without 13 any legislation to mandate the wearing of passenger seat 14 belts on a franchised bus and the enforcement authority 15 to strictly enforce the legislation, installing seat 16 belts on all [buses] will be a waste of resources 17 because vast majority of passengers will not wear seat 18 belts even though they are provided." 19 So, then, moving from Citybus to Kowloon Motor Bus. 20 Their evidence was given more recently, Day 15 on 21 13 September. That's in bundle 6 of the transcripts, 22 Mr Chairman. 23 CHAIRMAN: Thank you. 24 MR PETER DUNCAN: Day 15, page 18. At line 20, I have asked 25 a question about new buses having seat belts:</p>

Page 149	Page 151
<p>1 "Do I understand that the new buses will have seat 2 belts --"</p> <p>3 Perhaps I need to go back a little further. At 4 page 15, line 24, Mr Roger Lee -- he is from Kowloon 5 Motor Bus -- is talking about the feasibility, first, of 6 installing safety belts on the upper deck for retrofit: 7 "To install safety belts on the upper deck, 8 technically speaking, we would have to consider the 9 issue of gravity. The government and ourselves -- well, 10 the government has consulted us for certain information 11 and our supplier conducting a technical assessment, and 12 the progress has been positive so far. The safety belts 13 are relatively heavy. If they are to be installed on 14 the upper deck, the government would have to conduct 15 tilt tests. If this is technically feasible, it won't 16 be an issue to install them. Whereas for the two main 17 suppliers, Volvo and ADL, the progress has been very 18 positive, however we would still have to wait until the 19 tilt tests are completed.</p> <p>20 Question: Can you give the committee some idea as 21 to the financial implications of the retrofitting of the 22 seat belts?</p> <p>23 Answer: This is not cheap, or should I say, in the 24 beginning of this year, a special committee of our 25 company issued clear instructions. Our buses procured</p>	<p>1 routes, so that comes to about 1,000."</p> <p>2 Then the chairman at line 22: 3 "Before you move on ... earlier, Mr Lee, you said 4 this involved retrofitting 3,600 long-haul buses. Are 5 you now correcting that statement and in fact it 6 involves 1,000? 7 Answer: Yes." 8 At line 5: 9 "I'm just trying to do the mathematics. 1,000 buses 10 at \$200,000 per bus? 11 Mr John Chan: Yes. 12 Question: \$200 million? 13 Dr Norman Leung: Yes. 14 Question: Is the cost of that something that has 15 been discussed with the government? 16 Mr Roger Lee: No." 17 Finally, as regards material data I need to bring to 18 your attention, we have the evidence from the Hong Kong 19 Police Force representatives. 20 CHAIRMAN: Before you move on to that, there is something in 21 the transcript that you have just read out, at page 16, 22 line 17: 23 "... in the beginning of this year, a special 24 committee of our company issued clear instructions. Our 25 buses procured in 2019 and after would be fitted with</p>
Page 150	Page 152
<p>1 in 2019 and after would be fitted with safety belts. As 2 for the retrofitting of safety belts, where possible, 3 especially on long-haul routes, we would install safety 4 belts on the upper deck. We do not want to see further 5 accidents, so cost is not our main consideration. We 6 have not considered the financial implications yet. 7 Retrofitting of safety belts would cost about 8 \$200,000 per bus. 9 Chairman: That is on the upper deck? 10 ... 11 Question: ... Approximately how many buses do you 12 expect would be retrofitted, how many buses in your 13 fleet? 14 Mr Leung Kin Wang [another representative]: I think 15 nearly 3,600 long-haul buses." 16 Then there is an intervention at line 22 -- sorry, 17 Mr Roger Lee at line 11: 18 "I would like to add something. Currently, we have 19 4,200 to 4,300 buses. That is for KMB and Long Win Bus 20 combined. Some buses are fully equipped with safety 21 belts. For some others, as they will retire in the next 22 years -- for buses that will retire in two or three 23 years, they might not need to be retrofitted. For 24 long-haul buses, I do not have the exact figure, but 25 about one-third of our buses would go on long-haul</p>	<p>1 safety belts. As for the retrofitting of safety belts, 2 where possible, especially on long-haul routes, we would 3 install safety belts on the upper deck." 4 I think, to give that context, it would be relevant 5 to refer to the report to the Commissioner for Transport 6 by KMB on the bus accident on the Tai Po Road which is 7 to be found at KMB-1A at page 98, and to paragraphs 39 8 and 40. 9 MR PETER DUNCAN: Do you have that in front of you, 10 Mr Weston? 11 MR MIKE WESTON: Yes. 12 MR PETER DUNCAN: KMB-1A/98. 13 CHAIRMAN: Just to give you the context, Mr Weston, this was 14 a report that the Commissioner for Transport required 15 KMB to give in a period of a month. I think it was 16 delivered on 12 March. 17 This precedes the very first day, which was the 18 following day, when the working group met, and its 19 agenda was provided to those who attended. 20 Perhaps I could invite you, Mr Duncan, to read this 21 out, so we have it in the transcript, informing us as to 22 the position taken by KMB in advance of any working 23 group. 24 MR PETER DUNCAN: Yes. 25 If you go back to page 98 of this bundle, Mr Weston,</p>

Page 153	Page 155
<p>1 you will see this is issued on 12 March. At 2 paragraph 39 the bus company say, in their report to the 3 Commissioner for Transport: 4 "In the aftermath of the incident, a number of 5 comments and suggests have been raised by members of the 6 Legislative Council, the media and members of the public 7 on measures which should be considered with a view to 8 enhancing the safety of public bus operations and of bus 9 passengers. The special committee has considered these 10 issues, in consultation with KMB's bus suppliers, and 11 made various recommendations which KMB's management will 12 be implementing or further examining. 13 40. KMB has already requested its suppliers to 14 install safety belts on all seats as a standard feature 15 for new buses ordered after 5 March 2018. As for buses 16 that are currently in service, where certain routes so 17 require, safety belts will be installed on the upper 18 deck of KMB buses phase by phase." 19 CHAIRMAN: Thank you. 20 MR PETER DUNCAN: If I could then finally take you to the 21 evidence from the police. This is Day 17 of the 22 hearing. That was held on Monday, 24 September. That 23 will be in transcript bundle 7, Mr Chairman. 24 CHAIRMAN: Thank you. 25 MR PETER DUNCAN: If I could bring your attention, please,</p>	<p>1 in cars. 2 Answer: Yes, sir. But going back to my earlier 3 comment, in our view, it is better if people have the 4 option to improve their own road safety, as a matter of 5 choice. 6 Then Mr Auyeung raises this question: 7 "Just a quick question on the seat belt. Using the 8 experience you have on the PLB, how successful has the 9 police force been on enforcement? 10 Answer: I don't have enforcement figures, but, like 11 I say, I would hope that people would follow the law 12 because it was good for them rather than because they 13 would be prosecuted if they didn't. 14 Chairman: But, as you said earlier, most people 15 don't wear them on public light buses, enforcement is 16 difficult, and one can see why, and you would expect 17 that same trend to obtain with buses? 18 Answer: I would, sir, yes." 19 So there is a lot of information there I have asked 20 you to digest, Mr Weston, but you can see what appears 21 to be looming here. First of all, not just looming, but 22 apparently decided that with regard to new buses, 23 henceforth it is proposed that all buses be fitted with 24 seat belts for each seat, irrespective of whether that 25 bus is plying an urban route, presumably a very crowded</p>
Page 154	Page 156
<p>1 to page 50. The exchange is between the chairman and 2 Mr Auyeung, with Mr Stephen Baker, who is 3 a representative of the police force. 4 CHAIRMAN: Chief Superintendent Baker. 5 MR PETER DUNCAN: Thank you. 6 I think probably I need to pick it up at page 49, 7 where the chairman has indicated that the provision of 8 seat belts is required for public light buses, and the 9 chairman at line 8: 10 "But they do for PLBs. 11 Answer: They do, sir, yes. 12 Chairman: And what is the ease with which that is 13 enforced or the difficulty? 14 Answer: It is difficult to enforce, and it is not 15 enforced regularly. I would say it is enforced 16 occasionally, when officers decide to take enforcement 17 as a road safety issue. There is always more than one 18 aspect to road safety -- publicity -- but it is also 19 coupled with enforcement from time to time. 20 ... 21 I was going to add that we hope that people won't 22 obey the law only because they feel they might be 23 prosecuted for it, for not following the law. Yes. 24 Chairman: It took a long time to persuade people 25 when they had a choice that they should wear seat belts</p>	<p>1 route where there is provision for standing passengers. 2 That's the first issue, and we have heard that the 3 additional cost to the bus companies for that facility 4 would be something like 5,000 pounds per bus. So that's 5 one aspect. 6 The second aspect is the retrofitting of the upper 7 deck seats, where it is technically possible for buses 8 which are plying on specific routes, exemplified by 9 expressways, at a total cost, if we take the two major 10 franchisees, of something like \$400 million. 11 So what I think the committee would appreciate would 12 be your reaction to these two matters, first of all the 13 provision for seat belts on each and every new bus, at 14 that not insignificant cost, and then secondly the 15 provision of a retrofitting on those buses which ply the 16 expressways and those specific routes. 17 Would you be able to assist the committee with your 18 views on those? 19 MR MIKE WESTON: Yes. I will give some sort of general 20 observations. I think, on first sight, it seems, from 21 the evidence this afternoon, that the decision to 22 install seat belts has been more led by technical 23 feasibility than assessment of the benefits. So there 24 has clearly been a very in-depth technical assessment 25 about whether it's possible. There has clearly been</p>

<p>Page 157</p> <p>1 some work around the costs. What seems to be missing is 2 whether there is any real benefit. 3 I could conclude from the evidence this afternoon 4 that the decision to adopt seat belts in Hong Kong by 5 the franchised bus operators has been as quick 6 a decision as TfL's decision to dismiss seat belts. We 7 spoke earlier this morning about TfL's dismissal of seat 8 belts as an option, and maybe this has been as quick the 9 other way. 10 I think it is clear that seat belts clearly have 11 a benefit in an accident, whether it is a car or any 12 other vehicle, it's clearly a benefit, but it must be 13 worn, and we have talked -- or there is evidence around 14 the enforcement issue and the ability to enforce the use 15 of the seat belt. 16 The other issue that hasn't been mentioned and 17 I haven't seen in any of the evidence but I would also 18 be worried about is the ability to maintain these seat 19 belts in working order. At the end of the day, you will 20 buy a new bus with seat belts, and it is clearly 21 important then that if the Transport Department and the 22 franchised bus operators are going to encourage 23 passengers to use these seat belts, it's clearly 24 critical that they are maintained in working order, and 25 that in itself is potentially a massive financial</p>	<p>Page 159</p> <p>1 the money has been spent on this, it's been spent. 2 Ultimately, from my understanding of the system in 3 Hong Kong, this money can only come from three places. 4 It can either come from the existing profits of the 5 franchised bus operators -- although I have read some 6 evidence that suggests that's not great -- it can come 7 from the passengers in terms of increased fares, or it 8 can come from the government; it's got to come from one 9 of those three sources. 10 So there's a question about can that money be spent 11 in a better way and get stronger results? If we added 12 up all those figures, it's a significant amount of 13 money, and I would question whether it could be spent on 14 other forms of technology that would get better results. 15 However, I think just drawing on a bit of 16 a difference between London and Hong Kong which I think 17 is significant -- the decision -- TfL appear to be 18 saying they are not really considering seat belts, but 19 London is a very flat environment. There are very, very 20 few roads where buses can run above 40 or 50 miles 21 an hour. Buses generally don't go on expressways or 22 motorways in London, so most buses are what you would 23 term urban in London, where clearly in Hong Kong you 24 have some quite challenging topography and you have some 25 fast roads. So in my mind, I think I would be looking</p>
<p>Page 158</p> <p>1 obligation and a massive time obligation. So there is 2 an issue around maintenance, into continuous 3 maintenance. 4 I think in my mind the bit that is missing in a lot 5 of this assessment is really the cost/benefit, and 6 really considering the cost of seat belts, and certainly 7 the retrofitting is a huge cost. Even in new buses, the 8 5,000 pounds is still a fairly significant cost compared 9 with the overall cost of the vehicle. 10 The key question is what are the benefits of that 11 investment in terms of seat belts, in terms of reducing 12 injuries, compared with how that money could be spent on 13 other safety measures across the network. I think one 14 of the worries is that, you know, the commitment by 15 people like KMB to invest such huge sums of money is 16 credible, it's good, should be welcomed, but the danger 17 is some other technology is waiting to be installed that 18 then can't afford to be installed because the money has 19 been spent on seat belts. 20 So I think there's a whole piece of work missing 21 here about, for every dollar that's invested in bus 22 safety, are there bigger benefits to be obtained by 23 intelligent speed adaptation/assistance, autonomous 24 braking, front-end design, can that money be spent more 25 wisely on other things? And I think the worry is once</p>	<p>Page 160</p> <p>1 at how you deal with those high-risk routes as opposed 2 to a blanket one-size-fits-all in terms of solution. 3 So I think there could be some routes which are 4 strong candidates for seat belts but it probably needs 5 to be perhaps more selective as opposed to a blanket 6 approach. 7 As I say, I think I would be interested in asking 8 questions around what is the ongoing maintenance 9 commitment going to be, in ensuring these seat belts are 10 in working order. 11 CHAIRMAN: Can I ask you to move closer to the microphone. 12 MR MIKE WESTON: In ensuring these seat belts are in working 13 order and are maintained properly, because that's quite 14 rightly, if there is a strong campaign to encourage 15 their use, the public then have a right that those seat 16 belts are working when they get on a franchised bus. 17 CHAIRMAN: Are you able to give us any idea of the cost of 18 maintenance of seat belts? I am right, am I not, in 19 thinking that they are required to be installed and worn 20 on coaches, in the United Kingdom? 21 MR MIKE WESTON: Yes. I suspect the challenge in London, if 22 they were on service buses, would be -- the challenge in 23 terms of maintenance would probably be in terms of 24 vandalism and -- well, vandalism of the strap or of 25 people putting things into the holder. So I suspect the</p>

Page 161	Page 163
<p>1 challenge --</p> <p>2 CHAIRMAN: Fortunately, in Hong Kong, that's very unlikely</p> <p>3 to be the problem. Are there any --</p> <p>4 MR MIKE WESTON: Which is less of an issue.</p> <p>5 CHAIRMAN: -- technical factors about maintenance that might</p> <p>6 be the problem here?</p> <p>7 MR MIKE WESTON: I don't know. But I would be surprised if</p> <p>8 there wasn't some regular maintenance requirement of</p> <p>9 seat belts. On coaches in the UK, clearly, probably</p> <p>10 vandalism is less of an issue or potential vandalism is</p> <p>11 less of an issue.</p> <p>12 Maybe if I can just refer to some interesting TfL</p> <p>13 data in my submission, which I think was appendix D of</p> <p>14 my submission, which --</p> <p>15 CHAIRMAN: Just a moment.</p> <p>16 Mr Duncan, can you give us a page number for that?</p> <p>17 Appendix D.</p> <p>18 MR MIKE WESTON: It was the presentation by TfL to myself</p> <p>19 and the chairman.</p> <p>20 MR PETER DUNCAN: 160, we believe, Mr Chairman.</p> <p>21 CHAIRMAN: Thank you.</p> <p>22 MR MIKE WESTON: There is an early slide of that</p> <p>23 presentation that --</p> <p>24 CHAIRMAN: Do you have a page number for us so we can --</p> <p>25 MR MIKE WESTON: I don't. That one there, yes. Backwards,</p>	<p>1 only 1 per cent were injured in their seats, which</p> <p>2 suggests perhaps a lower rate of injury for seated</p> <p>3 passengers.</p> <p>4 MR PETER DUNCAN: That does accord with my recollection,</p> <p>5 Mr Chairman, but I will ask my assistant to try and turn</p> <p>6 up the FPP reference to that.</p> <p>7 CHAIRMAN: Yes.</p> <p>8 One of the other issues that will arise if one was</p> <p>9 addressing this as a topic -- as required by the LegCo</p> <p>10 members in this panel, please have a look at seat belts,</p> <p>11 as you have seen -- would presumably be, first of all,</p> <p>12 what damage happens if you are not wearing a seat belt,</p> <p>13 and from the figures I have just quoted, the main damage</p> <p>14 appears to be people standing up or moving down</p> <p>15 staircases, moving around the bus, as opposed to people</p> <p>16 seated at seats, which seems to be small.</p> <p>17 The other issue would be the usage of existing seat</p> <p>18 belts on a bus, and would it not be sensible to have</p> <p>19 some kind of survey to get empirical data about the</p> <p>20 actual usage, rather than the managing director of</p> <p>21 Citybus, who did tell us that he was a passenger on</p> <p>22 buses frequently, say, "Nobody wears them"? Would it</p> <p>23 not be sensible to have empirical data?</p> <p>24 MR MIKE WESTON: It would be very easy to do, I would have</p> <p>25 thought, from perhaps CCTV observations and sampling of</p>
Page 162	Page 164
<p>1 sorry. Yes, that's it.</p> <p>2 CHAIRMAN: Yes.</p> <p>3 MR MIKE WESTON: This is data for 2017, showing slips, trips</p> <p>4 and falls on buses: 3,074 in the year 2017. I think it</p> <p>5 helpfully illustrates that the majority of injuries to</p> <p>6 passengers on board were those standing, while the</p> <p>7 vehicle is in motion, while they are boarding or</p> <p>8 alighting, while they are climbing or going up or down</p> <p>9 stairs. 13 per cent is seated passengers. So there are</p> <p>10 about 400 incidents of the 3,000 down to seated</p> <p>11 passengers, which suggests that perhaps the focus needs</p> <p>12 to be on -- as much as those, also needs to be on those</p> <p>13 standing and moving around the bus whilst it's in</p> <p>14 service.</p> <p>15 I think that just hopefully illustrates the sort of</p> <p>16 breakdown of the injuries in London by what the</p> <p>17 passenger is doing on the bus at the time.</p> <p>18 CHAIRMAN: In the statistics that we have in the forward</p> <p>19 planning programme, Mr Duncan, KMB, for example, 2018 to</p> <p>20 2022, distinguish between people who lose their balance,</p> <p>21 which is how we describe "slips, trips and falls", from</p> <p>22 people who are injured in their seat. My memory is that</p> <p>23 in that year -- though I think, looking at the figures</p> <p>24 for 2015 and 2016, two years -- 51.5 per cent were</p> <p>25 standing, or "lost balance" is the way it's put, and</p>	<p>1 a certain number of journeys. It would be probably</p> <p>2 quite an easy thing to come up with, a current usage</p> <p>3 rate.</p> <p>4 But I would hope that if a decision to fit the seat</p> <p>5 belts carries forward, there would be a strong campaign,</p> <p>6 a publicity/marketing campaign, to encourage their use,</p> <p>7 because at the end of the day, once the decision has</p> <p>8 been taken to make that investment, let's hope that at</p> <p>9 least the effort is then put in to maximise the benefit</p> <p>10 from that investment.</p> <p>11 But, as the data from TfL shows, it probably</p> <p>12 supports the case in Hong Kong that that's not the</p> <p>13 biggest issue in terms of passengers on board a vehicle.</p> <p>14 CHAIRMAN: Perhaps another factor would be to conduct</p> <p>15 a survey asking people if, because the authority thought</p> <p>16 and the bus company thought it would be a safe thing to</p> <p>17 do, to install seat belts, "Would you be prepared to use</p> <p>18 them? What's your willingness to use them?"</p> <p>19 Such a survey was conducted back in 2007, I think.</p> <p>20 Perhaps Mr Duncan can find that reference. 2,200 people</p> <p>21 were called up by telephone is my memory.</p> <p>22 MR MIKE WESTON: I suspect, Chair, that there is a danger</p> <p>23 with that question, in how it's asked, that people will</p> <p>24 give the answer that they are expected to give.</p> <p>25 CHAIRMAN: The opposite of the question asked at the</p>

Page 165	Page 167
<p>1 referendum about Brexit.</p> <p>2 MR MIKE WESTON: Yes. "Of course I would wear the seat</p> <p>3 belt", but their actions in practice may be different.</p> <p>4 CHAIRMAN: Yes.</p> <p>5 MR MIKE WESTON: That's the challenge with one of those</p> <p>6 sorts of questions.</p> <p>7 CHAIRMAN: I understand, but I assume it was done</p> <p>8 professionally, since the Transport Department quoted</p> <p>9 the statistic.</p> <p>10 MR MIKE WESTON: Yes. But again, it goes back -- I'm not</p> <p>11 sitting here saying that the seat belts are necessarily</p> <p>12 a bad idea. My question is can that amount of money</p> <p>13 which has been quoted this afternoon be spent in a more</p> <p>14 cost-effective -- in a more beneficial way and result in</p> <p>15 greater benefits in terms of injuries to passengers and</p> <p>16 other road users. That's the question.</p> <p>17 CHAIRMAN: Your concern is that if the money is spent and</p> <p>18 the pot is emptied, then money that might have been more</p> <p>19 usefully, more beneficially, spent on other aspects of</p> <p>20 safety will not actually be available to be spent?</p> <p>21 MR MIKE WESTON: Exactly, and where we currently are, the</p> <p>22 operators have made a financial commitment for future</p> <p>23 years and could that financial commitment get greater</p> <p>24 benefits somewhere else?</p> <p>25 CHAIRMAN: Just let me explain. We are going to take</p>	<p>1 distinction that Mr Chairman was referring to. It's</p> <p>2 certainly got the loss of balance of 54 per cent.</p> <p>3 CHAIRMAN: There we are: loss of balance, 54 per cent;</p> <p>4 injury to passenger inside bus, that's 3 per cent.</p> <p>5 MR PETER DUNCAN: Yes.</p> <p>6 CHAIRMAN: And that I understand to mean the seated</p> <p>7 passenger, because that's the distinction between</p> <p>8 someone who has loss of balance.</p> <p>9 MR PETER DUNCAN: Yes. I understand.</p> <p>10 CHAIRMAN: To all events, it's a very marked difference in</p> <p>11 the small number of people injured while seated,</p> <p>12 although for obvious reasons there must have been</p> <p>13 a basis for installing seat belts on exposed seats. So</p> <p>14 the seat belts on the upper deck, at the front, I think</p> <p>15 came about because people were projected out of the bus.</p> <p>16 So at some stage a rail was put there, I think earlier,</p> <p>17 and then seat belts.</p> <p>18 Then there are obvious places seated in the lower</p> <p>19 deck where there is no obstacle immediately in front of</p> <p>20 you, so if you are seated with another seat in front of</p> <p>21 you, you haven't got very far to go, and that seems to</p> <p>22 have been the rationale to that limited use.</p> <p>23 MR PETER DUNCAN: I will just give you the reference to that</p> <p>24 page, Mr Chairman, which is now being shown. It's</p> <p>25 KMB-12, page 5115.</p>
Page 166	Page 168
<p>1 a short adjournment, and the reason for that is that</p> <p>2 Prof Lo has a commitment elsewhere that he must keep,</p> <p>3 but we are going to continue with our hearing and</p> <p>4 Prof Lo will have available not only the transcript of</p> <p>5 the proceedings but also the audio tape. But it is</p> <p>6 necessary now for us to take a short adjournment while</p> <p>7 Prof Lo is able to leave.</p> <p>8 So we will take two or three minutes. Thank you.</p> <p>9 (3.40 pm)</p> <p>10 (A short adjournment)</p> <p>11 (3.44 pm)</p> <p>12 (In the absence of Prof Lo)</p> <p>13 CHAIRMAN: Thank you.</p> <p>14 Yes, Mr Duncan.</p> <p>15 MR PETER DUNCAN: Thank you, Mr Chairman.</p> <p>16 I am actually going to leave the topic of seat belts</p> <p>17 now, Mr Weston.</p> <p>18 CHAIRMAN: Were you able to turn up the figures that I had</p> <p>19 in mind?</p> <p>20 MR PETER DUNCAN: Not precisely, Mr Chairman, no, I'm</p> <p>21 afraid. Once we do locate what we think is being</p> <p>22 referred to, we will bring that to the committee's</p> <p>23 attention.</p> <p>24 CHAIRMAN: I think they are on the screen.</p> <p>25 MR PETER DUNCAN: Yes. I'm not sure that gives the</p>	<p>1 CHAIRMAN: Thank you.</p> <p>2 MR PETER DUNCAN: So, subject to any other comments or</p> <p>3 questions, Mr Weston, I'm going to move away from seat</p> <p>4 belts and actually move to the final topic that I've got</p> <p>5 that I wish to explore with you.</p> <p>6 That arises from page 149 of your report. I beg</p> <p>7 your pardon, it's page 146 initially. It's the issue of</p> <p>8 fatigue management, which we can see on page 146, in the</p> <p>9 introduction to the bus safety programme, was a recent</p> <p>10 addition to the bus safety programme. I would like just</p> <p>11 to ask you a few matters about this.</p> <p>12 At page 149, at paragraph 7.6, you say in the last</p> <p>13 paragraph:</p> <p>14 "It is also clear that there has ... been a shift</p> <p>15 towards 'behavioural safety' such as fatigue</p> <p>16 management."</p> <p>17 Could you give the committee the benefit of your</p> <p>18 information with regard to that shift, and what is</p> <p>19 constituted by "behavioural safety"?</p> <p>20 MR MIKE WESTON: Yes. I think the shift is that</p> <p>21 traditionally safety management has been around risk</p> <p>22 assessments, accident investigation, and often coming up</p> <p>23 with physical changes to either bus design or to</p> <p>24 suggested changes to road layout or changes to working</p> <p>25 practices.</p>

Page 169	Page 171
<p>1 One of the things that's certainly come out as part 2 of the bus safety programme -- and it came out very 3 strongly when the chairman and myself were meeting the 4 London operators in August -- is that operators are now 5 trying to dig further down into what the root causes of 6 incidents may have been, and as part of that looking at 7 the sort of behavioural impact of drivers.</p> <p>8 An example in terms of fatigue management may be if 9 a driver has an accident, traditionally the driver would 10 have been interviewed, and the questions very much would 11 have around what happened at the time of the accident, 12 what were the factors, was the driver a contributory 13 factor in the accident, very much focused on the 14 incident itself.</p> <p>15 What a lot of the operators are starting to do -- 16 and we saw examples -- is starting to look beyond the 17 accident and the incident itself, starting to talk to 18 drivers about what was happening perhaps half an hour 19 before, had they had any conflicts with passengers that 20 may have acted as -- may have not been a direct impact 21 on the accident but it was a distraction with them, if 22 they had had an argument with a passenger maybe half 23 an hour before; talking to drivers about their 24 lifestyle. What one operator noticed, from some 25 analysis they had done, is that often a lot of their</p>	<p>1 picking them up during the day, so that in fact you are 2 not actually getting a proper, sustained rest; you are 3 looking after family and doing a full-time job?</p> <p>4 MR MIKE WESTON: Yes, and there were concerns expressed by 5 some bus companies that one of the reasons they do 6 regularly interview night bus drivers is to make sure 7 that their work-life balance is right, and obviously 8 a lot of pressure in big cities like London where 9 drivers may have to share family responsibilities with 10 their partners, to take children to school, then get 11 home, then perhaps have three or four hours' rest before 12 picking them up and then going to drive at night. So 13 companies are very conscious of making sure that they 14 understood more about a driver's ability to do the types 15 of shift they were being asked to do, which I think is 16 a new approach than has traditionally been the case.</p> <p>17 MR PETER DUNCAN: To what extent is fatigue management made 18 part of the training of bus drivers?</p> <p>19 MR MIKE WESTON: Probably not as much as -- probably not 20 that much, historically, and I think there are 21 opportunities for a lot of this work to actually up the 22 sort of interaction around the whole issue of fatigue 23 management.</p> <p>24 I personally don't think it's around bus drivers' 25 hours. I think perhaps -- the danger is that the amount</p>
Page 170	Page 172
<p>1 longer-serving drivers who had a very good safety 2 records were far more conscientious about turning up for 3 work early, giving themselves plenty of time to check 4 their bus before they went into service, perhaps go to 5 the toilet before they go into service, perhaps have 6 a cup of tea before they go into service. So often 7 these drivers were more conscientious about turning up 8 on time, and in some interviews they had done -- and 9 also more conscientious about making sure they went to 10 bed at the right time the night before.</p> <p>11 So operators appear to be broadening out their 12 thinking about how they look at safety from 13 investigating the incident itself and the factors around 14 that incident, to a broader looking at driver behaviour 15 and the impact that may have on fatigue. There are 16 examples in bus companies whereby every night bus driver 17 has a regular interview around their shift patterns and 18 anything that might impact on their ability to drive at 19 night.</p> <p>20 So it's a sort of shift away, in simple terms, from 21 investigating incidents, to try to look at driver 22 behaviour more broadly.</p> <p>23 CHAIRMAN: In that context, as I recall, questions asked 24 about why you want to be a night-time driver: is it 25 because you are delivering children to school and</p>	<p>1 that bus drivers drive could be again another quick 2 reaction to a problem, a bit like seat belts. I don't 3 really think that's the issue. I think the drivers' 4 hours and regulations in the UK are pretty well 5 established. There is no suggestion that they allow 6 excessive driving hours. It's about making sure drivers 7 take enough rest between their shifts and they are not 8 doing other jobs, although most London bus operators 9 weren't overly worried about secondary employment, but 10 a lot of them did have processes in place to check that 11 drivers weren't undertaking secondary employment.</p> <p>12 But I think this whole issue of fatigue management, 13 and also supporting drivers in getting enough rest and 14 living the right lifestyle to do the job, is just 15 becoming more of a focus.</p> <p>16 CHAIRMAN: Bus companies in London have access to the 17 register, if that's the right name, of drivers who are 18 allowed to drive minicabs and Uber, and so on; is that 19 correct?</p> <p>20 MR MIKE WESTON: Yes. So TfL, Transport for London, is the 21 licensing authority for taxis and private-hire drivers 22 and vehicles, and so they are able to share that 23 database with the bus operators, so the bus operators 24 can satisfy themselves that some drivers aren't also 25 driving for minicab companies as a way of boosting their</p>

Page 173	Page 175
<p>1 income, because I think most bus companies see, quite</p> <p>2 rightly, that bus driving is a primary job and if you</p> <p>3 are full time it should be your only job, because you</p> <p>4 should be resting the rest of your time.</p> <p>5 CHAIRMAN: Am I right in recalling that some bus companies</p> <p>6 have some kind of limited checking of that information,</p> <p>7 surveillance of some kind?</p> <p>8 MR MIKE WESTON: Yes. I think most of the checking tends to</p> <p>9 be reactive, reactive to incidents or to information</p> <p>10 that's received. So very few companies do blanket</p> <p>11 checking of whether the drivers are doing other things,</p> <p>12 but it will be in response to certain incidents, like,</p> <p>13 for example, if a driver is off sick, sometimes they get</p> <p>14 information to suggest the driver is working somewhere</p> <p>15 else, and they will then follow that up with their own</p> <p>16 internal investigation.</p> <p>17 But, in summary, I think we are just seeing a shift</p> <p>18 from investigations very, very focused on the incident</p> <p>19 itself to try and look at the root causes, and trying to</p> <p>20 dig down more into what some of the root causes of</p> <p>21 accidents may be. Where traditionally and historically</p> <p>22 there's probably been very much a culture of -- were we</p> <p>23 as the bus company blameworthy or not blameworthy, and</p> <p>24 that's almost been the point where the investigation has</p> <p>25 ended, "Our driver wasn't blameworthy, it was the third</p>	<p>1 operational areas.</p> <p>2 So I think it's a constant process but everybody is</p> <p>3 becoming more focused and more sophisticated.</p> <p>4 MR PETER DUNCAN: Does Transport for London govern the</p> <p>5 training of bus drivers or is that left entirely to the</p> <p>6 bus operators?</p> <p>7 MR MIKE WESTON: There are two key aspects to training.</p> <p>8 There's the driving test itself, which is a Department</p> <p>9 for Transport national requirement. So, to get a public</p> <p>10 service vehicle driving licence, you have to undergo</p> <p>11 a driving test which is undertaken by either the</p> <p>12 government agency, the Driver and Vehicle Standards</p> <p>13 Agency, or a lot of bus companies will have dedicated</p> <p>14 examiners, so they will have their own examiners who can</p> <p>15 self-test but obviously are overseen to maintain</p> <p>16 standards.</p> <p>17 Once you have your driving licence, every bus driver</p> <p>18 in the UK, and it applies -- it's European</p> <p>19 legislation -- has to do five days of accredited</p> <p>20 training every five years. Most bus companies will have</p> <p>21 a day's accredited training each year, and that is to</p> <p>22 maintain a bus driver's certificate of professional</p> <p>23 competence.</p> <p>24 So those requirements apply to all bus and coach</p> <p>25 drivers across the whole of the UK, not just to London.</p>
Page 174	Page 176
<p>1 party, there's a financial claim against the third</p> <p>2 party, that's investigation finished."</p> <p>3 I slightly exaggerate to make the point, but I think</p> <p>4 what's happening now is there is more work going into</p> <p>5 identifying the root causes, and some of those root</p> <p>6 causes may only be small contributory factors but from</p> <p>7 that you can learn things that allow you to improve the</p> <p>8 safety culture and the safety practices.</p> <p>9 CHAIRMAN: Where is the initiative coming from in this</p> <p>10 gradual change of approach to fatigue management?</p> <p>11 MR MIKE WESTON: It's coming from the renewed focus of</p> <p>12 Transport for London to improved safety, and I think the</p> <p>13 operators see that as a joint responsibility. I don't</p> <p>14 think the bus operators in London have ever been</p> <p>15 dismissive of safety management, and it's a constant</p> <p>16 journey that in reality you will never finish because</p> <p>17 you can always become safer and safer. In our</p> <p>18 discussions in London in August, I think it was the</p> <p>19 managing director of Go-Ahead London was saying that</p> <p>20 when he joined as an apprentice probably 35 to 40 years</p> <p>21 ago, the biggest risk was people slipping over in</p> <p>22 garages because they were covered in diesel oil. That</p> <p>23 risk was eliminated years ago. So it's just a case of</p> <p>24 bus companies having to become more and more</p> <p>25 sophisticated to reduce the risk even further in</p>	<p>1 What London then does, it requires certain training</p> <p>2 courses to be undertaken, and the main one is</p> <p>3 an accredited qualification, accredited by</p> <p>4 an organisation called City and Guilds, which is called</p> <p>5 Professional Bus Driving in London, and it is a course</p> <p>6 that drivers must complete within one year of becoming</p> <p>7 a London bus driver, and they must complete that</p> <p>8 accredited training.</p> <p>9 In addition, TfL has also developed some training</p> <p>10 that's been part of the five days of accredited</p> <p>11 training. So I refer in my report to one called In The</p> <p>12 Zone, which was a half-day training course that we</p> <p>13 developed, which was then delivered by bus company</p> <p>14 trainers to all bus drivers, and it was effectively</p> <p>15 a training course that used videos to show how drivers</p> <p>16 manage and assess risk, and basically it was a series of</p> <p>17 videos that took a bus driver through a typical morning</p> <p>18 and showed you different outcomes depending on how they</p> <p>19 had assessed risks during that half-hour prior to</p> <p>20 an accident and various incidents that took place. It</p> <p>21 was trying to illustrate that your behaviour and your</p> <p>22 risk assessment as you are driving can dramatically</p> <p>23 affect the outcome. So that was a half-day's training.</p> <p>24 Then, more recently, they have undertaken something</p> <p>25 called Hello London which is a two-day training that all</p>

Page 177	Page 179
<p>1 25,000 bus drivers in London have been through, and this 2 was centrally organised and delivered by Transport for 3 London. This was about trying to enhance customer 4 experience and customer satisfaction, because one of the 5 key areas where Transport for London and the bus 6 operators were being criticised was around driver 7 interaction with customers and the customer satisfaction 8 with bus drivers.</p> <p>9 So it was very much aimed at trying to improve the 10 interaction and the customer service drivers gave to 11 passengers.</p> <p>12 CHAIRMAN: What was this course called?</p> <p>13 MR MIKE WESTON: It was called Hello London, and it was 14 delivered to a group of 100 drivers at a time, and it 15 took two years to complete all 25,000 bus drivers. It 16 was delivered by a small team of actors using 17 interactive training. So they would play out a scenario 18 and they would get drivers to comment on how they may 19 have handled that differently.</p> <p>20 It didn't specifically have a direct link to safety, 21 but fair to say that because it was trying to get 22 drivers to interact with passengers more positively and 23 to manage difficult situations with passengers -- 24 I mean, one of the views is that if drivers can become 25 less stressed and agitated by the way in which they deal</p>	<p>1 achieve -- one of the other criticisms from passengers 2 often is inconsistency between drivers, and it was 3 trying to achieve more consistency in how drivers deal 4 with situations and how drivers deal with passengers.</p> <p>5 As part of the bus safety programme there is the 6 intention to have another safety-related course, 7 centrally delivered and centrally accredited, as part of 8 the bus safety programme, I think sometime in 2019.</p> <p>9 CHAIRMAN: Presumably, the course was structured so that 10 actors acted out a particular script, and the group of 11 drivers were asked to respond to it? Is that how it was 12 done?</p> <p>13 MR MIKE WESTON: Yes. There were various scenes, and the 14 first scene of day one was a driver coming into the 15 garage. He asked to swap his shift in a week's time 16 because he's got a family commitment. The supervisor is 17 very dismissive of his request. He then has an argument 18 with the supervisor, then gets on the bus, then drives 19 the bus, and then a passenger gets on, but because he's 20 in a bad mood a fairly minor situation becomes a bigger 21 issue with a passenger.</p> <p>22 So, initially, interestingly, a lot of the drivers 23 sit there -- so when the actors say to the drivers, 24 "Would you have dealt with that differently?", initially 25 the reaction often is, "No, the supervisor was wrong,</p>
Page 178	Page 180
<p>1 with passengers, then hopefully they are less distracted 2 when they are driving the vehicle after that incident or 3 that interaction. So there is a link to safety because 4 I think it was trying to help drivers deal with 5 difficult situations and to defuse situations from 6 becoming more difficult.</p> <p>7 CHAIRMAN: So this would include the abusive/aggressive bus 8 passenger?</p> <p>9 MR MIKE WESTON: Yes, and one of the scenarios in the 10 training is how you deal with that type of passenger, 11 and the way to deal with it is not to necessarily react, 12 and certainly not to get out of your cab and talk to the 13 person. It's to try and pull back from it and 14 hopefully, in most cases, that passenger will then board 15 the bus and move on. And that becomes a distraction. 16 That becomes a distraction to your focus on driving, 17 so ...</p> <p>18 CHAIRMAN: This was a course provided -- structured by 19 Transport for London?</p> <p>20 MR MIKE WESTON: Yes, structured by Transport for London, 21 accredited with the accreditation agency, so it counted 22 towards bus drivers' CPC, certificate of professional 23 competence training, and in this case delivered 24 centrally by Transport for London contractors. So it 25 was a big commitment. But it was also trying to</p>	<p>1 they should have been more friendly or more helpful and 2 the passenger could have been nicer or more polite", and 3 then slowly they bring the drivers around to say, 4 "I suppose if we had done this differently and that 5 differently, maybe the outcome would have changed", and 6 then the actors re-act that scene, taking on board those 7 suggestions. It's trying to show that, yes, it might be 8 somebody else's fault but you can change the outcome and 9 you can influence what happens, and it is quite 10 interesting to observe, to see how drivers come around 11 to a different way of thinking, because their initial 12 reaction often is that everybody else is at fault, 13 "There's nothing I could have done better", but that 14 changes.</p> <p>15 CHAIRMAN: Is the, as it were, syllabus of this course 16 available in written form?</p> <p>17 MR MIKE WESTON: It should be. We can certainly find out. 18 It's been accredited by independent accreditation agency 19 for the CPC, but I would be very surprised if Transport 20 for London weren't willing to share it with the 21 committee anyway.</p> <p>22 CHAIRMAN: Perhaps we might invite you to make those 23 enquiries.</p> <p>24 MR MIKE WESTON: Yes.</p> <p>25 CHAIRMAN: Just as a template of the kind of issues.</p>

Page 181	Page 183
<p>1 Obviously local characteristics would present</p> <p>2 a different script, but it might be that the formula</p> <p>3 might be similar, or at least consideration could be</p> <p>4 given to it.</p> <p>5 MR MIKE WESTON: Yes. I will make the request.</p> <p>6 MR PETER DUNCAN: Do we see some details with regard to the</p> <p>7 In The Zone training and the Hello London initiative on</p> <p>8 pages 144 and 145 of your report?</p> <p>9 MR MIKE WESTON: Yes.</p> <p>10 MR PETER DUNCAN: Just going back to the question of fatigue</p> <p>11 management, can I bring your attention to page 146 and</p> <p>12 the last paragraph on that page, when I think, during</p> <p>13 the course of your preparation for your report, you had</p> <p>14 discussions with London bus operators and witnessed</p> <p>15 a demonstration of a driving fatigue monitoring system</p> <p>16 called Seeing Machines, and you've given details of that</p> <p>17 in that paragraph.</p> <p>18 Has this actually been implemented by the bus</p> <p>19 operators yet, or is this something which is still under</p> <p>20 trial?</p> <p>21 MR MIKE WESTON: No. This is one of the trials that has --</p> <p>22 it's been trialled by a bus operator, in this case it</p> <p>23 was RATP, and as part of -- and it's being assessed by</p> <p>24 TfL to consider whether it should feature in their bus</p> <p>25 safety standard. So I think, as part of the safety</p>	<p>1 a control room, I think in the United States?</p> <p>2 MR MIKE WESTON: Yes.</p> <p>3 CHAIRMAN: And the controller in the United States would</p> <p>4 then contact the control room in the bus company, who</p> <p>5 communicated a real-time alert to the driver?</p> <p>6 MR MIKE WESTON: Yes. Clearly, if the driver had at that</p> <p>7 point fallen asleep, then that sequence of events</p> <p>8 wouldn't stop any subsequent accident, but the idea is</p> <p>9 that somebody in the central control room verifies that</p> <p>10 it is a fatigue incident and then prompts the bus</p> <p>11 company to speak to the driver as soon as possible to</p> <p>12 either ask them if there is any issues and certainly</p> <p>13 interview them when they return to the garage, to assess</p> <p>14 what the causes might have been.</p> <p>15 As it says on the bottom of that page, the operator</p> <p>16 has observed a 25 per cent reduction in incidents since</p> <p>17 May on that one route, so quite a significant result and</p> <p>18 quite a significant benefit.</p> <p>19 MR PETER DUNCAN: At present, are there any fatigue</p> <p>20 monitoring systems in place in London buses?</p> <p>21 MR MIKE WESTON: Only the trials. Only the trials. But we</p> <p>22 will --</p> <p>23 CHAIRMAN: But they are available or used, are they not, on</p> <p>24 the Croydon tram?</p> <p>25 MR MIKE WESTON: Yes. They were fitted to -- I think it was</p>
Page 182	Page 184
<p>1 innovation fund, there were two trials of fatigue</p> <p>2 management. There was the Seeing Machines and there was</p> <p>3 another system that whilst it detected when drivers'</p> <p>4 eyes were starting to close and it vibrated their seat</p> <p>5 and it alerted the control room, it didn't video the</p> <p>6 incident, so it was very difficult then to</p> <p>7 retrospectively talk to the driver about what was</p> <p>8 happening because it wasn't capturing a video of the</p> <p>9 situation. With this system, it actually keeps the</p> <p>10 videos and captures the video of the driver, so it's far</p> <p>11 easier to engage and have a discussion with the driver.</p> <p>12 The intention of the discussion is to move the</p> <p>13 discussion into fatigue management, "The video suggests</p> <p>14 you were starting to nod off and go to sleep; is there</p> <p>15 any reason why that might be the case?" It might prompt</p> <p>16 a discussion about some medical condition that perhaps</p> <p>17 a driver hasn't declared. It's a useful way to create</p> <p>18 a dialogue with the driver about their lifestyle.</p> <p>19 So, from the various things trialled, this seemed to</p> <p>20 be one of the stronger systems in terms of monitoring</p> <p>21 driver fatigue.</p> <p>22 CHAIRMAN: And this facility had a real-time function as</p> <p>23 well, did it not?</p> <p>24 MR MIKE WESTON: Yes.</p> <p>25 CHAIRMAN: So that the image that was captured was sent to</p>	<p>1 the same system, if I recall, Seeing Machines, was</p> <p>2 fitted to the Croydon trams following an incident,</p> <p>3 a serious accident, last year, I think it was, or the</p> <p>4 year before, and a lot of long-distance coaches have</p> <p>5 similar systems. I think National Express have</p> <p>6 a similar system for driver fatigue, partly because</p> <p>7 probably driving on an expressway, motorway, at</p> <p>8 a constant speed, there is more chance of fatigue. So</p> <p>9 it's become the norm in that industry, but it will be</p> <p>10 interesting to see whether TfL, once they have gone</p> <p>11 through their cost/benefits analysis, these various</p> <p>12 options, decide this is one that should feature in their</p> <p>13 basket of proposals for their bus safety standard.</p> <p>14 CHAIRMAN: The Croydon tram accident happened at the very</p> <p>15 early morning, did it not, around 5 o'clock in the</p> <p>16 morning or something like that?</p> <p>17 MR MIKE WESTON: Yes, very early. It was a change of speed</p> <p>18 limit, so the speed limit going down from I think</p> <p>19 50 miles per hour to 30 or something like that, and the</p> <p>20 driver not observing the speed limit on a fairly tight</p> <p>21 curve on the system.</p> <p>22 CHAIRMAN: So the issue really is whether or not there might</p> <p>23 be a difference between coach drivers on long, boring</p> <p>24 motorways, tram drivers in the early hours of the</p> <p>25 morning going down a track, compared with a bus driver</p>

Page 185	Page 187
<p>1 having to stop every 300 or 400 yards, you wouldn't</p> <p>2 expect him to be going to sleep; is that the</p> <p>3 distinction?</p> <p>4 MR MIKE WESTON: I think that's the distinction, but then</p> <p>5 there are times of the day, even for a London bus</p> <p>6 driver, where early in the morning, it's not as busy,</p> <p>7 you might not be stopping at many stops, nighttime</p> <p>8 drivers, in certain directions it can be a lot quieter.</p> <p>9 So there are situations -- you would naturally assume</p> <p>10 there is so much going on on a London road or even here</p> <p>11 in Hong Kong that you wouldn't have time to nod off, but</p> <p>12 I think there are times when you can be -- it can be</p> <p>13 a lot quieter and maybe those situations could occur.</p> <p>14 CHAIRMAN: But the RATP driver was driving an urban bus</p> <p>15 route, was he not, and demonstrably going to sleep?</p> <p>16 MR MIKE WESTON: He was. We saw the video.</p> <p>17 But I think what the report at this point is trying</p> <p>18 to do is say there is a whole host of technologies and</p> <p>19 solutions out there, but they need to be properly</p> <p>20 assessed, and the judgment needs to be made about which</p> <p>21 ones will offer the best benefit, because ultimately it</p> <p>22 would perhaps be naive to assume that you could adopt</p> <p>23 all these technologies on every bus. It's clearly not</p> <p>24 going to be financially feasible. So it's a case of</p> <p>25 making sure there is a proper assessment to select the</p>	<p>1 that delivers most for the cost and delivers most</p> <p>2 benefit for the cost.</p> <p>3 MR MIKE WESTON: Yes. The logic would be, if you've tested</p> <p>4 ten different systems and you understand the</p> <p>5 cost/benefit, you can rank them in order of cost/benefit</p> <p>6 and ultimately you can go down that list as far as you</p> <p>7 can afford in terms of the funding you have available.</p> <p>8 I think that's ultimately what the bus safety programme</p> <p>9 in London will do.</p> <p>10 CHAIRMAN: And, as you say, the money comes either from</p> <p>11 profits, government, or fares?</p> <p>12 MR MIKE WESTON: Yes. It's got to come from one of those</p> <p>13 three. It's got to either come from -- in London's</p> <p>14 case, it's either got to come from fares revenue, from</p> <p>15 the transport authority or from reduced profits of the</p> <p>16 bus companies.</p> <p>17 MR PETER DUNCAN: Mr Chairman, that really completes the</p> <p>18 matters that I was going to explore with Mr Weston.</p> <p>19 CHAIRMAN: There is one other matter that looms large in the</p> <p>20 Transport for London approach, and that is speed limits,</p> <p>21 which we see no consideration of in what is being</p> <p>22 undergone in Hong Kong at the moment. Perhaps you could</p> <p>23 set us the scene.</p> <p>24 And if you, Mr Duncan, can locate any material that</p> <p>25 goes to this issue, perhaps in the material relating to</p>
Page 186	Page 188
<p>1 ones that offer the maximum benefit in terms of reducing</p> <p>2 both passenger injuries but also injuries to third</p> <p>3 parties, pedestrians, cyclists, et cetera. That's what</p> <p>4 I think from my review of TfL's bus safety programme</p> <p>5 they are trying to achieve. They are trying to really</p> <p>6 go through quite a thorough cost/benefit analysis, to</p> <p>7 make sure that the money they've got or the money they</p> <p>8 need to find is spent in the best possible way.</p> <p>9 CHAIRMAN: You have read Prof Stanley's report and you will</p> <p>10 be aware that that is the analysis, even down to the</p> <p>11 cost of life, that they undergo in Australia, before</p> <p>12 they determine whether or not it is worth this device</p> <p>13 which has these benefits, but there aren't very many</p> <p>14 people who will help and therefore perhaps it's not</p> <p>15 worth it; cost/benefit analysis to determine all these</p> <p>16 things.</p> <p>17 MR MIKE WESTON: Yes, and the Department for Transport in</p> <p>18 the UK publish those figures for cost of life, cost of</p> <p>19 major injury, so you can build those costs, because</p> <p>20 those are the wider costs/benefits to society. So</p> <p>21 clearly the cost of saving a fatality is a cost to lots</p> <p>22 of people; it's a saving to the NHS or the hospital</p> <p>23 services. So, yes, it's capturing those costs and those</p> <p>24 wider benefits.</p> <p>25 CHAIRMAN: And, at the end of the day, you choose the device</p>	<p>1 London.</p> <p>2 As I understand it, there is a digital map of London</p> <p>3 roads and speed limits, is there not?</p> <p>4 MR MIKE WESTON: Yes.</p> <p>5 CHAIRMAN: And 20 miles an hour limits are in green, and the</p> <p>6 map is green, is it not, now?</p> <p>7 MR MIKE WESTON: Yes. There's been a trend across the</p> <p>8 32 London boroughs to implement more and more 20 mile</p> <p>9 per hour zones across large residential areas. So</p> <p>10 20 miles per hour equates to about 32 kilometres per</p> <p>11 hour. So we are seeing more and more roads becoming</p> <p>12 20 mile per hour speed limited. Most other roads will</p> <p>13 be 30 or 40, and perhaps a few 50. But in terms of bus</p> <p>14 routes in London, very few bus routes would operate on</p> <p>15 roads with a higher than 50 mile per hour speed limit.</p> <p>16 The majority will be less than that.</p> <p>17 I think one of the challenges is around appropriate</p> <p>18 speed. The speed limit -- you could argue that for</p> <p>19 a large bus, a speed limit of 30 miles per hour may be</p> <p>20 the limit. It may not be the appropriate speed for that</p> <p>21 piece of road at that particular time. So it's trying</p> <p>22 to educate drivers to be aware of appropriate speed</p> <p>23 limits -- sorry, appropriate speed as opposed to just</p> <p>24 the speed limit.</p> <p>25 CHAIRMAN: The appropriate speed for the section of road on</p>

Page 189	Page 191
<p>1 which the vehicle is being driven?</p> <p>2 MR MIKE WESTON: Yes, which could -- the appropriate speed</p> <p>3 could vary by time of day, depending on --</p> <p>4 CHAIRMAN: And does, in London, when schools are encountered</p> <p>5 alongside the roads, the speed limit changes for the</p> <p>6 time that the school comes out? Or perhaps there are</p> <p>7 signs telling you what the speed limit is, reminding</p> <p>8 you?</p> <p>9 MR MIKE WESTON: Yes, I think there might be reminders of</p> <p>10 speed limits, and there are often by schools warning</p> <p>11 signs that activate during the school periods but not</p> <p>12 actually change the speed limits.</p> <p>13 CHAIRMAN: Very well.</p> <p>14 Given that in Hong Kong, as you are aware, we have</p> <p>15 parts of Hong Kong that are urbanly dense, with many</p> <p>16 pedestrians on the sidewalk immediately adjacent to</p> <p>17 where traffic is moving, buses are plying. With that</p> <p>18 scenario, in London, are there now limits of 20 miles</p> <p>19 an hour in streets that match that description?</p> <p>20 MR MIKE WESTON: Yes. Some of the major Central London</p> <p>21 roads now have 20 mile per hour limits. So it's not</p> <p>22 just residential roads; it is some of the sort of --</p> <p>23 I think, in the text on the screen at the moment, it</p> <p>24 talks about March 2015 trials, including Clapham</p> <p>25 High Street, which is a major thoroughfare.</p>	<p>1 on other vehicles, because it would force other vehicles</p> <p>2 to slow down.</p> <p>3 CHAIRMAN: And the risk assessment that relates to the</p> <p>4 likelihood of serious injury or fatalities related to</p> <p>5 speed of buses shows that it falls significantly, does</p> <p>6 it not, as one goes down the speed limits, 40 miles</p> <p>7 an hour, 30 miles an hour, 20 miles an hour?</p> <p>8 MR MIKE WESTON: Yes, I can't remember the exact ratios but</p> <p>9 clearly, the chances of being killed if you are hit by</p> <p>10 a bus at 25 or 30 miles an hour is significantly greater</p> <p>11 than if it's at 10 or 18 miles an hour. That would be</p> <p>12 the same for other vehicles, but with buses, as I think</p> <p>13 we've said this morning, the front of a bus is less</p> <p>14 forgiving perhaps than a car, if it's involved in</p> <p>15 an incident with a pedestrian or a cyclist.</p> <p>16 CHAIRMAN: And the mass of the bus is quite different.</p> <p>17 MR MIKE WESTON: Yes.</p> <p>18 MEMBER AUYEUNG: One question. What's the feedback from the</p> <p>19 bus captains in terms of dealing with multiple speed</p> <p>20 limits? Are they expressing concerns of having to deal</p> <p>21 with too many speed limits?</p> <p>22 MR MIKE WESTON: I'm not aware of anything, and partly</p> <p>23 because a lot of these 20 mile per hour limits have gone</p> <p>24 into wide areas on a blanket basis, so it's not as if</p> <p>25 the speed limit is constantly changing. The chairman</p>
Page 190	Page 192
<p>1 CHAIRMAN: The ISA test on those two routes that you</p> <p>2 described earlier involved traversing 20 mile an hour</p> <p>3 zones, did it not, even back then in 2015-16?</p> <p>4 MR MIKE WESTON: It did, and the results of that trial was</p> <p>5 that it was having -- the ISA trial on buses, 20 mile</p> <p>6 per hour zones was having a greater impact on other</p> <p>7 vehicle average speeds. So you tended to find that when</p> <p>8 the limit was 30, the average speed of other vehicles</p> <p>9 went down a lot less than when the limit was 20. So it</p> <p>10 was tending -- the slower bus was tending to slow other</p> <p>11 traffic down more as well, in greater proportion than it</p> <p>12 was on a 30 mile per hour road.</p> <p>13 CHAIRMAN: I think it was described as a platoon or</p> <p>14 a convoy?</p> <p>15 MR MIKE WESTON: Yes. One of the worries, when that trial</p> <p>16 was done, was if you start to flow the following traffic</p> <p>17 down, does some of the following traffic then start to</p> <p>18 take risks in terms of trying to overtake the bus,</p> <p>19 trying to nip past it at bus stops in dangerous</p> <p>20 situations, but from my reading of the report, there was</p> <p>21 no evidence of that. There was no evidence that it made</p> <p>22 other traffic behave any differently.</p> <p>23 So, in practice, there was -- certainly in 20 mile</p> <p>24 per hour zones, restricting buses to 20 miles per hour</p> <p>25 could be a good way of helping enforce the speed limit</p>	<p>1 and myself saw some technology system called Mobileye</p> <p>2 that actually reminds the driver of the speed limit as</p> <p>3 it picks up speed limit signs painted on the road or on</p> <p>4 signage and then reminds him in his or her cab that</p> <p>5 that's the speed limit.</p> <p>6 CHAIRMAN: So the camera reads the speed limit sign and then</p> <p>7 reproduces it on a dial in front of the driver?</p> <p>8 MR MIKE WESTON: A dial, to act as a reminder. It could be</p> <p>9 that the driver didn't notice that speed limit sign</p> <p>10 because he was looking the other way at that point.</p> <p>11 The map on the screen now is the one that the</p> <p>12 chairman was referring to in terms of --</p> <p>13 CHAIRMAN: And I'm right in remembering that green was the</p> <p>14 20 mile --</p> <p>15 MR MIKE WESTON: Yes. So you see a lot of inner London is</p> <p>16 20 miles per hour, apart from a few major corridor</p> <p>17 through that area, and I suspect that will change --</p> <p>18 that map will continue to get greener and greener.</p> <p>19 CHAIRMAN: Have the statistics showed any positive change,</p> <p>20 correlation to serious injuries and fatalities as</p> <p>21 a result of lower speeds, or not, or not yet?</p> <p>22 MR MIKE WESTON: Not yet, although I think if I recall the</p> <p>23 last quarter for TfL, they quoted to us that they had</p> <p>24 had no fatalities in the quarter.</p> <p>25 CHAIRMAN: I think that's the first quarter of 2018?</p>

Page 193	Page 195
<p>1 MR MIKE WESTON: Which is the first time for a long time 2 that they had had a quarter with no fatalities. So -- 3 CHAIRMAN: The second quarter proved the dangers of being 4 complacent because they had six fatalities. 5 MR MIKE WESTON: Yes, but I think the average running rate 6 is still lower than the previous year. It takes a long 7 time to build those proper, robust trends, I think. 8 CHAIRMAN: Has there been any impact on the time that 9 journeys take, or is London so congested it makes no 10 difference? 11 MR MIKE WESTON: I think there's been bigger factors 12 affecting the time the journeys take as opposed to the 13 speed limit, because there has been -- certainly in 14 Central London, there's been a lot of roadworks 15 connected with the introduction of cycle lanes and cycle 16 superhighways, and a lot of construction work has had 17 a real impact on average bus speeds, and that's slowed 18 the bus network down certainly in Central London, more 19 so than the 20 mile per hour limit. 20 I think there's a lot of those corridors where even 21 today, if drivers could go 20 miles per hour, they would 22 be quite happy. 23 CHAIRMAN: Am I right in thinking that the average speed of 24 traffic is 9.2 miles per hour? 25 MR MIKE WESTON: 9.2 in Central London, so the average is</p>	<p>1 obtain information first of all, as you have just 2 described, average speeds, and so on, and then 3 ultimately apply a cost/benefit analysis, the cost of, 4 if traffic is going to move slower, and then the 5 benefit? 6 MR MIKE WESTON: Yes, because the logic is, if you do slow 7 all the bus routes down because you don't go as fast, 8 then to run the same frequency you potentially need more 9 buses and more drivers, so there's a cost to that, and 10 it's back to the earlier point, is that more beneficial 11 than fitting other safety features to the buses? It's 12 trying to take an overview of all the options that are 13 available and making an informed choice of all those, as 14 opposed to perhaps picking certain things off one at 15 a time. I think, if you do the latter approach, there 16 is a danger you make some of the wrong decisions. 17 CHAIRMAN: For how long has this reduced speed limit of 18 20 miles an hour, as opposed to the normal 30 miles 19 an hour speed limit in urban areas -- for how long has 20 that been available as an option for local authorities? 21 MR MIKE WESTON: I don't know exactly but I would say 22 between about five and ten years, and it's available to 23 all local authorities across the UK, not just London. 24 But I would say about five to ten years. It's 25 relatively new.</p>
Page 194	Page 196
<p>1 very low. 2 CHAIRMAN: Is that an aspect of road safety enhancement, 3 franchised bus enhancement safety, that Hong Kong should 4 look at, speed limits? 5 MR MIKE WESTON: I think the answer to that question is 6 somebody should probably first understand what the 7 average speed is and what the range of speeds are. 8 I think, in London, just to clarify, these 20 mile per 9 hour speed limits apply to all vehicles, not just buses. 10 So they apply to all road vehicles. 11 First, I would suggest there is a case of 12 understanding what the average speeds are on certain 13 sections of road to understand the extent of the 14 problem. I would suggest that probably greater benefits 15 would come from reducing -- if there was a desire to 16 reduce the average speed of all vehicles on a section of 17 road as opposed to just buses, I think just to 18 differentiate it between buses and other vehicles would 19 probably be very difficult and quite challenging and 20 I suspect the benefits would be greater from actually 21 reducing the speed of all vehicles on sections of road. 22 But I think it's probably a case of first 23 understanding what the issue is and what the problem is. 24 CHAIRMAN: And, like these other issues that we have 25 discussed today, this is a matter where one needs to</p>	<p>1 CHAIRMAN: Yes. I think we have on the screen "January 2 2013" -- I think this is some kind of a publication by 3 the circular, by the Department for Transport -- 4 MR MIKE WESTON: Yes. 5 CHAIRMAN: -- telling local authorities what they can do, 6 and the circumstances in which it would be appropriate. 7 MR MIKE WESTON: But initially, my personal recollection, it 8 was intended to be very selective on selected pieces of 9 road, in response to maybe the presence of a school or 10 some other incident, and now we are starting to see more 11 local authorities effectively doing wider blanket 12 20 mile per hour zones as opposed to individual pieces 13 of road. So we are seeing -- and that's probably 14 because people are starting to learn that actually the 15 impact of it on journey times is pretty marginal, but 16 the safety benefits potentially are great -- 17 CHAIRMAN: You mentioned that it can be now found on major 18 London roads. You gave Clapham High Street as one. 19 What of inner London, Regent Street, Oxford Street, 20 roads like that? 21 MR MIKE WESTON: I'm not sure. I'm fairly confident that 22 the road outside the TfL offices in Southwark is 23 a 20 mile per hour zone, which is Blackfriars Road -- 24 I think that's 20, for example. So it is on quite a few 25 major roads but I'm not sure about Oxford Street.</p>

Page 197	Page 199
<p>1 In Oxford Street, I think if you were able to go 2 20 miles per hour you would be doing very well; it's 3 a very congested road. 4 CHAIRMAN: Mr Duncan, is there anything arising from the 5 topic that I -- 6 MR PETER DUNCAN: Can I just give you a few references for 7 matters that have come up recently. 8 First of all, Department for Transport setting local 9 speed limits, you will find that at SEC-3 at page 1003. 10 There was the earlier sheet from the "Safe London 11 streets: our approach" document, October 2015, headed 12 "Travelling too fast", and the statement that "A 1 mile 13 per hour reduction in speed could reduce the frequency 14 of collisions by around 6 per cent in urban areas", that 15 can be found at MISC-3 at 987. 16 Then Mr Chairman also referred to -- 17 CHAIRMAN: And that document is entitled "Reduction in 18 speed", is it? 19 MR PETER DUNCAN: The overall document is called, "Safe 20 London streets: our approach". 21 CHAIRMAN: Is this a Transport for London publication? 22 MR MIKE WESTON: Yes, it is. The major heading on page 986 23 is "Our priorities", and then the first priority is 24 "Travelling too fast". 25 CHAIRMAN: Thank you.</p>	<p>1 likely to be neutral, positive or negative to enhancing 2 safety of buses? So rewards to companies for performing 3 well in safety-related indicators, is that likely to 4 enhance safety of buses? 5 MR MIKE WESTON: In my report, I make the observation that 6 some concerns -- and there were concerns expressed by 7 the bus operators, interestingly, as well, whether 8 direct financial incentives potentially drive the wrong 9 behaviours in a bus company and potentially reduce 10 information-sharing and collaboration with their peer 11 group. 12 But I think, stepping back slightly from that, 13 I think I would suggest that -- firstly, I think 14 operators in London have always taken safety seriously 15 anyway, so I think the question is what behaviours are 16 you trying to change from a financial incentive, and 17 I think where it becomes difficult is when you start 18 paying a financial incentive for improvements in safety 19 performance, but an operator is still having accidents, 20 because effectively you then end up with a slightly 21 perverse situation that, yes, your safety performance 22 has improved this year compared with last year, but this 23 year you perhaps still had three fatalities and 24 80 serious injuries and here is your financial bonus for 25 this year. It seems rather a strange link to make.</p>
Page 198	Page 200
<p>1 MR PETER DUNCAN: Then you had referred earlier to 2 a preliminary passenger survey in May 2007 to gauge the 3 views of bus passengers on the wearing of seat belts. 4 CHAIRMAN: Yes. 5 MR PETER DUNCAN: And that involving some 2,000 respondents. 6 You will find that at SEC-1, page 295. 7 CHAIRMAN: Could we just put that on the screen so that 8 Mr Weston can see what I was referring to. 9 MR PETER DUNCAN: It's paragraph 7. 10 CHAIRMAN: Yes. As you say, Mr Weston, it depends on what 11 the question was. 12 MR MIKE WESTON: Yes. 13 CHAIRMAN: Thank you for those. 14 Are there any other matters, Mr Duncan? 15 MR PETER DUNCAN: No, Mr Chairman. Thank you. 16 CHAIRMAN: Mr Weston, are there any final matters that you 17 would like to draw to our attention? 18 MR MIKE WESTON: No. I think the only thing that we hadn't 19 talked about was incentivisation of contracts, financial 20 incentivisation. 21 CHAIRMAN: Oh, yes. 22 MR MIKE WESTON: I think that was the only other area that 23 I'm surprised you hadn't raised. 24 CHAIRMAN: Thank you for raising that. The issue, broadly 25 speaking, is this. Is incentivising safety indicators</p>	<p>1 Now, clearly the other way of doing it is you just 2 have pure deductions for safety performance. Now, the 3 danger with that is if an operator feels they can't 4 influence that safety performance quick enough, then 5 they will just build those deductions into their 6 original contract price to mitigate the impact. 7 So I think there is a whole host of concerns around 8 directly linking financial incentives to the bus 9 contracts. I think that's supported by TfL in their 10 document about the bus route tendering process dated 11 2015, where they explain why they don't think the 12 financial incentive would be right. 13 I think, on the other hand, there could be potential 14 for other sorts of incentives. The obvious one in my 15 mind is does the eligibility for the two-year extension 16 at the end of the first five years -- does that 17 eligibility -- at the moment, it's only related to 18 reliability -- could it be related to some trend in 19 safety performance over the previous five years, for 20 example? So there could be some other ways of 21 incentivising operators as not directly financial. 22 I think I have some big reservations about making 23 financial incentives to do with safety because I think 24 it just feels like the wrong approach, because you are 25 either still paying people bonuses who are still having</p>

Page 201	Page 203
<p>1 accidents or you are making deductions that they just 2 build into their contract.</p> <p>3 But maybe there are some other ways and the one that 4 springs to mind is you are only eligible for a two-year 5 extension if your safety performance in years 3 and 4 of 6 the original contract have showed some positive trends, 7 for example. That could be quite a strong incentive to 8 operators. So it's not directly linked to financial 9 reward.</p> <p>10 CHAIRMAN: You use the word "incentives" but you have in 11 mind deductions as well?</p> <p>12 MR MIKE WESTON: It could be.</p> <p>13 CHAIRMAN: So, to deal with the situation you posit, of 14 giving somebody an incentive/reward for having only 15 killed three people this year rather than six last year 16 as being a strange way of doing it, the other way of 17 doing that would be a deduction: "If you kill anybody, 18 we deduct"?</p> <p>19 MR MIKE WESTON: It could be. I think, again, you've got to 20 make sure that over a reasonable period of time 21 an operator has some chance of influencing that trend. 22 Otherwise, if I am bidding for a contract for five years 23 and I don't believe I can significantly change that 24 trend over the period of five years, I will build that 25 deduction or the cost of that deduction into my original</p>	<p>1 because if you don't, it is very easy for Transport for 2 London to stop awarding you contracts for a period of 3 time, and we discussed the example this morning of where 4 that had occurred.</p> <p>5 CHAIRMAN: Thank you for that.</p> <p>6 Are there any other matters you wanted to raise?</p> <p>7 MR MIKE WESTON: No, Chair.</p> <p>8 CHAIRMAN: In which case --</p> <p>9 MR PETER DUNCAN: Mr Chairman, may I be permitted to raise 10 just one matter arising from that?</p> <p>11 CHAIRMAN: Certainly.</p> <p>12 MR PETER DUNCAN: There has been some discussion during the 13 course of the hearing as to incentivisation of the 14 drivers by the bus companies for safety performance. Do 15 you have any views on that?</p> <p>16 MR MIKE WESTON: Again, I think it has to be meaningful, and 17 it has to be well within the driver's control, and 18 again, during our discussions in August, there was one 19 company that used to have a direct driver incentive, but 20 had consolidated it into their base pay at some point 21 because they felt it had outgrown its usefulness and it 22 wasn't really having any impact.</p> <p>23 I think it could, but the measures need to be very 24 meaningful to drivers, and also need to be designed in 25 such a way that if a driver is involved in an incident,</p>
<p>1 contract price, because it's a cost I know I will 2 probably pick up during that five-year period.</p> <p>3 So I think an incentive has got to drive a behaviour 4 but it has also got to be realistically achievable, 5 which is perhaps why, if I was asked by TfL to think 6 what I would do, I would maybe think they are coming up 7 with a safety performance indicator, this score for each 8 operator, you possibly could link an improved trend in 9 that score to the contract extension. That could be 10 a way of incentivising operators.</p> <p>11 CHAIRMAN: As things stand, the primary driving force for 12 the extension is whether or not, am I correct in 13 thinking, the reliability performance is being 14 delivered?</p> <p>15 MR MIKE WESTON: Yes. So, if an operator meets the minimum 16 performance standard or the extension criteria which is 17 slightly better than the minimum performance, as 18 I understand it, they would be eligible for 19 an extension.</p> <p>20 CHAIRMAN: Yes.</p> <p>21 MR MIKE WESTON: The other incentive that already exists -- 22 and again we talked about it this morning -- is that 23 ultimately, because there is a rolling programme of 24 route tendering, ultimately the incentive to perform 25 well from a safety perspective is constantly there</p>	<p>1 it then doesn't become a disincentive, "Because I've 2 lost my bonus for the year." So again it's trying to 3 calibrate it correctly.</p> <p>4 But I think, during the discussions with operators, 5 there seemed to be bit of a move away from directly 6 incentivising drivers in terms of safety.</p> <p>7 CHAIRMAN: One operator had a system, did they not, where 8 the bus driver got some relatively small reward, perhaps 9 50 pounds, I think it was, but his name went forward 10 into a hat and after nine months, all the drivers who 11 had won the driver of the month award were in the draw, 12 and the winner of the draw got a car, a new car?</p> <p>13 MR MIKE WESTON: A new car. That was funded by the 14 telematics company. Actually, that was quite 15 an interesting incentive because basically each 16 four-weekly period in the garage, a list of the 17 best-performing drivers was put up in the garage and 18 I think it was a 50 pounds shopping voucher that those 19 drivers got. But it's quite a natural thing amongst bus 20 drivers in London, I'm sure it is in Hong Kong, that 21 everyone wants to be considered to be a good driver, so 22 actually having your name on the good drivers list was 23 an incentive almost in itself, and you could argue it 24 almost didn't need to be incentivised. People wanted to 25 be considered to be a good driver. And the car was</p>
Page 202	Page 204

Page 205	Page 207
<p>1 relatively small cost in terms of the 2,500 bus drivers 2 that company employed. 3 CHAIRMAN: But it was an illustration of an incentive 4 directly related to a driver. 5 MR MIKE WESTON: Yes, but wasn't, Chair, a direct incentive 6 into their pay packet or into their wages. It was away 7 from their normal pay and terms and conditions. 8 MR PETER DUNCAN: Thank you, Mr Chairman. That was all. 9 CHAIRMAN: Mr Weston, may we close by inviting you to 10 communicate with us with some addendum to your report, 11 after Transport for London have delivered their bus 12 safety standard, whatever it is they deliver, on 13 16 October. 14 MR MIKE WESTON: Yes. 15 CHAIRMAN: That will be of great assistance to us, and any 16 material that you are able to obtain to assist us. 17 MR MIKE WESTON: Yes. I will also see whether we can obtain 18 the syllabus for the Hello London bus driver training 19 campaign. 20 CHAIRMAN: Thank you. 21 On that note, it remains for the committee to thank 22 you, as Mr Duncan said at the outset, for your report, 23 and for fleshing that out and answering our enquiries in 24 this oral session today. It's been most useful to be 25 able to draw on your experience of so many years working</p>	<p>1 INDEX 2 PAGE 3 EXPERT EVIDENCE OF MR MIKE WESTON1 4 Examination by MR PETER DUNCAN1 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
Page 206	
<p>1 with buses. It's certainly an assistance to our 2 understanding of the considerations that are relevant to 3 what we might recommend in Hong Kong. 4 On that note, may we wish you a safe return journey. 5 Thank you. 6 MR MIKE WESTON: Thank you, Chair. 7 (4.50 pm) 8 (The hearing adjourned until 10.00 am 9 on Thursday, 4 October 2018) 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	