



CCPD  
DEPARTMENT OF TRANSPORT  
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The Rt Hon John Biffen MP  
Lord Privy Seal  
Privy Council Office  
68 Whitehall  
LONDON SW1A 2AT

22 November 1984

Dear John

W  
23/11

TRANSPORT BILL

I wrote to the Prime Minister, as Chairman of E(A), on 13 November seeking policy approval for some minor additional provisions to go in the Transport Bill. I think my minute provides all the necessary background, and I attach a copy for ease of reference; though I will, of course, be happy to provide any further information.

The Prime Minister replied by means of a letter from her Private Secretary of 15 November, recording that she was content subject to the views of colleagues. Her views on the involvement of consumer bodies with fare levels settle, I think, that issue, which was referred to in my 13 November minute as being still open. All other E(A) colleagues are, I understand, content with the additions.

Michael Lucas has since written (20 November) with another proposed addition on guidelines for consumer bodies: I do not think we can accept that, and David Mitchell is writing to him separately to suggest an alternative approach.

I am therefore writing to you to seek the necessary authority to draft the additional provisions proposed in my minute of 13 November.

I am copying this letter to the Prime Minister, members of E(A) and L Committees and to Sir Robert Armstrong.

*Nicholas Ridley*  
*Andrews*

NICHOLAS RIDLEY

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PS/Mrs Chalker

PS/Mr Mitchell

PS/Mr Spicer

PS/Mr Lazarus

Mr Palmer

Mr Brown

Mr Dempster

Mr Hall

Mr Osmotherly

Mr Beetham

Mr Evans

Mr Moss

Mr Kroll

Mr Carty

Mr Ledgerwood

Ms Ramsey

F

Prime Minister

TRANSPORT BILL

I am writing to seek policy approval for inclusion in the Transport Bill of some minor provisions which do not form part of the proposals approved for legislation by E(A).

I am very conscious of the need to restrict the length of the Bill and I have ruled out a number of desirable but inessential bids. I believe however there is a strong case for including the following items:

Transport Consumer Bodies

This provision would extend the power of the transport consumer bodies to allow them to consider the relativity of fares and charges imposed by BR and London Regional Transport, and reductions in British Rail services. There can be no question of giving them powers which could affect the ability of the industries to meet their targets. At present the consumer bodies are statutorily precluded from considering these matters. Provisions to extend their powers as I propose will fulfil a commitment given during passage of the LRT Bill to introduce legislation when and if a suitable opportunity arose. As such they will be welcomed. The Transport Bill already contains provisions on bus substitution which affect the consumer bodies' role and as such it is a convenient vehicle to use to honour the commitments made. Indeed, if provisions are not included in the Bill, we can expect amendments to be tabled on the matter.

We are discussing one matter of detail about the fares provision with DTI Ministers. The point can, I am sure, be settled between us quickly.

The Secretary of State for Trade and Industry is responsible for arranging staff for these transport bodies. At his request, I should like to take this opportunity to empower the Central Transport Consultative Committee and the Transport Users Consultative Committees to recruit and employ their own staff. This would bring them into line with the London Regional Passengers' Committee and most other nationalised industry consumer bodies.

These provisions would probably need 2 clauses.

#### Trust Ports

I propose to seek the removal of a variety of ministerial controls and restrictions on the borrowing and audit of trust ports. This will allow a reclassification of trust ports to the private sector bringing public expenditure savings of about £50 million per year. This provision would obviously broaden the scope of the Bill, but I believe the advantages in public expenditure terms outweigh the disadvantages of its inclusion. Peter Rees is prepared to take account of the public expenditure savings in the Autumn Statement and the Public Expenditure White Paper; but we need to announce our intention to legislate as soon as possible.

This provision would need 2 clauses.

#### Control of Harbour Development

Earlier this year Parliament approved the revocation of the Harbour Development Orders under which the Government exercised control over harbour investment in excess

of £3 million. I propose now to seek the repeal of Sections 9 and 10 of the Harbours Act under which those Orders were made. This formalises a policy which has already been effected, and I would not anticipate significant opposition.

This provision would need 1 clause.

#### PSV Driver Licensing

The present regulations governing the testing and licensing of Public Service Vehicle (PSV) drivers rest on unsatisfactory powers. I propose to provide for a firmer legislative basis. This is a minor non-controversial provision, but is consistent with our general commitment in the "Buses" White Paper to maintain safety standards in the bus industry. This provision would however also enable drivers of very small PSVs (typically cars used as PSVs) to be exempt from the requirement to hold a PSV driver's licence, a requirement which is often unnecessary, as, for instance, when the Post Office are using estate cars as Post Buses in remote areas. It is within scope of the Bill as approved.

This provision would probably need 1 clause.

#### Railway Accident Reporting

This provision would allow us to bring accident reporting procedures for British Rail and other statutory railways into line with the proposed new Health and Safety Executive Regulations for other industries. These will almost certainly change the basis for reporting accidents from 3 days absence to 7 days absence from work. In the case of railways the 3 day basis is incorporated in railway

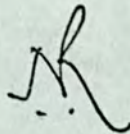
legislation, and I propose to seek power to amend the time limit by order. This is a non-controversial but important provision. It would avoid an unwelcome difference in the basis on which industrial injuries are reportable under the railway and Health and Safety legislation. The Health and Safety Executive supports strongly its inclusion because it would retain the comparability of accident statistics throughout industry. It is within the scope of the Bill as approved. It would need 1 clause.

### Conclusion

Work on all these provisions is very advanced and none would delay the introduction of the Bill. None is particularly controversial. They are unlikely therefore to delay the passage of the Bill. On the other hand they have significant advantages. The transport consumer provision can be presented as a plus point for the consumer. The two ports provisions are a further step to bringing increased commercial disciplines to the ports industry and reducing Government control. The other two provisions are minor but very helpful.

In view of the need for a quick decision on the Trust Port item, I should be grateful for your early agreement, as Chairman of E(A), to these additional provisions.

I am copying this to other members of E(A) , to members of L and to Sir Robert Armstrong.



NICHOLAS RIDLEY

13 November 1984

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