



**Local Link Community Transport**

**Services Pilot Scheme**

**Guidance Note**

**04 November 2019**

National Transport Authority

Dun Scéine

Harcourt Lane

Dublin 2

## 1 Introduction

The role of the National Transport Authority (NTA) is to provide high quality, accessible, sustainable transport connecting people across Ireland. The NTA recognises however that current public transport cannot meet the travel demands of many communities in rural Ireland, either because it is not available or it is not available at the time needed.

Therefore, the State has committed to a pilot grant aid programme for fifteen community transport service projects over a 12 month pilot period. The selection of projects for funding will be made via a closed call for applications, managed by the Authority through its network of fifteen Local Link offices nationwide (one grant aided project per Local Link area).

Grant aid of up to €6,000 per project is available and is designed to contribute towards the costs associated with providing a community transport service. The value of each grant will be determined on a case by case basis.

Please note that one of the key aims of this pilot scheme is to provide a community transport service that is accessible to all service users. As such, proposals with a strong accessibility focus are especially welcomed by the Authority.

For the purpose of this pilot, the selection of a proposed community transport service is at the discretion of each of the Local Link offices who will make a recommendation to the Authority – see Section 3 for further information.

## 2 Legislative Framework

In Ireland, small public service vehicles (SPSVs - taxis, hackneys and limousines) are public transport vehicles with *seating for up to eight passengers* in addition to the driver.

It is the responsibility of the Authority to develop, operate and maintain a regulatory framework for the licensing and regulation of the standards to be applied to SPSVs, their drivers, and the provision of any services involving SPSVs. The rationale for SPSV regulation is to ensure that passengers have a safe vehicle for their journey, with appropriate insurance in place, driven by a driver who has been vetted by An Garda Síochána. While there are many other aspects to the overall regulatory system, these are the foundation elements, focusing on passenger safety and protection.

The regulatory framework for the industry comprises the consolidated Taxi Regulation Acts 2013 and 2016, together with Taxi Regulation (Small Public Service Vehicle) Regulations 2015 and 2016 and the Taxi Regulation (Maximum Fares) Order 2017. Inherent within this regulatory framework is a licensing system for all Small Public Service Vehicles and their drivers. Ordinarily, to operate any SPSV service both the driver and the vehicle must be licenced.

However, where a service can be established as being a Community Transport Service, as specifically defined in the Taxi Regulation Acts 2013 and 2016, an exemption from the licencing regulations may be granted by the NTA.

## Community Transport Service

The Taxi Regulation Acts 2013 & 2017, Part 7, defines a “community transport service” as “a transport service provided—

- a) by a person concerned for the social and welfare needs of one or more communities,
- b) without a gain for the person providing the service or another<sup>1</sup>, and
- c) where the payment for a journey or in respect of passengers using the service does not exceed the cost of providing the service in respect of the journey.”

It is important to note that a fundamental premise of an exemption from the licensing regime for an Approved Community Transport Service is that the service is provided with no financial or other gain for those involved in providing such a community service, which includes drivers.

A Community Transport Service may seek an exemption from the Small Public Service Vehicles regulations if the service satisfies certain requirements as set out in the legislation:

- the Community Transport Service must be a charity with a charitable tax exemption;
- appropriate motor insurance must be in place;
- a valid NCT certificate must be held if required;
- any volunteer driver must hold a valid driving licence; and
- agreed records of the service provision are maintained and available to the Authority.

To address very localised transport deficits in certain rural areas, Community Transport Services may make an application to the Authority for an exemption from the Small Public Service Vehicles licensing regulations. No Approved Community Transport Service may replace or displace conventional taxi or hackney services. Under the applicable legislation, the NTA is permitted to grant an exemption if it is satisfied that the public transport needs of the area can **only** be met through this specialist service. Standard taxi/hackney licences remain available for all areas of the State and Local Link services already provide a great many very valuable larger public transport options.

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<sup>1</sup> The consolidated Taxi Regulation Acts 2013 and 2016 define a “volunteer driver” as.....” a person who drives a mechanically propelled vehicle in the course of providing a community transport service and receives no reward for his or her services other than the payment to him or her of any reasonable costs and expenses incurred by him or her.”

### 3. Exemption Application Process for a Community Transport Service

Section 53 of Taxi Regulation Acts 2013 & 2016 details the information required in order to be considered for the grant of an exemption from the requirements of licensing regulations (see Form CTSE1).

As part of this process, the Local Link office will:

- Identify ONE Community Transport Service operating within its geographic area that is considered suitable for inclusion in this pilot scheme.
- Critically analyse the need for such a service and advise the Authority accordingly.

Key considerations informing the selection process will include:

- Accessibility of proposed vehicles
- Evidence of need;
- Geographic area of proposed scheme (Remix map to be included)
- Days and times that scheme will operate
- Connectivity / Integration with existing transport options
- Confirmation that the public transport needs of the area in respect of which the licence exemption is sought are not being adequately met by existing public transport services.

It is the responsibility of the Local Link office to identify a potential project and request the required information from the community group proposing to operate the service. The Local Link office will then compile this information and submit via Form CTSE1 to the Authority who will make a final determination as to the issuing of a Licensing Exemption.

### 4. Grant Aid for an Approved Community Transport Service

As part of this pilot, grant aid of up to €6,000 is available per project. This includes an amount of €1,000 which has been ring-fenced to cover the administration costs incurred by the Local Link office in making this application. The remaining funding will be made available to fund activities directly associated with providing a community transport service.

Grant aid will be made available to the Local Link office for onward disbursement to the community group operating the service. Payments will be made on a quarterly basis and will be governed by the Financial and Governance procedures associated with the Rural Transport Programme.

### 5. Closing Date

The Closing Date for receipt of recommendations from a Local Link office to the Authority in respect of this pilot scheme is Close of Business **Friday 22<sup>nd</sup> November 2019**.