



*Annual Symposium:*

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# **TRANSPORT ANNIVERSARIES**

## **SYMPOSIUM PAPERS**

**Roads and  
Road Transport  
History Association**

*Founded in 1992 to support historical research*



## A tale of films and horses

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Ian Yearsley did a two-part presentation.

First, on the Friday evening, he introduced 14 of the historic films of transport interest from the Mitchell & Kenyon collection made available by the British Film Institute and the University of Sheffield. The films shown covered the period 1901 to 1907 when horse transport was still the dominant feature of the streets but the new electric tramcar gave the first evidence of motorised transport to come.

Films showed horse trams in Glasgow, Belfast and Manchester, steam trams in Wigan, and electric trams in Wigan, Darwen, Blackburn, Lytham, Blackpool, Bradford, Accrington, Douglas Head Marine Drive, Rochdale, Nottingham and Sheffield.

There was much favourable comment both on the sheer quality of these restored films and on their coverage of many types of horse-drawn road vehicle as well as of the trams. A 'lift-van' in Bradford represented an early demountable body vehicle used by a furniture remover; the body would be carried on a horse drawn flat dray for collection and delivery, but on a railway wagon for the long haul. From Darwen came an example of a vehicle whose driver had apparently fallen asleep, leaving it to the horse to weave her way through the traffic.

Ian pointed out that the films were significant in what they did not show as well as what they did depict: there were no road signs, no road markings, lane discipline was rudimentary and no motor vehicles were in evidence; this was still the period when the motor car was largely a rich man's toy.

A questionnaire was handed out and produced a range of comments and questions, which were afterwards transmitted to the BFI in London. A number of people asked when BFI would produce a video or DVD of transport subjects in the collection, and others asked for opportunity to view the images in more detail. And, in response to a question by Ian, the delegates overwhelmingly agreed that historic films such as these had a significant part to play in serious historical study; they were not merely a form of entertainment.

On Saturday, Ian explained how the films came to have been made. In its earliest days, the cinema was a travelling show. Films were exhibited by travelling fairground showmen, by entrepreneurs who hired halls in one place after another, and music hall proprietors who used films to form an entr'acte in what would otherwise be a variety show on stage.

All of them quickly discovered that a 'local' film, showing local people, would attract audiences hoping to see themselves on the screen. People who had found themselves in front of the camera one day would also be eager to see the show when it arrived. Mitchell & Kenyon were one of several companies which catered for this demand; Hepworth did it in the South, while Mitchell & Kenyon kept mainly north of a line drawn from Lincoln to the Bristol Channel.

Film exhibitors would send a letter or a telegram to the film maker saying "we're going to be showing in this town on such a date, make us a 'local' film showing crowds there." The crowds might be at a sporting event, where the camera would be sure to pan slowly round the spectators as well as the field of play. They might be children leaving school, workers leaving a factory, processions in the street, Boys Brigade doing drill, promenaders at the seaside, anything and anywhere that lots of faces could be seen.

In all, there are 826 of these films. And some of them, of particular interest to us, show people and traffic in the streets. There are scarcely any railway scenes, probably because of difficulty of access to stations with a large wooden tripod.

Although Mitchell & Kenyon used an advanced design of camera, the Prestwich, it did not have a viewfinder as we would now know it. The camera could be set up on its tripod and focussed on a ground glass screen, but once the film was inserted, there was no means of knowing exactly what the camera was recording. It could be rotated on its tripod, but not moved up or down. Designing a viewfinder was a bigger problem than designing the camera itself.

The cameraman was supposed to hand-crank it at a rate of 10 frames a second, but not all were skilled at keeping a steady speed, and some would deliberately turn the handle slowly to cull the most footage out of expensive film stock.

Film stock itself was orthochromatic, that is, it responded to blue or green but not to red. Not until 1926 was panchromatic film available. So the colour renderings in light and shade of 100-year old films (and photographs) may be quite different from the way the eye sees them. For instance, orange lettering on a dark blue background, which one would expect to appear as light grey on black, would on orthochromatic film appear as black on white. Ortho film did not vanish overnight; I was using it in an ordinary camera as late as 1949.

Mitchell & Kenyon ceased filming in 1913 and their film negatives were placed in sealed metal drums and

forgotten, until 1994 when film enthusiast Peter Worden found them and was told that if he did not take them they were going into the skip. He took them, bought a chest freezer to house them, but quickly realised the task was beyond him, and so they were handed over to the British Film Institute. BFI formed a partnership with the National Fairground Archive at Sheffield University, and having gained funding from the Arts and Humanities Research Board, they set out on a four-year project to preserve, restore and make public these films.

Ian explained how about 2 years ago, with Winstan Bond from the National Tramway Museum, he was invited to take part in a 'study day' along with about 50 specialists in various subjects to help identify and document films. From this came an invitation to contribute a chapter called 'On the Move, in the streets' to the commemorative book 'The Lost World of Mitchell & Kenyon, Edwardian Britain on Film', published by BFI and now available price £13.99. (ISBN 1-84457-046-0)

The second outcome was a transport film show at the National Film Theatre, London, on 22 February 2005. This was planned to be in one of the smaller auditoria at NFT, but it sold out overnight, so it was transferred to the 400-seat NFT1, where again it sold every seat. "We are still encouraging BFI to produce a specifically transport video or DVD, but meanwhile we recommend the DVD based on Vanessa Toulmin's presentation 'Electric Edwardians'. Priced £19.99, this includes eight transport subjects."

## Unhorsing the Edwardians

The second half of Ian Yearsley's presentation at Chester turned the spotlight on the world of Edwardian horse transport as seen in the Mitchell & Kenyon films.

Books or articles written about horse transport from about 1920 onwards mostly seem to concentrate on the vehicles, their drivers, and the work they did. Anything written before 1914 concentrates on the horses, their stables, their feedstuffs, and their breeding. The vehicles are hardly mentioned at all, or only in terms of how they affected the horses. Light weight and easy-running were the two essentials of vehicles to be pulled by the limited power of a horse or horses.

He cited Samantha Ratcliffe's 'Horse Transport in London', published in 2005 by Tempus for London's Transport Museum, and W J Gordon's 'The Horse World of London' published by the Religious Tract Society in 1893, as examples of each approach. Why the difference?

"I suspect that post-1920, people are seeing through the eyes of a motor age, where the vehicles are the key to everything. But in the horse-drawn era, it was the horses themselves that mattered. In capital costs, they usually represented double the outlay on the vehicles. You could buy a two-wheeled trap for £15 to £18 but the horse to pull it would cost £30 to £36. A 46-seat tramcar would cost £180 but to keep it in service for a 16-hour working day would require five changes of pairs of horses, ten in all, plus spares to allow for sickness and visits to the blacksmith, say twelve horses in all, costing £360, double the outlay on the tramcar."

He also pointed out that while the tramcar might last twenty years with relatively little maintenance, the horses would have a working life of only four years and would need to be housed, fed and watered every day of their lives. Horse operation was labour-intensive, with stable-lads, grooms, harness-makers, vets, blacksmiths and many more.

In their book 'The Rise and Rise of Road Transport', Theo Barker and Dorian Gerhold say that it was just as well that the changeover from horse to motor transport was gradual, for otherwise there would have been large-scale unemployment. Numbers of horses used for passenger work declined in the Edwardian era, but the numbers of those used for freight actually increased right up to 1910."

Referring to the need for a bus or tram to have five changes of horses a day, he said that the horse could work for a little over three hours and cover 15 to 20 miles a day, depending on terrain. "The need to be back at the starting point to change horses determined not only the locations of the stables, but also the length of the routes operated. One of the big freedoms that mechanical traction offered was that routes were no longer limited in this way. Another was that greater speeds allowed fewer vehicles to be used to provide any given headway, though in practice many operators improved the frequency.

Going back to the horse era, a large part of traffic through the streets was the removal of waste products, both of coal fires and horse traction. W J Gordon says that Londoners burnt five million tons of coal a year, and although he does not tell us what tonnage of ash was generated, he does say that 1.3 million cartloads of refuse were removed from London each year, and a large part of that will have been coal ash. Dustbins at that time were known as ashbins, reflecting their main contents.

Another large traffic through the streets was provender for the horses. Gordon tells us that for 10,000 bus horses, more than 29,000 tons of forage were consumed each year. And there was a commensurate figure for horse manure from stables, which could sometimes find a market in the agricultural world, but with high costs of transport.

Gordon's figures and comments, written in popular and very readable style, in general meet with scholarly approval in a more recent paper by Professor Ralph Turvey of the London School of Economics, 'Work Horses in Victorian London'. He points out that costs both of the horses themselves, and of provender, fluctuated considerably, and while the sale of manure had once produced three pence per horse per week, it later declined so that by 1893 some operators were having to pay to have it taken away. Predictability of costs was another factor likely to make mechanical traction attractive.

Two forms of investment worked against this. The vehicles themselves did not count for so much, but horses represented a considerable outlay. And a hidden factor was the investment in knowledge of horses and the reluctance to write it off.

We have the picture of London General Omnibus Company directors coming to see their new B-type motor bus in 1910, and then having their attention diverted by a batch of horses newly arrived from Ireland. Immediately they all started talking knowledgeably about these animals, their gait (the way they walked), possible evidences of past injuries or disease, and no doubt their teeth. And they almost ignored the B-type motor bus which was to be the financial saving of their company.

The point was, they knew about horses. They could talk knowledgeably about whether a horse was working with its back legs or its forelegs, whether it was a trotting horse or just a walking horse; whether it appeared to have been scouring (diarrhoea) or had evidence of past ailments such as glanders. Men would talk in pubs about horses the way they now talk about motor cars. There

were endless views expressed about whether horses with hairy legs were stronger than those with bare legs.

The gait of a horse was important. A horse had to be chosen for walking or trotting, and if it was to be one of a pair, both had to walk or trot in step. Moreover, if it was a heavy cart horse, it would have to be chosen to match the walk of its carter who would walk alongside it most of the time. So people had an investment not only in the technology, but in their knowledge and understanding of it.

The Edwardian era ended on 6th May 1910 with the death of King Edward VII. From a period of apparent social stability we moved to one of unrest: Dr Vanessa Toulmin of Sheffield University has pointed out that in 1913 there were 1,933 strikes in this country. Barker and Gerhold say that 1910 there were 53,000 private cars and 33,000 motor cycles registered in this country, roughly double the number in 1904. Already by September 1905, they say, these motor vehicles were being used not only for pleasure, but also for business and professional purposes, especially by doctors.

Yet in the Mitchell & Kenyon films covering the period 1901 to 1905, not one motor vehicle appeared. This may be because this was still the period when the motor car was a rich man's toy, not considered reliable enough for everyday commercial use. The magazines *Commercial Motor* and *Motor Transport* did not start up until 1905.

## Conclusions

The films and the paper draw attention to two distinct but related types of history, said Ian Yearsley. "One is the history of events, of times of change, of new developments. The other is the history of what went on, day by day. One is about kings and battles and inventions and new fashions. The other is about what people usually had for breakfast and how they went to work each day.

I would submit that films like the Mitchell & Kenyon collection are mostly about the second kind of history. Sometimes they do record events, like the opening of Accrington's electric tramways in 1907, and here they revealed the visit of trams from neighbouring Darwen and Blackburn, previously unknown to historians.

But more often they simply give us a window into the everyday scene. And so we find, for instance, that as late as 1907 an appreciable number of women were still wearing the fashions of Queen Victoria's reign. The fashion plates you find year by year in books like *'The Pageant of the Century'* will only tell you the latest style. The films tell us that the past often casts a very long shadow into the present.

They also not only demonstrate what existed, but how it was employed. The sheer lack of traffic discipline is an eye-opener to us, as is the way that pedestrians crossed the street anywhere and stopped for conversations on the way.

You can also see how the electric tramcar, which for the first time enabled people to travel through the streets at twice the speed of a trotting horse, must have seemed, however briefly, to have been an amazing technological advance. For these reasons I submit that historic films, properly documented, do have a contribution to make to the serious study of transport history.

But I would also submit that there is a great deal more to be researched about horse transport and particularly about the horses themselves. We use expressions like 'horses for courses', 'working in double harness', 'keeping a tight rein', 'shutting the stable door', 'looking a gift horse in the mouth' and 'being on their last legs' very often without knowing what they originally meant. Perhaps we all need to go back and read Anna Sewall's reforming novel *'Black Beauty'* of 1877, and try to see the world through the eyes of a London cab-horse.

We may also like to consider that almost every institution of the motor industry today had its predecessor in the horse-drawn era: the bait stable performed a similar function to the filling station, the knacker's yard preceded the scrap merchant, the wheelwright provided wheels for large fleets just as a tyre contractor today provides tyres. The vehicle dealers of today were preceded by the great horse dealers of the past, Aldridges and Tattersalls in London, for instance. And there were the equivalents of contract hire, fleet maintenance and many other services. But because the terminology is unfamiliar, we do not always see the connection.

My contention is that the unhorsing process only began in the Edwardian era. The B-type bus, the reliable motor taxi, the successful commercial vehicle, all built on the foundations of experiment and development that the Edwardians had laid. And even then, it did not happen overnight; railway cartage and parcels delivery, for instance, still employed some horses until the 1950s.

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# 75 years of the Traffic Commissioners ~ A lawyer's personal view

GEOFFREY JONES

NB This is a shortened version of the full paper prepared for the Symposium. As well as some curtailment of the text, it omits some substantial Appendices and does not quote references. A print-out of the full paper was made available to those who actually attended the 2005 Symposium in Chester. This was provided courtesy of Messrs. Bond Pearce, Bristol. The supply of copies matched the number of delegates; no spares remain. However, in due course, the Roads & Road Transport History Association hopes to publish as a book, Geoffrey Jones' full history of the Traffic Commissioners.

*[For convenience and the purposes of this paper, the term Traffic Commissioner(s) is used interchangeably for the original full-time appointment of Chairman of the Traffic Commissioners, Licensing Authority, Licensing Authority for Public Service Vehicles/Goods Vehicles and the current position of Traffic Commissioner.]*

Over the last 75 years Traffic Commissioners have been amongst the most powerful individuals in the United Kingdom, representing prosecutor or inquisitor, judge, jury and executioner to the passenger and goods road transport industries and yet it is probably true to say that the public at large have never heard of them or, if they have, with very little concept of their history, powers and duties. Within the industry, almost without exception, they have been regarded with respect and frequently with affection. That can be said of very few regulators and it says a lot about the commissioners themselves and the industries as a whole.

Whence and why Traffic Commissioners? Before the First World War urban passenger transport depended primarily on the horse-drawn omnibus and the electric tram. For into town and inter-urban public transport the comprehensive rail network provided the principal facility. The motor omnibus and the motor charabanc were just coming on the scene for urban and inter-urban transport. From 1919 onwards there was a huge expansion in the use of motor omnibuses on both urban and inter-urban services and the development of longer distance 'coach' services. On 22 July 1920 The Times reported:

*'The immense and sudden increase in motor charabancs traffic has its evil aspects. Not least of them is the behaviour of some of those persons who make a*

*day's outing, generally on a Sunday, in one of these vehicles and are unable to remember that they are not the only people for whom the Sabbath were made.... This rowdyism can do nothing but serious harm to the young and rapidly growing road transport industry, and the Motor Trade Association has already met and discussed means of suppressing it.'*

A comparable explosion occurred in the use of motor lorries:

*The problems...stem from the enormous growth of road haulage after the war of 1914-1918. Motor transport had, of course, been extensively used during the war and many ex-servicemen commenced haulage on their own account afterwards. Many of them were owner/drivers doing not only driving but also maintenance repairs and clerical work. The results of this expansion were twofold. First, the abundance of road transport tended to result in the use of road haulage for long-distance through traffic in preference to rail because it was cheaper and more able to offer such a service at short notice. Secondly, in the road haulage industry itself there was keen and sometimes uneconomic competition which tended to result in inadequate maintenance and the over working of drivers, particularly on long distance services.*

By 1930, competition between bus operators was intense and in many areas out of control. The three main types of public service vehicle were established, the single decked bus, the double decked bus and the coach. The charabanc was becoming less common. Save in some areas under adoptive powers or under local acts of parliament there was little or no legal control.

After their appointment the Traffic Commissioners for the Northern Traffic Area found that their area had been 'the cockpit of road transport warfare'. The Western Traffic Area Commissioners noted that there had been 177 local authorities in their area but that only 53 had exercised their powers in relation to public service vehicles and only those to a very limited extent.

This picture of operations which led to the need for legislation seems to have been a common one. The South Eastern Traffic Area Commissioners reported:

*'...in the past it would appear that whereas some of these operators have been running to a regular time*

*table a number have not and their services, although at times useful to the public, have not been reliable...*

An entertaining picture of these 'bus wars' is to be found in Harry Secombe's book 'Welsh Fargo' chronicling a 'war' between Dai Fargo, running a small operation from his village in a South Wales valley, and the regional transport company in Swansea. A scenario which was repeated in the 'bus wars' which followed on from deregulation and privatisation of The National Bus Company and the Scottish Bus Group in the late 1980s.

Whilst municipal bus operations were generally limited to being within the borough many large bus operators had come into existence, sometimes formed by railway companies to complement their train services, sometimes by entrepreneurs. By 1930 it was clear to the Government that a national system of regulation was required, leading to the Road Traffic Act 1930. This introduced a system of what was essentially quantity licensing, which remained substantially unchanged until deregulation under the Transport Act 1985 and its system of quality licensing.

The Act divided England (including Wales) and Scotland into thirteen Traffic Areas, an arrangement which still exists though the number has been reduced by a series of re-organisations to eight with seven Commissioners.

The Act created the Traffic Commissioners and provided as follows:

*'For each traffic area there shall be a body of three commissioners who shall have the power and be charged with the duty of issuing licences under this Part of this Act and shall exercise such powers and perform such other duties as are conferred or imposed on them by or in pursuance of this Act, and subject as aforesaid shall act under the general directions of the Minister.'*

The exception to the rule of three was the Metropolitan Traffic Area where only one Commissioner was appointed, the powers being shared with the Commissioner of the Metropolitan Police. The requirement to act under the general direction of the Minister was something which from time to time they did not all like, but was certainly better than having to act under the directions of the Minister.

During the Committee stage of the Bill (Standing Committee C) Mr Herbert Morrison, the Minister of Transport sought to explain what that meant in terms of the relationship between the Minister and the Commissioners:

*'Certainly that relationship is a little subtle, but that is characteristically British, and I am sure that it will work satisfactorily in practice. I am anxious that my power of direction to the commissioners should not be more than a general power, and I should think it wrong if powers were given to the Minister to give directions in detail rather than on general policy...'*

A certain Colonel Ashley (Member for Hants and Christchurch) was not mollified by the answer:

*'...they should be under his direction. That is to say, that the Minister will have absolute control over these traffic commissioners, and that there will be no*

*opportunity for any cantankerous traffic commissioner to create troubles between himself and the Minister...'*

The Minister was quite clear what he was looking for and it has probably been achieved over the 75 years:

*'...in their handling of applications for licences they shall be perfectly free and independent to grant or refuse licences and to attach conditions and do all their duties on their own responsibility, using their own judgment fairly... I want them ...to feel that they are really free, independent men, acting judicially according to the evidence of each case put before them...'*

The Chairman, having been appointed by the Minister, was to hold full time office for up to 7 years, though was then eligible for re-appointment. Of the other two Commissioners, one was to be appointed from a panel nominated by the county councils and one from a panel nominated by the county boroughs and urban districts in the traffic area. These 'lay' commissioners only held office for up to 3 years though were eligible for re-appointment, and frequently were, if their name remained on the panel. Numerous deputies were also appointed. Of course many of the county borough councils operated substantial bus fleets.

Colonel Ashley also urged that no lawyers should be appointed as commissioners:

*'I hope the Minister will avoid appointing lawyers for his commissioners. I say it in all seriousness. Lawyers are necessary evils, and we must have them in the body politic, and naturally must look at everything from the legal point of view. But in handling the traffic of this country we want people who will take a broad point of view and perhaps stretch the law a point to get common-sense decisions, and whether there are five, or three, or one commissioner I hope the Minister will keep that point in view...'*

During the same meeting the Colonel also had been concerned as to what number of commissioners there should be, particularly if they were to receive £2000 or £3000 per annum, though he was less concerned if it were to be £500 per annum. Mr. Remer (Member for Chester and Macclesfield) was shocked at the idea they should be paid at all. The Minister was however quite clear that the salary should be one which was adequate to command the type of person that was wanted. He was not then prepared to commit himself to a figure. He was also not averse to the appointment of lawyers:

*'I should not say that lawyers should be disqualified. I should say that legal knowledge was not necessarily a qualification; the service is one of administration and organisation, and the last thing I should say is that a lawyer is quite incapable of seeing a business proposition. That is not by any means true. I know ... lawyers of very great sense and ability, whom one could trust administratively to do anything...'*

Whilst lawyers may have a slightly uncomfortable feeling that he was damning the profession with faint praise at least three of the first appointments were lawyers including two King's Counsel. After the first



appointments a pattern developed, until the 1990s, of the alternate appointment of lawyer, civil servant, member of His or Her Majesty's Armed Forces though the Navy, perhaps understandably, was never represented.

The Traffic Commissioners still exist, though now reduced to one for each area with each having a number of deputies. Then, as now, no particular qualification was required either to be appointed a Commissioner or a deputy, though the Act required that they made a declaration as to what, if any, financial interest they had in any transport undertaking which carried passengers and this was a continuing duty whilst they remained in office.

The Commissioners were appointed with effect from 1st January 1931 with the operational provisions of the Act coming into force on the 1st April 1931 (a popular date for the introduction of much subsequent legislation). They were required to report annually to the Minister and their first report covered the period from 1st January 1931 to 31st March 1932. In addition, regular 'conferences' were held with full-time civil servants.

Equal opportunities in this period before the Second World War were not uppermost in their minds. At one conference of the Commissioners it was noted that they had discretion:

*'...to attach conditions to road service licences to the effect, for instance, that no women conductors were to be used on the service...'*

There is no doubt that the burden which those first Commissioners faced was immense. They had little precedent to follow and, save for the lawyers amongst them, probably little experience of public hearings though some had been JPs. Whilst there are no exact figures available for the number of operators before 1st April 1931, by 31st March 1932 they had licensed 6434 operators between them operating 46,230 public service vehicles. A picture of the industry as it then was is given by the facts that 2760 operators only had one vehicle and 1336 had only two vehicles.

They had huge powers from the beginning but were to exercise their powers in public. They were under an obligation, when hearing and determining applications for the grant of licenses, to sit in public and might also do so for *'...any other purpose, if they so think fit...'*

They were given control of who might operate bus and coach services by the requirement that such persons be the holders of public service vehicle licences and it was through this provision that they were able to exercise a level of control over the condition of vehicles. They were given the control of the operation of public service vehicles used for stage carriage or express carriage in their traffic area through 'road service licences' with power to grant 'backings' for services commencing outside their area. Stage carriages were what we would today recognise as local bus services. The Commissioners were prohibited from granting a licence if they considered speed limits would be contravened on the route and had to have regard to:

- ♦ suitability of the route
- ♦ the extent to which the route or part of it was already adequately served
- ♦ the extent to which the proposed service was

necessary or desirable in the public interest

- ♦ the needs of the area as a whole...and the co-ordination of all forms of passenger transport, including transport by rail.

They were also given power to attach conditions and in particular for securing that:

- ♦ the fares were not unreasonable (in fact for fifty five years they fixed the fares using the specific power to do so first set out in section 72(6))
- ♦ timetables and fare tables were available
- ♦ passengers were only to be picked up and set down at specified places,
- ♦ and generally for securing the safety and convenience of the public.

Thus we see the beginnings of the control of buses and coaches removed from a free-for-all era of competition to the control of the Traffic Commissioners which they substantially retained until the Transport Act 1985. Hand in hand with the power to grant public service vehicle licences and road service licences, commenced the disciplinary powers of the Commissioners. They might revoke or suspend a public service vehicle licence having regard to the conduct of the holder of the licence or the manner in which a vehicle was used, if it appeared that such person was not a fit person to hold such a licence.

But this was not the limit of the powers given to the Commissioners nor the systems and procedures they had to put in place from 1st April 1931. Also within their remit fell certificates of fitness for public service vehicles and drivers' and conductors' licensing. Perhaps it now seems surprising that that they were also to be concerned with the terms and conditions of employment of those employed 'in connection with the operation of a public service vehicle.' Any organisation representing such employees could complain to the Commissioners who could through the Minister refer the matter to the Industrial Court. In due course the same provisions were extended to the road haulage industry.

It is difficult now to appreciate the burden with which these first Commissioners coped. Some picture can be gained from the workload. In the period up to 31st March 1932 the Northern Commissioners received 1818 applications for road service licences, and 624 applications for backings. They sat on 146 days in 25 different locations to deal with those applications to which there were 3500 objections. Whilst doing that they dealt with applications from 5303 drivers (of whom 3 were women) and of course with the applications for public service vehicle licences and certificates of fitness. They commented that the task they faced was of:

*'...considerable magnitude, intensified by the urgent need for national economy, which made it necessary to carry out the new duties with the minimum staff...'*

It was noted that lawyers had made a strong appearance on the scene:

*'In almost the whole of the cases where objections had been laid by the railway companies the parties concerned were legally represented...'*

Whilst public service vehicle examiners had been part of



the system from the beginning, it had become apparent by a Commissioners' Conference on 21st October 1932 that many breaches of conditions attached to licences were occurring:

*'The Chairmen pressed therefore, for the appointment of suitable officers...who would be able to travel about the area and should therefore be equipped with motor cycles, and who could collect evidence and represent the Commissioners in court. These men should be trained in observing and collecting evidence...'*

This was the time of the "Salter" Report considering the licensing of goods vehicles. The Traffic Commissioners clearly saw a role for themselves. Mr. A. T. James, appointed chairman for the particular Commissioners' Conference, is recorded in the following way:

*'He pointed out that the "Salter" Report does not suggest to what licensing authority the duties of licensing goods vehicles should be given. It would be easier to give it to the Traffic Commissioners if it could be shown first that they have so far organised the licensing of public service vehicles that they would have time to devote to this new work, and secondly that the procedure which they have adopted in licensing public service vehicles is not over elaborate...'*

The re-action of his colleagues was not recorded. He was to get his way.

The quantity licensing of goods vehicles has a long history. The Common Council of the City of London in 1681 limited the number of carts or 'carrs' to 420 and required that each should be licensed and marked, a custom which is still remembered by The Worshipful Company of Carmen who each year hold a ceremony of cart marking at the Guildhall.

The Report led to the Road and Rail Traffic Act 1933 which received the Royal Assent on 17th November 1933. Section 1(1) provided quite simply:

*'Subject to the provisions of this Part of this Act, no person shall use a goods vehicle on a road for the carriage of goods-*  
(a) *for hire or reward; or*  
(b) *for or in connection with any trade or business carried on by him, except under a licence.'*

Licences were subdivided into:

- (i) public carriers' licences ('A' licences)
- (ii) limited carriers' licences ('B' licences)
- (iii) private carriers' licences ('C' licences)

A system which remained substantially unchanged, save for the war years and a short period of nationalisation, until it was finally phased out in 1971 under the Transport Act 1968.

The Traffic Commissioners secured their interest under section 4(1):

*'The person who is the chairman of the traffic commissioners for any traffic area ... shall have the power and be charged with the duty of granting licences...and is in this Part of the Act referred to as "the licensing authority".'*

Section 4(2) made the necessary adjustment for the fact that there was a sole commissioner in the Metropolitan Traffic Area.

Section 7 gave protection to those who had been in the haulage business with motor vehicles prior to 1st April 1932. Provided they applied before the 1st April 1934 they were entitled to licences for an equivalent aggregate value of the unladen weight they had been operating. Private carriers' licences were not so limited. The entitlement was an 'A' licence if the previous operation had been solely for hire or reward, or a 'B' licence if the vehicles had been used in part for hire or reward and partly for other purposes.

Whilst the Act was primarily concerned with quantity licensing it was a standard condition of every licence under section 8:

*'...that the authorised vehicles are maintained in a fit and serviceable condition;'*

Section 12 gave the licensing authority power, after holding a public inquiry if the holder of the licence so requested, to revoke or suspend a licence on the ground that any condition of the licence had not been complied with.

The Minister had perhaps learned his lesson that the Commissioners were capable of causing a very large number of appeals to be generated and was not prepared to risk it a second time. This time he decided that appeals should be to an Appeal Tribunal. There was already in existence the Canal and Rail Traffic Appeal Tribunal which in 1935 became the Road and Rail Traffic Appeal Tribunal under the Road and Rail Traffic Appeal Tribunal Rules 1934. In due course this became the Transport Tribunal and is still hearing many appeals from the Commissioners. It was soon under way hearing its first appeal on 11th September 1934 (Edwards' Appeal - A9) when it held, not unsurprisingly, that an operator could not appeal against a condition to which he had agreed.

The Act also provided for the keeping of records of hours worked, journeys, loads etc. Section 17 provided for the enforcement of the obligation to maintain goods vehicles and for the appointment of "examiners" for that purpose with powers, inter alia, to prohibit vehicles. Licensing of heavy goods vehicle drivers was not introduced until section 31 Road Traffic Act 1934 and of course that became the responsibility of the chairman of the traffic commissioners wearing his hat as licensing authority.

The Act also abolished the Southern Traffic Area and re-organised the East Midland and Eastern Traffic Areas. Sir Rowand Harker the original South Eastern Commissioner became Chairman of the Road & Rail Tribunal and Sir Henry Piggott became Chairman of the newly enlarged South Eastern Traffic Area.

By their Conference on 20th October 1933 the Commissioners had come under pressure to agree to bring the Act into operation on 1st July 1934. At the Conference on 20th April 1934 the Chairmen were already backtracking on the commencement date for 'A' and 'B' licences opining that 1st October was the earliest date. Again the Commissioners would be faced with carrying out a huge volume of work in a short period of time.

The Appeal Tribunal quickly became active and the road haulage industry and its customers had to adapt to a new commercial world controlled by the Licensing Authorities.

In the midst of all this change the Commissioners continued with their duties under the 1930 Act, though they seemed to be getting the hang of giving reasoned and supportable decisions because the 1934/5 Annual Report indicated that they had got the number of appeals down to 712 in the relevant 12 months.

The Northern Traffic Area reported only 60 days of sittings with no adjournments. Like other Areas they were becoming concerned as to how unremunerative services should be dealt with. A problem which was to remain with them until deregulation.

*'...the co-ordination of services and the absorption of small operators has given rise in certain circumstances to claimed inadequacy of the curtailed services provided. These complaints are not confined to any particular locality, there would appear to be a tendency for operators to reduce their mileage too drastically...'*

They were of the opinion;

*'... that mileage should be eliminated only by a gradual process and then not until it has been ascertained by experience and careful study of the needs of the area served, to what extent the service can be reduced without inconvenience to the travelling public, whose needs must be the first consideration. It is within the knowledge of the Commissioners that a lower frequency of service does not necessarily have the effect of improving the revenue particularly if the service is reduced from a regular frequency to the operations of journeys at irregular intervals. Nor does an increase in fares necessarily increase revenue. The law of diminishing return is universal in its application and a road transport operator is not exempt from its effects...'*

Similar statements were to be echoed time and time again in the 1960s and 1970s.

The West Midland Commissioners tried to disabuse the industry of what they saw as a heresy, though it had a long and possibly continuing life:

*'Some misapprehension appears still to exist as to the functions of the Traffic Commissioners. The commissioners are not dictators...'*

North Scotland Traffic Area highlights the extent to which coach excursions were popular in those pre-war traffic free days. They found it necessary to impose conditions on popular excursions - there were to be six groups of vehicles in convoys of 6 vehicles each, with 300 yards between each vehicle in the convoy and one mile between each convoy.

It may be thought that the use of motorcycles (or mopeds) for the carriage of goods (pizzas and other take-aways) is a new phenomenon but the Chairmen were tackling this problem at their Conference on 16th October 1936:

*'The Conference recorded that, if motor cycles are constructed or adapted for the carriage of goods,*

*carriers' licences are necessary... it was agreed that it would be undesirable to start anything in the nature of a campaign to enforce their being licensed...'*

They had enough work to do already!

From time to time the Commissioners were made aware of the social consequences of their decisions. Over a number of years there was discussion as to whether a ticket issued as a return ticket could be used twice in the same direction instead of as a 'there and back again' ticket. It seems likely that they had not considered all the implications until the North Commissioner received a letter:

*'The position was viewed from a novel stand-point by a public-spirited but anonymous citizen who averred that the request to be allowed to use return tickets either way must be seriously considered by the Commissioners owing to the repercussions refusal would have on local social conditions. These tickets, according to the correspondence, are extensively used by "lads from pit villages who take a bus to some other village on a return ticket, walk back with their lasses and then leave them to return home on the return half."*

He gloomily prophesied that the effect of the Commissioners' refusal to sanction such use would reduce courting in the colliery districts by quite 25%...'

1936/1937 was the year of the Third Annual Report of the Commissioners wearing their hats as Licensing Authorities. The system of carriers' licensing had in general begun to settle down though the workload remained heavy. The Licensing Authority for the Northern Traffic Area reported that 76 public sittings had been held and that during the twelve months 1584 applications (20.8 per sitting) attracting 1836 objections had been dealt with. The Railways accounted for 68.6% of the objections.

It must not be forgotten that the horse was still the motive power for much goods transport and of course not subject to the 1933 Act. The Licensing authorities had to tackle that problem:

*'The railway companies...have also continued steadily their policy of horse substitution - indeed the Railway formula of "a motor vehicle for a horse and a half" is widely quoted from end to end of the Area by road hauliers, in support of their applications for replacement of horses by motor vehicles...'*

The Yorkshire Traffic Area continued to be one of the busiest holding 190 days of public sittings for goods vehicle issues. These concentrated very much on the battle between the railways and road transport. The Licensing Authority summarised the objections made by the railway companies as being:

- ' (i) In so far as the objectors provide commercially suitable transport facilities, a grant of further facilities would involve an excess over requirements.*
- (ii) An excess of suitable transport facilities over requirements meant wasteful competition.*
- (iii) Wasteful competition was not in the public interest.*
- (iv) A grant which caused wasteful competition was not in the public interest...'*

though he did not seem to be overly impressed by that argument.

The North-Western Traffic Area gave an interesting picture of the road haulage industry as it then existed. 50% of 'A' licence holders had only one vehicle and the average was only 2.8 vehicles per operator. Perhaps this preponderance of one-vehicle operators, probably using vehicles that had seen service in 1914 - 1918, accounts for the overall poor standard of vehicles in use:

*'It is worthy of note...that approximately one in every seven of the vehicles subject to prohibition notices was in such a state that apparently the owner did not consider it worth while to endeavour to effect repairs...'*

Rogues seem always to have existed in the road haulage industry and one can sometimes almost sense that Licensing Authorities had a certain degree of tolerance for them. There was an understatement from the Licensing Authority for the East Midlands Traffic Area:

*'I did have some difficulty with an applicant for the renewal of his licence whose vehicle had been prohibited, whose drivers' records were lost, who did not know the name of his chief customer and whose knowledge of receipts seemed limited to the pocket money his wife allowed him...'*

The same Licensing Authority also received interesting reports from his vehicle examiners:

*'A trailer containing three lions was found to have no brakes, although pseudo brake connections were shown between the tractor and the trailer...'*

*'During checks on the road it is not uncommon to see several drivers adjusting brakes, tightening loose bolts and carrying out repairs...'*

*'The use of trailers drawn by private cars to avoid the licensing of a goods vehicle and the keeping of records is on the increase. It is a quite common sight in this Area to see a private car full of market garden produce drawing a trailer also loaded. Sometimes the trailers carry as many as 20 sheep or even two beasts...'*

*'...owing to the rapidity with which news spreads that a check is being carried out, results may be disappointing after four hours. During the check at Stamford on 22 February, 1937, about 4 a.m. a lorry driver stated that the check was known in London...'*

The Licensing Authority for the Eastern Traffic Area did seem to be aware of the changing international scene:

*'A feature of the year has been applications received, especially from the LNER, for authorisation of vehicles for conveying material to be used in the construction of aerodromes in the East of England...'*

though with an interesting variation of 'the war will be over by Christmas' he only granted licences for nine months,

There are some other hints that changes were afoot linked to international affairs. The South Wales Commissioner noted in his 1937/8 Report that there was a continued

expansion in the numbers of workmen employed in connection with the various rearmament works in different parts of his area.

Commissioners were also concerned about those engaged in working on the buses and in some respects their view were well ahead of their times. The Northern Scotland Commissioner expressed the view that:

*'The wages paid to female conductors are less than those paid to male conductors and thus the platform costs in such cases are less than in the case of operators...whose staff is male. It would thus appear to be not unreasonable that suitable facilities should be provided at terminal points for the use, comfort and recreation specifically of the female staff...the provision of even a recreation room where some social intercourse might be enjoyed would help to protect female employees from the tendency to become mere units or cogs in the machine...'*

During the War the Commissioners had to set aside their normal functions. From 1940 the Government created the Ministry of War Transport. Within the Ministry was the Defence Transport Council and as part of that were Regional Transport Commissioners. The Regions were not exactly co-extensive with the Traffic Areas but initially each of the Commissioners was appointed to substantially the same area for which he had been responsible in peace time.

For a period after the War only summary reports were published. By 1947 the Commissioners had returned to their normal duties only to find that a significant proportion was to be taken away by the Transport Act 1947. Not only that, it took away the title of Commissioners as well, substituting Licensing Authority for Public Service Vehicles (and 'for Goods Vehicles'). It was not until paragraph 40 of Schedule 8 the Transport Act 1953 that they regained the dignity of being Traffic Commissioners and reverting to 'Licensing Authority' only when dealing with the goods vehicle side.

It was the Transport Act 1953 which provided for the de-nationalisation of some 90% of the British Transport Commission's holdings. It was required to dispose of its holdings 'as quickly as reasonably possible' by sale by public tender with the benefit of a free five year 'A' licence. The Commission's vehicles came back under carriers' licensing and the statutory 25-mile limit came to an end. A further easing of the position would be hauliers and expanding haulage businesses was the shifting of the onus to the objector. Passenger transport facilities were also brought back under the control of the Commissioners and the Road Traffic Act 1930.

Then, coming over the horizon was the Road Traffic Act 1960 which consolidated, with only very minor changes, the legislation from 1930 onwards. The terms of appointment of Traffic Commissioners remained the same as did the eleven traffic areas. Apart from having to memorise a few different section numbers there was no great change for the Commissioners.

At this time (1959/60) the West Midland Traffic Area was still holding as many as 143 Public Sittings a year to deal with road haulage matters. The Licensing authority noted the beginning of the impact of the major road building programme:

*'Many operators are making use of the new Motor Road and as a result their vehicles have been much more likely to be affected by breakdowns. These were due mainly to over-heating, tyre failures, lack of fuel, broken fan belts, and engine failures caused by higher speeds being maintained over longer distances... some drivers have been slow in adapting their standards to meet intelligently the challenge of the new Motor Way...'*

Then as now they could find the Transport Tribunal somewhat frustrating as an appeal body. In his 1960/61 Report the Licensing Authority for the Northern Traffic Area commented on two cases (probably through gritted teeth):

*'I refused to renew the A licence of a known criminal serving a sentence of three years' imprisonment for receiving, and who had used a specified vehicle for the carriage of stolen goods...His appeal was allowed by the Transport Tribunal, a licence was granted to him on his discharge from prison...'*

*'A 'C' licence holder used a specified vehicle to carry away £2,700 worth of goods stolen by him by warehousebreaking. The goods were not recovered and I revoked the licence on the basis that the vehicle must have been used for the purpose of reward...The Transport Tribunal allowed the appeal, and a licence was granted to this man on his discharge from prison...'*

He probably was not pleased when the law as it stood required him to deal with another case in a particular way:

*'At Carlisle...a "haulage contractor" was caught warehousebreaking and later sentenced to eight years preventative detention. I previously refused to renew this man's A licence...he merely formed a Limited Company for his wife which enabled him to continue his career...'*

1960/61 also saw the first appearances of a new pressure group before the Commissioners for the Northern Traffic Area, which eventually, after a number of more years campaigning succeeded in its aims: the National Society of Non-smokers.

Whilst the Commissioners routinely reported on road checks and maintenance of vehicles only rarely did they go into any detail. The 1963/4 report was the last for Mr S W Nelson (after 16 years in the post) of the Western Traffic Area and both as Commissioner and Licensing Authority he allowed himself to be amused:

*'An owner, who happened to be a passenger in his own vehicle which was stopped for excessive smoke, hotly contested the examiner's view and denied that the vehicle was smoking. He was persuaded to alight and to direct the vehicle, by a detour, to approach the checkpoint again. After the vehicle's departure the lorry owner became an enthusiastic observer and soon pointed out a vehicle in the distance which he considered was a 'real smoker' and asked what the examiner was going to do about it. There was no need to do anything about it as it had already been done. It was the owner's vehicle returning...'*

He returned to the problem of loss of rural bus services:

*'Widicombe-in-the-Moor has been threatened with the breakdown which occurred in the days of Tom Pearce who originally supplied the necessary horse transport in the district. He was succeeded by a lady who ran the service with a pony and trap. She in her turn had handed over the reins to her young grand daughter who 40 years ago changed over to motor buses. Now that the descendants of Bill Brewer, Jan Stewer and the rest have got themselves cars, the decline in traffic has forced this company to give up business after suffering serious and increasing losses in the last few years. The company had applied for authority to reduce the service but this proposal drew objection from the local authority. This seems to have been the last straw and the company felt they had no option but to terminate the service, a serious matter for the local inhabitants who have thus been left without any public transport...'*

Despite his many years in office he was clearly not averse to modern developments in modes of transport:

*'Clovelly is a picturesque and popular holiday resort – very well known for its steep cobbled high street which is closed to vehicles. It is one thing to descend to the harbour on foot but quite another for tired pedestrians to climb up again by the 1:3½ back road from the village. We have licensed a service on this road by 7 seater vehicles of the Land Rover type with 4 wheel drive and reduction gearing which are said to be the only vehicles suitable for such service...'*

By the mid-1960s the general stability which had existed in bus fares had come to an end. In the 1964/5 Report the Commissioners for the Northern Traffic Area were sad to note an application by Middlesbrough:

*'...[the] Corporation have had a minimum 1d fare since horse drawn trams started in 1874, being the only town in the country to retain it. We are sure it is with regret that the council has decided to apply for that 1d fare to be abolished. The passing of this 1d fare is equally regretted by your Commissioners...'*

An annual application in the late spring or early summer was becoming the norm as platform staff gained increases in wages in a round which generally applied from April. Some traffic areas found that two applications had been made during the twelve months. The Western Commissioners reported:

*'...the most significant feature of the second round of applications has been the attempt by most large operators to fix a 4d minimum fare. This has so far been resisted and we have retained a 3d fare for reduced mileage which we feel will be of great benefit to the elderly and infirm whose need to take a bus for short distances is the greatest...'*

There was some alleviation in due course for the elderly because of the Travel Concessions Act 1964 but annual or bi-annual fares applications become the norm until fares conditions were removed by the Transport Act 1980.

The same Report (1964/5) commented upon another problem of which the Commissioners were becoming more and more aware, and to which they were sympathetic when operators suspended services, that of hooliganism on buses. The Northern Commissioners recorded:

*'...assaults on bus crews have led to the withdrawal of Sunday night buses as a warning to the public...one authority is to fit alarm systems on its buses to give warning to police if conductors are attacked. Hooliganism generally makes the operator's task most difficult...'*

and in the Eastern Area:

*'...the Saturday evening express service was discontinued because of continued vandalism by passengers returning from dances...'*

The opening up of the motorways and other road improvements were leading to new excursions and tours. The Yorkshire Commissioners were having great difficulty in understanding the travelling public's enthusiasm (or masochism):

*'...most of these excursions involve a return journey of 400 miles. To many it may seem that a certain proportion of day excursionists are 'devils for punishment', but nevertheless the returns from operators show that there is a certain type of day excursionist who really does enjoy a day trip starting at 0645 hours and returning at 2400 hours...'*

The 1965/6 Report seems to record the first woman to be appointed a Commissioner. (It was to be well over 30 years before a female full-time Commissioner was appointed.) Councillor Mrs. M Blower is noted as one of the Commissioners for the Eastern Traffic Area.

Whilst the Commissioners had their specific jurisdiction in relation to fares they were also required to give effect to national policy. The prices and incomes standstill came into effect on 20th July 1966 under the Prices and Incomes Act 1966. As a result in the year covered by the 1966/7 Reports there were few fares applications, most operators having to postpone any proposals until July 1967.

The recommendations of the Geddes Committee on Carrier Licensing had been published in 1965. The principal recommendation had been the abolition of quantity licensing in the introduction of a stricter system of quality control. The shape at least was soon to come in the Transport Act 1968, which completely recast the licensing of goods vehicles to a quality based system, provided for transport managers' licences, and created the National Freight Corporation.

Also under this Act, the creation of Passenger Transport Authorities and Passenger Transport Executives dim affected the Commissioners. The PTAs and PTEs were given very wide powers within their designated areas to carry passengers and though the requirement that they would not require road service licences was not implemented. However the Commissioners had to take into account representations made by a PTE when granting road service licences or backings.

Over the next three years the Commissioners dealt with the transition from carriers' licensing to operators' licensing. The Act also saw the introduction of the licensing of heavy goods vehicle drivers, another responsibility which fell to the Commissioner.

The 1971/2 Report shows that when they were

disenchanted with the effects of a piece of legislation they were quite prepared to say so. The West Midland Commissioner was certainly disenchanted with some of the effects of the Transport Act 1968:

*'After three years the public may be excused when they ask what has been gained by the creation of the [West Midland Passenger Transport] Authority and its Executive...Certainly no improvement has been apparent to the public for service frequencies in the main have been curtailed and fares have risen three times...The only persons who appear to have received any tangible benefits are the employees who have achieved wages and conditions of service second to none in the industry...the Commissioners...are beginning to wonder if the Authority/Executive are not following a policy of hastening too slowly...'*

Things were rather more up to date in the North-Western Traffic Area where Charles Hodgson presented his last report:

*'An electric midi bus was certified in this Area...The Silent Rider electric bus described in last year's report continued in service...Development is now proceeding on an electric Public Service Vehicle where the batteries are transported in an attached trailer towed behind the vehicle...It may prove unsuitable for general service...'*

His doubts seem to have been vindicated.

The North-Western Commissioner noted the difficulty in obtaining shorthand writers. By this time the Metropolitan Traffic Area had been using tape-recording for some time but now the North-Western Area had to follow suit. The shorthand writers were very much part of the scene of the public sittings. Many had covered the same traffic areas for years and some were real characters. One who normally covered the Western Area, ensconced on his blow-up rubber cushion, virtually dictated the length of a day's sitting, advised applicants, objectors, advocates and from time to time the Commissioners, before bouncing home in his Citroen Ami 6.

Fares applications remained a major issue with some Traffic Areas making life very difficult for operators. In the South Eastern Traffic Area the Commissioners reduced the major applications from the 17% gross sought to 11% and one Municipal had its application reduced by 50% to a 12.5% gross increase.

The powers of the Commissioners were further diluted by the Transport Act 1978. County Councils were required to produce five-year public transport plans which the commissioners were required to take into account when dealing with road service licences.

On the bus side, without recasting the basic legislation, the Road Traffic Act 1978 generally amended road service licensing criteria, giving greater emphasis to the needs of the public and in particular the disabled as well as recasting references to the public transport requirements of the area. These amendments gave a short term boost to new applications and variations of existing licences.

The South Wales Commissioner noted a perennial complaint made to him, and one which has since been repeated frequently:

*'...complaints are received that school contracts buses are overcrowded, but although all these complaints are investigated, no instance of overcrowding has been found. It is thought that the activities of exuberant schoolchildren give an impression of overcrowding!...'*

The Transport Act 1980 removed a substantial proportion of the Commissioners' jurisdiction. First it removed from express operations, and excursions and tours the requirement for a road service licence. Second it empowered the Minister to designate 'trial areas' where road service licences were not required for stage carriages. Third it removed the general power to impose fares conditions. Now they could only do so where it was essential 'to protect the public from unreasonable conduct by the holder of the licence' or to regulate terms of competition. An operator could require the removal of fares conditions unless section 7(3) applied. Fifth, they were given very limited powers to refuse a road service licence for routes which were not otherwise served. They even lost a small element of their work by the abolition of the licensing of conductors. That historically, in each year, many days of public sittings had been committed to exactly the kind of applications which now no longer would be made, gives some indication of the loss of work for the Commissioners.

That loss was to some extent alleviated by two other provisions of the Act. Section 5 now required them to grant road service licences, effectively for stage carriages, unless it was against the interests of the public. That was, on the face of it, likely to increase the number of such applications by encouraging existing operators and new comers. A more major and enduring accretion to their powers was the introduction of public service vehicle operators' licensing, generally mirroring goods vehicle operators' licences. The principal differences being that there were no provisions as to operating centres and individual licence discs were not required, the operator being issued with ones which could be transferred without formality between vehicles. The disciplinary powers of revocation, suspension, curtailment and variation of conditions followed those of the goods regimen. If 1980 ended with the Commissioners complaining of a headache it would not be surprising as they had also to deal with some 21 other sets of new or amending regulations.

The impending Act had not saved the Commissioners from large numbers of applications during the second part of 1979 and the first part of 1980 as the Eastern Commissioner commented:

*'Given the national wage settlements of the winter of 1978/9, the severity of that winter...the steep increase in fuel costs, the general increase in the costs of goods and services bought in and the constraints on grant aid from local authorities it is hardly surprising that the year was notable for the number of applications for fares increases. All but one of the operators in the public sector sought and were granted two increases during the year; and the number of applications from independent operators more than doubled - from 247...to 546 in 1979/80...'*

Perhaps however the weather gave added verisimilitude to an event noted by the South Wales Commissioner:

*'SANTA'S SPECIALS. On each of the three Saturdays*

*before Christmas, Cardiff City Transport Department ran Santa Specials for children. There was a tour of the City in a decorated bus with music being played. Santa Claus was aboard to talk to the children and each child received a small gift of chocolate...'*

Whether they realised it or not at the time sections 1 and 7 Transport Act 1980 together with section 33 of the 1981 Act sounded the death knell of road service licensing. The Bus Services in Trial Areas Regulations 1981 effectively deregulated buses in the designated areas. The volume of work available to the Traffic Commissioners was beginning to wane. The Western Commissioner commented:

*'We have now had a full year free from the burden of hearing applications for fares revisions. The long drawn out public sittings held in the past had ceased to be of any real value and we have had no evidence that operators have made unreasonable use of their freedom...'*

No doubt Parliament had intended that the shifting of the burden of proof to the objectors would open up the market to a greater degree of competition. That was not always what happened. There were few who were prepared to take on the major operators (unless they were major operators themselves). The potential objectors were prepared to stand their ground and fight it out. But the attempts to take advantage of the 1980 Act certainly kept the Commissioners in the market of holding public sittings, though as it turned out it was their swan song. The Western Commissioner commented on both aspects:

*'...there have been very few applications from existing operators to extend their ordinary stage service operations or from new applicants to enter this field. This lack of applications has not come as any great surprise. In many cases it requires a real sense of dedication to become involved in the hazardous business of such operation...the first challenge to a network of these services provided by an NBC subsidiary was an application by a well known independent operator - Swanbrook Transport - for a comprehensive service of stage carriage in the north west part of Bristol...by the end of the year the Public Sitting had taken up 5 days spread over some 10 weeks and, on present form, it seems likely that a further 3 or 4 days will be required...'*

We need to go to his next year's report to get to the end of that story and to see the fate of another who challenged an NBC subsidiary and a municipal in the same application:

*'The Public Sitting held for the Swanbrook Transport applications for a comprehensive service of stage carriages in the north west part of the Bristol City operating area...was completed on 4 May after taking up some 9 days spread over some 3½ months.*

*That application was followed later in the year by further applications by 2 small Devon operators, one for 2 stage services in Exeter and the other for 2 stage services in Plymouth. The 2 stage services applied for in Exeter would, for the most part, have operated in direct competition with the closely integrated net work of stage services provided by the Western National Omnibus Company Limited...in Exeter and much the*



same position would have applied to the 2 stage services in Plymouth where the integrated network of services was provided by Plymouth City Transport and Western National. Not surprisingly the two NBC subsidiaries, Plymouth City Transport and Devon County Council, strongly objected to the four applications. The Exeter Public Sitting occupied some four days spread over some two months and the Plymouth...took up six days, also spread over some 2 months.

*In the light of all the evidence...we were satisfied that the disadvantages to the public resulting from the loss of revenue if the applications were granted outweighed the advantages to be gained to such an extent that there would be significant damage to the public interest...We therefor refused all the applications...'*

I well remember these cases as the advocate for the objectors. A huge effort was put into opposing the applications by the operators and the county councils who saw potential success as being the 'thin end of the wedge'. It is interesting to note that after deregulation Swanbrook did not revive its interest in Bristol and no other applications of any real significance occurred in the area.

Applicants in other traffic areas were more successful. The South Eastern Commissioners commented on an application in Reading which was the first of a number of new battles between the NBC and Reading Corporation:

*'An application which tested the provisions of the Transport Act 1980 and illustrated the switch of the burden of proof from applicants to objectors was that made by Thames Valley and Aldershot Motor Services Limited to provide a new service from Reading Town Centre to a new supermarket outside the Borough boundary. The application was objected to by the Police, Reading Borough Transport and Berkshire County Council...*

*The Police objection related to a road junction...a case had not been made out...on those grounds.*

*...Reading...Transport objected primarily on the grounds of abstraction of traffic. They did not however...discharge the onus of proving that a grant would be against the public interest...*

*...Berkshire County Council objected...as being against their published policy of discouraging competition with Reading...Transport in the area of Greater Reading. The Commissioners were not persuaded that the existence of such policy of itself was decisive of the issue, and were not satisfied on the rest of the evidence that a grant would be against the public interest...'*

By the time for the 1981/2 Report the implementation of the Transport Act 1982 was looming. The Commissioners had seemed supportive of the requirement that operating centres for goods vehicles should be 'suitable' and disappointed by the Cash & McCall decision removing environmental considerations from the equation. It should have followed that they would have been supportive of the Transport Act 1982 requiring operating centres to be suitable on environmental grounds. Apart from any other factor, it was likely to give them added

work which in the past they seemed generally to have welcomed and also, as it turned out, was to be useful in replacing some of the work lost when buses were deregulated under the Transport Act 1985. The West Midlands Commissioner was particularly concerned, but got in an early plea for additional staff:

*'I await the implementation of the Transport Act 1982 with some apprehension. I have not yet seen the complicated regulations which are being drafted...I regret that you were not able to accept my advice that these matters could very simply and more appropriately be dealt with by local planning authorities who are statutorily responsible for environmental matters. A simple procedure could have been evolved. As it is, there is no doubt I shall require more staff to deal with all the objections and representations which are bound to result from the local advertisement of applications for operator licences...'*

The same report contains an apparent non-sequitur which still puzzles me:

*'Two of the dynamic weighbridge sites in the Warwickshire area were out of use for 2 months, whilst preparation was made for and during the Pope's visit...'*

Was it because he feared that some Protestants might try to weigh the Pope-mobile and find it overweight? I suppose we shall never know.

One is always led to believe that the Swiss are a particularly law abiding nation. It seems not always so as the Eastern Commissioner reported in the same year:

*'Proceedings were taken against two Swiss drivers for overloading offences. Both drivers had been checked and their vehicles had been found to be overloaded. After off-loading the excess weights the drivers waited until the examiners had left, then put the excess weight back on the vehicles and continued their journeys. These two drivers returned to the country about 10 days later. They were taken to court immediately...Each driver was fined £300...'*

The 1982/3 Report shows that the 1982 Act was having mixed effects across the country. The North-Western Commissioner reported that attempts by new operators to "cream off" profitable services had been few and far between. The exceptions were in the East Midlands Traffic Area:

*'In Nottingham, Leicester and Lincoln however operators have been in exceptionally active competition for routes and services. Competition between the main operators in Leicester has led to some friction...'*

As I remember the cases in Leicester that is slight understatement of the relations between Midland Fox and Leicester City Transport as they fought over 'area stop signs' and services to the estates surrounding the City.

What, to a non-nuclear-scientist, seems to have been a potentially more explosive situation arose in the South Eastern area:

*'An interesting problem that arose...was the landing of a vehicle loaded with cylinders containing solid*



*uranium hexafluoride, 1880 kilograms in excess of permissible weight limit and with no international road permit for the journey, resulting in the Department advising the French Ministry of Transport that this type of vehicle would not be allowed into the United Kingdom...*

The new environmental provisions were due to come into effect on 1st June 1984. During 1983 a consultation exercise was carried out and the Northern Commissioner noted that there was considerable depth of feeling in the trade about the changes though he thought that many of the fears were exaggerated.

On the 1st April 1984 the Northern and the Yorkshire and East Midland Traffic Areas ceased to exist. Yorkshire and part of the Northern was absorbed into a new North Eastern Area, the remainder of the Northern into the North-Western whilst the East Midland was shared between the West Midlands and the Eastern.

The break-up of The National Bus Company had been foreshadowed by section 1 Transport Act 1982 but it was section 47 of the Transport Act 1985 that imposed the requirement of a scheme for the transfer of the Company to the private sector. The impact of that on the Commissioners were concerned was slight. The major impact of the Act came from section 1 which abolished road service licensing and substituted a system of registration for local services (in essence the old stage carriage services). Thus a system introduced in 1930 came to an end. Section 3 provided 'There shall cease to be a body of traffic commissioners.' But the Chairmen themselves were saved. Section 4 provided that there should be a Traffic Commissioner for each traffic area who was to hold office during Her Majesty's pleasure with a requirement to retire before becoming 66. The Minister also relieved himself of the burden of dealing with appeals from the Commissioners by assigning them to the Transport Tribunal. Public sittings now became public inquiries.

The Commissioners' other powers were not in general recast. They continued with their powers in relation to PSV operators' licences and were given supervisory and punitive powers in relation to registered local services. Operators who failed to operate a local service or operated one in contravention of the Act could lose the right to operate a particular registered service or local services generally. Those who intentionally interfered with the operations of another operator, or operated a local service in a manner dangerous to the public would similarly face the ire of the Commissioner.

They had some warning of the problems they might face in disciplining bus companies before the Act. In his 1983/4 report the Eastern Commissioner reported:

*'Complaints were made to us that a rural service was not being operated to timetable... We held a public sitting which was attended by a large number of users... We found that the weight of opinion was strongly in favour of the licence-holder continuing to operate the service, even if it was not always run according to the timetable – it being better to have some service rather than none.'*

*This was the first case within memory when we have had to consider whether to revoke or suspend a road*

*service licence for contravention of a condition... It illustrates the practical difficulties of taking effective action...*

These powers were needed and became more frequently used over the years. The deregulation under the Act did not quite take bus operations back to 1929 though in some areas one might have been forgiven for thinking all control of local services had been abandoned as the newly privatised ex-NBC companies came into conflict with one another, with the municipalities and with entirely new operators. For the observer it was great fun; for the Commissioners often a headache; for the travelling public often disbelief.

By the time of the 1985/6 Reports the environmental provisions were beginning to have a real impact on the Commissioners leading not only to a considerable increase in the office work but also the number of actual or potential public inquiries. One Commissioner in his last Report before retirement after nine years in office commented:

*'Members of the public – even those who have come into contact with more than one application which affects them – and have been to more than one public inquiry – seemingly have not, cannot and probably will not fully understand the complexities of the legislation... Hopes are raised then all too frequently dashed... they feel the die is loaded in favour of the operator...'*

The South Eastern Commissioner in his last report after 10 years in office pointed out that it was not only the public who got it wrong:

*'...some authorities still advance arguments on "pure" planning grounds and may be represented at public inquiries by Planning Officers who are unable to deal with points of law affecting the relevance or admissibility of their evidence and arguments...'*

It might not be unfair to point out that the Commissioners did not always get it right either as the Transport Tribunal pointed out from time to time.

No doubt the Commissioner had a sudden accretion in the volume of work from that source but also, on the bus side, operators had to register, by 28th February 1986, the commercially viable services which they wished to operate from 26th October after which there was effectively a freeze until 26th January 1987. Operators had approached registration in many different ways but it was clear that many had not got it right. That led to a scramble in 1987 to vary registrations or effect new ones. The North Eastern Commissioner was no doubt not the only one to notice these developments:

*'...both my offices are still receiving large numbers of variation applications [of registrations] as operators continually assess the viability of their commercial services or strive to match timetable changes by their competitors – often on a tit-for-tat basis. This high level of competition has led... to certain operational malpractices including excessive duplication of services...'*

And the South Eastern Commissioner was perhaps the first since the 1920s to use the phrase 'bus wars':

*'I should just mention the much publicised "bus wars" that have arisen...It was inevitable that well established operators should resent intrusion into their territory...In one or two cases this competitiveness has given rise to practices that are certainly unfair and, in one or two cases, verge on dangerous...I do remain concerned about the City of Oxford, Southampton and the Isle of Wight...'*

War of another sort was happening on buses and the Commissioners maintained their concern about it (and sympathy with the operators):

*'Late night services on Saturdays and Sundays were withdrawn by Plymouth Citybus because of unacceptable levels of hooliganism and vandalism. In one instance a driver was hit on the head with a glass bottle whilst going to the assistance of a passenger who was being threatened. There were many instances of windows being pushed out and seats being slashed. At one stage police were riding "shot-gun"...There was one serious knife attack on a Wilts and Dorset...driver which resulted in a 6 month prison sentence for the attacker...There were 13 assaults on drivers on Bristol Omnibus services...'*

By the time of their 1987/9 Reports the Commissioners were well into trying to deal with 'bus wars'. The North East was one of the areas much affected:

*'The competition...is so intense that some towns and cities are saturated with buses...Certain large operators seem determined not to allow smaller operators to gain a foothold...and...sometimes register high frequency services identical to the small operator with the result that the small operator finds it impossible to run either according to timetable – because of vehicle saturation at bus stops and bus stations – or economically...'*

Problems were not restricted to the north because the Eastern Commissioner was also reporting:

*'Without doubt, the current legislation has generated more competition between operators, occasionally to the point where blows have been exchanged or vehicles damaged...It is...my experience that when an operator is concerned about the operations of others, he expects his allegations to be accepted as firm evidence which is sufficient to warrant severe action on my part...when allegations are made against him, he expects his denials or excuses to be accepted without question...'*

The Commissioners were struggling to find the most suitable and effective remedy. The most obvious was section 111 which could result in the operator being required to refund an amount equivalent to 20% of the fuel tax rebate entitlement for the previous 3 months. This could be a six figure sum for some of the large operators. This was an all or nothing approach and the sum was often potentially disproportionate. The Commissioners suggested that it was too blunt an instrument and that the section should be amended to allow for proportionality. It was some years before that happened. Faced with these problems maybe Ronald Jackson, the long-standing South Western Commissioner, was pleased to retire, though he remained on as a Deputy Traffic Commissioner for two areas until suffering a fatal heart attack in the West Midland Traffic Office on 28th July 1988.

In the past Commissioners had commented on severe winter weather conditions. There was a more sinister twist to the weather report from the North-Western Commissioner in 1988/9:

*'The mild weather resulted in an exceptionally good year for enforcement...'*

There was obvious concern about two reports which were in the course of preparation. There was the Arman Review of Operators Licensing and the Palmer Review of Traffic Area Offices. With nothing to risk as a retiring Traffic Commissioner the Scottish Commissioner urged the Minister:

*'I ask you to give due weight to the advantages of a statutory independent organisation locally based and sensitive to local differences of economics, geography and culture. The alternative of deciding matters at the centre, with full Ministerial responsibility and accountability for decisions, is not one which attracts me nor, I am certain, the road transport industry as a whole...'*

Perhaps the only good news of the year was the move of the Metropolitan Area Office from the depressingly gloomy (prison hospital?) at Bromyard Avenue, Acton to smart High Street, Kensington.

Despite their fears little came of the Palmer Report other than the appointment of a Senior Traffic Commissioner, who was not necessarily the senior in post and with no additional legal powers.

1991 was not a good year for the Commissioners. The Metropolitan Traffic Area ceased to exist on 1st June 1991 and on 1st April they had lost vocational licensing to the DVLA and traffic examiners to the Vehicles Inspectorate Agency. Most of the Metropolitan Traffic Area was transferred to the newly named South Eastern and Metropolitan Traffic Area based in the delightfully named but mundane office block, at Ivy House, Ivy Terrace, Eastbourne. It was also the year in which the South Wales Commissioner was way too optimistic when he reported:

*'Now that the future of the Cardiff office has been finally resolved I and the staff can look forward to continue to serve the Industry without the fear of further cutbacks or even closure...a nod of appreciation to those in Marsham Street who made the future of Cardiff office certain...'*

Perhaps the most significant feature of 1993/4 was that for the first time North-Western appeared without a hyphen.

Occasionally Commissioners made statements which lawyers stored away as forming part of an appeal should it become necessary. In his 1994/5 report the North Western Commissioner went a little further than was perhaps wise:

*'Operators who appear at disciplinary inquiries must expect action against their licences...'*

The West Midland Commissioner put it a little more circumspectly:

*'...the Licensing Review Board...only refer cases to Public Inquiry where there is a high probability of*

*disciplinary action being taken against the licence...*

The bus and lorry operators were now, in the jargon of the day, becoming 'customers' though they had no choice of supplier:

*'Great emphasis is place on the customer care aspect of our work and I am sure that the efforts made by staff to implement the changes to the legislation will contribute greatly to the provision of a helpful and friendly service to operators...'*

This fits uncomfortably with what seems to have been a concerted approach to the issue of enforcement (and possibly a response to the re-organisation which created the Vehicle Inspectorate Agency under Area Managers). The Eastern Commissioner led the attack in his Goods Vehicle report:

*'Once Parliament had decided to abandon the quantity control of goods vehicles in favour of a stricter regime of quality control – recognised by the 1968 Act – it was axiomatic that effective enforcement would be the price that had to be paid for this liberal approach. Thus the need for this enforcement now lies at the very heart of the licensing system: without it not only is road safety jeopardised, but the law-abiding operator becomes disenchanted with a regime that seems to allow cheats to prosper. In sum the system loses its credibility...the over all results seem to indicate that the VI in my area are either targeting badly or simply failing to prosecute...'*

This was followed up on the bus side in the North Eastern Report:

*'I am surprised that, while there has been a 29% increase in the number of vehicles checked by Traffic Examiners and a 48% increase in the number of tachographs screened, the number of prosecutions has fallen by 13% and the number of drivers' hours offences has fallen by 20%. I shall look to VI to improve on their success rate in this area of their work next year...'*

The next year saw the Eastern Commissioner repeating the theme:

*'...one must question either the effectiveness of the targeting or the will to prosecute ...'*

but in the 1994/5 report the Metropolitan Commissioner began to see dangers:

*'... the Inspectorate has a revised target for next year. It is to weigh 25% less vehicles but maintain prosecutions and prohibitions at their current level. The incentive will surely be to prohibit and prosecute at lower levels. The revised target is questionable...We need to get the rogue operator off the road. That should be the Vehicle Inspectorate's target, not meeting a set number of prosecutions or prohibitions...'*

This, whilst not the beginning, was certainly a point from which lawyers and the industry sensed that the vehicle inspectorate and to some extent the Commissioners were under the pressure of targets.

The Goods Vehicles (Licensing of Operators) Act 1995

was a useful consolidation with some significant amendments. The title of 'licensing authority', used since the 1968 Act when dealing with goods vehicle licensing, disappeared and Traffic Commissioner was to be used for both goods vehicle and public passenger vehicle functions. 1st January 1996 saw the introduction of continuous licensing for goods vehicles with a 'review' of road safety and environmental matters every 5 years. Unless an operator applied for a variation or a new licence there would be no more advertising of the existence of an operating centre and no automatic five year reminder to operators of the risks of losing it or having conditions imposed. The West Midland Commissioner gave a timely reminder of the basis of 'O' licensing in the 1995/6 Report:

*'Operators must realise, that with the advent of indefinite licensing, the operator licensing system depends even more on truth and trust and those who fail to comply with their statements of intent can expect to be seriously disciplined...'*

Concerned as ever by their fluctuating workload, and no doubt by the implications of such reduction, the Metropolitan commented:

*'Dispensing with renewals and the need for advertising and publication has reduced the bureaucratic burden on operators. It is also reducing significantly the workload in my office. The Review procedure which was in effect introduced to compensate for the demise of the renewal application and, in particular, to safeguard the rights of Local Authorities and local residents to complain about operating centres, is not producing the level of representations expected (in fact 1 in 500 rather than 15 in 500). 'The benefit to operators is obvious but local residents are unlikely to be pleased...'*

January 1997 saw the unpopular move of the North Western Area office to Leeds and in March the equally unpopular one of the South Wales Office to Birmingham.

In his 1996/7 Report the Eastern Commissioner set out what seemed to be a 'mission statement' for goods vehicle 'O' licensing:

*'It is not difficult to get an operator's licence. There are few hurdles to climb and those that do exist are set fairly low...But that is the intention I imagine: a system that does not discourage enterprising souls from having a go.'*

*The price to pay for such a liberal approach, however, is effective enforcement in order to weed out the operator who, in the light of his subsequent failure to fulfil the undertakings he made to get the licence, should not have been granted one in the first place. Proper enforcement, therefore, lies at the heart of the licensing system: without it not only is road safety jeopardised, but the law abiding operator becomes disenchanted with a regime that seems to allow cheats to prosper. In short, the system loses its credibility. It follows that one of my main preoccupations is to encourage the flow of information... thereafter to call the errant operator to a Public Inquiry, at which I can consider the use of the swingeing powers at my disposal...The information I require is held by a variety of agencies but its (sic) often like getting blood*

*out of a stone. When one considers that the first meeting of the Traffic Commissioners took place on 21 January 1931 – and the problem was recognised in those early days – it is disappointing that it continues to exist in 1997...'*

1997/8 saw the end of separate reports for the goods and PSV licensing systems. Reports were becoming shorter and the individuality of each Commissioner less apparent. Perhaps to counter that, the 1998/9 report was the first to contain photographs of the Commissioners and a more than ample demonstration of their ability to compose bar and pie charts on their computers. The year also saw the creation of a Welsh Traffic Area by the incorporation of north Wales from the North Western Traffic Area into the South Wales Traffic Area. Before that took effect the North Western Area heard the first Public Inquiry to be conducted in the Welsh language with simultaneous translation into English and Welsh.

The 1999/2000 Report recorded the first appointment of a woman as Traffic Commissioner. Mrs. Beverley Bell, a solicitor, was not only the first woman to be appointed but at 40 was also the youngest appointee. Until this stage the general impression had perhaps been that, with some exceptions, the appointment to Commissioner was not a primary career move, but often a recognition of past services in some other field. The selection of a 40 year old woman from selection field of some 400 applicants will no doubt give a new dynamic to the perception of the Commissioners and the relationships between them. This new Commissioner set out her 'mission statement' in her first report:

*'I am delighted that the North West once again has it's (sic) own Traffic Commissioner and I intend to raise the profile of the role of the Traffic Commissioner specifically within the North West Region...'*

The next year she took it one stage further in a campaign which was eventually successful in 2005:

*'... as I travel around the North West I am asked when the North West Traffic Area Office will be re-opened... I have been struck by the strength of feeling in favour of a reestablishment of the Commissioner in the North West. I therefore feel that my aim for the future must be to respond to that feeling...'*

A similar feeling expressed in Wales the same year has not been satisfied:

*'...she [the Welsh Assembly member with responsibility for transport] would like the Welsh Traffic Area to have an administrative presence in Wales; this remains a political matter...'*

During this period the Traffic Commissioners were calling many major bus operators before them for failing to operate local services in accordance with their timetables. First they set an apparent standard of taking into account operations that were more than five minutes early or late, subsequently revised to 1early and 5 minutes late on not more than 5% of observed occasions. They used the swingeing power to 'fine' the companies the 20% of the fuel rebate. This power was modified by the Transport Act 2000 so that the 'fine' could be up to £550 per vehicle authorised on the licence. The amendment tended to increase the number of 'fines'

though keeping them in five figures rather than six in the case of major operators. Commissioners were unsympathetic to the operators' explanations that time keeping was affected by traffic problems, particularly congestion. The Western Commissioner reported in 2000/1:

*'Often bus operators claim, when faced with a failure to run a registered service in accordance with the particulars registered ... that traffic congestion provides them with a reasonable excuse and that they should not suffer a financial penalty as a result. Unless the traffic congestion is unanticipated, the operator should consider changing the registered particulars (i.e. the timetable) because it is the operator's timetable, not that of the Traffic Area Office...'*

At least the South Eastern and Metropolitan Commissioner acknowledged that it was not always the fault of the operators:

*'In the light of this decision by one police force in my Area [not to prosecute for breach of bus lane restrictions], which I believe to be unfair both to the operator and to its passengers and which may not be unique, I propose to seek to persuade chief constables...that greater importance should be given to...bus lanes...'*

Many operators must have wondered whether the Commissioners appreciated the irony of their attitude towards time-tabling when compared with their own problems and excuses in relation to the implementation of their computer system TAN 21. The 2001/2 Report indicated that they had a general concern about it. Whether it was to meet the requirement of the system or not, they compounded problems being suffered by operators by increasing from 42 days to 50 days the notice period for changing registration of local services.

In the 2002/3 Report Michael Betts, in his last year as Senior Commissioner, bewailed the position:

*'The year under report has without doubt been the most difficult in my experience. I was sadly over-optimistic when I hoped last year, with regard to the introduction of the new TAN 21 computer system, that 'the promised land' was just over the horizon...it was found in practice that there were far more problems than had been anticipated. This in turn led to serious delays in processing applications and, along with problems associated with our new telephone system and inexperienced temporary staff, it resulted in many operators being faced with real difficulties for too long...'*

A paragraph or so later he said:

*'...the Commissioners published a paper setting out what they saw as appropriate standards for local services' timekeeping...It has to be said that the industry has not been entirely happy with this...'*

It is true, it was not, but neither was it happy with the extension of 42 to 50 days, the delays in processing papers work, the problems with the telephones and the Commissioners' temporary staff, but they had no powers to 'fine' the Commissioners!

The Commissioners had other problems. They survived one challenge when the Transport Tribunal found that the statutory duties of the Commissioners did not contravene the Human Rights Act 1998. They were also concerned at the loss of their Administrative Directors and later, in the 2001/2 Report, over what was effectively the merger of their staff with those of the vehicle inspectorate. The South Eastern and Metropolitan Commissioner wrote:

*'The Traffic Commissioners were not consulted before the announcement was made, and they have expressed to the DfT their anxieties that the proposed merger... may prejudice the real and the perceived independence of a system that has been trusted by operators and their legal representatives for over 70 years...'*

By the next year his concerns had not been addressed though the merger had taken place on 1st April 2003 (that date again) to form the Vehicle and Operator Services Agency (VOSA):

*'Over 12 months later, I very much regret that answers have not been received from the Department for Transport to detailed questions put by the Traffic Commissioners to the Department.'*

*'Such a delay in responding to the anxieties expressed above seems inexplicable, and would be inexcusable from staff in my office...'*

The Goods Vehicles (Enforcement Power) Regulations 2001 which gave powers to the Inspectorate to impound vehicles apparently not authorised under an 'O' licence was seen as a major step forward in enforcement. It also gave a boost to the work of the Commissioners because any appeal against the impounding went to them and it increased the number of applications for a licence as was noted by the North Eastern Commissioner in the 2002/3 Report:

*'The effect of impounding has been dramatic. The number of previously unlicensed operators applying for licences...has increased markedly...'*

He also noted that of 28 vehicles impounded 27 had been in a dangerous condition.

The North Western Commissioner took a 'busman's holiday':

*'I escaped from the office for a two-week period to undertake my Certificate of Professional Competence (National Road Haulage Operations) examination in March 2002. I am delighted (and relieved) to report that I passed that examination...'*

One imagines that few examinees have awaited the outcome of an examination with more trepidation.

The South Eastern and Metropolitan Commissioner was seen as championing the operator, as Commissioners have often done:

*'If an operator, and particularly one with one vehicle or a small fleet, is unable to obtain a timely appointment for clearance [of a delayed prohibition notice] at a test centre, a delayed prohibition notice can have the de facto effect of suspending or curtailing a licence without the safeguard of the independent*

*Public Inquiry and the rights of appeal that gives...This cannot be right or fair, and I invite the VI to investigate the problem and address it, if necessary by more staff or longer hours ...'*

The 2004-05 Reports are unlikely to be published much before the end of the year so the ones for 2003-04 are the latest reflections of the Commissioners we have. It is for the reader to decide whether or not the collegiate photograph of all seven Commissioners adds to confidence. One may reflect that there is not one knight, no Q.C., and no soldier above the rank of Brigadier. Some things have not changed others have reverted to an earlier practice. The Commissioners now meet together four times a year as they did back in the 1930s. There may be other changes down the line. The Senior Commissioner, referring to the Better Regulation Task Force, thought that by 2006 there might be a move to one traffic area for England.

Perhaps more worrying for the two industries is that at least two of the Commissioners have real concerns about the continuing independence of Traffic Commissioners. If they have concerns, so ought to the industries and all who appear before them. The trust I referred to at the beginning remains as essential now as it was back in 1931. Perhaps while the Commissioners are prepared to speak out as the West Midland Commissioner and particularly the South Eastern and Metropolitan Commissioner have done, we shall want to be able to celebrate 100 years of the Traffic Commissioners:

*'The anxieties about independence...remain and have perhaps increased. It is not only imperative that the quasi-judicial position of the Traffic Commissioners when exercising their licensing and regulatory functions, and the preparation of papers by their staff, remain wholly and transparently independent of VOSA, but it is also important that VOSA recognises and accepts the independence of Traffic Commissioners and the staff working for them. I am becoming increasingly concerned that pressure may be put on staff serving Traffic Commissioners which may compromise the independence of Traffic Commissioners, especially when VOSA claims in its Business Plan, 2004-2005 that its responsibilities include 'operator licensing and bus registration services.'*

My final submission, as lawyers are wont to say:-

This personal view of the Commissioners over 75 years has looked primarily at what the Commissioners themselves have said. Throughout the period they have been supported by deputies who seem generally not to have sought preferment; two did, John Mervyn Pugh and Philip Brown. The Commissioners gave routine thanks to their deputies in the conclusions to most of their Reports. It is perhaps worthwhile recording the special thanks to a busman who became one of the outstanding Deputy Commissioners, as a memorial to many:

*'I commence my report by paying tribute to Brian Horner who has been a Deputy Traffic Commissioner for 15 years, during which time he had presided at 3000 Public Inquiries...Brian Horner was respected by transport trade organisations and operators alike and was well known for his unfailing courtesy...'*

In 1930 there were thirteen traffic areas and thirteen Chairmen of the Traffic Commissioners. Now there are eight areas and seven Traffic Commissioners two of whom are female (about the number of female bus drivers to be found in any traffic area in 1931). The now Senior Traffic Commissioner, Philip Brown noted in his 2002/3 Report that in one survey the traffic commissioners were described as 'struggling to throw off their 1930s persona', an unfair comment.

75 years on they have a very different role. They no longer control the quantity of buses and lorries on the road. In some ways they have a more difficult primary task, that of ensuring the quality of those operations. The task is one which they are only likely to achieve if they can carry the two huge industries with them. That seven individuals appear so to do speaks much of individual ability but also much for the trust and belief of those industries in their predecessors.

John Mervyn Pugh, who at one time or another was Traffic Commissioner for four traffic areas, in a recent conversation identified the cardinal point. The Commissioners have always been their own men. Appointed during Her Majesty's pleasure, they have been able to stamp their personalities on their traffic areas, and whilst occasionally they have upset operators and lawyers and we suspect, even secretly hope, the Department, their integrity and enthusiasm for the industries they have supervised has never been doubted.

#### Acknowledgements:

All the errors and omissions in this shortened version of the full Paper and Appendices (and I am sure there are many) are mine and mine alone. I have received particular help from Chris Heaps (Traffic Commissioner for the South Eastern and Metropolitan TA, Philip Brown the Senior Traffic Commissioner and Traffic Commissioner for the Western Area. Michael Betts (former Senior Traffic Commissioner) and Joan Aitkin Traffic Commissioner for the Scottish Area loaned some invaluable material from before the Second World War. Beverley Bell, Traffic Commissioner for the North Western Area gave insights from the distaff side. Brigadier Michael Turner in particular helped with his knowledge of the Regional Emergency Planning Committees. John Mervyn Pugh gave a wide overview and some unprintable anecdotes. Kevin Hey, University of Salford kindly put me right over one point in relation to Passenger Transport Executives and added to the information about the original Commissioners.



# The History of the Automobile Association

BERT MORRIS, DIRECTOR, THE AA MOTORING TRUST

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## Introduction

The hundred years history of the AA can be divided into four eras

- ◆ Stenson Cooke's AA
- ◆ Post World War 2 to 1964
- ◆ Alex Durie's Modern AA
- ◆ Demutualisation

The inaugural meeting of the AA was held in London's Trocadero Restaurant on 29th June 1905, but the circumstances which led to that momentous occasion lie slightly further back in history.

The 20 mph speed limit which had been introduced under the Motor Car Act of 1903 was all too frequently construed by local constabularies as a means of prosecuting motorists. Soon, in the eyes of the early motorists, such prosecutions broadened into persecution and the need for some protection for the motorist was becoming increasingly apparent. In March 1905 *The Autocar* printed a letter about motorists' grievances written by a gentleman from Wolverhampton named Walter Gibbons. He proposed a club to prevent police traps. He also suggested that cyclists wearing special badges and paid for from the club's annual subscriptions should be engaged to discover the location of the traps and give motorists warning. As luck would have it a racing driver called Charles Jarrott and his friend William Letts, were already operating a private warning system on certain stretches of the Brighton road and together with Walter Gibbons and other recruits they met at 45 Great Marlborough Street on June 8th 1905 to establish the Motorists Mutual Association. Other possible names considered at that time were:

Self-propelled Traffic Association  
Autocar Touring Club  
Automobilists Mutual Association

Events moved fast. On 26th June 1905 the executive of this body opted to call itself the Automobile Association and a day later an appeal for recruits was posted to the motoring periodicals. The object of the Association was declared to be 'to continue patrolling the Brighton road and to patrol other main roads as soon as subscriptions were obtained.' That was the only object-no promotion of automobilism, no lobbying, no free legal defence, no club premises, just protection against perceived persecution, using AA "Scouts", most of whom were ex army, to warn drivers of speed traps.

## The AA under Stenson Cooke

By 10th July 1905 the membership of the AA stood at thirty nine, almost half of whom were on the executive committee. Not surprisingly, the ensuing influx of new members, pressure for more and more patrols, the need to organise trials and a means of identifying members on the road quickly swamped the existing ad hoc arrangements. On 24th July a small sub committee was formed to concentrate on the organisation of trials, to recruit staff, to fix pay and conditions of service and to commission the design of a badge for members to put on the front of their cars. The first Secretary appointed at an annual salary of £156 stayed in post for five days leaving the way open for the appointment of the man whose name will always be synonymous with the AA: Stenson later, Sir Stenson Cooke.

When he was appointed Secretary in the last week of August 1905 Stenson Cooke knew that his tenure of office in a small and struggling organisation was bound to be precarious. Fortunately he was a man of enormous energy, enthusiasm and initiative. When faced with an urgent need to establish a telegraphic address and with none of the obvious names being available he opted at random for 'Fanum, London' a name associated with the AA to this day.

But prosecutions could not be abated, and there was a steady demand for AA patrols on other roads, particularly in the south. In October *The Times* carried an announcement from Stenson Cooke as follows " *I have the pleasure to inform motorists that the heavily trapped part of the Portsmouth road from Esher to the nineteenth milestone will henceforth be patrolled by our cyclist scouts on every day of the week. This is our first step towards that daily protection which it is the aim of our committee to establish and the funds permitting, continue on every important road, until the time shall arrive when police traps cease from troubling and the stopwatch is at rest.*"

The Association continued to enjoy a growth in membership, albeit relatively modest to begin with. At the AGM in June 1906 membership was a little over 900, but suddenly it began to expand and by the end of the year it stood at nearly 3,000 opening the way to early thoughts of other ways in which the Association might service the growing band of motorists. The five years which followed became the Association's seminal period.

However, its core task of warning of speed traps was



never far from the surface. Indeed it assumed an even more worrying status when the legality of the patrol's warnings again became an issue, thanks in the main to the actions taken by the constabulary in Surrey whose instructions were to report any person found warning motorists of the presence of the police. A number of successful prosecutions for obstructing the police ensued which in effect marked the end of organised warnings. However Stenson Cooke had anticipated such a possibility and after the Association lost an appeal the following notice was posted to all members.

TO ALL MEMBERS  
WHEN A PATROL DOES NOT SALUTE  
STOP AND ASK THE REASON.

So the onus passed to the member, who of course entered into conversation with the patrol man who just might remember to mention that the police were not far away! The tradition of saluting or not saluting lasted until 1961. Following the introduction of the new arrangements a number of legal cases were decided in favour of the Association. Appreciative motorists flocked to join and by the end of 1909 the Association could boast 12,000 members.

In passing it should, perhaps, be mentioned at this stage that the infant AA didn't always enjoy a harmonious relationship with its 'elder brother' the Automobile Club of Great Britain and Ireland, founded in 1897 (later to become the RAC) and its associated body the Motor Union. Matters came to a head when the Motor Union set up an equivalent of the AA patrol force. They were not quite the same and history was to prove that there was room for both, but in those sensitive times their very existence was sufficient to create discord.

So the AA continued its steady development, but with a constitution more befitting a tennis club. The all important committee was self electing with new members being nominated solely by those currently serving and with a dominant secretary in charge of day to day affairs. Nevertheless the system worked and a varied range of new services were introduced for the benefit of members. Reference has already been made to the introduction of the famous AA badge, soon to be followed by the erection of the first village signs so that members knew where they were! Most of such signing continued to be undertaken by the AA until the early 1930's. Selected hotels started to receive AA appointment in 1907 and the following year saw the publication of the first AA handbook. The first of many AA offices outside London was opened in Cross Street, Manchester soon to be followed, in 1908, by an office in Glasgow and the same year the Association started its foreign touring service in conjunction with other national associations within AIT and FIA adding the advice that "*some motorists like to carry a revolver for their personal protection*". Free legal advice was initiated in 1909 and in that year the Association moved to its new home in Fanum House, Leicester Square.

In the story of most institutions there is some memorable event and for the AA this took place on 17th March 1909 when at the request of the military authorities, it transported a fully equipped Guards battalion from London to Hastings and back. At the time it was a startling feat, since never before had automobiles been used on such a scale. The exercise, which attracted large

crowds, also served to improve relations between motorists and the public at large.

AA Ireland opened in 1910 and the Association amalgamated with the longer established Motor Union, with the AA title being the one to be retained. The famous winged badges were introduced in 1911 and the following year saw the first AA phone boxes, town plans were published and the hotel 'star' rating was introduced. In 1913 AA gradient signs were erected on steep hills and interpreters were established at major ports. Then came the war.

300 staff enlisted, two cycle regiments were formed, AA offices opened 24 hours for war services and members' cars were converted as ambulances for the Western Front. Membership inevitably declined as shortage of fuel meant that members had to lay up the vehicles they had managed to retain and there was great uncertainty regarding the availability of fuel in the immediate post-war years. However, among the many things which the 1914-18 war ended was the bulk of the prejudice against the motor car which had inflamed so many in the pre-war years. The times had changed, so also the AA. Many of its problems were long established, but others were new and challenging. The Association's assets had leapt to more than £250,000 whilst paradoxically membership had fallen from close to 100,000 in 1914 to about 36,000 at the armistice. However that dramatic loss was soon to be reversed, because the end of hostilities saw a rush of new members and old members seeking re-election and by 1920 membership again crossed the 100,000 threshold. There was a significant growth in calls for overseas travel assistance with relatives wishing to visit the war graves and the Association established links with James Gregson a shipping agency in Boulogne who were to remain as AA European Agent until the 1990's.

At home the Association opened its first roadside filling station on the A4 near Aldermaston in 1920, two years later patrol services were restored to pre-war levels and long standing Chairman, Sir William Joynson-Hicks resigned to join the government, to be succeeded by Charles McWhirter. By 1925, twenty years after thirty nine members had pressed ahead with its creation, membership of the AA reached a quarter of a million. New services continued to be added with free engineering and technical advice, free route for home and foreign tours and special insurance. By this time the number of village signs numbered 20,000, advance direction signs were introduced and as the 1920's came to an end the Association set up its own aviation department. Planes were used to drop messages to patrols and all airfields in the country were surveyed in order to publish an authoritative register of landing grounds. A weather broadcasting station was established at Heston from where regular bulletins about flying conditions were broadcast. Stenson Cooke was knighted in the 1933 New Year Honours and the same year membership reached half a million. By the onset of World War 2 there were 2 million cars on UK roads.

800 AA patrolmen joined the Corps of Military Police working mainly in traffic control, 600 roadside 'phone boxes were made available to the forces and Home Guard and the AA assumed responsibility for the signposting for military embarkation. Unfortunately 1942 saw the death of Sir Stenson Cooke and the end of the all important first phase of the Association's history.

### Post War 2 to 1964

The first and most significant post war development was the introduction of the free breakdown service. In conjunction with the RAC and the Royal Scottish Automobile Club, under the umbrella of the Standing Joint Committee, the Association was soon active on many fronts, including the campaign to end petrol rationing. It rankled that whilst in 1947, German motorists were entitled to 180 gallons of petrol per month, British motorists got nothing. Over 2 million motorists signed the AA petition and rationing finally came to an end in 1950 only to be re-introduced for a time in 1956 due to the Suez crisis. Membership continued to grow, HRH the Duke of Edinburgh became President in 1951 and there was a significant upsurge in the demand for overseas travel assistance with AA International Touring Service and credit vouchers being introduced in 1961. Although by then, membership had increased to 3 million, costs were rising more greatly than income.

### The Alex Durie Era

Sir Alex Durie was appointed Director General in 1964. He arrived following a distinguished career in industry and he soon embarked upon the creation of a new look/modern AA. New branches were opened, new style non-military uniforms were introduced, vans replaced motorcycles, new out of London headquarters were planned and significant changes were made both to the membership fee structure and to the, by now out of date, constitution and committee. The 5 star Overseas Touring Service was introduced as well as new look AA badges and logos. One enforced change was the introduction of the AA's own insurance cover following the collapse of the Vehicle and General Insurance Company, and the *Drive* magazine was introduced. There followed a steady stream of new initiatives especially in the fields of finance, insurance and publications. A continental breakdown centre was established at Boulogne together with AA emergency breakdown kits for the increasing number of members who were venturing abroad using the rapidly expanding roll-on roll-off ferry services. A Technical Test Centre was set up in Basingstoke, AA Relay service was introduced in 1973 and on 19th November of that year HM the Queen opened the Association's new headquarters, Fanum House, Basingstoke, sixty eight years after Stenson Cooke had chosen that name at random simply as a telegraphic address. In 1975 for the first time in the Association's seventy year history two women were appointed to the Committee, Mrs Heather Brigstocke MA, High Mistress of St Paul's School, London and Mrs Mary Chapman JP a Birmingham City magistrate. Sir Alex retired in 1977 after overseeing a transformation in the organisation which now could claim a membership in excess of 5 million. He was succeeded by Olaf Lambert who in turn was followed, in 1986, by Simon Dyer who died at an early age in 1997. The following year the RAC Motoring Services was sold to LEX and that directly or indirectly led to the most significant and hotly debated change in the life of the Automobile Association.

### Demutualisation

In 1999 the AA was sold to the commercial conglomerate Centrica for £1.1 billion. The resulting injection of funds, together with determined commercial management led to significant further growth and by the time of the Association's centenary, membership stood at 15 million.

The sale to Centrica, whose interests were subsequently acquired in 2004 for £1.75 billion by CVC and Permira, was accompanied by an agreement that the AA would make an annual donation of £1 million to the AA Motoring Trust which was formed in January 2003 as a legally and administrate separate organisation charged with carrying on the AA's role championing the interests and safety of Britain's road users.

At the heart of the Trust's work is research and information on road safety, whilst research experts contribute to government policy making, key national and international working groups developing the future of motoring, parliamentarians seeking expert briefing and the development of new ideas for better and safer motoring. Current work in this the centenary year includes: mapping Britain's safest and least safe major roads, crash-testing new cars, testing child car seats, assessing the safety of road tunnels and conducting research into various aspects of child road safety.

The distinction between the commercial activities of the modern AA and the research/ development work of the Trust represents a significant change from what has gone before. Nevertheless, the two organisations, working in harmony, are committed to the role first identified a hundred years ago; to serve and protect the interests of the British motorist.

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### Postscript

Daily Telegraph, London 30th December 2005

*"The case of a driver accused of waving his arm out of his lorry window to warn other drivers that they were approaching a speed camera could be referred to the House of Lords. Mr Glendinning, 56, a milk tanker driver from Yeovil, Somerset, appeared at Yeovil magistrates court in December last year and was found guilty of obstructing a police officer. He appealed against the decision and in March, Taunton Crown Court upheld his appeal. The Crown Prosecution Service took the case to the Court of Appeal, but the case was dismissed. Now the Director of Public Prosecutions has asked the Court of Appeal for leave to take the case to the House of Lords. The Crown Prosecution Service says that it fears that the case will set an unwelcome legal precedent." Plus ca change —*

## Management of Passenger Road Transport ~ A.R. Fearnley & R.A. Fearnley

GILES FEARNLEY, CHAIRMAN, BLAZEFIELD HOLDINGS LTD.

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Arthur Robinson Fearnley (ARF) was born in 1871 and started his working life at the age of 16 as an apprentice with the Bradford and Shelf Tramways Company Limited – operating steam trams. He had been brought up in Spen Valley in the heart of Yorkshire, his father being the congregational minister at both Buttershaw and Norristhorpe.

In 1892, at the age of just 21, he took charge of the tramways in the absence of the General Manager and Engineer, a Mr James Lynn. In 1895 Mr Lynn resigned and ARF succeeded him as General Manager, remaining with the company for a further four years. In his third report to the Shareholders of Bradford and Shelf dated 31st December 1897, ARF advised that the whole of the engines, numbering 14 cars, machinery and tools had been maintained in good working order during the past 12 months, and a new steel boiler had been purchased and two boilers had been re-tubed. Three cars had been thoroughly repaired and repainted. The whole of the engines and cars were in first class working condition and complied with the Board of Trade regulations and the by-laws of the Corporation. The financials for that year make for some interesting reading –

- ♦ Fares, advertising on engines and cars, together with sundry receipts amounted to £18,561
- ♦ Operating costs including wages, working expenses, rent of lines, rates and taxes, insurance, directors and auditors fees total £10,799.
- ♦ A profit therefore of £7,762 – a return of 42% on turnover and 23% on capital employed
- ♦ A level of return that operators can only aspire to in the 21st century!

I have a book of parcel tickets from the late 1890's. Parcel not exceeding 7lbs in weight cost 1d. What is particularly interesting is that a book of 26 such tickets was sold to parcel agents for 1/10d – a commission of 4d but to conductors for 2 shillings – a commission of just 2d. And what is more conductors had to purchase the book from the company up front.

In 1900 ARF was appointed as General Manager and Engineer with Birkenhead Corporation Tramways. According to a report from Stuart Pilcher whom ARF appointed as the Corporation's Electrical Engineer at the age of just 19, ARF was one of six candidates who were interviewed by the Birkenhead Committee, but he was the only one who did not wear a tall silk hat. ARF's

experience to date had been purely with steam trams and he appointed Stuart Pilcher shortly after his own arrival as an assistant conversant with electrical workings. One of ARF's first tasks at Birkenhead was to re-train the horse drawn tram drivers to operate electric trams ready for the first route opening on 4th February 1901. This was the first conversion of a system from horse to electric traction. Stuart Pilcher went on to become General Manager at Aberdeen, then Edinburgh and finally at Manchester before becoming Traffic Commissioner for the West Midlands.

In late 1903 ARF was appointed as General Manager of Sheffield Corporation Tramways, a position he was to hold for 33 years. He followed ALC Fell into that role, on his appointment to London. Clearly though, he was not in awe of his predecessor, within days of taking over, he wrote to Mr Fell suggesting that he might like to settle with Sheffield Corporation Tramways for his taxi fare from his home to the station as he was taking up his appointment with London County Council. My records however do not say whether the account was settled! On his arrival in Sheffield, ARF found that the whole of the bell punch ticket department, including the supervision of cashiers, collection of traffic receipts, its banking and the payment of employees' wages was out of his control, being in the hands of the City Treasurer. In July 1904 it was decided that now the department was governed by a commercial man it was reasonable for ARF to take over control of this section of the undertaking also and further separation from the Town Hall was agreed to. The Tramways undertaking moved into its own offices in April 1905.

In 1902 ARF had been one of the two founder members of the Municipal Tramways Association, later to become the Municipal Passenger Transport Association. His co-founder was Mr CJ Spencer, then of Bradford and later of the London Underground Group and they were joined almost immediately by Mr Fell and Harry England, then at Sunderland and ultimately with West Riding. ARF then served the Association in various capacities through to his retirement in 1936, including holding the posts of Honorary Secretary, President in 1912/13 and then Honorary Treasurer.

In early 1909 ARF led a deputation to Vienna accompanied by various transport committee members to examine rail-less electric traction in both Vienna and Mulhausen. He was asked to prepare a report on the

desirability of instituting rail-less electric traction. The party returned very much impressed with the trolley omnibus system, considering the bus to be far superior to the ordinary petrol buses that they had had demonstrated in Spring 1908. However, over the next three years petrol buses were improved rapidly and by 1913, the decision had been taken for motor rather than trolley buses. The first motor bus in Sheffield, an open topped double decker, was delivered on 26th January 1913 and introduced into service on 1st March 1913 on the Lodge Moor route

ARF was a great advocate of the motor omnibus and is credited as being the first municipal manager to appreciate in the earliest days of that mode, how great was likely to be its development, and how that development would upset pre-conceived ideas of the permanency of tramways. In his presidential address to the Municipal Tramways Association held in Sheffield in September 1913 he said "although, so far as I can see at present, there is little likelihood of the motorbus taking the place of the tramcar for heavy traffic, it must be remembered that great improvements are likely to be made in the efficiency of the present vehicles. I do not suppose for a moment that we shall continue very long using a gallon of petrol per 7½ miles run, and if this figure could be increased so that it compared in a reasonable way with the cost of electric power per passenger carried, and home produced motor spirit, free of duty obtained, considerable impetus would be given to the adoption of the motorbus in the provinces." If only we could achieve 7½ miles per gallon currently! His speech was about persuading the Municipal flock to take the advent of buses seriously and to see the opportunities presented.

I read that at the Dundee Conference in 1919 he gave what was described by those present as "an astonishing address", where he again urged the establishment of municipal bus services. In concluding this speech, ARF said "A writer in the 'Tramway & Railway World' recently stated that sufficient work is available for both cars and omnibuses, and that it is futile for partisans to speculate upon the disappearance of one or the other. I think this writer correctly sums up the position.

The motor omnibus is not going to supersede the electric tramcar. It can, however, serve a most useful purpose -

- ♦ For connecting up tramway routes for cross town traffic which cannot be served by tramcars.
- ♦ For relieving congested tramway routes by diverting part of the traffic along other routes.
- ♦ For connecting up the villages and rural districts with tramways and railways, and thereby providing such districts with regular and direct transport facilities which they have hitherto badly lacked.

In conclusion, I would like to suggest, and strongly press upon the notice of the Municipal Representatives present, that it is the duty of every tramway-owning municipality to undertake this work, and that the example which has been set by Birmingham, Walsall, Liverpool, Manchester and Sheffield, who are all now operating motor buses in connection with their tramway systems, is worthy of emulation and, further, that those municipalities who have not already obtained the necessary powers to work motor omnibuses would be well advised to look closely into the matter at an early date".

I suspect that what in this speech caused the description of "astonishing" was that ARF shared a number of comparative costs and revenues between tramcar and motor omnibus operation in Sheffield. This showed, for example, that measured per seat provided, whilst working expenses of motor omnibuses versus tramways was 131.3% higher, after inclusion of capital costs, this reduced to 114.1%. Traffic receipts per seat provided were then 98% higher on motor buses than tramways but that the average fare charged per mile was 130% higher.

Another interesting statistic from this paper shows that the average costs for petrol per bus mile increased from 1.683d in 1915 to 5.550d in 1919 – an increase of 330% in four years.

Again at the 1925 Conference he called on authorities who had not yet done so, to seek bus powers.

In the months leading up to the Railways Act 1928 ARF led discussions with both the London, Midland and Scottish and the London and North-Eastern Railway companies with a view to creating joint arrangements. As a consequence, Sheffield led the way in terms of such arrangements in that in January 1929 the Sheffield Joint Omnibus Committee was formed between the Corporation and the two railway companies. Commenting on the formation of this joint committee the "Tramway and Railway World" in December 1928 said – "it represents a splendid lead to the other great municipalities and is indeed an epoch making development, as it forms the first important example of railway companies making agreement outside their own industry. Such agreements are emphatically in the national interest, for whatever biased partisans may say, it would be a national disaster if the railway systems were by competition to be reduced to a condition in which they could not give the service that is required by our industries."

The agreement gave the Corporation protection within its boundary and joint operation for those services beyond. The Corporation was responsible for all operations and held ownership of all vehicles, depots and other assets with costs apportioned appropriately between respective routes. Whilst the arrangements were reviewed in 1938 and 1956 no changes in principal at all were made until its demise in 1969.

ARF was regularly to be found out of the office watching how his trams were running – often standing in dark shop doorways. The platform staff were used to this ruse and would signal each other as they passed to warn that the boss was around – usually the sign was a finger along the upper lip to signify his hallmark moustache. I remember my father telling me on many occasions that when he was a young boy, he would often be taken out in an evening by ARF to ride the trams – with ARF always putting on a pair of white gloves before boarding in order to check how clean the brass rails were! I confess to not having tried that yet in my career, albeit for Blazefield a clean bus is an absolute priority!

Tributes paid on his retirement and obituaries on his death in 1943 place on record, "that ARF had the faculty of being able to combine efficient management with wide human sympathies which endeared him to both his colleagues and to those who worked under him. He worked hard himself and expected all his staff to do the

same. He had an excellent way in the handling of men and always treated other men as equals. He was always accessible to staff at all levels". For very many years he was a member, and for a period leader, of the National Joint Industry Council. Mr C. Owen Silvers, who at that time had been General Manager at Wolverhampton for 21 years, said on ARF's retirement, that he "was unscrupulously fair and honest, a man of sterling character, of strictest integrity and of strong convictions." Another tribute said "of Mr Fearnley's many good qualities, that which his colleagues most admired was his sanity of outlook." I read that he had become known as the father of municipal bus services.

ARF retired at the age of 65 in December 1936 having overseen an increase in Sheffield's tramway system from 30 to over 500 miles. But already ARF had begun to plan the system's demise to the advantage of the motorbus. Those who worked for him and moved to other undertakings were always known as "a Fearnley man". Tramcars in Sheffield were, and continued to be for many years after, referred to by passengers as their 'Fearnley'. One particular letter that I enjoy from the Yorkshire Telegraph and Star in March 1937 says "a friend of myself, staying at a hotel in Bridlington, got into conversation with an important looking stranger who soon introduced the subject of motor cars. "Myself, I run a Rolls Royce, my wife has a Daimler and my daughter has a Riley of her own. Do you run a car sir?" He said turning to my friend "Well yes" he said with a wink in my direction "I run a Fearnley" "And a very good make of car too" was the unexpected reply.

From around the mid 1920's, Sheffield gave ARF the opportunity to use his gifts for the good of transport as a whole and from that time through to the early war years he advised a very significant number of authorities and companies. I mention just a few examples, this first list being drawn from the years before his official retirement -

- ◆ Advising the Corporations of Burnley, Colne and Nelson leading up to their private 1933 Act forming their Joint Omnibus Committee.
- ◆ He was an advisor from 1934 onwards to the London Passenger Transport Arbitration Tribunal
- ◆ Presumably picking up from his earlier involvement there, he was involved in the four co-ordination agreements between Birkenhead and Crosville between 1924 and 1938. Interestingly the Town Clerk of Birkenhead in 1924 was a James Fearnley but I cannot trace this being a relative
- ◆ In 1934/35 he worked on agreements between Doncaster Corporation and Yorkshire Traction with particular regard to the Skellow service and the purchase of Camplejohn's service. There was particular care here not to upset any arrangements with railway companies with regard to boundaries.
- ◆ In 1932 he advised Norwich Corporation to acquire for the sum of £175,000, the undertaking of Norwich Electric Tramways Company.
- ◆ The following year he advised Torquay and Paignton Corporations but following his recommendation being put to a postcard poll of electors and the negotiations conducted with Torquay's Tramway Company, it was not found necessary to make use of his report. Consequently the Town Clerk was directed to ask if ARF could see a way to make a reduction in his account. His response was that their decision did not in any way diminish the time,

thoughts and experience which had been required in the preparation of it and in the valuation which had to be made of the undertaking. He had not previously received such a request but nevertheless it seems he did discount this account.

On his retirement he said that "he would not allow himself to rust" and within a few months ARF, his wife and one of their daughters moved to Kentish Lane near Hatfield. I presume this was so that he would be better positioned to pursue his role as a Transport Advisory Consultant. Kentish Lane was situated immediately off the then A1. In some of his work, he was engaged jointly with Arthur Collins who was London based and described himself as being a Financial Advisor to Local Authorities. A few of the consultancy projects which followed retirement included -

- ◆ Working with Warrington Corporation Transport on co-ordination of passenger transport services in 1938 - such co-ordination being between principally Warrington Corporation, Lancashire United, Crosville, North Western Road Car, and a privately owned company Suburban Motor Services. This co-ordination was however complicated through Ribble operating a service for Lancashire United under a separate co-ordination agreement and also for the Salford and Leigh Corporations operating over the Lancashire United route in conjunction with earlier agreements.
- ◆ Reporting to Leicester Corporation in 1938 on the future of their electric tramways
- ◆ In 1937 working in Great Yarmouth on issues surrounding extensions of service by Eastern Counties to their new omnibus station in Wellington Road, and agreeing with Traffic Commissioners a fare of 2½d along sections of route, together with the handing over by Eastern Counties to Great Yarmouth of 1d per passenger who were both picked up and set down on common sections of route. I have ARF's invoice for his work to Great Yarmouth which amounted to £52/10s/0d plus out of pocket expenses of £7/6s/6d. Consultants in the 21st century, please take note!
- ◆ Working for the Corporation of Nuneaton investigating, inspecting and advising on passenger transport services in the borough and the advisability or otherwise of the Corporation taking powers to operate services. The view being that BMMO were becoming dominant and that if Nuneaton didn't make a move then, they would not at any time going forward have any serious concern in the direction and control of the transport network in their town. Interestingly his fee here being the same as for Great Yarmouth.
- ◆ Working on the co-ordination of Merseyside public transport services culminating in a report to the Merseyside Co-ordination Committee in January 1939. This work encompassed the Liverpool and Birkenhead Corporations, Crosville and Ribble Services, Wallasey Trams and Buses, various ferry services of the Birkenhead and Wallasey Corporations, the Mersey railway and the overhead railway. There is specific reference as to whether there should be increased use made of the Mersey Tunnel providing more direct passenger transport facilities and the effect that this would have on the various undertakings.
- ◆ Advising the Corporations of Blackburn, Darwen

and Accrington on the proposal for a joint transport committee. ARF strongly endorsed this principle and in an ideal world wanted to see Ribble's operations within the area also being incorporated, but he accepted that this was unlikely. ARF's final report was presented on 10th March 1939 but, presumably because of the onset of the war, this was not taken forward.

- ◆ In 1938 he was selected to advise the Government of Jamaica on the future of their system in view of the abandonment of tramways. He also advised here on the design and purchasing of various trolley buses and motorbuses.

Ronald Arthur Fearnley (RAF) was the eldest of ARF's four children being born in 1896. He took an indentured apprenticeship in electrical engineering and after serving in the air services during the War, he joined Sheffield Corporation Tramways and Motors and rose to the rank of Chief Assistant Engineer. Tributes say that he inherited and cultivated many of his father's attributes. In 1925 he was appointed as General Manager and Engineer to Keighley Corporation Tramways, albeit trams had last run in 1924 and he inherited a trolley and motorbus system. Keighley was the first town in the UK to replace its tramways by a trackless system and was also the first municipality to abandon an electric tramway system. His arrival was soon after the Cedes-Stoll trackless cars had been replaced by Straker Clough ones. Stanley King's History of Keighley Corporation Transport describes RAF's arrival "something like a hurricane swept through the Department, dispersing in a moment the lethargy which had seemed to characterise it for so long. Hitherto the management had been content to ply along accustomed lines, avoiding new departures except under the spur of imminent disaster, but now a feeling of vitality – brisk, keen and alert – made itself felt. South Street depot, previously a "home from home" for its employees, suddenly found itself operating in an efficient and businesslike manner, and the baggy trousers and shabby overcoats of the platform staff quietly vanished from the scene." During his four years at Keighley, revenue increased by some 60%. In 1932, three years after RAF had moved on, Keighley Corporation merged its transport undertaking within the area with that of the West Yorkshire Road Car Company forming the Keighley West Yorkshire Company.

In 1929 he was appointed as General Manager and Engineer at Southend-on-Sea Corporation Light Railways & Transport. There he saw through the Southend Corporation Bill in 1930 which authorised capital expenditure of £200,000, provided for new routes and protections for the Corporation. This Act set the foundation for Southend for the coming years.

In 1933 RAF was appointed General Manager and Engineer at Coventry, a position he held until retirement in 1962. By 1959 he had become the Senior General Manager of the Municipal Transport Industry. Like his father he was a very active member of the Municipal Passenger Transport Association and was President during 1956/7.

The Coventry blitz perhaps defined his time in the city with no other transport undertaking in proportion to its size in the country, receiving such a blow as Coventry's did on the night of November 14th 1940. Nearly half the bus fleet was put out of action and all head office records

were lost, yet by the second day many services had been restored and it was not long before the management, with the aid of more fortunate undertakings, was able to both still operate all the essential bus services together with putting on vehicles to replace the trams which never ran again. The replacement of trams at such short notice was itself no mean feat since the conversion programme by 1940 had not got very far. RAF describes the blitz as his worst moment but couples this with his most satisfying being the re-organisation of the city's transport services which followed. He described the aid received from other undertakings with the words "buses poured in from all over the place". Records document that he received great acclaim for his handling and recovery of the situation.

I am hugely fortunate in that RAF collected and kept documents with great care, for example from all three of the undertakings he led, I have record books of every ticket type, examples of internal forms, advertisements carried within buses and other papers. During the war, Coventry Transport took advertisement space in the local paper on a regular basis to give notices and information to passengers. I have three scrapbooks of these advertisements, a very few of which I now list. I think they give a marvellous insight into war-time life, the pressures on public transport together with the language of the day.

- ◆ *Incidents* – often there are two sides to an incident, and it is always our endeavour to secure both. Naturally we like it best when passenger and conductor are both right and then there is no letter or report.
- ◆ *Busy Saturday* – housewives, please make a speciality of leaving the city not later than 12 noon on any Saturday, before the works close.
- ◆ *Hail, Rain or Snow!* – Poor conditions make it necessary to strongly urge cyclists to be prepared to ride their cycles to and from work in all weathers. The bus driver appreciates their help when they keep close to the kerb, and avoid riding more than two abreast.
- ◆ *Realities!* – This winter buses will be more in demand than ever before, and although opposed to our peacetime custom, it is necessary to request you to continue to ride your cycle or walk the shorter distances throughout the winter.
- ◆ *If* – you alter your finishing time this winter, please avoid 5.30pm
- ◆ *In reverse* – to cyclists and walkers, when you wake to find it raining, please do not say – "I will go on the bus"
- ◆ *Point of View* – if you were the bus driver, you would appreciate the bell to stop in ample time. If you were conducting the bus you would appreciate the exact fare with word of the destination pleasantly.
- ◆ *Tidiness* – before you throw down any litter in the bus, please remember you are asking someone to wait on you in the fourth year of war.
- ◆ *Seniors* – there is positively no rule or regulation requiring juniors to give up their seats to seniors, but –
- ◆ *Now* – in peacetime we shall want to persuade you to ride. Now we want you to walk at busy times, unless it is essential for you to go a long distance.
- ◆ *Invitation* – please take note of the most orderly queues that you see at bus stops and don't hesitate to imitate.
- ◆ *Credit* – this morning all the buses left the garages



and dispersal points punctually – that cannot be beaten, and there is credit to those in overalls and as well as in uniforms.

In 1955 RAF was one of the founding members of the Road Operators Safety Council (ROSCO) which, fifty years on, continues to do so much valuable work.

On his retirement in 1962, RAF had run the Coventry undertaking for 29 years and during that time had seen the number of passengers carried rise to 91 million, an increase of 340% with mileage rising 3 fold to 10 million per year. This was against a background of the population of Coventry rising by 83% over this period. On being asked what was the basis of a successful undertaking RAF replied “that personal co-operation between staff and passengers was fundamental and that the importance of human relationships cannot be over-emphasised”. This extended to staff relations which, through joint consultation, were viewed at the time of his retirement at being at their very best. RAF enjoyed good health during his retirement until his sudden death in 1975.

Perhaps not surprisingly my own earliest memories, from when I was around 6 years of age, are all about buses and trams! I vividly remember the last night of the Sheffield Trams on 8th October 1960, standing and seeing the procession go by. A few days earlier that week, I remember being taken out with my father and uncle one evening for a special tram ride from Tenter Street garage. When staying with my uncle at that age, the highlight was always him taking me in an evening down to one of the Coventry depots to see the buses coming in and being washed and fuelled. I started in the industry after school joining Sheffield Transport Department in 1972, however, not maintaining the engineering and operational tradition but taking the financial side as no other vacancies existed at the time. My career took me into the early days of South Yorkshire PTE and then moving into the National Bus Company at Southdown, Northern General, East Yorkshire and Lincolnshire Road Car before being appointed Company Secretary at West Yorkshire Road Car Company in 1985. On that company’s privatisation two years later, I was appointed Managing Director and the next few years saw my involvement also extend to what was London Country Bus North East and Premier Travel Services. In 1991 Blazeﬁeld Holdings was formed via a management buy-out and I have been Chairman of that business ever since, albeit taking a sabbatical for some 5 years in the late 1990’s to move to railways, as Chief Executive of Prism Rail plc.

Blazeﬁeld now has five operating subsidiaries – three of those being in Yorkshire namely Keighley & District, Harrogate & District and Yorkshire Coastliner and two in Lancashire, Burnley & Pendle Travel and Lancashire United. What I find remarkable is the number of times that my own involvement in the industry has crossed with that years ago by both ARF and RAF. Each time this has been by pure chance. The principal examples are -

- ◆ In 1986 I was Secretary to the York West Yorkshire Joint Committee and presided over the termination of the agreement between York City Council and West Yorkshire and the purchase by West Yorkshire of York City’s shareholding. ARF had been a consultant in the lead up to this Joint Committee being formed.
- ◆ I have been responsible for bus operations in Keighley since 1987, taking over some 58 years after RAF left for Southend.
- ◆ In 2001 Blazeﬁeld purchased from Stagecoach their East Lancashire operations which, amongst other parts, comprised the former Burnley, Colne and Nelson Joint Undertaking.
- ◆ This East Lancashire acquisition also brought into Blazeﬁeld the former Accrington Corporation undertaking, which had, before its purchase by Stagecoach, become Hyndburn, along with Haslingden’s undertaking. We also purchased the former Ribble operations in the area. These operations represent two of the four which ARF had recommended to the Councils of Blackburn, Darwen and Accrington should be amalgamated under common ownership. The other two parts of that recommendation, Blackburn and Darwen, have themselves been together for many years under Council ownership and you may have seen in recent press reports that that company is now subject to a sales process.

As for Blazeﬁeld, we strive to provide high quality services through operating a modern, well presented fleet coupled with investment in our staff and service networks. With the objective of dramatically improving the image of the bus, we have now introduced what we believe to be the highest quality vehicles operating anywhere within the UK on three of our principal services. These vehicles include leather seating and are finished in a striking livery. One of these services is the X43 connecting Burnley, Nelson and Rawtenstall with Manchester and perhaps these vehicles are the modern day equivalent of Ribble’s White Ladies which once operated the service. Each year across most of our subsidiaries we achieve passenger growth.



**T**he Roads & Road Transport History Association was formed in 1992 following the success of the First National Road Transport History Symposium at Coventry in 1991. From the start, its prime objectives have been to promote, encourage and co-ordinate the study of the history of roads and road transport, both passenger and freight.

It embraces the whole range of transport history from the earliest times to the current age of motorways, urban congestion, pedestrianisation and concern for the environment. It aims to encourage those interested in a particular aspect of transport to understand their chosen subject in the context of developments in other areas and at other periods.

The Association has now become a company limited by guarantee, the Roads and Road Transport History Association Ltd, company number 5300873.

- ▶ Corporate Membership is open to societies, museums, academic institutions and other corporate bodies concerned with the study of road transport history, the preservation of archives and the restoration and display of vehicles and other artefacts.
- ▶ Individual Membership is open to any person interested in the history of roads and road transport.

*Subscription rates for the calendar year are:*

Corporate Membership £32.50  
Individual Membership £17.00

*Please apply to the Secretary:*

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