



Department for Transport

Iain Stewart MP
Chair, Transport Select Committee
House of Commons
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From the Parliamentary
Under Secretary of State
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Dear Iain,

It was a pleasure to appear before the Committee alongside my Ministerial colleagues. I am writing to follow up on points discussed during the session on 13 December 2023, where more detail was requested than we provided at the time, and provide clarification on several points, as set out below.

The Inclusive Transport Strategy

In Spring next year, we will publish the results of the final Inclusive Transport Strategy (ITS) evaluation report, a four-year study that compares the travelling experiences of disabled people with non-disabled people since the ITS was launched in 2018. This will help show us what progress has been made since the publication of the ITS and, along with your recommendations, will help us understand the areas we may need to focus on next.

I said I would provide examples of successes from the ITS, across transport modes. Good progress has been made, with the majority of the actions and commitments in the strategy either completed or notably progressed. This includes:

On **rail**, we established a Rail Ombudsman to investigate and rule on unresolved customer complaints (including on the provision of assistance and access to advertised accessibility facilities), with the power to issue decisions that are binding on the industry. We also launched a new Passenger Assist app, which has made it easier for customers to arrange assistance, and customers can now book assistance with as little as 2 hours' notice before departure from first train to last, 24hrs a day, 7 days a week.

On **aviation**, it is vital that passengers have access to information on their rights whilst flying. That is why we worked with the aviation sector, and consumer and disability groups to develop and publish the Air Passenger Travel Guide (originally published as the Aviation Passenger Charter in July 2022). The Guide provides a single point of information for passengers on their rights and responsibilities when travelling by air and what to do if things do not go as planned. The Guide includes a dedicated section on accessibility and the rights of disabled passengers.

On **taxis and private hire vehicles**, in November we published updated best practice guidance for taxi licensing authorities in England. This guidance emphasises clearly the importance of councils prioritising action to improve the accessibility of the services they regulate. This should include prosecuting drivers and operators alleged to have

discriminated against disabled passengers where there is sufficient evidence to do so. On a point of clarification from the session on 13 December, I can confirm that it is our view that in England and Wales a driver can be prosecuted by the local authority with whom they are licensed, or another local authority if the alleged offence occurred elsewhere, provided (in summary) the local authority can show that it is in the interests of the inhabitants of their area to do so.

On **buses and coaches**, we are conducting a review of the Public Service Vehicles Accessibility Regulations 2000 (PSVAR). These are the rules that govern the physical features that must be provided on buses and coaches to maintain a minimum level of accessibility. The Review is considering the ongoing efficacy of these rules and the need for change to enable them to remain effective for the foreseeable future. I hope to be able to set out the findings of the Review in the spring.

Bus and coach accessibility

In addition to the above, I wish to outline some further information and points of clarification on bus and coach accessibility.

Local and long-distance buses and coaches already provide a highly accessible service, with 99% of vehicles providing local services meeting minimum legal accessibility standards, and 99% of operators requiring their drivers to complete disability awareness training. Compliance with the Public Service Vehicles Accessibility Regulations 2000 (PSVAR) in the home-to-school and rail replacement sectors is lower. As a means of facilitating the continuation of essential services whilst operators become compliant, the Department has provided a series of exemptions. The most recent exemptions, valid until July 2026, require operators to incrementally increase their compliance each year. They progressively incentivise greater compliance with the Regulations, requiring operators to invest in the accessibility of their coach fleet throughout the life of the exemption for them to remain valid.

We recognise that the industry is seeking clarity on what further support might be provided for such services when existing exemptions expire in 2026. We are considering this matter as part of our PSVAR Review, and anticipate providing more information in 2024, within the Review response.

Regarding the accessibility of buses, we are committed to increasing the provision of audible and visible information on board local bus and coach services in Great Britain. These are the 'talking buses' I referred to at the evidence session. This year we introduced the Accessible Information Regulations (AIR). The Accessible Information Regulations are distinct to the PSVAR, relating only to the provision of information, and will by October 2026 require the majority of vehicles providing local services to incorporate audible and visible route, destination and upcoming stop information. This will help all passengers, including those who are disabled, to travel with confidence.

The Regulations were developed to balance passenger benefits with ease of implementation for bus and coach companies, and they permit operators considerable flexibility to choose solutions which work for their business and passengers. We know however how important it is that passengers who rely on audible information are able to hear it. This is why the Regulations require announcement volume levels to be set above the ambient sound volume on board respective vehicles, and for audible hearing loops to be provided for passengers in the wheelchair space or priority seating.

I should also clarify my remarks with regard to funding. We want all passengers to begin benefiting from on board accessible information as soon as possible and are committed to

providing £4.6m to support the smallest operators to comply with the Regulations. I should make clear for the Committee that the funding I referred to on the 13 December refers to the Public Service Vehicles (Accessible Information) Regulations 2023, not the PSVAR. I can confirm that we anticipate welcoming applications from small operators in the New Year through our partners the Real Time Information Group (RTIG) and will cascade further information in due course.

Rail

Minister Merriman committed to writing on two issues: derogations in service and vacancy rates. On the former, the *Trains fit for the future?* report in March 2021 called upon the Department to set out how it would ensure that train operators met the legal requirement to make their trains fully accessible, in the context of some vehicles at that point still being the subject of time-limited dispensations.

The reason for implementing a policy for rail vehicle accessibility was to ensure that vehicle owners and operators endeavoured to meet the legal deadline, introduced in 2010, for compliance by 31 December 2019. Compliance for all heavy rail fleets remaining in service beyond the December 2019 end date was actually attained by 31 December 2021 following the delivery of Greater Anglia's new fleet. Consequently, all 'heavy rail' passenger rolling stock fleets, a total of approximately 15,000 'main line' vehicles, are now compliant with the relevant accessibility regulations, the Persons with Reduced Mobility National Technical Specification Notice (PRM NTSN).

Most 'light rail' fleets (i.e. trams and metros), numbering 5,000 in total, are compliant with the regulations relevant to light rail, the Rail Vehicle Accessibility Regulations (RVAR), and compliance will increase with the current upgrades to London Underground's oldest Tube fleets.

The RVAR Upgrade Project for improvement of the Bakerloo Line's 252 vehicles is well under way, and the Central Line Improvement Project has started, which will include an upgrade of all 700 vehicles, 20 of which operate the Waterloo & City Line service. Additionally, Glasgow Subway has commenced the introduction of its new fleet, which will allow the withdrawal by mid-2024 of all of its current fleet of 41 non-compliant vehicles. Together, these will bring almost 1,000 more vehicles into targeted compliance, with the associated benefits to passengers.

For vehicle fleets built since 1999, a policy of mandatory compliance with accessibility regulations has applied. For vehicles built before 1999, a policy of 'targeted compliance' has been applied. Application of this policy balances the value to disabled people of achieving full compliance with the PRM-NTSN requirements (for example, lowering door controls by 50mm to be compliant) against the cost of doing so.

Train and station operators are required by their operating licences to establish and comply with an Accessible Travel Policy (ATP) which must be approved by the Office of Rail and Road (ORR). An ATP sets out, amongst other things, the arrangements and assistance that an operator will provide to protect the interests of disabled people using its services and to facilitate such use.

On the issue of vacancy rates, it is imperative that each operator meets the obligations in their respective ATP, as Minister Merriman made clear in the session. An ATP sets out,

amongst other things, the arrangements and assistance that an operator will provide to protect the interests of disabled people using its services. Where there are proposed staffing changes, the measures in place ensure that passengers who have not booked assistance in advance can still receive it in a safe manner. It is the responsibility of the operators to manage any vacancies and take action to ensure they have sufficient staffing at stations to meet their ATP.

We are currently in the business planning cycle for the next financial year and under their contracts, train operators are required to produce annual business plans which include the latest information on their headcount requirements. This is a live process and it is right in the first instance that operators set out their plans to address any vacancies and demonstrate these plans are sufficient to meet their accessibility obligations. DfT officials will continue to work closely with the train operating companies to remind them of these obligations.

One final point on rail to address is the incident at Euston Station regarding passenger assistance, which was mentioned during the session. This incident is regrettable and without knowing the exact details we expect all Network Rail and Train Operator Staff to work together to provide assistance to passengers where and when it is needed.

The passenger assist scheme is in place to help disabled passengers and those with additional needs to use the rail network with confidence and in safety. As part of their ATP, operators must ensure that all frontline staff undertake disability awareness training, and that staff must receive refresher training within 2 years of receipt of disability awareness or disability equality training. Additionally, the Department mandates through its contracts with train operators that all staff with management responsibilities have undertaken this training too.

Aviation

Minister Browne committed to write on two aviation issues: on the new airport security checkpoint equipment and the timing of a new Civil Aviation Authority (CAA) airline accessibility performance framework.

As announced by the Secretary of State in December 2022, airports are in the process of upgrading security checkpoint equipment. Where it is installed, this equipment will enable the carriage of larger liquid containers without the need for supporting documentation; and to leave those containers, along with electrical items, in their cabin baggage.

This new technology will bring huge benefits for all passengers. Government has long been clear about the requirement for next generation security checkpoints, and many airports have already successfully trialled passenger security scanners.

The CAA has already issued guidance on accessibility through the security screening process, and security officers are currently expected to make reasonable adjustments when screening or searching disabled passengers, regardless of the equipment in use.

In relation to the CAA airline accessibility performance framework, the CAA consulted earlier this year (closing in July 2023). This framework would be similar to the existing airport framework the CAA uses to assess performance on accessibility obligations. The CAA received 116 responses to that consultation and will publish a summary of responses in

early 2024. Further consultation may be required in 2024. An airline accessibility framework would be a tool used by the CAA as part of its regulatory functions and would not require any legislation to implement.

I hope this further information will aid you in the final stages of your ongoing inquiry, and I look forward to hearing the Committee's recommendations in the new year.

Best wishes,

A handwritten signature in blue ink, appearing to read 'Guy Opperman', is centered on the page.

GUY OPPERMAN MP

MINISTER FOR ROADS AND LOCAL TRANSPORT