

Transport Select Committee – February 2023

This submission is made by CPT – the Confederation of Passenger Transport. CPT represents bus and coach operators throughout the UK, along with suppliers to the sector. The operators of around 90% of local bus services alongside a huge number of coach operators are amongst our circa 900 members. We are the voice of the bus and coach sector.

Our sector is crucial to enabling people to get around. 60% of all public transport journeys are taken by bus and they are the primary mode of access to city centres facilitating 29% of city centre expenditure, contributing £21bn to the economy each year. They also provide an essential service for job seekers, more than three quarters of whom do not have access to a car. This is on top of enabling access to education, workplaces and leisure activities.

The UK coach sector is the lifeblood of the local and longer-distance road passenger transport system, responsible for 600,000 daily home-to-school journeys along with services for holiday-makers, sports fans and low fare travellers. There are hundreds of operators, 81% of which are individually or family run.

As we set out in more detail below, our sector has demonstrated its commitment to improving accessibility in a range of ways with huge fleet investment in fleets plus schemes such as those for mobility scooters and journey assistance cards. In addition, we believe that more than half of vehicles operating local services in England provide accessible information ahead of the legislation mandating this.

How effective is the current legislation aimed at ensuring accessible transport for all?

There is a range of legislation covering accessibility on buses and coaches. This includes The Public Service Vehicles Accessibility Regulations [PSVAR], The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations and The Rights of Passengers in Bus and Coach Transport Regulations (all as amended).

The Public Service Vehicles (Accessible Information) Regulations are due to be laid this year, introducing new requirements for the provision of audio-visual information on local services.

With the support of the bus and coach industry, the legislation has transformed the accessibility of services in the sector.

PSVAR applies to local and scheduled services. Following the introduction of these Regulations, fleets used to operate local and express coach services became accessible. This is explained in more detail below. However, bus stop infrastructure is not regulated in the same way and so some passengers with disabilities, including those in wheelchairs, are not able to board/alight an accessible bus or coach at

many locations because of lack of space to deploy the ramp or lift, or lack of suitable access to/from the stop.

How can existing legislation be better enforced to make accessible transport a reality?

We don't believe there's a current problem with enforcement in our sector.

Are operators and local licensing authorities fulfilling their legal obligations to disabled travellers and travellers with other accessibility needs? If not, why not?

The Public Service Vehicles Accessibility Regulations transformed the accessibility of bus and express coach services. Operators invested billions in low-floor or lift-equipped buses and coaches that also had a range of other accessibility features, whilst many local authorities upgraded bus-stops and interchanges. Passengers in wheelchairs and others with mobility needs were able to use buses and coaches in a way that wasn't previously possible. As mentioned above, PSVAR applies to *local* and *scheduled* services; these have specific definitions in the legislation. Unfortunately, the applicability of the Regulations to all *scheduled* services was misunderstood or unclear, resulting in significant levels of non-compliance on some home-to-school (HTS) services and rail replacement services. Legal opinions regarding the applicability of PSVAR to rail replacement services have indicated a belief that they are in scope but the fact that legal opinions were required indicates a lack of clarity in the legislation.

By legal definition, only those HTS services where a fare is paid are in scope of the Regulations meaning that a service may be in scope one week and not the next. Once the position was clarified, it became apparent that many services had been non-compliant for many years, indicating a lack of requirement/demand and enforcement. Regarding the former, it is important to note that the passengers on dedicated, closed-door HTS services are known in advance. It is usually a local authority or school that makes the arrangements for the HTS transport to operate. Clearly, any HTS passengers requiring accessibility features should be offered transport with their peers in an accessible vehicle but the transport organiser often offers alternative transport (accessible car or minibus), which the user/their parents find more convenient. It is important to note that an operator may not be aware whether the service is in scope or not due to way the Regulations are written and the information about payment of fares being held by the organiser.

It should be noted that when the requirement became widely understood, many operators invested heavily in new, second-hand or adapted vehicles in order to become compliant. However, it was simply not possible to upgrade the entire HTS fleet due to the scale of the problem; the challenge was exacerbated by the impact of the COVID-19 pandemic on the coach sector.

Recognising the high levels of non-compliance on some scheduled services as described above and the inability of the industry to upgrade its fleet in the medium term, the Government introduced a series of temporary exemptions and has commenced a full review of the Regulations.

Taking account of these exemptions, CPT believes that almost all operators are fulfilling their legal obligations at this time.

How well do complaints and compensation processes work when things go wrong?

Buses play a vital role in connecting people with work, education and social activities and remain the most used form of public transport with each person on average, taking around 30 bus trips per year¹. Bus operators want to provide an excellent (and accessible) service for customers, and research shows that generally, this is the case. Buses have high levels of customer satisfaction with 87% of passengers being satisfied with their journey.²

Bus operators take all complaints seriously. The first route of redress is contacting the operator and members of the public may use online forms or phone calls to do this. Operators make every effort to resolve complaints, but for the small number of passengers that are not content with the outcome, there is an Alternative Dispute Resolution (ADR) body. Bus Users is a registered ADR body that deals with bus and coach complaints. There are a very small number of complaints that are escalated to the ADR (only 858 in 2020/21³), set against 4 million bus journeys a day.

Further, the small number of complaints/ disputes the ADR deal with do not tend to relate to accessibility issues – only 29 in 2020/21 and 21 in the previous year (3.3% and 3.5% of total complaints made to the ADR).

94% of disputes that were rejected by the ADR (1240 in 2020/21)⁴ was due to the customer having not contacted the operator first. This is however being addressed through the development of Enhanced Partnerships which require a Passenger Charter to be developed between LTAs and operators. The Passenger Charters will provide information about how customers can share feedback or make a complaint up to three months after their journey, and set out a commitment for an operator to respond within 14 working days. If the customer is not content at this stage, the complaint can then be raised with Bus Users.

Are there specific transport modes or kinds of journeys where compliance with legal obligations is especially patchy? Are there differences according to where in the country you are travelling? What difficulties does this cause for travellers with access needs?

We don't believe there's much we can say on this beyond what we have said in response to other questions.

¹ [Annual bus statistics: year ending March 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/annual-bus-statistics-year-ending-march-2022)

² [Annual bus statistics: year ending March 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/annual-bus-statistics-year-ending-march-2022)

³ [Impact Report for Bus Users UK 2021-22 \(1\).pdf](#)

⁴ [Bus-Users-UK-Schedule-5-Repor-2021-22.pdf \(bususers.org\)](#)

How effective are the relevant regulators at enforcing accessibility in transport? These include the Equality and Human Rights Commission, the Office of Rail and Road, Local Licensing Authorities [and the Civil Aviation Authority].

In the bus and coach sector, the traffic commissioners are the primary regulators. Very few cases have been brought before the traffic commissioners for the reasons outlined above but we believe that where this has happened, a proportionate approach has been adopted.

Do current legal obligations or guidance need to be strengthened?

As mentioned above, The Public Service Vehicles (Accessible Information) Regulations are due to be laid this year. These Regulations and the associated guidance should provide clarity on an important area that has not previously been regulated. We have been discussing the detail with the Department for Transport and hope that the final version will enable an appropriately phased transition to increased accessibility in the area of audible and visible information.

CPT is also participating in the full review of PSVAR referred to above.

What best practices should transport operators be following to improve their performance on access and inclusion for users?

CPT has developed two industry schemes to improve accessibility, primarily on buses. These are the Mobility Scooter Code and the Journey Assistance Card scheme. The details are kindly hosted by Bus Users <https://bususers.org/cpt-guide-to-mobility-scooters/>

<https://bususers.org/cpt-journey-assistance-cards/>

We should encourage all bus operators and other mode providers to participate in these or similar schemes where possible.

How effective is the Government's Inclusive Transport Strategy, and how well does it influence decision-making across transport policy? How could it be improved?

As representatives of operators and suppliers in the bus and coach sector, we should say that our industry was already in a strong position in terms of accessibility when the Strategy was developed. We believe that progress on initiatives specific to our sector since the Strategy was launched have been hampered by a lack of DfT resource, the PSVAR situation that emerged and the pandemic. This is exemplified by the slow progress regarding accessible information, following the Government's consultation in 2018. However, good progress has been made in this area over the last six months or so and we believe that the Regulations and guidance will be published soon.

17/3/23