

To:

Mr Chris Heaton-Harris MP
Minister of State
Department for Transport
Horseferry Road
London, SW1P 4DR

By email:

24 June 2021

Dear Minister,

Public Service Vehicles Accessibility Regulations 2000 (PSVAR) and its application to Rail Replacement Services (RRS) – Progress Report February to April 2021

Please find enclosed the third progress report detailing the use of PSVAR vehicles during the period of February 2021 to April 2021. We committed to continuing to provide these updates following your correspondence of 11 December 2020, granting a time-limited special authorisation to coach and bus operators who provide RRS, pursuant to s.178 of the Equality Act 2010 from 1 January this year to 30 September 2021.

PSVAR compliance during this latest period remains high despite the typically scarce supply of PSVAR compliant vehicles (specifically coaches) available to Train Operating Companies (TOCs) for the provision of rail replacement. The enclosed report should be reviewed within the pandemic context. Compliance remains artificially inflated due to suppressed demand across the other markets with which rail usually competes for supply, such as tours and holidays, leading to greater availability of compliant coaches. Rail industry passenger volumes while now steadily climbing, also continued to be significantly lower during this period than was the case pre pandemic as COVID restrictions continued.

While TOCs continue to adopt all reasonable measures to secure PSVAR compliant vehicles as evidenced in the attached report, the soon to be eased lockdown restrictions are likely to impact on compliance levels as domestic tours, and holidays return in significant volumes. Increased demand from other markets for compliant vehicles, coupled with reducing fleets or businesses folding due to COVID, will likely continue to stretch the number of PSVAR compliant coaches available for rail replacement.

Despite current and pending challenges, the rail industry continues to demonstrate how seriously it takes this issue through the delivery of commitments that were established prior to the ORR's Accessible Travel Policy obligations on rail replacement and that look to go beyond PSVAR. As set out in the attached report, TOCs continue to refine and provide detail about rail replacement provision on the National Rail Enquiries website, up-to-date journey planner information about vehicle type, as well as the rollout of staff training material to improve the experience of disabled passengers when travelling.

As noted in my previous letter, we are now well into the fourth short-term special authorisation relating to PSVAR (approx. 6 months) and it is over a year since RDG submitted the 'Pathway to Compliance' proposals to the Department. To date we have had very limited engagement with any further processes which may be being undertaken within the Department to find a long-term and permanent solution and to our knowledge the stakeholder engagement, to be led by DPTAC and supported by the Department, is yet to begin. Please can your officials update us as to the planned next steps noting that the current special authorisation runs to the end of September of this year, and operational plans will need developing depending upon your decision post-September.

We stand by the principles as to how to achieve compliance on planned and unplanned rail replacement as set out in our proposals. It remains our belief that fiscal or legislative intervention is necessary for compliance to be achieved across the coach sector and I know that there has been some work within the Department to consider this in more detail. If you were able to share any thinking to date, that would be very welcome. We are also still awaiting further detail as to how the issue of rail replacement and PSVAR interrelates with the commitment to review this regulation by 2023 as set out in the National Bus Strategy.

As stated in my letter and the last data submission made in March 2021, we remain ready to push ahead, collectively and in partnership with the with DfT, DPTAC, ORR and the coach industry to reach a solution that ultimately delivers a better customer experience for passengers. I hope the level of engagement you have seen from RDG and its members on this matter, demonstrates our commitment to better customer outcomes and a sustainable solution.

As ever, should you or your officials have any queries on this matter or relating to the data enclosed, please do not hesitate to let me know.

Yours sincerely,



Andy Bagnall
Director General