



Department
for Transport

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From the Minister of State
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23rd January 2020

Dear Paul,

Compliance with rail accessibility requirements for the period 1 February 2020 to 30 April 2020

Thank you for coming to meet me at Great Minster House on 14th January 2020. As you will recall we discussed solutions to the issues that led to the requirement for me to invite applications from Train Operating Companies (TOCs) for special authorisations for non-compliant vehicles to carry out rail replacement services during January 2020. As I have made clear previously, and repeated at that meeting, it remains extremely disappointing that the rail industry and train operators cannot provide fully accessible vehicles for all passengers when providing rail replacement services. It was reassuring to hear you share my frustration and disappointment that we are in this situation.

I acknowledge the efforts the industry has made so far in terms of accessibility and the further efforts it will make to ensure that all buses and coaches carrying out rail replacement services are compliant with PSVAR. I also acknowledge that the rail industry has made significant advances in increasing accessibility for disabled passengers. Please do not think your development and launch of the interactive Access Map or improvements in inclusive staff training last year went unnoticed. We all know, though, that there is much more to do.

At the meeting I welcomed your proposals and commitment to work rapidly with coach operators, the Office for Rail and Road, DPTAC and other interested groups to produce a robust and achievable plan with a series of milestones and delivery points to show how the industry will move to providing fully compliant rail replacement services. As I stated in the meeting, I will be asking for regular updates on this from you.

I also welcomed the assurance that disabled passengers who are unable to use rail replacement services that are not compliant with the legislation are

offered taxis to their final destination and was pleased to hear this practice will continue going forward.

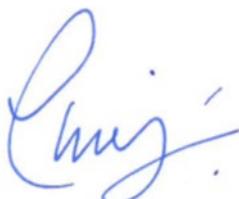
I accept that were all non-compliant coaches and buses removed from providing rail replacement services there would be a disproportionately negative effect on the provision of rail replacement services for all passengers, given the number of compliant vehicles in the market.

On the basis that I will receive a copy of your plan by the Easter Parliamentary recess, and I find it acceptable in terms of delivering my requirements, I have agreed to allow coach and bus operators who provide rail replacement services, to apply for strictly time-limited special authorisations pursuant to s.178 of the Equality Act 2010 of up to 3 months. These authorisations will have the following three major conditions attached:

1. Train Operating Companies must source and use PSVAR compliant vehicles wherever possible in the first instance, and only use the non-complaint vehicle that has been granted a special authorisation when all other options have been exhausted
2. When no PSVAR compliant vehicle is available TOCs must provide alternative accessible transport for disabled passengers, which offers the same levels of service as those for non-disabled passengers with no detriment (for example on comfort, safety and waiting times) to those passengers
3. Arrangements must be made in advance during planned engineering works to ensure such alternative accessible transport is readily available, to avoid any unnecessary and extended waiting periods for those passengers who require it – particularly if they have requested a wheelchair space or passenger assistance.

The Government's position remains the same: delivering an accessible service for every passenger on every rail journey is essential to creating an inclusive and accessible railway.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris', with a stylized flourish at the end.

Chris Heaton-Harris MP

Minister of State for Transport