



Department
for Transport

Bus Services Act 2017: Consultation on Accessible Information

Moving Britain Ahead



June 2018

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Foreword

- 1 Bus services are the lifeblood of our communities, connecting people with the places they want to go – the offices they work in, the schools and colleges where they learn, and the shops where they spend their money. Indeed, today in 2018, over sixty percent of public transport journeys are on buses, yet the information available to passengers when planning their trip, waiting at the kerbside, or travelling to their destination varies considerably across the country.
- 2 I believe that transport should work for everyone, not the few, however, and ensuring that passengers have the information they need is key to making this a reality. As such, today I am launching two public consultations with a single aim – to provide passengers with the information they need when travelling by bus.
- 3 In 2000 the Public Service Vehicles Accessibility Regulations (PSVAR) began a revolution in the accessibility of bus and coach services. For the first time new vehicles across Great Britain, had to incorporate essential facilities to break down the barriers that had prevented disabled passengers from taking the bus. Since then the provision of a wheelchair space, boarding ramp or lift, priority seating, and colour-contrasting handholds have become the norm rather than the exception across bus networks, and with 97% of the fleet in Great Britain now meeting the standards many passengers can now board with confidence that the service will meet their needs.
- 4 Whilst PSVAR marked a step-change in the physical accessibility of bus and coach services, it did not require the provision of on-board information. Unlike in the railway sector, where audible and visible announcements have become a valued part of many journeys, the same cannot be said for the bus industry, where a lack of specific regulation has led to only limited onboard provision of audible and visible information.
- 5 Whilst passengers in London have benefited from audible and visible next stop announcements for almost a decade, and those in Edinburgh, Cardiff and Reading are beginning to see and hear such benefits, there is a long way to go before every passenger can board a bus with confidence that they will know where it is heading and when to get off. The consequences of this are significant; visually impaired people report regularly missing their stop or being stranded in an unfamiliar place, deaf passengers are unable to confirm their location and wheelchair users travelling backwards in the wheelchair space are prevented from following their journey.
- 6 Research conducted by Transport Focus, the independent passenger watchdog, through the Bus Passenger Survey (2017) highlights information on board being one of the factors that differentiates a good journey from a great journey. In the 2016 Bus Passenger Survey, analysis illustrated that 60% satisfaction with information provided rises to 79% when there are next stop displays on buses.
- 7 For bus operators, in the absence of regulation, the decision of whether to provide audible and visible information has, to date, been a commercial one. For some, the answer is obvious, with accessible information contributing to overall service quality, making buses the public transport option of choice. For others though, the upfront

and ongoing costs have been too high, and with the driver available to provide information upon request, default provision of accessible information was viewed as an unjustifiable luxury reserved only for premium routes and buoyant bus markets.

- 8 I want this position to change. I think that every passenger, regardless of where they travel in Great Britain should be able to do so confident that they have boarded the correct vehicle and are travelling to the right place. With Regulations which focus on the information needs of passengers rather than the means of providing it, and a commitment to technology neutrality, I believe we can encourage the change which is so desperately needed, whilst supporting bus companies to choose the solutions which fit their business.
- 9 In this public consultation, beginning today, I am seeking your views on our proposals for addressing the information barriers which still prevent some passengers from travelling by bus with confidence. We plan to use powers in the Bus Services Act 2017 to require the provision of audible and visible information on local services in Great Britain, identifying the respective route and each stopping place. We have worked with colleagues in Scotland and Wales to ensure that the needs of bus operators and disabled people throughout Great Britain have informed the policy proposals contained in this document, and that their perspectives are understood as the consultation progresses.
- 10 Ultimately, bus services must meet the needs of the people who rely on them each day to live their lives the way they want to – and I hope our proposals will help to break down some of the barriers which continue to prevent this.

Executive summary

Introduction

- 1.1 For many regular bus passengers, local buses provide an essential service, helping them to access places which would be unreachable in their absence, at all, or without significant additional expense. All of this is as true for disabled people as it is for other members of society. In fact, the twelve million people who are disabled or who have a life-limiting illness, on average, have less access to cars or vans than non-disabled people, meaning that they rely more on public transport. On average, disabled people also make ten times as many journeys by bus as they do by train.
- 1.2 Over the past seventeen years many of the barriers previously preventing disabled people from using bus services safely and comfortably have been challenged, with the Public Service Vehicles Accessibility Regulations (PSVAR) acting as a catalyst for change in the bus sector. Today around 97% of buses include a wheelchair space and boarding ramp or lift, priority seating, colour-contrasting handholds and more easily readable destination blinds, making buses a more natural choice for disabled customers, not just the only one.
- 1.3 Despite this progress, disabled people continue to report facing barriers accessing bus services due to a lack of accessible on-board information. The Guide Dogs for the Blind Association (“Guide Dogs”) has highlighted in a number of reports the detrimental effect that a lack of information identifying upcoming stops has on those people unable to identify their location visually, to communicate easily with the driver, or to follow the journey as it progresses.
- 1.4 A number of bus operators and transport authorities already understand the challenge that a lack of information presents for some passengers, and the benefits that it can bring for all. Whilst the availability of audible and visible information has increased in the past twenty years, the majority of buses in Great Britain remain without it.
- 1.5 The predominant reasons for not providing accessible information are concerns about the up-front and ongoing costs and a view that it is either unnecessary or even detracts from the passenger experience. However, new products are reducing costs and we anticipate there being further reductions with the development of more innovative solutions for providing information, making the most of systems already found on vehicles, as well as sources of open data and speech synthesis.
- 1.6 It is unacceptable that people are still prevented from travelling, and so from reaching the places they want to go, because of a lack of basic route and destination information on-board local bus services. Those leading the way in the provision of accessible services have already shown what can be achieved, in terms of the passenger experience and access for disabled customers, by improving on-board information. We want to ensure that this passenger experience is consistently replicated across local bus services throughout Great Britain.

- 1.7 The provisions brought in by the Bus Services Act 2017 provides the means to make this change. We propose to use its powers to make Accessible Information Regulations, requiring the provision on local bus services throughout Great Britain of audible and visible information identifying the route and direction of respective services, each upcoming stop and points at which diversions start or end. We intend to specify when this information must be made available and to what standard, but crucially to leave it up to operators to select the equipment or process that works for them.
- 1.8 We will also propose exemptions and an implementation approach which recognises the risks to smaller operators and those with marginal services, that avoids placing burdens on community transport, which reflects the value of heritage vehicles, and which avoids endangering services provided with the smallest vehicles.
- 1.9 Unlike other provisions brought by the Bus Services Act, the Accessible Information Regulations, extend across Great Britain. It is our intention that the requirements we implement should work in England, Scotland and Wales. To that end we have engaged with stakeholders in all three nations and will continue to work with colleagues in the devolved administrations to ensure that the voice of the people and organisations they serve is understood during this consultation process.
- 1.10 Today we are embarking on a six week public consultation, during which we want to hear from you. We are clear that passengers must have the information they need to travel with confidence and that bus operators must have the flexibility to innovate in its provision, but we do not have all the answers. The following pages explain our proposals; we encourage you to share your views on these proposals so we can improve the policy and ensure it works for passengers and operators alike.

How to respond

The consultation period began on 05 July 2018 and will run until 16 September 2018. Please ensure that your response reaches us before the closing date. If you would like further copies of this consultation document, it can be found at <https://www.gov.uk/dft#consultations> or you can contact caitriona.moore@dft.gov.uk if you need alternative formats (Braille, audio CD, etc).

Please send consultation responses to:

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When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

There will be consultation events on the following dates:

10 July - Leeds

12 July - Milton Keynes

17 July - Birmingham

19 July - Bristol

If you would be interested in attending these events, please contact amy.evans@odileeds.org.

Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

1. Accessible information on board local bus services

What we want to achieve

- 1.1 We want bus services to be the transport of choice for passengers on local journeys, and for each of those passengers, wherever they live, and wherever they are travelling, to be able to reach their destination in comfort, safety and with confidence.
- 1.2 For disabled people in Great Britain local buses provide an essential service, as they do for other members of society. They link people with places – allowing them to access education, employment or social opportunities. Yet, for many, the bus currently presents barriers to their active participation in everyday life. For visually impaired passengers, the deaf or hard of hearing, those with cognitive impairments, autism, or mental illness, a lack of information provision on the bus can inhibit their ability to travel safely and with confidence.
- 1.3 Nobody should have to travel like this, or be prevented from travelling in the first place. We intend to introduce Accessible Information Regulations (AIR) to ensure that passengers using local bus services in Great Britain have the information they need to travel safely and with confidence, to know both where they are and where they are going, and to remove any fear that a journey will take them anywhere other than the place they want to go.
- 1.4 We want every passenger to benefit from the kind of on-board information revolution which has been experienced on bus networks in London, Brighton, Nottingham and Edinburgh. We know that such provision, introduced to support disabled people, is popular with passengers more generally – helping tourists to find their way in unfamiliar places and removing the need to peer out the window constantly lest they miss their stop. But we also want to help the bus industry to introduce this service in a sensible and fair way.
- 1.5 Whilst we are clear that accessible on-board information is important for passengers, we know bus operators are best placed to choose the implementation approach which best suits their needs – including the market they operate in, their corporate brand and the equipment and services they already make use of on-board their buses. We also know that, for some operators and routes, the provision of information will impose costs beyond those which are already part of their business model, and that they may need longer to comply.
- 1.6 The Accessible Information Regulations, as proposed here, aim to make bus travel easier for passengers, without endangering the services they rely upon; to ensure they have the information they need without being overly prescriptive; and to mandate appropriate standards, whilst remaining technology neutral and delivery-approach agnostic.

Current position

- 1.7 For many regular bus passengers, local buses provide an essential service, helping them to access places which would be unreachable in their absence, at all, or without significant additional expense. All of this is as true for disabled people as it is for other members of society. In fact, the twelve million people who are disabled or who have a life-limiting illness, on average, have less access to cars or vans than non-disabled people, meaning that they rely more on public transport. On average, disabled people also make ten times as many journeys by bus as they do by train.
- 1.8 Over the past seventeen years many of the barriers previously preventing disabled people from using bus services safely and comfortably have been challenged, with the Public Service Vehicles Accessibility Regulations (PSVAR) acting as a catalyst for change in the bus sector. Today around 98% of buses include a wheelchair space and boarding ramp or lift, priority seating, colour-contrasting handholds and more easily readable destination blinds, making buses a more natural choice for disabled customers, not just the only one.
- 1.9 Despite this progress, disabled people continue to report facing barriers accessing bus services due to a lack of accessible on-board information. The Guide Dogs for the Blind Association (“Guide Dogs”) has highlighted in a number of reports the detrimental effect that a lack of information identifying upcoming stops has on those people unable to identify their location visually, to communicate easily with the driver, or to follow the journey as it progresses.
- 1.10 In 2014, Guide Dogs research found that 7 in 10 visually impaired respondents had experience of a bus driver forgetting to inform them when their stop was reached, and 23% of disabled respondents had at some time been left more than a mile from their intended stop. Furthermore, 36% of disabled respondents said that the need to travel by bus prevented them from going out but 97% said that they would either begin using buses for the first time, or use them more, if audible and visible information was available on-board.¹
- 1.11 It isn't only disabled people who benefit from the provision of on-board information. In the most recent Bus Passenger Survey, Transport Focus found that passenger satisfaction with information provision rises sharply where announcements and displays are present, with a satisfaction rate of 61% rising to 82% where audible information is provided, and 60% rises to 79% where there are next stop displays on-board. This tallies with what operators tell us, noting that the provision of audible and visible information is beneficial to a range of passengers, not just those who are disabled or tourists but to others who simply want to enjoy their journey without worrying constantly about their location.
- 1.12 A number of bus operators and transport authorities already understand the challenge that a lack of information presents for some passengers, and the benefits that it can bring for all. Companies including Brighton, Reading, Trent Barton and TransDev report seeing the provision of audible and visible information as an integral element of high value customer service, and Transport for London has referenced anecdotal evidence of high rates of satisfaction with information on-board services in London. But for every company which recognises the benefits, there are several more who do not. Whilst the availability of audible and visible

¹ “Destination Unknown, Guide Dogs for the Blind Association (2014)

information has increased in the past twenty years, the majority of buses in Great Britain remain without it.

- 1.13 The predominant reasons for not providing accessible information are concerns about the up-front and ongoing costs and a view that it is either unnecessary or even detracts from the passenger experience. However, new products are reducing costs and we anticipate there being further reductions with the development of more innovative solutions for providing information, making the most of systems already found on vehicles, as well as sources of open data and speech synthesis.
- 1.14 In summary, it is unacceptable that people are still prevented from travelling, and so from reaching the places they want to go, because of a lack of basic route and destination information on-board local bus services. Those leading the way in the provision of accessible services have already shown what can be achieved, in terms of the passenger experience and access for disabled customers, by improving on-board information. We want to ensure that this passenger experience is consistently replicated across local bus services throughout Great Britain.

Legislative context

- 1.15 In December 2000, Public Service Vehicles Accessibility Regulations 2000 were introduced under the Disability Discrimination Act 1995 aiming, for the first time, to result in a local and scheduled bus fleet which met the needs of wheelchair users and other disabled people. Consistent with its equivalent legislation in the railway sector, the Public Service Vehicles Accessibility Regulations 2000 (PSVAR) required the provision of facilities, including a wheelchair space, priority seating and colour-contrasting handholds and step edges to enable disabled passengers to board, alight and travel in comfort and safety.
- 1.16 Unlike the Rail Vehicles Accessibility Regulations 1998 (RVAR) however, PSVAR did not include any provision for the making of announcements or the displaying of information identifying the route and upcoming stops. This has since been identified as a significant omission by organisations representing the interests of disabled people. In certain areas, the provision of such information has grown significantly in prevalence during the intervening period. This has been particularly true in London. Today virtually every bus on the Transport for London (TfL) network provides passengers with audible and visible information, not only giving disabled passengers the confidence to travel, but helping tourists and others unfamiliar with bus routes.
- 1.17 Through its Talking Buses campaign, Guide Dogs has called on Government to amend the PSVAR to require the provision on new vehicles of equipment to provide audible and visible information. To be consistent with other PSVAR requirements this approach would have necessarily involved the specification of methods by which information would be provided, and the standards it would need to meet – enabling a vehicle examiner to confirm its presence. It is likely however, that it would have been costly to implement, artificially constraining for operators and technology developers, and would not, in and of itself, have ensured that equipment was used for its intended purpose.
- 1.18 In 2016 an opportunity arose to use the Bus Services Bill to improve the accessibility of services. The Bill was primarily focused on providing local authorities with the tools to improve local services through franchising and partnership arrangements, and also to widen the availability of information on

services through open data provisions. Government responded to calls for greater provision to be included, protecting the interests of disabled people travelling by bus by amending the Bill to provide powers to require the provision of audible and visible information on local bus services throughout Great Britain.

- 1.19 In contrast to proposals for amending PSVAR, the requirement in the Bus Services Bill was to be focused on the provision of information rather than the installation of specified equipment. The aim was therefore to create significant benefits for passengers whilst enabling operators to choose solutions which best fit their business.

Consultation Proposal

- 1.20 It is intended that the Accessible Information Regulations should apply only to bus services that are local services, as per s2 of the Transport Act 1985. The definition of local bus services would include those services carrying passengers paying individual fares, on routes with stopping places less than fifteen miles apart. In practical terms local services are generally those operated by buses on routes within, or radiating from, towns or cities.
- 1.21 The Regulations should be able to be implemented in a proportionate and fair manner, balancing passenger benefits with the need to maintain services and minimise negative impacts for smaller operators. Whilst our analysis demonstrates that the provision of audible and visible information is beneficial for passengers and operators alike, there is less benefit to the smallest operators. Therefore, we are proposing to make use of exemptions for certain categories of vehicle or service. This will be explained in more detail later in the document.
- 1.22 We also understand that both bus services and passenger expectations may be different across the three devolved nations of Great Britain. We are required to consult with Scottish and Welsh Ministers but, for the new requirement to be applied consistently and work for passengers and operators across Great Britain, it is essential that engagement with the devolved administrations and the citizens they represent is meaningful. It is for that reason that we encourage your responses to this consultation.
- 1.23 We propose to make Regulations requiring the provision of information on-board local bus services in Great Britain. To be compliant, information will need to be:
- Provided both audibly and visibly;
 - Provided at specified points on a journey when it can be used by passengers;
 - Be discernible by passengers throughout a vehicle, and by people using audible induction loops;
 - Not be provided solely in a manner which requires users to purchase or possess smart devices in order to access it;
 - Be timed so that it is useful in informing passengers decisions whether to alight; and
 - Of a quality which allows a Specimen Person to discern it at the furthest extent possible within each deck of the vehicle.
- 1.24 These standards have been developed in order to achieve a balance between passenger benefits and flexibility for operators. In addition to these requirements, it

is our intention that guidance will provide greater detail on how operators can meet them through the solutions they choose, and how they can ensure more generally that information meets the needs of passengers.

- 1.25 Further detail on each aspect is provided in this document, as well as the implementation periods, exemptions and guidance which will be provided. Feedback is welcome and a full list of questions is provided later in this document.

2. Legislative and Non Legislative Options

Introduction

- 1.1 In the introduction to this document we outlined the shortcomings of the existing legislative framework, and we proposed a legislative response to the challenge identified. In this section we will further explore the case for taking action and explain why we believe that action should take a legislative form.

Options for ensuring provision of accessible information on buses

- 1.2 The Impact Assessment compares one non-legislative and three legislative options against the counterfactual “do nothing” option. The three legislative options differ principally on the issue of implementation timescales which will be discussed later.
- 1.3 Whilst the Equality Act powers were created with the intention of using legislative means, it is appropriate at this stage to reconsider whether such an approach remains the most effective and appropriate means of achieving our aims. Our overall aims in seeking to increase the availability of accessible information on-board buses are to:
 - Remove the barriers that disabled passengers face, when travelling by bus, due to a lack of consistent, timely and accurate on-board information;
 - Enable passengers throughout Great Britain to expect a consistent level of information to be available on-board any local bus service they use;
 - Enable the bus industry and market for associated technology to innovate in the provision of on-board information;
 - Make the most of synergies between real time information systems, the open data regulations and the systems which can be used to provide audible and visible information;
 - Avoid disproportionate costs on smaller operators, particularly where this would risk the viability of existing services; and
 - Enable any differences in the bus markets, legislative frameworks, and passenger's expectations in England, Scotland and Wales to be reflected in the requirements.
- 1.4 In addition to these aims, it is important that any approach taken is cost effective and capable of being implemented within a reasonable period of time. This will be to ensure that passengers begin experiencing the benefits of improved accessible on-board information, in areas where it is not already provided, within years rather than decades.

Non-Legislative Approach

- 1.5 The non-legislative approach envisages the development with industry partners of a Code of Practice on the provision of accessible information on-board bus services. A centrally resourced "Recognition Scheme" would be used to encourage operators to sign up to the Code, by issuing a mark indicating their commitment to providing accessible information based on independent audits of their compliance..
- 1.6 Such an approach would provide operators with a voluntary framework within which to develop their solutions for providing information and would support them with ideas and options for improving quality and cost effectiveness. Recognition of those operators fulfilling the core requirements would help to incentivise uptake and contribute to operators' inclusivity "brand".
- 1.7 Whilst this approach would potentially realise some benefits for passengers, a lack of legislative information standards would potentially result in a variance in the timeliness and quality of information provided and fail to provide a consistent passenger experience across Great Britain. It is unlikely that such a Code would be signed up to by operators other than those for whom accessibility is already a significant priority.
- 1.8 Whilst the lack of a mandate would have the benefit of enabling smaller operators to opt out if required, which is the principle benefit of a non-legislative approach, as only those operators who felt it was viable to provide accessible information would do so. In practice this is likely to mean that few medium to small operators would provide such information, preventing the imposition of disproportionate costs but also constraining significantly the benefits for passengers.

Legislative Approach

- 1.9 The legislative solution is a regulatory requirement for the provision of specific categories of audible and visible information on local bus services in Great Britain, at times and to standards set in legislation. Smaller operators would have longer to comply than larger ones, and exemptions would be made for medium and small minibuses, heritage vehicles and services covered by permits issued under Sections 19 and 22 of the Transport Act 1985 ("Section 19 and 22 Permits")²..
- 1.10 Such legislation would remove the barriers faced by passengers in a consistent, timely and accurate way across the majority of operators and services as the proposed approach would result in the vast majority of operators needing to comply within a six year period, meeting the same information standards, except for a very small number of heritage vehicles, which would be exempt from part of the requirement. Whilst consistency would be patchy between the second and sixth years following commencement of the legislation (since implementation of the legislation would be staggered during that period), it would eventually result in an increasingly consistent level of audible and visible information provision across services in Great Britain. Whilst the information standards would identify minimum requirements for information provided they should be agnostic as to the methods used to achieve them, supporting innovation in the sector.

² Permits issued under section 19 relate to the use of vehicles by educational and other bodies whilst permits issued under section 22 relate to the use of vehicles for community purposes i.e. community transport operators.

- 1.11 The legislative approach is designed to minimise negative impacts on smaller operators, by delaying application of the requirement to their fleets and to any vehicles nearing the end of their lifespan. It also recognises the disproportionate burden that would likely be placed on community transport operators and those³ using small or medium sized minibuses to run services, and exempts them from the requirement altogether.
- 1.12 Sections 181A-181B of the Equality Act 2010 provides the powers necessary to make Accessible Information Regulations. Section 17(4)-(6) of the Bus Services Act 2017 makes amendments to other legislation that allows the requirements of the Regulations to be enforced by Traffic Commissioners.
- 1.13 Although we intend for the legislative requirements to be technology neutral, we appreciate that many operators will choose to implement the requirements using technological means. Engagement with technology suppliers has evidenced that it would be possible to step up production and installation as necessary to meet demand, even if it increased significantly over a relatively short period of time. The implementation timescales proposed would stagger implementation over a period of four years, and focus initially on the newest vehicles, providing time for the cost of solutions to potentially reduce and installation methods possibly to be streamlined ahead of the Regulations applying to older vehicles and smaller operators.

Preferred Approach

- 1.14 Having considered the merits and disadvantages of both a legislative and non-legislative approach to increasing the availability of accessible information on buses, we are clear that a legislative solution, using the powers provided by the Equality Act 2010 (as inserted by the Bus Services Act 2017), is the only viable means of balancing the needs of passengers with the priorities of bus operators.
- 1.15 Ministers took action, in amending the Bus Services Bill, in part, because of the bus industry's failure to address a clear equity issue voluntarily, despite the availability of mature solutions for providing information and a recognition of its value through provision on premium services. The continued absence of widespread provision leads us to lack confidence that a voluntary approach, albeit incentivised with a recognition scheme, would result in provision which is sufficiently consistent and reliable to meet our overall aims.
- 1.16 With this in mind the remainder of this document is predicated on the understanding that we will proceed with the legislative approach summarised in the introductory section and expanded on in the following pages.

3. Information to be provided

Introduction

- 1.1 At the core of the new measure will be a requirement to provide information on-board bus services. The powers, inserted into the Equality Act 2010 by s17 of the Bus Services Act 2017, enable Regulations to specify the categories of information that can be required, including:
 - a. The name or designation of the local service;
 - b. The direction of travel;
 - c. Stopping places;
 - d. Diversions; and
 - e. Connecting local services.
- 1.2 In this section we specify the categories of information we propose to require, in what form such information should be provided and the rationale for the intended approach.

Options for information to be provided

- 1.3 It is proposed that we will require the provision of information on local bus services in England, Scotland and Wales, identifying the respective route and direction, each stopping place, and points at which a diversion begins and ends.
 - a. The name or designation of the local service.**
- 1.4 We intend to use this power to require the provision of information identifying the route on which the respective service is running. This might be provided in the form of a route number, name or other designator, and operators would be free to determine how the information should be framed.
- 1.5 Information identifying the route on which a service is running is important to provide passengers with confidence that they have boarded the right vehicle. This information will be of most value to people boarding a service, or requiring reassurance that they are on the correct route as the journey progresses.

b. Direction of travel.

- 1.6 It is intended that this power will be used to require the provision of information identifying the direction in which a vehicle is travelling on its specified route, and it should be provided in conjunction with information identifying the route itself. It is noted that directions may be indicated in a number of ways, such as the final stopping destination, or a compass point or direction around a circular path. This will be reflected in the Regulations in order to provide operators with flexibility as to the precise description used.
- 1.7 In conjunction with information identifying the route, this information is important to provide passengers with reassurance that they are travelling not only on the right route, but in the intended direction. It would be of particular value at points when passengers board the vehicle, and its repetition at appropriate points would provide ongoing assurance.

c. Stopping places

- 1.8 We intend to use this power to require the provision of information identifying each upcoming stop immediately preceding the point at which it is reached. It is envisaged that this would take the form of a name or other descriptor by which a stopping place is known, and that operators would be free to choose both the descriptor and the manner in which it is framed.
- 1.9 The provision of next stop information is important to enable passengers to follow the progress of their journey and to identify the appropriate point at which they must signal to the driver their wish to alight. It is our view that this information should be provided for every stopping place at which a service is scheduled to stop in order to provide a consistent passenger experience across services and operators.

d. Diversions

- 1.10 It is proposed that this power should be used to require the identification of a point immediately before a service begins a diversion from its scheduled route, and a point immediately before it resumes the route. The information should be provided in such a way as to enable a passenger to alight the service before a diversion begins, or at the first stop following its resumption.
- 1.11 Passengers have indicated that understanding when a service is about to begin a diversion is essential for enabling them to make informed travel choices. We understand however that provision of information beyond the points at which diversions begin or end may be problematic, depending upon the information available to operators or drivers, and the sophistication of any system for providing information. We believe the preferred approach strikes the right balance between giving passengers sufficient information to understand the change in their journey and creating a workable requirement for operators.

e. Connecting local services

- 1.12 This power would enable the Regulations to include a requirement to provide information on other local bus services departing from stops at which the service on which information is being provided is scheduled to call at.

1.13 Whilst such information is already provided visibly on a number of services, including where they connect with railway services, we are not aware of it being provided audibly. The power was included in the Primary legislation in order to provide a degree of future-proofing, so that such information could be required in the future if its provision became simpler, more cost effective, and more prevalent across the transport industry. It is however our understanding at this stage that such a requirement would be burdensome to meet, and would artificially constrain the range of solutions available for complying with the overall Accessible Information Regulations. It is therefore our intention that this information will not be required at this time.

Other information

1.14 It is proposed that nothing in the Regulations should prevent an operator from providing additional information beyond that which is required by law, so long as the timing or quality of that information does not disrupt the timely, accurate and discernible provision of required information. It is also intended that operators should be free to frame information as they wish, such as by adding additional descriptors or explanations to complement required information (i.e. “this is route 65” or “the next stop is George Street, change here for the library.” Whilst additional information on diversions, beyond the identification of their beginning and end, would not be required, operators may wish to provide it.

Consultation Questions

AIR01. Do you agree that the Core Proposal is an appropriate response to the need for change identified in this document? Please explain your answer.

AIR02. Do you agree that the proposed list of required information is an appropriate use of the powers available? Please explain your answer.

Please submit your answers on the online form linked to from the end of this document. Alternative response methods will be considered on an individual basis.

4. Types of Information

Introduction

- 1.1 Section 181A of the Equality Act 2010 provides powers to specify how required information must be provided, including “requiring information to be both announced and displayed.”
- 1.2 In this section we discuss our preferred approach for the type of information to be provided and the rationale behind the proposal.

Options for provision of information

- 1.3 Whilst accessible information is seen by some as being of use primarily to visually impaired people, unable to identify the vehicle location visually, the development of Guide Dogs’ talking buses campaign and our engagement with disabled people has demonstrated potential benefits for a wide range of disabled passengers and also those who are not disabled.
- 1.4 In order to realise those benefits, it is our view that required information should be provided consistently in both audible and visible formats. In developing this view we considered a number of other approaches including a requirement to provide information only in audible formats, and a media-agnostic approach specifying only that information should be provided through at least two media channels.
- 1.5 The advantage of a requirement to provide information only through audible means is a potential significant reduction in costs for smaller operators. This would however remove or reduce the potential benefits for people who are deaf or hard of hearing, or who have dual sensory loss. A reliance on manual announcements could also reduce the consistency of information provision, and potentially confuse drivers’ duties with respect to the making of oral announcements.⁴
- 1.6 The media agnostic approach considered the provision of information through tactile media, such as a vibrating wristband alerting passengers when their stop was reached, however it was determined that the likelihood of such a method being able to provide sufficient information to anybody wishing to access it was low.
- 1.7 The Bus Services Bill was therefore amended with the intention of providing powers to require the provision of audible and visible information, except where a specific exemption applies. Exemptions will be discussed later in this document.

⁴ Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990

5. Timing of Information Provision

Introduction

- 1.1 For audible and visible information provision to be of benefit to passengers it is essential that it is provided at points during a journey when a passenger can use it to take action. For instance, to signal to the driver their wish to alight, and for the driver to have sufficient time in which to stop. We are however aware that bus routes vary considerably, and that a “one size fits all” approach is unlikely to work.
- 1.2 With this in mind our aim in specifying the points at which information should be provided is, wherever possible, to focus on the desired outcome, rather than on specific distances or periods of time. This may not be possible in all circumstances, but we would be interested in consultees’ perspectives on this issue and how we can apply a standard approach that works in all situations.
- 1.3 In considering the timing issue we are also conscious of the negative effects of information or sensory overload for some passengers e.g. for passengers with autism, which could inhibit their ability to travel independently. Our wish is to strike an appropriate balance between providing sufficient information to enable passengers to make decisions based upon it, but not so much as to create a more challenging environment for some passengers.
- 1.4 In this section we explain our proposals with respect to the timing of information provision and, where appropriate, the alternative options we have considered.

Options: Information identifying the route and direction.

- 1.5 It is our view that the Accessible Information Regulations should require operators to provide information identifying the route and direction of respective services at points in a journey where it can reassure passengers that they are boarding, or are continuing to travel on, the service they intended to use.
- 1.6 We have identified two options for the timing of this information: providing it at the location of each scheduled stopping place; or providing it at each scheduled stopping place at which the vehicle stops.
- 1.7 The latter option of providing the information only at scheduled stopping places where the vehicle stops would provide a more proportionate response – ensuring that passengers boarding the bus are provided with reassurance as to its route and direction, and that existing passengers are also reminded but avoiding the provision of unnecessary and potentially distracting announcements.
- 1.8 With this in mind it is our intention that the provision of this information should be timed to coincide with the period during which the front passenger doors of the vehicle are open at scheduled stops. Where the vehicle passes through a

scheduled stop without opening its front passenger doors the information would not need to be provided.

- 1.9 It is also our intention in specifying the period during which information should be provided that information provided audibly need not have been provided in full before the passenger doors are closed and the vehicle moves away. Whilst there is some risk that at quieter stops an audible announcement of the route and direction may not have finished before the vehicle pulls away, preventing a passenger from deciding not to board after all, this is preferable to artificially lengthening vehicle dwell times at stops, which would likely add significant financial burdens for operators and frustrate passengers whose journeys are slowed as a result.

Options: Information identifying each stopping place.

- 1.10 A range of views have been expressed to us regarding the frequency and timing of next stop announcements. Representatives of disabled passengers have been clear that information must be provided for each scheduled stop on a route and the timing must enable passengers to identify which stop it refers to, for that information to be useful to passengers.
- 1.11 We understand however, that some bus operators already providing audible and visible information on their services do so only for principle stopping places in order to avoid overloading passengers with information, particularly on long routes with frequent stopping places. We believe that there are other ways of managing this, for instance, an operator might minimise the number of framing words used in announcements.
- 1.12 We believe it is important for a national requirement to be implemented in a consistent manner so that passengers can be sure that their intended destination will be announced. We are proposing that information about every scheduled stopping place is announced and displayed, and that information is provided before the scheduled stopping place to give the passenger enough time to signal to the driver that they wish to alight the vehicle at the stop in question, save that such information must not be provided before the preceding stopping place.

Options: Information identifying diversions

- 1.13 Notifying passengers that a service is about to divert from its scheduled route, or to re-join it following a diversion is important to give passengers control over their journey and confidence that they can continue to track its progress. As discussed already however, the provision of complex diversion information, including the stops that will be omitted or added, may be problematic and costly for some operators. We understand that the timing of information provision can also be challenging, given that diversions may be planned months ahead or implemented without prior notification, and that any standard would need to be sufficiently flexible.
- 1.14 It is our intention that information notifying passengers that a diversion will begin shortly should be provided at a point on the scheduled route where a passenger relying on that information might still alight the vehicle to make alternative arrangements, but that it should be defined in such a way as to avoid penalising operators of services which are subject to ad hoc diversions where it was not possible to do this. We are however currently unclear as to how such a distinction might be made, and would welcome views on the necessity of making it.

- 1.15 We also propose that information identifying the point at which a vehicle re-joins its scheduled route should be provided in sufficient time to enable a passenger to leave the vehicle at the first scheduled stopping place following its resumption.
- 1.16 As noted previously, we do not intend to require other information relating to a diversion to be provided, but neither will anything in the Regulations prevent an operator from choosing to embellish required information with additional contextual information to support passengers. We will consider how we can use guidance to help operators with this point.

Preferred Option

1.17 We propose to specify in Regulations that:

- Information identifying the route and direction begins to be provided whilst the front passenger doors are open at every scheduled stop at which the vehicle calls;
- Information identifying upcoming stops is provided for each scheduled stopping place no earlier than the previous scheduled stopping place and in sufficient time to enable a passenger relying on the information to signal to the driver that they wish to alight, and to alight, the vehicle at the respective stop;
- Information identifying the point at which a diversion begins is provided at the last point at which a passenger relying on the information can leave the vehicle prior to the start of the diversion; and
- Information identifying the end of a diversion is provided in sufficient time to enable a passenger relying on the information to alight the vehicle at the first scheduled stopping place following the resumption of the scheduled route.

Consultation questions

AIR03: Do you agree that the proposed information timing requirements are appropriate? Please explain your response.

6. Quality of Information

Introduction

- 1.1 Section 181A of the Equality Act 2010 includes a power to include in Regulations specification of "...standards for the provision of information, including standards based on an announcement being audible or a display being visible to a person of a prescribed description in a prescribed location⁵."
- 1.2 As discussed previously, in specifying requirements for the provision of information we are attempting to balance the need to ensure passengers receive that information in such a manner as to support their journey and provide them with greater confidence, whilst avoiding constraining operators in their choice of solution.
- 1.3 This balance is particularly challenging to achieve with regard to the specification of quality standards for information provision, where a lack of adequate standards could result in information which is unusable by passengers, but too much could inhibit innovation and choice, and increase costs for operators.

Options for information quality standards

- 1.4 In considering this issue we have identified three broad options:
 - Not specifying quality standards and relying instead on guidance to operators;
 - Specifying quality standards in absolute terms (i.e. the volume of announcements or the text size of displays); and
 - Specifying quality standards in terms of the intended outcome.
- 1.5 Not providing any standards in legislation would allow operators maximum flexibility in the provision of on-board information, however it would likely fail to give passengers confidence that their information needs will be met reliably and consistently. Representatives of disabled passengers have alleged that bus drivers sometimes reduce the volume of audible announcements or turn them off altogether, seemingly unaware of the effect on passengers who rely upon them. Failing to provide some form of quality standard would risk allowing such behaviour to continue, undermining the overall information requirement.
- 1.6 We remain of the view that an outcome based measure would be preferable to a prescriptive specification. We believe the latter would not be consistent with a technology-neutral information requirement and could constrain operator's choice, prevent innovation and stifle reductions in cost. Specifying the size and contrast ratios for displayed text, or the volume, pitch and speed of audible announcements

⁵ s.181A(4)(c), as inserted by Bus Services Act 2017, s.17(1).

could result in unintended consequences, with solutions unable to flex to meet the individual needs of operators and services.

- 1.7 In contrast, a measure focused on the ability of passengers to discern information at prescribed points would provide operators and developers with a clear standard to work with, focused on the needs of passengers, and promoting the development of innovative solutions. We have also considered how such a standard might be defined, including how the needs of wheelchair users in the designated wheelchair space, and people who use hearing aids, may be taken into account.
- 1.8 In summary, we propose to base the standard for the quality of information provision on the ability of a specimen person to discern information (i.e. to read a display or understand announcements) at the furthest extent possible from the source of that information on either deck of a vehicle. The “specimen person” would be expected to have average vision and hearing, on the basis that, if somebody with their sight and hearing can discern information accurately at the greatest distance possible from a loudspeaker or display, then people with impaired residual hearing or vision may be able to discern information from a closer point to its source.
- 1.9 The Specimen Person would need to be able to discern visible and audible information whilst seated in the designated wheelchair space. We understand from wheelchair users that facing backwards in the wheelchair space can be disorientating, and may prevent them from seeing information provided visibly. Therefore a wheelchair user travelling backwards on a vehicle should be able to access both the audio and visual announcements i.e. the screen should be able to be viewed by a disabled passenger using the wheelchair space.
- 1.10 Information provided audibly must also be accessible to a person using a hearing aid in conjunction with an audible induction loop system. This may be especially important for people with dual sensory loss, who may otherwise struggle to access information audibly or visually. This marks a departure from the technology neutral approach, requiring the installation of an audible induction loop. However we feel it is justified, and that, with an ageing population, the number of passengers with both impaired vision and hearing may increase in future.

Preferred Option

- 1.11 We propose that audible and visible information must be discernible to a specimen person positioned at the furthest extent possible from the source of that information on both decks of a vehicle (where relevant) and when seated in a wheelchair in a designated wheelchair space, and that audible information is discernible to a person using a hearing aid in conjunction with an audible induction loop system.

Consultation questions

AIR04: Do you agree that the proposed use of a Specimen Person is the most appropriate way to ensure information provision is of an adequate quality to be useful to passengers? Please explain your response.

AIR05: Do you agree that the regulations should require that a person using a hearing aid in conjunction with an audible induction loop system should be able to discern audible information? Please explain your response.

7. Use of Technology

Introduction

- 1.1 The primary legislation was developed with the intention of enabling operators to choose the most appropriate solutions for providing accessible information on their services.
- 1.2 However, concern was expressed to us by organisations representing the interests of passengers that an approach relying on customers possessing smartphones in order to use applications to obtain information would prevent a significant number from benefiting from the new requirement. The primary legislation therefore included a power to specify means of providing information which would not satisfy the legal requirement.⁶

Options for the use of technology

- 1.3 We considered whether or not to use the legislative powers to prohibit operators from using smartphone applications or websites that require passengers to purchase or possess related devices in order to access the required information.
- 1.4 According to its 2016 Access and Inclusion Report, OFCOM found that 47% of disabled people use a smartphone, compared to 75% of non-disabled people, and that usage ranges between only 30% for people with multiple impairments to 61% of those who are learning disabled⁷. We feel that the significant difference between use for disabled and non-disabled people means that allowing required information to be provided solely through smartphone applications would inhibit access to that information for a large proportion of the target population.
- 1.5 That said, we note that smartphone ownership amongst all groups is increasing and that for many people smart devices can act as significant enablers, granting access to information and services which they would otherwise face barriers using. We therefore have no wish to deter operators from providing required or non-required information through such means, so long as it is in addition to, not instead of, acceptable forms of communication.
- 1.6 We also do not intend to prevent operators from fulfilling their duties under the Accessible Information Regulations by providing passengers with devices with which to access information on-board their services, so long as they are provided for free to anybody boarding and wishing to use them. Accessible information on-board bus services can be beneficial for many categories of passenger, not simply

⁶ s.181A(4)(c) Equality Act 2010, as inserted by Bus Services Act, s.17(1).

⁷ Percentage of population who use smartphones:

30% of people with multiple impairments; 39% of people with mobility impairments; 41% of deaf or hearing impaired people; 56% of visually impaired people and 61% of people who are learning disabled.

Source: Access and Inclusion Report 2016, OFCOM (2016).

those who are disabled, and we do not feel that there is any merit in artificially restricting access to that information to a discreet portion of the population.

Preferred Option

- 1.7 Given the continuing low rate of smartphone usage amongst disabled people we intend to specify in the Accessible Information Regulations that associated duties to provide audible and visible information cannot be met through reliance on passengers purchasing or possessing smart devices. We do not intend however to restrict the use of smart media for information provided in addition to that required by Regulations or where the means to access it is provided free of charge to anybody requesting it at the point of boarding.
- 1.8 Given the upward trend of smartphone ownership we would expect this position to be reassessed when the Regulations undergo post-implementation review.

Consultation questions

AIR06. Do you agree that it would currently be inappropriate to require passengers to purchase or possess smart devices in order to access required information? Please explain your response.

8. Use of Exemptions

Introduction

- 1.1 The Equality Act 2010 (s.181B) provides powers to exempt the following:
- Public Service Vehicles of a prescribed description;
 - Operators of a prescribed description;
 - Local services of a prescribed description;
 - A prescribed Public Service Vehicle;
 - Public Service Vehicles of a prescribed operator; and
 - A prescribed local service.

Options for application of exemptions

- 1.2 We have identified four categories of service which, we feel, merit exemption from the Regulations in whole, or in part. Whilst it is not ideal to exempt any services from the requirement, it is our view that doing so will enable the Regulations to be applied to operators more swiftly, providing consistency for passengers more quickly than would be possible if community transport organisations or operators of smaller vehicles needed to be given extended deadlines within which to comply.
- 1.3 We are also proposing that all exemptions made are applied uniformly across Great Britain, recognising that negative impacts on operators of smaller vehicles, for instance, are likely to be significant regardless of whether such vehicles are operated in England, Scotland or Wales. We are however interested in consultees views on this point.

Community Transport Operators

- 1.4 Under Sections 19 and 22 of the Transport Act 1985 operators of community transport services may be granted a permit enabling them to provide their services without first holding a Public Service Vehicle licence. Community transport operators provide vital services which encourage growth and reduce isolation by linking people and communities. Many also act as providers of care services, supporting older, disabled and isolated people to remain independent and connected to their communities.
- 1.5 Since many community transport operators act on a not-for-profit basis, using smaller vehicles and providing a personal service, it is our view that imposing a requirement to provide accessible information on them would be disproportionate, and potentially detrimental to their continued viability. In certain circumstances vehicles operated by holders of s19 permits are already excluded from the definition

of Local Services, and would therefore not be subject to the Accessible Information Regulations. It is however our intention that where this is not the case vehicles covered by Section 19 and 22 permits should be exempted specifically from the Regulations in their entirety.

Smaller Vehicles

- 1.6 We understand that in some areas of the country, most notably in the most rural parts of Scotland and Wales, local services may be provided by small minibuses or even cars. Whilst the rural and isolated nature of the routes they serve would heighten the impact that a missed stop would create, we feel that the risk of passengers boarding the wrong service or alighting at an unintended location would be mitigated by the size of the vehicle necessitating meaningful contact with drivers. Consistent with our position on community transport providers we also feel that requiring the provision of audible and visible information on-board such vehicles would impose a wholly disproportionate burden which is likely to endanger the sustainability of those services in the longer term.
- 1.7 With this in mind, we propose that services operated by vehicles designed to carry fewer than seventeen passengers should be exempt from the Regulations in their entirety. We would however be interested in your views as to where the line is drawn between exempt and non-exempt vehicles.

Tour services

- 1.8 In general we understand that the majority of tour services should not be affected by the Accessible Information Regulations, but that in a small number of cases such services are classified as “Local Services” under the Transport Act 1985, such as those vehicles which require a London Service Permit in order to operate in the London area. In such cases, and without a specific exemption, such services would need to comply with the Regulations even if, for instance, they operated an “out and back” sightseeing tour without any intermediate stops.
- 1.9 Our view is that no tour service which would be exempt from the requirements ordinarily, on account of not falling within the general definition of a “Local Service” should be required to fulfil duties in the Regulations if they are classified as such a service on account of holding a local permit. We therefore propose to include a specific exemption for vehicles used exclusively for tour services, which we intend to define consistent with the definition at Regulation 2 of PSVAR, namely where “a Public Service Vehicle is used for or in conjunction with the carriage of passengers to a particular location or particular locations and back to their point of departure.”

Heritage vehicles

- 1.10 In a small number of cases historical vehicles continue to be used on local services because of their historical interest. Such vehicles are popular primarily for their iconic form and historical authenticity, and there is a risk that placing requirements on them which would likely require the installation of equipment inconsistent with its original interior could be detrimental to this. That said, we believe that some forms of information may be more easily provided without additional equipment than others, and therefore it may not be appropriate to exempt such vehicles in entirety.

- 1.11 We expect operators, developers and manufacturers to respond to the Accessible Information Regulations with a range of different solutions. Providing audible information, we expect, might in some cases be a matter of simply equipping drivers with a hands-free microphone and appropriate speakers. Visible information would however almost certainly depend upon an electronic screen of some description, and it is this screen which we fear could detract from the heritage value of historical passenger saloons. Whilst it is a core aim of this project to apply the Regulations in a fair and equitable manner, conscious that for some passengers clear, accessible, visible information is as important as audible information is for others. However, we also believe it is preferable to provide some accessible information than none at all.
- 1.12 On balance we feel that it should be possible to provide audible information in a manner which does not detract visually from the authenticity of vehicle interiors, such as by using discreet speakers or a human conductor where available, and that there would not be justification to exempt such vehicles from the requirement to provide audible information. We propose to exempt such vehicles from the requirement to provide visible information however.

Preferred approach

- 1.13 We propose that the following categories of local bus service should be exempt from the requirement to provide audible and visible information:
- Services operated by vehicles under Section 19 and 22 permits, where they are not already exempt by way of Section 2 of the Public Passenger Vehicle Act 1981;
 - Services operated by vehicles designed to carry fewer than seventeen passengers; and
 - Vehicles used solely for tour services conveying passengers to one or more locations and back to their point of departure.
 - Vehicles first used before 1st January 1973 should be exempt from the requirement to provide visible information, but will still be required to provide audible information.

Consultation Questions

AIR07. Do you agree that vehicles operated under Section 19 and 22 permits should be exempt from the requirements in full? Please explain your answer.

AIR08: Do you agree that vehicles carrying fewer than seventeen passengers should be exempt from the requirements in full? Please explain your answer.

AIR09: Do you agree that tour services, as defined in the Public Service Vehicles Accessibility Regulations 2000 (PSVAR) should be exempt from the requirements in full? Please explain your answer.

AIR10: Do you agree that heritage vehicles should be exempt from the requirement to provide visible information; and heritage vehicles should be defined as those first used before 1st January 1973.

9. Implementation Timescales

Introduction

- 1.1 The Accessible Information Regulations are intended to provide passengers with significant benefits but, to deliver these, they must be capable of being implemented to a timescale which balances ambition with realism, and which minimises associated costs, particularly for smaller operators. We realise that operators' ability to absorb the up-front and ongoing costs of providing accessible information is likely to be variable across the bus industry.
- 1.2 Where operators are able to purchase new or nearly new vehicles, the relatively low cost of providing related systems as a proportion of the overall vehicle cost is likely to enable implementation of the Regulations within a short time-frame. For those operators who rely on purchasing used vehicles however, additional time is likely to be required to make preparations for the installation and supporting of systems.
- 1.3 In time, we would expect vehicles equipped with systems to cascade down to smaller operators, and for new and less expensive technological solutions to mature, reducing associated costs. However, we intend to use a staggered implementation approach to constrain immediate costs in the short term.
- 1.4 We have already discussed the powers available to exempt certain categories of service from the Accessible Information Regulations in whole or in part. We intend to use these same powers to delay application of the Regulations to operators based on our understanding of their likely ability to absorb the related costs.

Options for implementing the Accessible Information Regulations

- 1.5 In considering approaches for implementing the Accessible Information Regulations, our guiding principle has been that larger operators and those which operate newer vehicles are more likely to be able to absorb the costs of providing audible and visible information than smaller operators and those operating older vehicles.
- 1.6 We have opted for a definition of smaller operators based on the number of vehicles operated which, we feel, is likely to represent more accurately the nature of an operator and its ability to respond swiftly to new requirements and additional costs. We have defined "small operators" as those which operate 20 or fewer vehicles, of which there are 557 companies, together representing 75% of all operators, and 82% of operators with 250 or fewer employees. Whilst the number of operators is high, together they operate only 3% of all vehicles, and so the impact on all passengers of delayed implementation timescales is not high overall. That said, we think it likely that the propensity for such services to be concentrated on rural routes in more isolated areas could result in a disproportionate delay in the implementation of the requirements for passengers in such areas.

- 1.7 We have also drawn distinctions between the age of vehicles, using the point of commencement (the point at which the Regulations become law) as the main point of reference. Under all approaches considered, vehicles first used after the date of commencement must comply within two years of that date, meaning that the more modern fleets operated by larger operators, serving the majority of passengers will be expected to provide audible and visible information swiftly under each scenario.
- 1.8 The approaches we identified differ in terms of their treatment of older vehicles and smaller operators. Full details of each option, including analysis of the respective monetised and non-monetised costs and benefits can be found in the consultation-stage Impact Assessment published with this consultation document. For consistency, the option numbers used here reflect those in the Impact Assessment. Option 1 "Do nothing" and Option 2 "Non-legislative option" have therefore not been reflected in this section.
- 1.9 In summary, the options considered are:
- Option 3: Application after two years for new vehicles, and between two and six years for other vehicles depending upon vehicle age and the size of the operator;
 - Option 4: Application after two years for all vehicles operated by standard operators and new vehicles operated by small operators, with older vehicles operated by small operators exempted in full; and
 - Option 5: Application to new vehicles after two years, and to all other vehicles after six years.

Option 3 (Proposed approach)

- 1.10 We propose to use the exemption powers at s181B of the Equality Act 2010⁸ in order to implement the Accessible Information Regulations consistent with Option 3 above. which, based on an assumed commencement date of 6th April 2019, would result in requirements applying to local bus services as follows:

Standard Operators (>20 Vehicles).

- Vehicles first used after 5th April 2014: Must comply from 6th April 2021.
- Vehicles first used between 6th April 2012 and 5th April 2014: Must comply from 6th April 2023.
- Vehicles first used on or before 5th April 2012: Must comply from 6th April 2025.

Small Operators (<21 Vehicles).

- Vehicles first used on or after 6th April 2019: Must comply from 6th April 2021;
- Vehicles first used before 6th April 2019: Must comply from 6th April 2025.

⁸ s.181B(5)(c) Equality Act 2010.

- 1.11 The requirement to implement the Regulations would be delayed for between two and six years, from the date of commencement of the Regulations, depending on the size of operator and age of the vehicle in question. This approach recognises that smaller operators and older vehicles are likely to be concentrated on less profitable routes, and seeks to provide respective operators with longer to comply, to enable them to plan for implementation and avoid negative effects on the respective services.
- 1.12 We are also proposing that "small" operators which become "large" operators on account of increasing their fleet size should be granted a transition period of at least six months to comply with the legislation for any vehicles first used between 6th April 2012 and 5th April 2019 which have passed, or will pass within six months, their implementation date. By way of example a vehicle first used on 1st October 2016, operated by a "small" operator which increases its fleet size and becomes a "standard" operator on the 6th December 2020 would need to comply by the 6th June 2021 instead of the 6th April 2021 (i.e.: it should have at least six months from the date on which the transition occurs). This is intended to recognise the different implementation dates for small and standard operators, to cushion the transition and limit disincentives to growing businesses.
- 1.13 The preferred option is intended to introduce the requirement in a proportionate manner, prioritising early compliance by larger operators and those purchasing new vehicles, whilst recognising that smaller operators and those relying upon older vehicles may need longer to prepare for implementation and to reflect any additional costs in their business models.
- 1.14 Within six years of commencement of the Regulations, passengers travelling in Great Britain would be able to travel with confidence that virtually every service will incorporate audible and visible information provision. Those passengers travelling with larger operators or with operators that use more modern vehicles, will be able to expect it earlier. Whilst provision would be inconsistent between the two and six year points, potentially detracting from some of the benefits, particularly for disabled travellers using a variety of services, the overall implementation period would remain relatively fast.
- 1.15 We also expect that the preferred option would allow different parts of the industry to adjust to the new requirements. This could either be through updating the specification of new vehicles to include default provision for equipment providing audible and visible information, or in retrofitting existing ones.
- 1.16 When this implementation option is combined with the proposed exemptions, we believe this option strikes the right balance between swiftly improving the availability of audible and visible information across the most modern section of the bus fleet in Great Britain, and supporting smaller operators and/or those using older vehicles to plan for implementation over a longer timeframe.
- 1.17 For the majority of passengers it will deliver benefits quickly, providing a consistent level of accessible information provision across services operated by the largest operators and those purchasing the most up-to-date vehicles. It will also provide a clear timeframe within which all local bus services (except for those with a permanent exemption) can be expected to provide accessible information.

Consultation Questions

AIR11: Do you agree that the proposed implementation option indicated above is the most appropriate of the three options identified? Please explain your response.

AIR12: Do you agree with our proposal to define “small operators” as those operating 20 or fewer vehicles? Please explain your response.

AIR13: Do you agree with our analysis of the costs and benefits of the preferred option, as indicated in the consultation-stage Impact Assessment? Please explain your response.

AIR14a: We are aware of at least one operator which has subsidised the ongoing costs of providing audible and visible information by using visible information displays to show advertisements.

Please explain how effective you think such an approach could be in mitigating the costs of providing audible and visible information for other operators?

AIR14b: We also understand that the cost of installing systems to provide accessible information can vary depending upon the vehicle and method of installation.

Please comment on the difference in cost between procuring new buses with systems to provide audible and visible information already installed, and retrofitting related equipment.

Please respond to the consultation questions using the online form referenced at the end of this document. Other methods of response will be considered upon request.

10. Guidance for Operators

Introduction

- 1.1 Section 181C of the Equality Act⁹ also requires that the Secretary of State produces guidance about the duties imposed on operators by the Regulations. The guidance document must be reviewed on a five yearly basis, and when issuing new or updated guidance the Secretary of State must consult with the devolved nations, organisations representing passengers and/or disabled people and organisations representing operators of local bus services.
- 1.2 We will develop guidance with a view to publishing it ahead of the Accessible Information Regulations being laid in Parliament in February. It should be noted that whilst Government is required to publish guidance, the guidance is not statutory in nature and so its role will be to inform and encourage rather than to require, and its content will reflect this.

Options for development of guidance

- 1.3 We propose to develop, later in 2018, draft guidance to help operators understand the new legal requirement, including its role in supporting passengers, the duties of operators, and sources of additional help. It is proposed that the guidance will:
 - Recommend options for fulfilling the duties, including potential approaches at different price points, and opportunities for interfacing with on-board systems;
 - Support operators to understand and apply the information provision quality requirements;
 - Explain how to apply to the Secretary of State for an exemption for individual vehicles, operators or services; and
 - Support passengers to understand what and when accessible information will be available, and how to report alleged non-compliance.

Consultation Questions

AIR15. Do you agree with our proposed content for the guidance? Please explain your answer, providing examples of potential content where appropriate.

Please respond to the question using the online form at the end of this document.

⁹ As inserted by s.17 Bus Services Act 2017.

11. Compliance and Enforcement

Introduction

- 1.1 The amendments made to legislation by s.17(4) - (6) of the Bus Services Act provides Traffic Commissioners with powers to enforce the Accessible Information Regulations, including the ability to fine operators, and to attach conditions to operators' licenses. Consistent with other provisions enforced by the Traffic Commissioner, operators found to be in breach of the Regulations will have a right of appeal to the Upper Tribunal or, in Scotland, the Transport Tribunal.
- 1.2 The Act does not provide any further powers to create additional enforcement mechanisms and the Regulations will therefore not cover this issue. It will however be covered in Guidance, which will explain the enforcement mechanisms provided by the primary legislation and the practical approach to be followed to report alleged instances of non-compliance with the legislation.

Options for enforcement of the regulations

- 1.3 For passengers to have confidence in the Accessible Information Regulations and so that operators are incentivised to comply, it is important that a proportionate and effective process is put in place for the consideration of complaints and their escalation to the Traffic Commissioner where this is appropriate. We will set out a specific process in detail in the Guidance document which we intend to publish ahead of the making of Regulations, however there are a number of principles which will guide its development:
- 1.4 Guidance could propose that passenger-facing communications issued by an operator should identify a straightforward approach for making complaints regarding the provision of audible and visible information which does not seek to dissuade them from reporting issues. Complaints regarding alleged non-compliance could be directed in the first instance to the bus operator concerned, and in the second to an independent arbitration body, such as Bus Users UK, before being escalated to the Traffic Commissioner.
- 1.5 Guidance may also propose that organisations representing the interests of disabled people or passengers generally may collate complaints regarding alleged non-compliance, so as to identify systematic or long-term failings and report them directly to the Traffic Commissioner. We will also propose that such action against non-compliant operators should be proportionate, so as to promote understanding and encourage compliance.
- 1.6 In proposing the principles for enforcement we are conscious that, in the early stages of implementation, it will be challenging for members of the public to understand which services are expected to be compliant. We will therefore use guidance to encourage operators to be open as to their need for, and actual

compliance with, the Accessible Information Regulations, in order to assist passengers in making informed travel choices, and recognising where legal requirements have not been met.

Preferred approach

- 1.7 We propose to specify in guidance and in passenger-facing communications a process for complaining about alleged non-compliance. We will also ensure that the Traffic Commissioner understands our priorities for the enforcement of the Regulations.

Consultation Questions

AIR16: Do you agree with our proposed enforcement principles? Please explain your response.

12. Extent of Regulations

Introduction

- 1.1 Whilst the Bus Services Act principally concerns local bus services in England, Section 17 “Information for Passengers” amends the Equality Act 2010, which extends to England, Scotland and Wales. The regulation making powers in s181A-B of the Equality Act therefore extend to England and Wales and Scotland. In this section we explain our decision to develop Regulations which work in all three nations of Great Britain, and to apply its requirements across them.

Options for extent of regulations

- 1.2 Section 17 of the Bus Services Act includes powers to vary the application of the Regulations’ requirements and exemptions in different circumstances. In theory this would enable different approaches to be taken in England, Scotland and Wales, reflecting differences in bus markets or passenger expectations between nations.
- 1.3 It is important that the Accessible Information Regulations meet the information needs of passengers and are capable of being implemented by the bus industry. Therefore we continue to engage closely with the devolved administrations, and to seek the views of stakeholders across Great Britain.
- 1.4 Our engagement activity in Scotland and Wales has so far identified two issues which have not been raised in England, namely the treatment of services provided by very small vehicles, and provision for people with dual sensory loss. It is our view that both of these issues are relevant to the provision of services across Great Britain, and so we have reflected them in our uniform proposal.
- 1.5 In addition, the issue of whether Welsh language requirements must be reflected in the Regulations, to ensure that services in Wales provide audible and visible information in a manner which is consistent with applicable language law. We understand however, that any relevant law would apply directly, and there is unlikely to be a need to make specific provision in the Accessible Information Regulations.
- 1.6 Considering our reflection of priorities identified during engagement with stakeholders in Scotland and Wales in the main proposal, and our view that it will not be necessary to make specific provision for the Welsh language for local bus services in Wales, we do not intend to make provision in Regulations for different implementation approaches for the three nations.

Consultation Questions

AIR17. Do you agree that the Accessible Information Regulations should apply consistently across England, Scotland and Wales? Please explain your answer.

13. Impact Assessment

Introduction

- 1.1 This consultation document is accompanied by a consultation-stage Impact Assessment for the Accessible Information Regulations. Our assessment of the impacts aural and visual announcements is presented in three (High, Low and Central) scenarios.
- 1.2 The central scenario represents our best estimates of the impacts of the policy. The high and low scenarios reflect the inherent uncertainty in the effects of this policy due to the weak evidence base on the current prevalence of audio-visual (AV) provision in the industry. All impacts stated below are impacts which are additional to policy option 1 of doing nothing. All impacts have been assessed over a 10 year period starting from 2019, and all figures are displayed in 2014 prices and are discounted to 2015 unless otherwise stated.
- 1.3 The options considered in the impact assessment can be summarised as follows:
- Option 1: Do nothing.
 - Option 2: Industry led non regulatory option.
 - Option 3: All bus operators are required to provide audio visual announcements, with a delayed deadline for small operators and older vehicles (preferred.)
 - Option 4: All bus operators are required to provide audio visual announcements with an exemption for existing vehicles for small bus operators.
 - Option 5: All bus operators required to provide audio visual announcements by 2025
- 1.4 A summary of the impacts is shown below:

Table 1: Summary of impacts of options 3, 4 and 5 (2019-2028)

	Option 3	Option 4	Option 5
Impacts on bus operators, £m, discounted, 2014 prices			
Familiarisation costs	£0.0	£0.0	£0.0
Equipment costs	£46.0	£47.9	£40.1
Installation costs	£2.6	£2.8	£2.3
Back office costs	£136.8	£164.0	£77.4

Direct costs to business	-£185.5	-£214.8	-£119.9
Increased profits as a result of increased demand	£86.7	£105.7	£47.0
Increased advertising benefits	£124.2	£154.0	£66.3
Net impact	£25.4	£44.9	-£6.6
Impacts on bus users, £m, discounted, 2014 prices			
Benefits from improved journey quality	£2,707.2	£3,239.5	£1,504.3
Impacts on government, £m, discounted, 2014 prices			
Indirect taxation benefits	-£11.3	-£14.3	-£5.2
Impacts on wider society, £m, discounted, 2014 prices			
Congestion benefits	£49.7	£58.4	£29.2
Infrastructure benefits	-£17.9	-£21.6	-£9.8
Accident benefits	-£2.0	-£2.3	-£1.1
Local air quality benefits	-£0.3	-£0.3	-£0.1
Noise benefits	-£1.0	-£1.2	-£0.6
Greenhouse gases benefits	-£0.7	-£0.7	-£0.6
Net impact	£27.8	£32.3	£17.0
Net Present Value, £m, discounted, 2014 prices	£2,749.2	£3,302.4	£1,509.5

1.5 This table shows that the net present value (NPV) is highest for policy option 4. However, as well as having the highest NPV it also has the highest costs to business. The preferred option is option 3, which also has a very large NPV, but has lower costs to business as it provides more time for bus operators to install the technology. It will also have non monetised benefits as the costs of installing the technology are likely to reduce over time, due to improvements in technology. Policy option 5 has the lowest NPV, as it does not require any operators to install AV until 2025. There are therefore considerably lower costs to businesses, but this comes at the cost of much smaller benefits to passengers.

1.6 These figures reflect the modelling that the proposed reforms will increase customer demand for buses, leading to the provision of more bus services, and reduce travel by car due to increased bus use.

Consultation Questions

AIR18: Do you agree with our analysis of the costs and benefits of the preferred option, as indicated in the consultation-stage Impact Assessment? Please explain your response.

We are aware of at least one operator which has subsidised the ongoing costs of providing audible and visible information by using visible information displays to show advertisements.

AIR19a: Please explain how effective you think such an approach could be in mitigating the costs of providing audible and visible information for other operators?

We also understand that the cost of installing systems to provide accessible information can vary depending upon the vehicle and method of installation.

AIR19b: Please comment on the difference in cost between procuring new buses with systems to provide audible and visible information already installed, and retrofitting related equipment.

Please respond to this question on the online form, linked from the end of this document. Requests for alternative response methods will be considered on an individual basis.

Glossary of Terms

Terms used in the document have the meaning set out below.

Accessible information: Information provided on-board vehicles in formats which are accessible to the majority of passengers, including those who require information in audible and visible formats.

Accessible Information Regulations: The regulations which we intend to make under Section 181A - s181B of the Equality Act 2010¹⁰ in order to require the provision of information by operators and to provide related exemptions.

Audible formats: Methods of providing information audibly including, but not limited to, automatic or manual announcements through a loudspeaker system.

Bus: Except where indicated, refers to a bus providing a local bus service;

Designated wheelchair space: A wheelchair space on-board a bus, meeting the requirements of Schedule I of the Public Service Vehicles Accessibility Regulations 2000 (PSVAR). Where there is more than one space, both will be relevant to related standards.

Diversion: A section of route which is not part of the scheduled route registered with the Traffic Commissioner or a local authority.

Local Service: A local service refers to a bus service that uses public service vehicles to carry passengers who pay separate fares over short distances - usually less than 15 miles from the point of boarding.

Operator: An operator is a person or organisation who runs local bus services.

Public Service Vehicle (PSV): This refers to a bus or coach used by members of the public to travel to and from places on a particular route or in a catchment area.

Specimen person: An example passenger with average vision and hearing.

Stop or stopping place: A location at which a service is scheduled to call.

Tour service: A tour service is where passengers travel together on a journey, with or without breaks, from one or more places to one or more places and back.

Visible formats: Methods of providing information visibly.

¹⁰ As inserted by s.17 Bus Services Act 2017.

What will happen next?

Consultation Response

The responses from the consultation will be analysed by DfT officials to identify key findings and themes. A summary of responses, including the next steps, will be published within three months of the consultation closing on the GOV.UK website. Paper copies and accessible formats will also be available upon request.

If you have questions about this consultation please contact:

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Further background information can be found at www.gov.uk

Annex A: Impact assessment

A.1 The updated Impact Assessment has been published on the .GOV.UK website.

Annex B: Full list of consultation questions

AIR01. Do you agree that the Core Proposal is an appropriate response to the need for change identified in this document? Please explain your answer.

AIR02. Do you agree that the proposed list of required information is an appropriate use of the powers available? Please explain your answer.

AIR03: Do you agree that the proposed information timing requirements are appropriate? Please explain your response.

AIR04: Do you agree that the proposed use of a Specimen Person is the most appropriate way to ensure information provision is of an adequate quality to be useful to passengers? Please explain your response.

AIR05: Do you agree that the regulations should require that a person using a hearing aid in conjunction with an audible induction loop system should be able to discern audible information? Please explain your response.

AIR06. Do you agree that it would currently be inappropriate to require passengers to purchase or possess smart devices in order to access required information? Please explain your response.

AIR07. Do you agree that vehicles operated under Section 19 and 22 permits should be exempt from the requirements in full? Please explain your answer.

AIR08: Do you agree that vehicles carrying fewer than seventeen passengers should be exempt from the requirements in full? Please explain your answer.

AIR09: Do you agree that tour services, as defined in the Public Service Vehicles Accessibility Regulations 2000 (PSVAR) should be exempt from the requirements in full? Please explain your answer.

AIR10: Do you agree that heritage vehicles should be exempt from the requirement to provide visible information; and heritage vehicles should be defined as those first used before 1st January 1973.

AIR11: Do you agree that the proposed implementation option indicated above is the most appropriate of the three options identified? Please explain your response.

AIR12: Do you agree with our proposal to define “small operators” as those operating 20 or fewer vehicles? Please explain your response.

AIR13: Do you agree with our analysis of the costs and benefits of the preferred option, as indicated in the consultation-stage Impact Assessment? Please explain your response.

AIR14a: We are aware of at least one operator which has subsidised the ongoing costs of providing audible and visible information by using visible information displays to show advertisements.

Please explain how effective you think such an approach could be in mitigating the costs of providing audible and visible information for other operators?

AIR14b: We also understand that the cost of installing systems to provide accessible information can vary depending upon the vehicle and method of installation.

Please comment on the difference in cost between procuring new buses with systems to provide audible and visible information already installed, and retrofitting related equipment.

AIR15. Do you agree with our proposed content for the guidance? Please explain your answer, providing examples of potential content where appropriate.

AIR16: Do you agree with our proposed enforcement principles? Please explain your response.

AIR17. Do you agree that the Accessible Information Regulations should apply consistently across England, Scotland and Wales? Please explain your answer.

AIR18: Do you agree with our analysis of the costs and benefits of the preferred option, as indicated in the consultation-stage Impact Assessment? Please explain your response.

We are aware of at least one operator which has subsidised the ongoing costs of providing audible and visible information by using visible information displays to show advertisements.

AIR19a: Please explain how effective you think such an approach could be in mitigating the costs of providing audible and visible information for other operators?

We also understand that the cost of installing systems to provide accessible information can vary depending upon the vehicle and method of installation.

AIR19b: Please comment on the difference in cost between procuring new buses with systems to provide audible and visible information already installed, and retrofitting related equipment.

Annex C: Consultation principles

The consultation is being conducted in line with the Government's key consultation principles which are listed below. Further information is available at

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have any comments about the consultation process please contact:

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London SW1P 4DR

Email consultation@dft.gsi.gov.uk