

**Written statement of a non-key decision**  
**Cabinet member Infrastructure and transport**

<b>Title</b>	<b>Passenger Service Vehicle Accessibility Regulations 2000 (PSVAR) and implications for vacant seats scheme and supported college transport</b>
Decision maker	Cabinet member Infrastructure and transport  Information about cabinet, including the names and contact details of the cabinet members, can be found here:  <a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a>
Date of decision	9 December 2019
Report exemption class	Open
Purpose	<p>To advise on the implementation of the Public Service Vehicle Accessibility Regulations 2000 (PSVAR) and its implications for home to school and college transport in the county.</p> <p>From 1 January 2020 school and college students paying a fare must be transported on vehicles compliant with the PSVAR. Although it is the individual operators' responsibility to ensure compliance with the PSVAR, as the commissioner, the council has a duty to ensure that the services it commissions are operated legally and in accordance with all applicable regulations.</p> <p>Work with transport providers to ensure compliance with legislation by 1 January 2020 has progressed well and has included providing students with alternative travel options and where possible arranging for contractors to use PSVAR compliant vehicles. In addition the Department for Transport (DfT) has issued a 2 year exemption which can be applied to some non-complaint services. Despite having undertaken this mitigation work, and implementing the DfT exemption, there remains 252 students who do not require accessible transport and who will be travelling on non-compliant services from 1 January 2020.</p> <p>To allow time for further work to be carried out with transport providers to secure compliance, approval is sought to cease charging for the spring academic term for home to school transport and post-16 transport on specific council provided services that are not yet compliant with PSVAR.</p> <p>The implication of the decision recommended in this report is that free travel will be provided for the Spring academic term 2020 for up to 252 students, traveling on 7 transport routes, to 7 different schools and colleges. The students affected come from a range of</p>

	<p>transport groups:</p> <ol style="list-style-type: none"> <li>1. Post-16 college transport provided to in and out of County students attending Hereford colleges</li> <li>2. School aged students traveling to a range of schools around the County using the Council's school transport vacant seat payment scheme</li> <li>3. Denominational transport provided to school age students attending schools based on their religious beliefs</li> </ol> <p>A report advising on longer-term options will be prepared for consideration in January 2020.</p>
<p><b>Decision</b></p>	<p><b>That:</b></p> <ol style="list-style-type: none"> <li><b>a) with effect from 1 January 2020 vacant seats, denominational transport and post-16 transport will only be sold to students on services compliant with or exempted from the Public Service Vehicle Accessibility Regulations (PSVAR);</b></li> <li><b>b) on services that will not be compliant or exempt after 1 January 2020 fare paying passengers are allowed to travel free of charge for the spring term, January to April 2020.</b></li> </ol>
<p>Reason for the decision</p>	<p>As set out in the report. Documents relating to this decision are available at</p> <p><a href="http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50032179">http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50032179</a></p>
<p>Options considered</p>	<ol style="list-style-type: none"> <li>1. Withdraw transport for fee paying students traveling on non PSVAR compliant vehicles at the end of the current autumn term. This is not advised as more notice would be required to allow parents to make alternative arrangements for their child to travel to school. It is possible that in some cases parents may not be able to find alternative public transport for these journeys to school.</li> <li>2. Withdraw transport for all fare paying students whether they are traveling on a PSVAR compliant vehicle or not. This would ensure equal treatment for all but would mean that we were withdrawing transport on services that are legally compliant. It is not recommended for this reason and it would increase the number of affected students to 782 and the potential loss of income to the council in the current financial year to £227,000, compared to £73,000 for the recommended option. This would cause significant disruption to students and parents at short notice, who would need to make alternative travel arrangements for their child, It is possible that in some cases parents may not be able to find alternative public transport for these journeys to school. This would be an increased budget pressure for the council.</li> <li>3. Provide free transport to all fare paying students whether they are traveling on a PSVAR compliant vehicle or not. This would ensure equal treatment for all but would mean that we were not</li> </ol>

	<p>charging on services that are legally compliant. It is not recommended for this reason. It would increase the loss of income to £227,000 in the current financial year compared to £73,000 for the recommended option. This would be an increased budget pressure for the council.</p> <p>4. Assist operators with funding to purchase PSVAR compliant vehicles. This option for future mitigation will be considered but cannot currently be progressed as budget is not available at this time. In addition the lead times involved in procurement and vehicle build would require 18 months to progress this option.</p>
<p>Declarations of interest (see ▪ below)</p>	
<p>Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)</p>	<p>13 December 2019</p>

<p>Councillor: .....</p> <p style="text-align: center;">Cabinet member Infrastructure and transport (Councillor John Harrington)</p>	<p>Date 9 December 2019</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted.