

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

Title	Passenger Service Vehicle Accessibility Regulations 2000 (PSVAR) - implications for school and college transport 2020
Decision maker	Cabinet member Infrastructure and transport Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	19 February 2020
Report exemption class	Open
Purpose	<p>To confirm how the implementation of the Public Service Vehicle Accessibility Regulations 2000 (PSVAR) will be managed and its long term implications for home to school and college transport in the County.</p> <p>The council provides statutory free transport services for entitled mainstream school pupils in accordance with the school transport policy. A vacant seats scheme is also offered that enables pupils who are not entitled to free transport to pay to travel on the coach. This is a discretionary service and parents/guardians are notified that seats can be withdrawn with a minimum of one week's notice. Additionally discretionary services are provided to college students, and students attending faith schools in return for payment of an annual fare charge. All students travelling using a paid scheme pay the same annual charge.</p> <p>Since 1 January 2020 school and college students paying a fare have had to be transported on buses and coaches compliant with the PSVAR, a compliant vehicle being one which is fully wheelchair accessible. Services carrying only entitled students traveling for free are exempt. 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>Extensive work was undertaken to ensure compliance with legislation by 1st January 2020 however it was not possible to make all services compliant or seek appropriate exemptions by this date and there remained 252 passengers traveling on 7 different services who would have been traveling on non-compliant services on the 1st January 2020. Of the remaining in scope services 23</p>

	<p>have been confirmed as being compliant and a further 8 have been granted a 2 year exemption certificate from 1st January 2020. As an interim measure a decision was taken in December 2019 to provide free transport to these students for the Spring academic term, January to April 2020. This follow up report sets out options for managing services for the Summer academic term 2020 and longer term.</p> <p>Details of the previous decision taken can be viewed here. It is proposed that free travel be extended to include the summer term 2020 such that where it has not been possible to move to compliant services or seek an exemption, students' education will not be disrupted in the final term of the academic year. This comprises up to 252 students travelling on 7 services. However, further retendering of non-compliant services during the spring term is likely to significantly reduce these numbers and the financial implications resulting from lost fares.</p> <p>It is proposed that the vacant seats scheme and other discretionary transport where a fare is charged is withdrawn from September 2020 where services remain non-compliant. Advance notice will be provided before the end of the current academic year such that parents, schools and colleges will have sufficient time to make alternative arrangements for access school.</p>
<p>Decision</p>	<p>That:</p> <p>a) the process set out at paragraph 16 of this report is agreed for managing the full implementation of the PSVAR for school and college transport, and authority is delegated to the Assistant Director Highways & Transport to:</p> <ul style="list-style-type: none"> I. retender and award contracts for school transport up to a value of £500,000 II. Allow fare paying passengers to travel for free for the Summer term on services that will not be PSVAR compliant or exempt on 20th April 2020 III. Withdraw vacant seats from sale to fare paying passengers on services that will not be PSVAR compliant or exempt for the new academic year commencing in September 2020
<p>Reason for the decision</p>	<p>As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50032831</p>

Options considered	<ol style="list-style-type: none"> 1. Withdraw transport for fare paying students travelling on non PSVAR compliant vehicles at the end of the current spring term. This is not advised as this would cause disruption to students in the final term of the school year, some of whom will be in year 11 and taking exams. It is possible that in some cases parents may not be able to find alternative public transport for these journeys to school. 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 2020/21 financial year to £178,000, compared to £57,000 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. 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 charging on services that are legally compliant. It is not recommended for this reason. It would increase the loss of income to £178,000 in the 2020/21 financial year compared to £57,000 for the recommended option. This would be an increased budget pressure for the council. 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.
Declarations of interest (see below)	None
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	25 February 2020

Councillor:	Date 19 February 2020
Cabinet member Infrastructure and transport (Councillor John Harrington)	

- 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.