

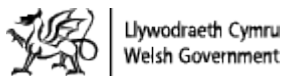
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CABINET STATEMENT

Written Statement: The Public Service Vehicles Accessibility Regulations 2000 (PSVAR)

Ken Skates AM, Minister for Economy and Transport

Since my last statement of 26 November 2019, Welsh Government officials have continued to engage with the Department of Transport (DfT) and Welsh local authorities about the unintended consequences associated with PSVAR. I have also written again to the Secretary for State for Transport.

Although the DfT has introduced exemptions from PSVAR for specific groups of learner travel services, the Association of Transport Co-ordinating Officers (ATCO), have reported that compliance issues continue to emerge. Officials have raised these with DfT as follows;

- calls to simplify the administrative process and availability of exemption certificates on the ground for inspection and enforcement;
- queries as to what happens when an operator changes a vehicle in the fleet during the exemption period. Would a new exemption certificate for the new vehicle be required through a new submission to the DfT or would the new vehicle need to comply with PSVAR 2000 immediately;
- concerns about information accompanying exemption certificates, suggesting that once these expire, the DfT would expect home to school transport vehicles to be PSVAR compliant. Local authorities are querying whether this encompasses all contract vehicles, which could prove very problematic;
- concern that the additional exemption until July 2020 covering services procured directly by the college/school or the Local Authority on their behalf, will only serve to move the problem down the road.
- the risk that operators who are made to use PSVAR compliant vehicles by September 2020, may put some of the Small to Medium-sized Enterprise (SMEs) out of business as they will not absorb additional associated costs, with pupils being forced to find their own way to school.

There has been a further issue raised by one Local Authority, with regards to services cancelled by local bus operators, who have provided such fare paying services, without subsidy or contribution from the school or the authority. These are services which are closed to the general public and have operated at the margins.

The Welsh Government share ATCO Cymru/ Wales' concerns regarding the points raised, especially the possible impact on SMEs, local authorities and service users. Potentially, full implementation of PSVAR could in fact jeopardise the very existence of SME's who are dependent on such work. I have urged the Secretary for State and his department to work with myself and officials, to better understand the consequence on small operators.

In my letter to the Secretary for State, dated 15 January 2020, I suggested that the simplest solution would be the introduction of a blanket exemption for school transport. This would remove the administrative burden on the DfT and Local Authorities, the unintended consequences already experienced as well as avoid the likelihood of further issues appearing. This would allow Local Authorities and the DfT to set out a clear pathway to convert school transport fleet to comply with PSVAR, without further jeopardising or undermining existing provision in any way. I also suggested, if a blanket exemption was not possible, that there is merit in another exemption for this travel group.

I have also been made aware that PSVAR relates to vehicles used on rail replacement services. Accessible coaches are in scarce supply in Wales and this position would be further exacerbated were such vehicles already committed on school peak journeys (outside PSVAR exemption) at the same time.

Given this, I have also asked the Secretary for State and DfT officials to confirm whether it is their intention to introduce a separate exemption for rail replacement services, to avoid further unintended consequences.

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