

LGA response to DfT Draft Accessibility Action Plan

15th November 2017



About the Local Government Association (LGA)

The Local Government Association (LGA) is the national voice of local government. We work with councils to support, promote and improve local government.

We are a politically-led, cross party organisation which works on behalf of councils to ensure local government has a strong, credible voice with national government. We aim to influence and set the political agenda on the issues that matter to councils so they are able to deliver local solutions to national problems.

Summary

The LGA welcomes the ambition behind the draft accessibility action plan. It is vitally important that as many transport options as possible are open to everyone and councils will do all they can to help meet the goals contained within the plan.

With such a wide variety of schemes and investments mentioned there is a risk that the plan could become ill-focused. By listing every possible intervention that the Government is considering there is no focus on which measures could bring about the biggest improvements. There is no sense of prioritisation and about the trade-offs in other areas of policy that will be required. It is our hope that the action plan will begin a serious process of ensuring that all transport policy can be inclusive and capture the benefits of mobility for all.

Our general comments are that in its current scope there is a risk that the plan is simply a list of measures that the Government is considering. Whilst councils may have views on all elements of the plan in their role as place shapers, we have limited our comments to those areas that are specifically within councils' control.

Shared space

The LGA supports the work of the Chartered Institution of Highways and Transportation (CIHT) in reviewing shared space schemes. We hope it will include best practise for consulting all relevant stakeholders in urban design schemes.

However central government needs to take a leadership role and update guidance for authorities to work towards as it has not been updated since 2011. There is considerable confusion about the role of CIHT as they reported to Parliament that they would not be producing guidance in late 2016 but simply producing a review of schemes.

Submission

The LGA believes that the Government should act to update guidance as quickly as possible to remove uncertainty from shared space schemes whilst allowing councils the flexibility to introduce them in areas where they will improve the urban realm.

Cycling and walking infrastructure

Councils support active travel infrastructure where they are able to and as local circumstances allow. However too much funding for transport infrastructure is fragmented and based around competitive bidding for capital pots.

Councils are severely constrained with ongoing reductions to revenue funding. This means that they have to commit revenue funding, at risk, in order to win capital funding which for many can be difficult to do. Also assigning capital for specific circumstances will mean that councils may be forced to implement schemes that wouldn't be their first preference for infrastructure upgrades but fit with the bid criteria.

The LGA has long advocated fewer competitive bids and more discretion for infrastructure funding. We would also welcome long term commitment to councils with funding guaranteed over a number of years in order to ensure that councils can build up a long term pipeline of infrastructure improvements rather than the current year to year uncertainty.

This is something that Network Rail and Highways England benefit from. Long term funding certainty for councils with more discretion over what it could be used for would allow councils to deliver more active travel infrastructure and improve existing provision making it accessible for all.

Concessionary fares

The LGA supports retention of the concessionary fares scheme however it is not adequately funded. It is difficult to say the exact extent to which the scheme is underfunded as funding was rolled into council's main funding allocation which was then subsequently reduced between 2011-2015. However, the LGA is confident that the gap is at least £200m a year.

The LGA wants to see this gap funded as the national concessionary fares scheme is a national obligation which councils have no discretion over. Failure to fully fund the scheme can have perverse consequences especially as many councils provide support for bus routes that are otherwise uneconomical. This support is discretionary and if councils continue to face spending pressures from other statutory services they may continue to have to withdraw this kind of discretionary transport spend to meet their mandatory concessionary fare bill. This could result in people living in isolated rural communities with a bus pass but no bus service to use it on.

Blue badge parking

It is important that the Government provides more detail on how exactly they plan to link blue badge eligibility to benefit eligibility. Some people who do not claim benefits may still have need for a badge. Whilst we recognise that providing a simpler national criteria for eligibility could make the scheme easier for councils to administer thus saving money we would

need definitive proposals in order to comment in greater detail. We hope that if the Government intends to take this proposal forward the consult closely with the sector and stakeholder groups.

Community transport

Community transport helps people get to the shops, services, medical appointments or leisure activities where no alternative or suitable transport is available. This may be because of rural seclusion, or for disabled or elderly passengers who cannot access or use public transport. For many people, they are completely dependent on the provision of community transport services.

Councils will do what they can through their own resources to enable people to stay connected and access vital services, such as through supported bus services and through support for community transport schemes. However, financial pressures and competing priorities on council budgets have led to many councils reducing their supported bus provision. Where possible, many councils have looked to working more closely with the community transport sector to help retain vital services wherever possible.

A number of authorities also operate in house fleets under these arrangements, in certain cases to provide services such as attending day care centres, schools and day clubs, to education groups, sports development groups, and charities - ie where no commercial operator is willing to undertake the work.

The Department for Transport's letter of 31 July 2017 drew attention to local authorities to a recent decision by the Driver and Vehicle Standards Agency regarding use of Section 19 and 22 (of the Transport Act 1985) permits. Whilst the letter states that this judgement applies only to a specific case at the moment they do warn that similar cases are likely to be found across the country. Community Transport has operated under a regulatory regime for many years: local authorities have worked with operators within parameters that were set out under historical government guidance. The letter has caused uncertainty and confusion for local authorities and community transport operators alike.

If community transport providers need to obtain permits (to bring them in line with EU regulation) the cost of compliance could be considerable. An estimate of the cost of getting a D1 entitlement (the minibus license) is about £1500 per driver. This figure could vary considerably for an organisation negotiating a rate for a number of drivers simultaneously. Nevertheless the cost of compliance could be considerable.

These additional costs could make contracts that have already been let to community transport organisations unsustainable. It could lead to the failure of some contracts. It is also likely to result in higher rates being quoted for future tenders with community transport providers increasing rates or withdrawing from tendered services altogether.

Whilst councils will do everything they can to prevent vulnerable and isolated people being denied vital services it is important that the Government provides reassurance and certainty as soon as possible. We therefore ask that the Committee recommends that the DfT undertakes a full impact assessment of the potential implications for the sector and

communities affected. We would also ask for proportionate financial assistance to help areas transition to comply with revised guidance as councils and community transport providers were operating in good faith according to DfT guidance.

Pavement parking

The LGA has been active on this issue. We participated in a roundtable event in March 2016, chaired by the then transport minister, Andrew Jones MP to discuss Simon Hoare MP's private members bill..

The roundtable was convened following a public commitment that the Government would conduct research into the best solution to tackle problematic pavement parking. We believe that the simplest solution is to harmonise the laws to prohibit pavement parking except in specific occasions where it is permitted, as is the case in London. This law would improve access for many disabled people and people with young children.

An England and Wales wide law could enable councils to implement a more simple and easy to understand pavement parking regime for motorists, which is why this straightforward change was our original position. The move to reforming TROs, whilst welcome, has become a distraction from resolving this specific issue as quickly as possible.

A review of TROs is welcome for a wide variety of reasons. The current system of making TROs currently is too bureaucratic and costly. TROs cover everything from parking to street parties and their review will open a wide variety of separate policy questions. We would welcome the commencement of this review and wider reform to the TRO process to make them simpler, quicker for local authorities to enact and cheaper for local tax-payers.. However, we do not think that reviewing the TRO structure is the easiest way of solving problem pavement parking.

We are concerned that deadlines to commence work on TRO reform have been missed. In answer to parliamentary questions about the commencement of the review a deadline of summer 2017 was originally given. In the latest question submitted by Barry Sheerman MP the deadline was postponed to the autumn. Whilst the plan includes reference to a future TRO review we are seriously concerned that action will continue to be delayed. It is now approaching two years since we discussed action on this problem and the Department does not seem any closer to taking any next steps.

We would very much welcome a firm commitment from the Department for when the TRO review will take place given the autumn deadline appears to have been missed.

Taxi licensing

We encourage all our members to do everything they can to ensure wheelchair and other disabled users are able to access taxi and private hire services which includes ensuring there is an adequate number of accessible vehicles as well as drawing up, and publishing lists of these designated accessible vehicles.

62% of councils require wheelchair accessible vehicles to be in all or part of their fleet. 38% of council require taxi drivers to do disability equality

training, however, as we have previously argued, there is scope for government to do more by making disability equality training mandatory for taxi and PHV drivers . Educating drivers on the rights and needs of disabled people as part of their licence applications helps to stop taxi fare refusals and empowers disabled people to ensure they enjoy a better taxi and private hire experience as they go about their daily lives, which most people take for granted.

The need to ensure wheelchair and disabled users are not discriminated against is just one of many reasons why a taxi/ PHV reform Bill is needed, and for the Government to begin work on this urgently.