

Transport for all?

Dial-a-Ride and Taxicard users speaking

Foreword

by Suzanne May

Chair of the London Transport Users Committee

Despite their many imperfections, which have been well documented in reports from my Committee, London's public transport networks are the envy of most other British cities. Nowhere else has a remotely comparable level of rail services, whether main line or Underground, and few other places can point to anything similar to the long-overdue renaissance that London's buses are now experiencing.

So extensive and so comprehensive is the system of public transport which provides the arteries of London life that it is sometimes easy to overlook the fact that thousands of London's residents, workers and visitors are still shut out of it by reason of physical or sensory impairment. Most of the infrastructure and many of the vehicles date from a time when it was not yet obligatory for new facilities and services to be accessible to all. Happily, the law has now changed. But the sheer scale and cost of the alterations required means that it will be many years before the inheritance of the past is overcome and our "mainstream" transport networks are fully adapted to cater for the needs of all who wish to use them.

In the meantime, the "para-transit" services offered by Dial-a-Ride and Taxicard can play a crucial role in providing a basic level of mobility for those who are largely or wholly excluded from other forms of public transport. Despite the severe limitations on their capacity and availability, millions of journeys are made on these services each year – a measure of the vital part they play in the lives of those who are dependent on them.

My Committee's remit embraces the users of all the services provided by Transport for London, not least the para-transit modes. So we are keen to learn about the wishes and concerns of this particular constituency of London travellers. If changes to the Dial-a-Ride and Taxicard services are on the policy-makers' agenda, we have a part to play in helping to ensure that their users' voices are clearly heard.

And like it or not, we live in a world of scarce resources, where public services are always under-funded, and always in competition with each other when budgetary priorities are set. Because of the tailor-made nature of the journey opportunities they offer, para-transit services are expensive to provide. So it is important to

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ensure not only that they are operated in the most efficient way, but also that their benefits are focussed on the users who have most to gain from them. This means that, as the mainstream services become more accessible, para-transit users should feel confident about switching to them if and when they are sure that their needs will be met. But this will not happen unless we identify all the barriers and deterrents in their path – so discovering these was an important part of this project.

This report documents the findings of a series of focus groups arranged by my Committee. Those taking part were volunteers, recruited from among the readers of **Transportforall**, the quarterly magazine for all registered Dial-a-Ride and Taxicard users. They were chosen to provide a cross-section in terms of age, gender, residential location, disability, and journey purposes. We are most grateful to all who attended, and to the many other volunteers whose offers we were unable to take up because of the limitations of time and cost.

The groups were led by Rick Williams, a professional facilitator from Access Matters, a specialist consultancy working in the field of disability awareness. This document is his report. My Committee identified the issues about which it was keen to hear the participants' views, but played no direct part in the conduct of the groups. So what is recorded here is what the Dial-a-Ride and Taxicard users themselves told us.

We commend these findings to Transport for London, the Greater London Authority, the London boroughs, and the transport operators. At the end of the report, we have listed some issues on which we believe discussion is needed. My Committee is ready and willing to play its full part in that debate.

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1. Introduction

- 1.1 The London Transport Users Committee (LTUC) commissioned Access Matters Ltd to conduct a number of focus groups to explore the views of Dial-a-Ride and Taxicard users. These services fall within the Committee's remit, as the official representative body for travellers in and around London, because they are operated and/or funded by Transport for London (TfL). It is therefore important for the Committee to be aware of the concerns of their users.
- 1.2 The main aim of the project was to provide information which will assist LTUC in its discussions with TfL on the future role and scope of these services, and the manner in which they are provided. The participants were volunteers, recruited from the readership of **Transportforall**, a quarterly magazine circulated by TfL to all registered Dial-a-Ride and Taxicard users. As the number of readers who responded to an article inviting them to take part in such a group was greater than the number who could be conveniently accommodated, they were asked to provide some information about themselves and the use they made of these services. This information allowed a representative cross-section of the volunteers to be selected (which we hope is also reasonably representative of the users in general, though the element of self-selection means that this cannot be claimed with certainty). For details, see Appendix B.
- 1.3 LTUC is grateful to all those who offered to take part, including those who we were unable to accommodate. Participants were unpaid, but as a gesture of appreciation they were each presented with a voucher redeemable at major retail stores. Assistance with arranging their transport to and from the groups was kindly provided by the Access and Mobility Unit of TfL, which also underwrote the cost.
- 1.4 The focus groups were held over three sessions in February 2003 : one for Dial-a-Ride users, one for Taxicard users, and one for users of both schemes. Each of the groups was dynamic, and all those who attended played a full part in the discussions. The groups were led by a professional facilitator provided by Access Matters. Each group was taken through a process which had been agreed in advance by LTUC (see Appendix A) and which sought to identify the key issues for disabled people both when using these schemes and when using other methods of transport.
- 1.5 The four main issues explored were:
 - use made of Dial-a-Ride and/or Taxicard,
 - use made of other forms of transport (especially public transport),
 - accessibility of information about transport choices, and
 - actions that could improve transport opportunities for disabled people in the future.

- 1.6 This report summarises the outcomes of the groups' discussions. No external validation of the groups' input has been carried out, so what is reported here is simply the opinions of those who took part.

2. Summary of findings

- 2.1 The groups were enthusiastic about the service provided by both Taxicard and Dial-a-Ride, when the schemes work effectively. But their users regularly have to overcome problems of inconsistency of service, of unreliability, and of difficulties when making bookings.
- 2.2 Despite these difficulties, both schemes make a positive contribution to their users' quality of life, and are the only viable public transport options for those with limited or non-existent access to "mainstream" services (buses, trains, etc).
- 2.3 Both schemes could be improved to a limited degree without significant additional expenditure. But overcoming all of the shortcomings identified would probably be a major task.
- 2.4 Access to mainstream public transport (especially buses) could be improved for some users, with little additional expenditure. But access to the rail system remains problematic without major changes to its infrastructure.
- 2.5 Access to information is often difficult. Many potential users are not fully aware of what information is available, in what formats, and how and where it can be found.
- 2.6 The issues raised were generally similar irrespective of which of the two schemes were used, and of the locations served, with the exception of Croydon where they appeared to operate more effectively.
- 2.7 Regardless of the mode of transport or "para-transit" being used, there is a significant level of stress involved for all disabled travellers. This stems, for example, from uncertainty about the reliability of pick up arrangements, and from the inherent challenges of using mainstream public transport.
- 2.8 The ability to overcome such difficulties tends to be influenced by such personal factors as the users' level and type of disability, their physical resilience, their tolerance of stress, and their assertiveness.
- 2.9 Despite these difficulties, many people are keen to expand their travel experiences, in particular by using buses. As one wheelchair user put it, "Using a bus was a truly liberating experience".

3. Current position

Dial-a-Ride

3.1 People use Dial-a-Ride for a wide range of journeys that include shopping, doctors' appointments and social trips. It is used because of the advantages it has over mainstream public transport, which the group generally found to be too stressful. The key attributes were considered to be :

- it is operated door-to-door and is thus more convenient,
- its drivers are empathetic, understand the needs of disabled people, and provide assistance such as carrying shopping and escorting passengers to their doorsteps,
- it is appropriate for "awkward" local journeys and for regular trips to clubs, and
- the cost is reasonable.

3.2 But all users experience some problems with the scheme. For example :

- most people find it very difficult to get through on the phone to make a booking,
- there is an apparent contradiction between the frequency with which users are told rides are fully booked and the fact that the vehicles are often seen half empty,
- same-day and next-day bookings are rarely available,
- there is a lack of flexibility in the system and individual users (unlike groups) are unable to make a series of fixed and regular bookings, e.g. to attend adult education classes,
- the ban on travel "out of area" imposes serious limitations,
- complaints are not always effectively dealt with and some do not get any response,
- some participants felt that the scheme was abused by people who did not really need to use its services, which added to the pressure of demand, and
- a few people thought that the current vehicles could be made more accessible, e.g. by using more conspicuously contrasting colours on grip rails. But this view was not universal, and there seemed to be some variation in such features across the fleet.

3.3 Overall, the users believed the scheme makes a significant contribution to their travelling, when it works properly. With the exception of a couple of negative telephone experiences, group members felt that the staff do try to do their best, but that the scheme is overstretched and therefore unable to deliver on recently introduced improvements, such as same-day bookings. The scheme appears to work best for regular group journeys, e.g., template bookings for groups attending social club functions.

3.4 Dial-a-Ride users felt that the following measures would improve the scheme :

- revising the procedures to minimise the problems encountered when making telephone bookings;
- extending the permitted journey distances beyond the current operational areas,
- adding cars to the vehicle fleet to provide more flexibility and reduce costs,
- increasing the flexibility of bookings to facilitate individuals' attendance at regular events, e.g. adult education classes, and
- establishing an effective complaints procedure.

3.5 A significant number of participants said they would be prepared to pay a little more for the service if this improved its reliability (even though, if they are able to use mainstream public transport services, the Freedom Card allows them to do so free of charge).

Taxicard

3.6 In addition to the type of journeys made by Dial-a-Ride (see above), Taxicard is used to access other (mainstream) forms of transport, e.g. at railway stations. People use the scheme because:

- it is accessible and convenient,
- it is relatively inexpensive for journeys up to about £10,
- it is often the only flexible alternative available for some groups of people, (e.g. wheelchair users, who find buses difficult and the Underground virtually impossible to use without constant assistance),
- they feel safe, and
- it allows journeys to be planned with a greater degree of predictability than Dial-a-Ride (although this is not consistent – see below).

3.7 While Taxicard users felt that the scheme is an excellent idea, the general opinion was that it doesn't always work as it should. The key reasons for this were that :

- it can be unreliable and difficult to book, with taxis arriving late or not at all, which is a real source of stress,
- because the call centre is in Scotland, its operators have limited knowledge of localities in London,
- the reliability of pick-up appears to depend on location and time of day, with people in outer London boroughs having the most difficulty in booking cabs,
- while the majority of taxi drivers want to be helpful, they don't always know how to do so and don't necessarily use the taxis' special features, such as ramps,
- the design of new taxis is not suitable for all disabled travellers, e.g. people with mobility difficulties find getting in and out of them difficult and

some find the seating arrangements problematic (a swivel seat would be helpful),

- anecdotal evidence suggests that the complexity of the scheme, particularly with regard to charging, may impact on the willingness of taxi drivers to respond to calls or take users who try to hail a cab on the street (there are wide variations between participating boroughs in the rates charged and the number of rides permitted, which causes confusion to drivers),
- a significant number of participants reported incidents where cab drivers had refused to take them when flagged down on the street, even though they were members of the scheme,
- several users reported that taxis had arrived with £6 to £7 already on the meter, arousing suspicions that some drivers could be abusing the subsidy, and
- when complaints about aspects of the service were made, they did not seem to be followed up.

3.8 Users felt that the following measures would improve the scheme :

- making the rules of the scheme's operation consistent across all London boroughs, to encourage more taxi drivers to participate fully,
- training taxi drivers in disability awareness,
- increasing flexibility by allowing users to use more than one credit at a time for those longer journeys for which Taxicard is not currently economical (such journeys are often cheaper by minicab at present), and
- handing over the control of subsidy to the individual members for them to use as they choose.

4. Using other public transport

- 4.1 Members of both schemes experienced difficulties in using other forms of transport. People who only use Taxicard expressed a greater desire to expand their travel opportunities than those who only (or also) used Dial-a-Ride, but the small size of the groups did not make it possible to test the full significance of this apparent distinction.

Rail

- 4.2 It was generally agreed that rail (and especially the Underground) is the least accessible mode of public transport. The degree of inaccessibility depends on the individual and the nature of their disability. For example, a guide dog user needs stairs as opposed to an escalator to access a station, whereas both stairs and escalators are major barriers to a wheelchair user. But the problems fall generally into two main areas.

- 4.3 Physical environment :

- poor accessibility to platforms, with inconsistency from station to station in the provision of stairs, escalators and lifts,
- inadequate and difficult-to-read signage,
- lack of ticket offices that are accessible to wheelchair users,
- inconsistency in (and lack of) on-platform announcements, and
- inconsistency in providing tactile safety features on platforms, e.g. textured platform edgings found on some stations but not all.

- 4.4 Trains:

- the gap between platforms and trains can be virtually impossible for some disabled people to negotiate,
- visually-impaired people can have difficulty in finding and operating the doors on boarding,
- the positioning and colour contrast of interior hand rails is inconsistent,
- there is no specifically allocated space for wheelchairs, and
- when seating is allocated for priority use by disabled people, it is not always vacated.

- 4.5 Participants thought that the on-board voice announcements were good, but not all lines yet have them. Several people used the National Rail companies' phone-ahead system, where a member of staff meets passengers at the station, but this service was not always available because of lack of staff, and it did not always work effectively. In addition, the lack of staff at some stations made it difficult to get assistance on a regular basis and reliance had to be placed on members of the public.

4.6 While group members realised that major structural changes were not feasible in the short term, they felt that the following actions might encourage them to use the railways more often :

- consistency in train design, platform and train signage, and safety features,
- voice announcements on all trains and platforms, and
- increased staff awareness of disability issues such as safety, providing assistance, and closing doors.

Buses

4.7 For the majority of relatively mobile people, buses were deemed the most viable form of mainstream transport, but this did depend on the individual's level of mobility and confidence. Dial-a-Ride and Taxicard users tend not to travel by bus as much as they would like because:

- despite recent improvements in bus design, there are inconsistencies between different vehicles, and even when provided features such as retractable ramps and "kneeling suspension" are not used automatically,
- there are particular problems in getting on and off buses, e.g. in using different doors,
- wheelchair users have difficulties in entering and exiting from buses, and even 'accessible' vehicles will only take one passenger using a wheelchair,
- there is a perception that people with children in buggies have a first claim on the priority seating,
- information on the front of buses is not always easy to read,
- buses regularly fail to stop near the kerb and/or the bus stop,
- drivers have only limited awareness of how to deal with disabled passengers and are not always particularly helpful,
- priority seating is often abused by other passengers and the rules are not enforced by drivers,
- buses often move away from stops before passengers are seated, and
- visually impaired passengers have problems in finding seats because of inconsistencies in their layout, and often have to rely on other passengers to identify stops when they want to get off.

4.8 Most people thought there were a few straightforward improvements, which would encourage them to use buses more often :

- increased driver awareness of the problems facing disabled passengers, e.g. stopping close to the kerb and to bus stops, offering assistance without being asked, operating the "kneeling" facility or lowering ramps automatically, not driving off until vulnerable passengers are seated, and policing the use of priority seating,
- on-board announcement of the vehicle's location, similar to those made on trams,

- improved signage at bus stops and on buses,
- consistency in layout and design, e.g. of seating arrangements, hand rails (yellow rails were favoured as being more conspicuous in twilight) and the position of doors,
- providing more than one space for wheelchair users.

5. Information

- 5.1 It was felt that there is a need for more reliable information in formats people can use, and for greater awareness of the information that is already available. Participants in the groups found out about the schemes and about transport news in general from a range of sources, including **TransportforAll** magazine, word of mouth, and local news outlets.
- 5.2 There was limited awareness of the telephone helpline operated by Transport for London's Access and Mobility Unit, though it was highly praised by those who had used it. *[This service is now accessed via the general Travel Information call centre on 020 7222 1234, the separate number previously advertised having been discontinued.]*
- 5.3 Problems they encountered were :
- distribution of **TransportforAll** magazine was inconsistent,
 - knowledge that the magazine is available in accessible formats was sketchy - some people asked for it to be made available on tape because they were unaware that this facility already exists (it is not advertised as clearly as is desirable), and
 - the information that is given doesn't always correspond to the service on offer - for instance, bus routes described as accessible may have different (non-accessible) vehicles on Sundays.
- 5.4 To improve access to information the group suggested :
- wider dissemination, e.g. via clubs and other social groups, and
 - more publicity for the specialist services and facilities, e.g. details of such services could be included in all publicity material and advertised at stations and on buses.

6. The way forward

Eligibility

- 6.1 Eligibility was not thought to be an issue for Taxicard, as users already had to prove their disabled status when applying for the scheme. Users of Dial-a-Ride felt that people who were capable of using other forms of transport abused the scheme to some degree. Consequently, they were content for eligibility criteria to be tightened up, although opinions about the criteria to be used were mixed. Some participants suggested that receipt of disability related benefits could be sufficient evidence of need. It was also thought that any tightening up of the eligibility criteria should not impose a burden on the applicant or on professionals such as doctors.

Additional support for those using public transport

- 6.2 Feelings about two ideas suggested as ways to help disabled people use mainstream public transport were mixed :
- roughly half of the group members thought that an individual journey planning service was a good idea, but the remaining members were sceptical about its potential and didn't think they would feel any more confident about travelling, and
 - there was a similar split in feelings about the concept of "first time" journey escorts, with practical concerns about the volume of demand and personal concerns about being escorted by a stranger given as reasons for not being enthusiastic about the idea.

7. Postscript by LTUC

- 7.1 Transport for London (TfL) operates the Dial-a-Ride service, and co-funds the Taxicard scheme with the London borough councils. It sponsors the London bus network, Docklands Light Railway, and Croydon Tramlink. It will shortly (2003) take ownership of London Underground, and it also runs London's main road network, Victoria Coach Station, several of the Thames piers, and the Woolwich Ferry. It licences taxis and taxi drivers, and is creating similar arrangements for the minicab trade. It does not own or control the trains and stations on the National Rail network, but it can influence the level and pattern of services and fares through agreements with the Strategic Rail Authority and the Association of Train Operating Companies.
- 7.2 TfL is therefore the key player in any strategy for improving the accessibility of London's transport networks to assist travellers with impaired mobility. Great strides have already been made. LTUC warmly endorses the many initiatives taken by TfL's Access and Mobility Unit, and the approachability and helpfulness of its staff. But as the comments recorded in this report reveal, the facilities currently provided fall far short of the ideal, when viewed from the perspective of Londoners for whom any journey represents a major challenge.
- 7.3 The eligibility criteria for the para-transit schemes are already under review, so it is not necessary to revisit those issues here. The Dial-a-Ride and Taxicard users who took part in these groups were generally positive in their view of these services, and valued the contribution they make to enhancing their mobility. But they identified a number of apparent shortcomings in the manner in which they operate.
- 7.4 In relation to *Dial-a-Ride*, their concerns were centred on the booking facilities, the permitted journey distances, the suitability of vehicles, the rules regarding regular trips, and the effectiveness of the complaints procedures.
- 7.5 In relation to *Taxicard*, their concerns were centred on the reliability of the bookings system, the disability awareness (and, occasionally, the probity) of the drivers, the inconsistency in the rules laid down by different local authorities participating in the scheme, the restrictions on journey length, and (again) the effectiveness of the complaints procedures.
- 7.6 Valuable though these schemes are, they are able to cater for only a small proportion even of their current users' travel needs, and they account for a minute fraction of the total number of public transport journeys made in London. Given their high costs of operation, this is likely always to be true. So while all that is reasonably practicable should be done to remedy their shortcomings, and to improve the effectiveness of the service they offer, the real challenge lies in finding ways of making mainstream public transport services more accessible and more attractive to those whose disabilities have hitherto made them unable or reluctant to take advantage of the vastly greater range of travel opportunities that trains, buses and (increasingly) trams can offer.

- 7.7 Of the two major mainstream modes of transport, *rail* – at its best - can offer much the most convenient and agreeable journey experiences for people with impaired mobility. For instance, it is possible to reserve seats, buy tickets in advance, have the benefit of fully accessible toilets, and arrange for help from staff in the course of the journey. But sadly, rail is often only at its best for longer-distance journeys between major stations, of the kind that most people make only occasionally. For everyday local journeys, rail is more commonly at its worst. Platforms are often inaccessible, stations are unstaffed, ticket-buying and information services leave much to be desired, and the trains themselves have few if any special facilities for passengers with physical or sensory impairment.
- 7.8 London Underground has published a policy statement, *Unlocking London for all*, in which it sets out its plans for creating a more accessible network by the year 2020. This includes improvements to pre-journey information (by telephone and internet, as well as publications), better ticketing facilities, lifts to platforms, guidance systems in stations, level (or “humped”) access to trains, audible and visual information systems on board, and standardised features such as colour contrasting handrails and wheelchair spaces. It is also reviewing the disability awareness element of its staff training courses. All of this is laudable as an objective. But much of it (particularly where major construction works at stations are required) does not form part of the PPP arrangements for renovating and upgrading (or replacing) the system’s infrastructure and vehicles, and must therefore compete for funds as part of the annual budget-setting process. And even if all that the statement aspires to is delivered, 60% of Underground stations will still not have step-free access.
- 7.9 On the National Rail network, the Strategic Rail Authority (SRA) has recently revised and reissued its code of practice on *Train and Station Services for Disabled Passengers*, to which train and station operating companies are required to have regard when drawing up the “Disabled Persons Protection Policies” which are a condition of their operating licences. These policies are currently (2003) under review. The code of practice is extremely comprehensive, but it is not mandatory except to the extent that operators must take account of it when drawing up plans for new, renewed or replacement facilities and services. There is no formal requirement to modify existing facilities (except to the limited extent that the Disability Discrimination Act 1995 (DDA) imposes such a duty – see paragraph 7.13 below).
- 7.10 The template franchise agreement now being drawn up by the SRA for its “second generation” of operating franchises is likely to require franchisees (i.e. train and station operators) to set up annual minor works budgets to enable them to carry out improvements that can be implemented relatively cheaply, e.g. low rise ramps in place of steps, markings on glass doors, improvements to signs and installing induction loops for the hard of hearing. But it is also likely to make clear that securing the capital funding required to carry out major improvements to the accessibility of stations will be the role of the SRA, and such funding will have to compete with the many other claims on the SRA’s finite resources. DDA requirements will, over time, remedy the situation on trains as the rolling stock fleet is gradually replaced, but in relation to the infrastructure the SRA’s *Strategic*

Plan 2003 simply states that “The SRA is beginning development work on solutions to improve accessibility of stations across the country... Availability of funds will determine the overall speed of enhancement. The SRA will seek opportunities to implement the best schemes as soon as possible...” The sentiment is positive, but the concrete commitment is noticeably weak.

- 7.11 In the short term, therefore, *buses* are set to remain not only the most widely available but also the most accessible form of mainstream public transport. Much has already been accomplished, e.g. in providing colour-contrasting handrails, low-step entrances, palm-operated bell-pushes, “bus stopping” signs, level (or near-level) floors, and designated priority seating. Two-thirds of London’s buses are now wheelchair accessible, and this will apply to the entire fleet (other than the venerable Routemasters, which are likely to remain in use only as tourist attractions) more than ten years before it becomes obligatory under the Disability Discrimination Act in 2017. One participant in the focus groups which are the subject of this report described the thrill of being able to travel on a bus to the theatre in his wheelchair by himself for the first time, and the sense of freedom which this had given him.
- 7.12 But the Dial-a-Ride and Taxicard users in the groups also spoke with feeling about the difficulties which many of them would still face in the course of a bus trip. Inconsistencies in the layout of vehicles, and in boarding and alighting arrangements, were cited – particularly the persistent failure of drivers to pull up close to the kerb. There were conflicts with other passengers who abused priority seating, and would not fold buggies when the wheelchair space was needed. Exterior information displays could still be hard to decipher, and (unlike some major cities abroad) London’s buses have no “next stop” announcements, either visual or audible. Although it is improving, information at stops is often difficult for passengers with some disabilities to decipher. And above all, more sensitivity on the part of drivers is called for, e.g. in providing assistance, not driving off prematurely, and ensuring that other passengers respect facilities provided for disabled users.
- 7.13 It is sometimes suggested that even when it has been adapted to be more accessible, public transport is under-used by those whose disabilities excluded them from it in the past because they are unaware of these changes, or have a natural “fear of the unknown” - particularly if there is a possibility of becoming stranded. So possible means of overcoming these difficulties were canvassed in the focus groups. Awareness of the specialist telephone helpline facility was surprisingly limited, and this was felt to need wider publicity, not least through the magazine **TransportforAll**. And although not everyone was keen on them, there was enough interest in the suggestions of an individual journey planning service, and of escorts who would accompany disabled passengers making unfamiliar journeys for the first time, to make these ideas worthy of further investigation.
- 7.14 Regulations made under the DDA already require new trains and buses to be wheelchair accessible, and to meet certain other access standards. Existing buses (though not trains) will have to be phased out or adapted by 2015 (or 2017 in the case of double-deck vehicles). But improved vehicles are of little benefit if the related transport infrastructure remains inaccessible. From 1 October 2004,

where there are physical features that make it impossible or unreasonably difficult for disabled people to use a rail or bus station, its operator will have either to “take such steps as it is reasonable to require [it] to take” to remove or alter this feature, or provide a reasonable means of avoiding it. Station operators will be legally responsible for ensuring that the premises meet the requirements of the law. But what is “reasonable” or “unreasonable” can only be decided on the facts of any specific case, and until this part of the statute comes into force, there is no relevant case law to provide guidance. In the past, however, judges have tended to approach such matters by addressing the question of whether there is “gross disproportion” between the costs and the benefits of what is proposed. It is entirely possible that a proposal to spend hundreds of thousands of pounds on modifying a Victorian or Edwardian station to make it fully step-free, for the benefit of a relatively modest number of would-be users, would not pass this test. In such circumstances, the operator would have to provide a “reasonable alternative method” making the service available. If “the service” was deemed to be transport to a particular destination, rather than travel by a particular means, then (for example) an accessible taxi to/from the nearest accessible station might be held to be acceptable.

- 7.15 The legal position is further complicated by the fact that, at present, the sections of the DDA outlawing discrimination against disabled people in the provision of services (as distinct from facilities) do not apply to “any service so far as it consists of the use of any means of transport”. This means that while operators are under an obligation to make vehicles and – in future – stations accessible, there is no similar obligation relating to other aspects of their service, such as providing information or help from staff. While responsible operators would not seek to use this clause to shield them from meeting reasonable requests, it could be held to exempt staff (for example) from any duty to make particular efforts to assist disabled travellers. The Disability Rights Task Force has recommended that this clause is repealed, and the Government has recently consulted relevant bodies on this suggestion. LTUC has supported the proposal, but currently there is no means of knowing if and when it will become law. If and when it does, however, and if transport providers then act in accordance with its spirit, many of the shortcomings reported by members of these focus groups relating to “soft” aspects of the service (such as staff helpfulness) should gradually become things of the past.
- 7.16 But by their very nature, buses and trains do not offer door-to-door travel, and in this respect para-transit services will always have an advantage. However good their vehicles, and their waiting facilities, the public transport modes will remain inaccessible to many potential users because of difficulties in accessing them. These difficulties arise in the street environment. Some are physical, such as obstacles on the pavement, and some are perceptual, such as fear of crime and disorder in the “public realm”. London’s main roads are operated by TfL, but more than nine-tenths of the road network is the responsibility of the boroughs, in partnership with other agencies – notably the police. So the active involvement of all concerned is necessary if progress is to be made, and the agenda remains a vast one.

7.17 LTUC therefore commends the findings in this report to TfL, and to all other interested organisations and individuals. It invites them to join with it in debating and exploring the ways forward.

Appendix A

LONDON TRANSPORT USERS COMMITTEE

SPECIFICATION FOR FOCUS GROUPS RESEARCH INTO DIAL-A-RIDE AND TAXICARD : AREAS FOR DISCUSSION

1. Current position

- What particular types of journey are undertaken and why?
- Why are these schemes used as opposed to other types of transport?
- What are their advantages/disadvantages?
- What is the quality of the service?

2. Using other forms of transport

- What other forms of transport would you like to use more often?
- Why would you like to use them, and for what?
- What problems exist in using them?
- What could be done to make them more accessible?

3. Information

- How do you keep up to date with transport initiatives and developments?
- Are you aware of any developments which have improved vehicle access?
- How has this affected your usage of transport, and why/why not?

4. The future

- Should the eligibility rules for new applicants be changed and, if so, how?
- What are the actions and the priorities, which would improve your overall travel opportunities/experiences, including individual support such as personal journey planners or first-time journey escorts?

Appendix B

FOCUS GROUP 1 : USERS OF DIAL-A-RIDE

Held on Tuesday 18 February 2003 (1000-1300)

Name	Age range	How often uses it	Also uses	Disability
Mr M C	Over 69	Twice a month	Buses, Underground	Blind
Ms D E	Over 69	Weekly	None	Arthritis
Mrs W	Over 69	Weekly	Buses, car as passenger	Flat feet, arthritis
Miss P	Over 69	Weekly	Minicab	General mobility
Mr R S	50-69	Less than monthly	Buses	Blind, disabled
Mr K F	50-69	Less than monthly	Buses, Underground, National Rail, car as passenger	Repetitive strain injury, back pain
Ms H G	Over 69	Weekly	Buses, car as passenger	Multiple myeloma, osteoporosis
Mrs W	30-49	Less than monthly	Buses, Underground, National Rail, car as passenger	Blind

FOCUS GROUP 2 : USERS OF TAXICARD

Held on Tuesday 18 February 2003 (1400-1700)

Name	Age range	How often uses it	Also uses	Disability
Mr P C	50-69	Monthly	Buses, Underground, National Rail	Blind
Mr M S L	Under 30	Every 2 weeks	Car as passenger	Visually impaired
Mrs S J	30-49	Weekly	Commercial taxis	Mobility problems
Mr D P	50-69	Weekly	Buses, Underground, National Rail, car as driver	Parkinson's disease
Ms V	30-49	Weekly	Buses, Underground	Walks with crutch, gets breathless
Mr K G	50-69	Monthly	Car as passenger	Wheelchair user
Ms P M	Over 69	Monthly	Buses	Cortico basal degeneration

FOCUS GROUP 3 : USERS OF BOTH DIAL-A-RIDE AND TAXICARD

Held on Tuesday 25 February 2003 (1330-1630)

Name	Age Range	How often uses them	Also uses	Disability
Mr R	50-69	Weekly	Buses, Underground	Problems walking
Ms G M	Over 69	Weekly	None	"Crippled"
Ms E A	Over 69	Monthly	Buses, National Rail	Blind
Ms M G	Over 69	Less than monthly	Car as passenger	Blind
Mr M E	Over 69	Weekly	Car as passenger	Recovering from stroke
Mrs P H	50-69	Weekly	Buses	Multiple sclerosis

Appendix C

Credits

Lead member : **Jeanette Appleton**

Lead officer : **John Cartledge**

Focus groups facilitated by : **Rick Williams** (Access Matters Ltd)

Focus groups organised by : **Rachel King and Suzanne Fry**

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LTUC is grateful for the help and advice provided during the course of this project by Peter Scott-Presland (editor of **TransportforAll**) and by Andrew Braddock, Bryan Heiser, Ashley Heller, Pip Hesketh, Joyce Mamode, and Ian Seabrook (of Transport for London).

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Published by : **London Transport Users Committee**

May 2003

ISBN 0 9545124 0 5