

TRANSPORT 4 ALL Meeting 19.01.17
Sheffield Town Hall - Room G42

1) WELCOME/APOLOGIES/INTROS

People present

Shel Turner (MT) – Chair
Craig Williams (CW)
Alan Kennedy (AK) – supporting CW
James Martin (JM)
Julie Smethurst (JS)
Stacey Anderson (SA)
Councillor George Lindars-Hammond (GLH) – Cabinet Advisor on Transport
Councillor Ian Auckland (IA) – Shadow Cabinet
Nigel Wragg (NW) – Stagecoach Supertram
Andy Metcalfe (AM) – First Bus
Dave Cooper (DCp) - Sheffield Community Transport
Val Bowen (VB) – Disability Sheffield
Adam Batty (AB) - Access Ambassadors Co-ordinator, SY Housing Assoc.
Elsbeth Mallowan – (EM) – Sheffield Churches Council for Community Care
Paula Turner (PT) – SY Passenger Transport Executive
Simon Ovenden (SO) – Sheffield City Council Planning Service
Cate Jockel (CJ) – Sheffield City Council Transport Planning
Douglas Johnson (DJ) – Unity Law – for item (3)
Saskia Peet (SP) – Sheffield Safe Places Scheme – for item (4)

Apologies

Grace Parry (GP)
Paul Savage (PS)
Alan Thorpe (AT)
Danny Heffernan (DH)
David Caton (DCt) – Stagecoach Bus
John Hudson (JH) – Sheffield City Council Transport & Facilities Management

2) MINUTES OF OCT 2016

The final draft minutes were approved (with 2 revisions since initial circulated draft, one related to taxis and one related to the Special Olympics). These will be added to the group's webpage.

3) EAST MIDLANDS RAIL FRANCHISE UPDATE

Intro: at October's T4A meeting, Alex Forrest, Strategic Rail Officer at Sheffield City Region had outlined the franchise renewal process for East Midlands Rail (EMR). The current franchise (operated by Stagecoach as East Midlands Trains (EMT)) covers Midland Mainline (Sheffield to London services) as well as services between Norwich and Liverpool; and other local services e.g. Derby-Matlock; as well as managing about 90 stations including Sheffield Midland Station.

The Department for Transport's (DfT) stakeholder consultation was expected before Xmas. Individuals and groups such as T4A are welcome to respond.

Update: the consultation has not yet been launched. However, James (JM) has been through an initial document that DfT has published (called the prospectus) and put together a presentation which was circulated with the meeting notes. He had divided it into 6 sections and these were discussed at the meeting in turn. Summary:

1. General overview: good to see a strong emphasis on the passenger experience & transport that works for everyone in the prospectus. Hope this leads through into the final franchise agreement legal wording. Watch out for money saving suggestions such as driver-only operation.
2. Station experience/environment: main items discussed were avoiding the creation of confined spaces and providing full tactile way-finding (including of platform edges; platform numbers at entrance to platform; voices in lifts) and having sufficient staff to provide assistance
3. Ticketing: smart ticketing has pros and cons. Ticket machines are hard to access for VIPs and wheelchair users & often generally hard to understand options: much consultation needed if more paperless ticketing. Ref any audio facility, remember stations are noisy places. Where not possible to pay at station for whatever reason, it should be possible to use discounts etc when pay on train.
4. Assistance provision: not always possible to pre-book and, for short trips, it must be possible to 'turn up and go' & expect customer assistance to be there at stations such as Midland & other big city stations. Importance of staff training. Transparent process for complaints & compensation whoever the operator.
5. Rolling stock design and operation: lots of rolling stock is inherited by franchise holder – how much will be new during franchise? Reservable spaces are crucial to reduce stress and ensure can complete journeys. Mobility scooters? Toilets should all be accessible toilets by 2019 (EU?) Consistent design important – e.g. buttons to push to open doors. Curtains/blinds in Standard would help people with photosensitivity & possible epilepsy too.
6. Opportunities and Concerns: suggest EMR franchise uses disabled mystery shoppers.

Actions: JM will update his presentation notes with suggestions made at the meeting. This can be used as the basis of a T4A response when the consultation happens. This could be an item for the next T4A meeting in April or, if a response is needed earlier, JM, JS, MT, SA & PT offered to help via email.

4) SUPREME COURT JUDGMENT IN PAULLEY CASE & IMPLICATIONS

DJ introduced this item following the Supreme Court judgement made the day before the meeting (18.01.17). (NB Unity Law (DJ's employers) had been representing Doug Paulley (DP) since 2012, so interest declared!).

Background: initial incident was Feb 2012 - 0935 bus (First Bus) Wetherby to Leeds. Bus had a wheelchair (w/c) space but it was occupied by a buggy with sleeping child. DP offered to fold w/c but still wasn't allowed on. So he received a worse service than if he hadn't had a disability – a breach of the Equality Act. Leeds County Court agreed that First Bus had failed to make reasonable adjustments. First Bus appealed to the Court of Appeal 2014, in relation to vehicle regulations and driver duties, which mean drivers can't – if the passenger won't move - force them to leave the bus. That was upheld, so the law was left unclear and unhelpful to w/c users and passengers.

Supreme Court: allowed DP's appeal. Judgment was that First's service had been discriminatory on the day. It is not sufficient for the bus company to instruct its drivers just to request that someone vacate a w/c space. Some further, more forceful, step is necessary. But it isn't specified what further steps are reasonable for a driver to take – and ordering someone to leave the bus could also be unreasonable (should all be appropriate in the circumstances). So the judgment doesn't actually make it easier for anyone in future incidents. The Equality Act places a duty on the bus company to have requisite signs on buses and provide training/instruction to drivers, but drivers have discretion and passenger behaviour in outside the Act.

DJ concluded by saying that bus companies will need to consider what they need to change & how to support drivers to do this. As will Transport Authorities ref tendered services etc.

Discussion:

- CW: there have been notices on buses for many years. CW has a 1993 letter from First to say that w/c users have priority. How make sure this happens?
- MT: should there be less (no) instances where drivers don't even ask passengers to fold pushchairs? DJ – this should improve;
- MT: could the design of buses emphasise who should go where better? Could the notices be stronger?
- NW: drivers are not likely to stop the bus and call the Police: this wouldn't be practical. And no law is being broken as it is not unlawful for the passenger with a pushchair to not fold it;
- JM: could a way forward be a Ministerial Order e.g. to amend Conditions of Carriage in relation to passenger conduct regulations?

5. SHEFFIELD SAFE PLACES SCHEME

6. AOB

There was no time remaining for items 5 and 6. Apologies to SP who had attended for item 5. However, she was happy to come to the April meeting for her item.