

---

**Secretariat memorandum**

Author : Vincent Stops

Agenda item : 8

AT007

Date : 26 June 2009

---

**Accessible bus stops briefing**

**1 Purpose of report**

- 1.1 To brief the Access to Transport Committee on the work the Secretariat and members have undertaken to promote bus stop accessibility.

**2 Background**

- 2.1 London is now well placed in terms of accessible buses. It has a comprehensive network of bus services, and every bus is low floored, with a space for wheelchairs. This is an important achievement as buses will continue for many years to be the only form of public transport in London which is accessible to almost all. The Underground and National Rail will take much longer, and some stations may never be accessible.
- 2.2 However, in order that services are accessible to wheelchair users and the less mobile, a bus must be able to pull into the kerb (within 200mm), particularly if the bus driver is to deploy the ramp.

To facilitate this and allow enforcement against vehicles parking at a bus stop, the local highway authority needs to:

- i) implement a bus stop clearway i.e. yellow line the kerb and paint markings on the carriageway as per the regulation drawings
- and
- ii) attach a time plate on the bus stop flag adjacent to the clearway.

Other requirements are for a kerb height of 125mm and an unimpeded kerbside.

- 2.4 London TravelWatch believes that in order for a local highway authority to comply with its duties under the Disability Discrimination Act 2005 (DDA), it should implement bus stop clearways as described above at all of its bus stops. The restrictions should be in force for at least for the hours that buses serve the stop, to enable wheelchair users to have access to bus services in a similar manner to the able-bodied.
- 2.5 The cost of implementation of the required lines and signs is in the region of £500 per stop, but the highways costs of raising the pavement level may be high. Moving various items of street furniture impeding the kerbside may vary

greatly in cost. Although it is good practice to consult those affected and most highway authorities will do so, there is no statutory requirement to do this.

- 2.6 Guidance to highway authorities in London on these issues has been available for many years. London TravelWatch and its predecessors have stressed the importance of this for many years.
- 2.6 The general point is accepted by many local highway authorities and some quote the legislation in their consultation literature. Over the years there has been steady progress made on raising pavement levels, removing impediments adjacent to the kerb and implementing clearways.
- 2.7 London TravelWatch heard at its May 2009 Access to Transport Committee that a TfL audit of the 17,476 bus stops in London had found that 26.2% of stops on borough roads and 49.6% of bus stops on Transport for London Road Network (TLRN) are fully accessible.
- 2.7 However, some London local authorities have taken the view that there is a balance to be struck between the needs of vehicle drivers to park at the kerbside and the need for disabled access to bus services and have concluded that at some locations parking should be prioritised.
- 2.8 Over a number of years, particularly since the Disability Discrimination Act was amended to include highway authorities, London TravelWatch has written to local authorities pointing out what we believe is a duty on them to promote equal access to bus services by wheelchair users. Members have discussed the issue with local borough councillors and officers
- 2.9 There is a particular problem where Hail and Ride services operate because there is often no history of fixed bus stops and parking demand may be such that local residents resist the implementation of clearways and the associated loss of kerbside parking.
- 2.10 We have sought the views of a transport minister, a TfL legal view and the Equalities and Human Rights Commission's (EHRC) legal view. All this advice is general and is written in difficult legal language, but we think it is supportive of the Secretariat's view that local highway authorities have a legal duty to implement bus stop clearways at bus stops in order that they are to be accessible for all.
- 2.11 The Secretariat is presently involved in two pieces of work to try to progress this issue. We are in correspondence with the EHRC (though we have been for a very long time), seeking help in promoting this issue. We have also recently written to a local authority that decided not to implement clearways because of the level of public responses to its proposals.
- 2.12 The Secretariat always makes this case when it is consulted regarding the provision of bus stop clearways by highway authorities and will request the implementation of clearways when we see examples during our work.

### **3 Equalities and inclusion implications**

- 3.1 The issue is fundamentally an equalities one. If buses are accessible to all then there will be a real step change in the quality of life of disabled passengers, particularly wheelchair users.

#### **4 Legal powers**

- 4.1 Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider - and where it appears to the Committee to be desirable, to make recommendations with respect to - any matter affecting the functions of the Greater London Authority or Transport for London which relate to transport (other than of freight).

#### **5 Financial implications**

- 5.1 There are no financial consequences for London TravelWatch.

#### **6 Recommendations**

- 6.1 None – the report is for information only.