



Multiple Sclerosis Society  
Cymru

## **Accessibility of transport services for disabled people – Equality of Opportunity Committee inquiry – response by MS Society Cymru**

### **About Multiple Sclerosis and MS Society Cymru**

Multiple Sclerosis is the most common disabling neurological disorder affecting young people in the UK with more than 100,000 affected by the condition. We estimate that over 4,000 people (1:700) are affected in Wales. It is a condition of the central nervous system. MS is unpredictable and can cause a wide variety of symptoms such as loss of mobility, pain, fatigue, vision problems, and numbness, loss of balance, depression and cognitive problems. The condition may progress steadily or involve periods of active disease followed by periods of remission.

The MS Society is the UK-wide charity dedicated to supporting people who have MS, as well as providing help to those people's families, friends, carers and colleagues. A significant number of our trustees, staff and volunteers either have MS or a personal connection with MS.

The Society provides care and support through services which include our information and helpline service, publications, a website that receives more than 40,000 visitors each month, welfare grants, funding research and funding MS specialist nurses.

We are a democratic organisation with over 44,000 members. Our network of 340 branches delivers local services to people with MS across the UK.

### **Synopsis of the issues facing disabled people**

MS Society Cymru is concerned that a large number of disabled people are unable to use public transport in Wales due to its inaccessibility. Despite increases in passenger numbers across Wales and the rest of the UK, disabled people are not able to participate in this "green revolution." They have found themselves unable to use certain routes, or in some instances have been stranded at a bus stop, because there is simply no way to get on the vehicle.

### **Background**

The *Disability Discrimination Act 1995* (updated in 2005) was intended to break down barriers for disabled people, putting pressure on private and public organisations to make their premises as accessible as possible to people with a range of disabilities.

High fuel costs and successive government policies have encouraged more and more people to use public transport instead of the private car. However the Act does not start to affect public transport until the following dates:

- January 2015 - Small buses
- January 2016 - Large single-decker buses
- January 2017 - Double-decker buses
- January 2020 – Trains

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The examples below show the plight of disabled bus users in Wales:

### **Example 1**

*'Dad's frustration as disabled son barred from bus,'* 13/03/09 – South Wales Argus  
A Newbridge man and his disabled son have been stranded on their journey home, because Stagecoach couldn't guarantee low floor buses on the route.

### **Example 2**

*'North Wales mum left stranded by bus because of wheelchair,'* 06/01/2009 – Daily Post  
A Denbigh Lady was left stranded at a bus stop, when a driver on an Arriva Cymru bus refused to let her on the bus in case her electric wheelchair "blew up the bus."

In 2007/08 there were 718 bus operators in Wales. The larger bus operators have a high number of low floor vehicles – Arriva (80%), Stagecoach (80%), First Cymru (88%) and Cardiff Bus (99%), although as Example 1 above shows even some routes into the major cities use high floor buses.

## **Multiple Sclerosis and disabled access to public transport**

Approximately a third of people who are affected by Multiple Sclerosis will need a wheelchair. Many more will rely on crutches, frames or other pieces of equipment to assist their mobility, all of whom will need ramps and lifts to access platforms and trains.

Approximately 10-15% of people affected by Multiple Sclerosis are diagnosed with 'Primary Progressive MS.' This type of MS leads to a steady worsening of symptoms and increase in disability. People affected by this particular type of MS are far more likely to need a wheelchair and face difficulties accessing public transport.

The majority of people with Multiple Sclerosis will live with the condition for decades, before developing 'Secondary Progressive MS' later in life. This particular type of MS will lead to an increase in disability, most likely requiring use of a wheelchair.

In addition, three quarters of people affected by Multiple Sclerosis will suffer from some sort of bladder issue. This will tend to be either a problem with bladder storage (frequent trips to the toilet) or with bladder emptying (bladder emptying is incomplete). Many people living with Multiple Sclerosis will therefore need frequent access to an accessible toilet if they are at a bus interchange.

## **What are the biggest barriers to making journeys in Wales?**

MS Society Cymru believes that there is a great deal of barriers for disabled people making journeys in Wales. These difficulties can be divided into two groups – those that are barriers to the journey of every passenger and those that are specific to disabled people. In the former category, the biggest barriers are lack of integration between bus and rail, and unreliability caused by congestion. In terms of barriers that would apply specifically to disabled people, the biggest are inconsistent levels of accessibility on buses, accessibility of bus stops and the provision of wheelchair accessible toilets at transport interchanges.

### **1. Lack of integration between bus and rail**

An integrated system of transport where buses, trains and taxis can all converge is a model that most passengers would like to see and to which many towns and cities aspire. However in many towns this simply does not exist and transferring between different forms of transport can be difficult and confusing. This is a problem for all passengers, but the

difficulties are far greater for someone who is disabled. One of the challenges of encouraging individuals out of their cars or taxis and onto buses is to portray public transport as a simple way of travelling. Yet if the bus station or bus stop is some distance from the railway station, this can dissuade travellers from using public transport, who may instead choose to drive their car. For disabled people, these issues are magnified. The less than half a mile walk from Wrexham Bus Station to Wrexham General Railway Station may take less than 10 minutes for someone who is fit and healthy, but would be far more difficult for someone who was disabled.

The Wales Transport Strategy suggests that a lack of integration of public transport is a problem for all passengers, stating:

“Problems arise when different forms of transport do not join up – because they are physically separate (bus and rail stations in separate locations), timetables fail to synchronise or there are restrictions on the carriage of bicycles on public transport. So in seeking to make public transport accessible to all, we need to move towards a fully integrated system, with availability and quality both enhanced.”<sup>1</sup>

The example of Wrexham (above) is not unique and as the Wales Transport Strategy suggests this is a problem affecting all passengers. Conversely the solution to this particular problem does not have to be unique to disabled people. The use of shuttle services that transport from a railway station to bus station could tackle the huge barrier to using public transport, and this would benefit all passengers. A positive example of this would be in Swansea with the Metro service and the “FreeB” bus in Cardiff that existed until recently. Alternatively a solution could be targeted specifically at disabled people using local community transport providers or the local authority paying the cost of a taxi from the bus station to the railway station on a tendered contract basis.

## **2. Unreliability caused by congestion.**

MS Society Cymru believes that another major barrier to using public transport is the perceived unreliability of buses mainly due to congestion. Reliability is an important concern for all passengers and therefore the Traffic Commissioner for Wales has set bus operators a target of delivering 95% of services on time. The problem is that a bus service can be reliable all day apart from the one time a passenger wants to use it, and although this would statistically mean that the operator was delivering more than 95% of services on time, the passenger’s perception of bus travel would be tainted by this experience.

If a passenger is waiting at the bus stop and the service does not arrive, is late, or is full and therefore does not stop, this is a nuisance. Yet for a disabled passenger the problem can be far greater. Depending on the particularly disability, the passenger may have planned to get on a specific bus at a specific time, and they might not know when the next bus is going to be. For example, someone with a visual disability might not be able to see the paper timetable (if one was present) to find out when the next bus would be. At a peak time if the bus does arrive late, it might be so full of passengers that it is not possible for someone using a wheelchair, frame or other community equipment to get on, forcing them to wait for the next bus.

The solution to these issues of reliability is for local authorities to install bus lanes and other priority measures. Whilst often contentious, bus lanes can dramatically improve reliability, and in cities such as Swansea, have transformed the perception of public

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<sup>1</sup> ‘Wales Transport Strategy’, Department of Economy and Transport, Welsh Government, 2008, p46

transport. The challenge is to persuade all passengers that travelling by bus can be more reliable and quicker than travelling in the car.

### **3. Inconsistent levels of accessibility on buses**

In terms of barriers that are specific to disabled people, the biggest is the inconsistent levels of accessibility on buses. Although the figures quoted on page 2 of this response relate to 2007/08, the picture is of a bus service where the percentage of low floor buses can vary dramatically. Whilst Cardiff Bus was reported to have 99% of vehicles with a low floor, Arriva and Stagecoach had only 80% meaning that 1 in 5 journeys would be inaccessible to wheelchairs. The smaller operators managing on smaller budgets and older buses tend to have a far lower percentage of low floor vehicles.

If there is a 1 in 5 possibility that the bus might be inaccessible for someone in a wheelchair, then that is going to discourage the passenger from using the service, particularly if the next bus will be 30 minutes or an hour later. Example 1 described on page 2 is a useful illustration of what can happen in that circumstance.

### **4. Accessibility of bus stops**

Another major barrier faced by disabled passengers is the accessibility of the actual bus stop. No matter how low the floor of the bus is, to be truly accessible, the bus stop needs to be accessible as well. MS Society Cymru believes that local authorities should invest more in improving the accessibility of bus stops. There are two key features to this and the first is a raised kerb. In many new developments and on core bus routes in major towns, bus stop kerbs have been raised to allow passengers using wheelchairs, pushing prams or even passenger who is not particularly steady on their feet to exit safely. The kerb is raised slightly so that any bus can line up at the same level and ensure a seamless transfer for passengers.

The second key feature has been more problematic in many Welsh towns and that is ensuring that motorists don't park on or too close to a bus stop thereby preventing the bus from getting next to the kerb. In these situations, passengers have to exit onto the road, and even with a low-floor bus, it would be very difficult for someone in a wheelchair to get on or off. Local authorities have tended to react to this by laying double yellow lines in an attempt to stop motorists, but it can be difficult to enforce this at every bus stop, in particular outside schools or shopping centres, when bus stops are often used as additional illegal parking spaces. A small number of local authorities have attempted to rectify this by "building out" bus stops so that rather than the bus pulling over to the bus stop and out of the main traffic, the bus stop is built out 0.5-1 metres out into the road, so the bus does not have to pull in. Modern accessible bus stops make it far easier for disabled people to use buses.

### **5. Provision of wheelchair accessible toilets at transport interchanges**

The final barrier that MS Society Cymru would identify is the absence of wheelchair accessible toilets at transport interchanges and on the bus network. As stated on page 2 of this response over three quarters of people living with MS will suffer from some sort of bladder issue often leading them to factor in the proximity of toilets into their travel plans.

Whilst the rail network is fairly poor at providing wheelchair accessible toilets and toilets in general at stations (Only 10% of stations have wheelchair accessible toilets), a large number of trains do have accessible toilets on them. Providing toilets on the bus network can be difficult and this can be a major barrier to people using buses. Buses are not designed to have toilets on them (in contrast to coaches) and the vast majority of bus stops

are on the road rather than at a formal bus station, so it is not practical to have them there. Finally many towns do not have a formal bus station with facilities such as toilets, shops and customer information, so the opportunities to access toilets on this mode of transport are very difficult.

However MS Society Cymru believes that there are steps local authorities can take to tackle this problem. Clearly it is not practical to have a toilet at every bus stop, but many district shopping centres have toilets either in a building or as stand alone coin-operated units. Local authorities should consider the location of these existing toilets when planning where bus stops are situated, so that wherever possible a major bus route or local transport interchange can pass through an area that has a public toilet. Another option is for the local authority to construct new stand alone toilets if an existing transport interchange does not have nearby public toilets and this is an option currently being considered in Cardiff now that most buses no longer terminate at the Central Bus Station but at other transport interchanges around the city centre. A final option available to local authorities is to work with businesses on main bus corridors to encourage them to apply for the Welsh Government's Public Facilities Grant Scheme, which gives funding to local businesses that open up their toilets to members of public.

The lack of toilets anywhere on the bus network is a major barrier to using public transport for conditions such as MS, but there are changes local authorities can implement to make this less of a barrier.

### **What factors have made it easier to travel? What difference have concessionary travel cards and community transport services made to you?**

MS Society Cymru believes that concessionary travel on buses and access to community transport services have had a real benefit on the lives of disabled passengers.

Since 2002 people over the age of 65 and disabled passengers have been able to benefit from this service, allowing them to travel without worrying about the cost, re-engaging them in society in a way that might not have previously been possible due to cost. The 2008 research commissioned by Leonard Cheshire Disability showed that there were over 3 million disabled people across the UK living in poverty and that this was exacerbated as the living costs of disabled people were estimated to be 25% higher.<sup>2</sup> MS Society Cymru also commissioned its own research in 2008 that estimated that the average amount of lost income for someone living with MS was approximately £8,000 a year. These figures would support the benefits of providing free bus travel to disabled passengers on the grounds that they would be isolated from society and not be able to afford the costs of travel otherwise.

However concessionary travel can only benefit disabled passengers if it is accessible travel. As the figures and case studies on the previous pages demonstrate, someone living with MS may have the right to concessionary travel, but not be able to exercise that right due to buses in their town or village not being low-floor vehicles.

Community transport services provide a vital service for many people living with MS enabling them to access a reliable, accessible form of transport, where the local bus service may not be accessible or might not provide a suitable route. Most MS Society Cymru branches have good links with their local community transport providers and use them extensively. However there is a perception amongst community transport users that the Welsh Government's funding of this important service is based on short term grants and does not provide the long term

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<sup>2</sup> 'Disability Poverty in the UK,' Leonard Cheshire Disability, London, 2008

security the organisations need. MS Society Cymru welcome the announcement in March 2010 that 10% of this years £11 million Local Transport Services Grant would be allocated to Community Transport, but that is only £1 million spread over 22 different local authorities, and there was no indication whether this level of funding would continue the following year.

Whilst MS Society Cymru accepts that the introduction of free bus travel in 2002 and the funding of Community Transport have had a positive effect on disabled passengers, the charity remains concerned about the future funding of Community Transport and the access issues around bus services, making it very difficult for large numbers of disabled people benefit from free travel.

**Are you aware of powers devolved to Welsh Ministers and to the National Assembly for Wales that could impact on the accessibility of public transport?**

MS Society Cymru believes that Welsh Ministers have considerable scope to improve accessibility to public transport either through powers already allocated to them or through powers the National Assembly for Wales could grant them.

The *Local Transport Act 2008* has expanded the powers of Welsh Ministers to create Bus Quality Partnerships and to subsidise public transport. A Bus Quality Partnership is a scheme under which:

- a local authority provides specified facilities in their area: such facilities might include bus lanes or other bus priority measures, or enhanced facilities for passengers at bus stops and bus stations; and
- operators of local services who wish to use such facilities must undertake to provide those services to a particular standard when using those facilities.<sup>3</sup>

Bus Quality Partnerships were established before this Act of Parliament, but this piece of statute strengthens the power of Welsh Ministers in this area to improve the quality of public transport for all passengers. Some of these additional powers are set out in the table below.<sup>4</sup>

<b>Section(s)</b>	<b>Subject of section(s)</b>	<b>Effect on the power of the Welsh Ministers</b>
Part 3: section 18	Regulations about certain quality partnership schemes	A new power for the Welsh Ministers to make regulations in respect of quality partnership schemes which specify frequencies, timings or fares
Part 3: section 26	Making of a quality contracts scheme	The power for the Welsh Ministers by order to vary a time period stipulated in section 127 of the <i>Transport Act 2000</i> is extended to include power to vary certain other time periods
Part 3: section 34	Procedure for continuation of quality contracts schemes for areas in Wales	New provisions in the Act allow the continuation of a quality contracts scheme beyond its initial ten year period. For schemes in Wales, the Welsh Ministers will have the power to approve the continuation (except where the continuation is exempt, and therefore requires no approval, because it meets specified conditions)

<sup>3</sup> ‘*Local Transport Act 2008: Explanatory Memorandum*,’ UK Government, 2008, paragraph 7

<sup>4</sup> ‘*Local Transport Act 2008: Explanatory Memorandum*,’ UK Government, 2008, paragraph 40

Part 4: section 64	Additional sanctions for failures by bus operators	A power for the Welsh Ministers to prescribe additional forms of orders that a traffic commissioner may make under section 155(1A) of the <i>Transport Act 2000</i>
Part 4: section 69	Subsidy to secure passenger transport services in Wales	Extension of existing power for the Welsh Ministers to subsidise public passenger transport services to cover standards of service

MS Society Cymru would like to see the Welsh Government use the powers available to Ministers in the *Local Transport Act 2008* to encourage and establish Bus Quality Partnerships in towns and cities across Wales to improve the quality and accessibility of bus services. Quality Partnerships offer Welsh Ministers the ability to make local authorities install bus lanes and raised bus stops, whilst bus operators could be required to provide low-floor vehicles.

Welsh Ministers also have the potential for far greater powers over public transport if they introduced legislation in the National Assembly for Wales either via the LCO-Measure mechanism or after a successful referendum. In the Highways and Transport field of Schedule 7 of the *Government of Wales Act 2006*, the National Assembly for Wales has the power to legislate on:

“Highways, including bridges and tunnels. Streetworks. Traffic management and regulation. Transport facilities and services.”<sup>5</sup>

There is a long list of exceptions to this field, but none that would prevent Welsh Ministers from introducing laws to increase the accessibility of public transport.

The Welsh Government could legislate to convert every tendered bus route (school routes, subsidised routes etc) into Quality Bus Partnerships guaranteeing a certain of accessibility for every bus using a tendered route, and also obliging local authorities to improve more bus stops. A future government could also potentially look to introduce legislation re-regulating the entire bus industry in Wales and expanding the principle of the Quality Bus Partnership to every route in every local authority. Theoretically each local authority could make accessibility a key feature of the tendering process providing for 100% of vehicles having low-floor access. However this would be controversial within the bus industry and unless local authorities were obliged to improve every bus stop, raising the height of kerbs and improving timetable information, the current access problems might still remain.

MS Society Cymru believes that the Bus Quality Partnership is the best model to raise the accessibility of buses in Wales and that the Welsh Government should introduce legislation to strengthen and build upon the powers they already have in this area. Whilst the accessibility targets established in the *Disability Discrimination Act 1995* (updated in 2005) are not devolved, if the primary law making powers referendum succeeds in March 2011, the National Assembly for Wales would have a great deal of scope to legislate to improve accessibility to public transport.

<sup>5</sup> ‘*Government of Wales Act 2006*,’ Schedule 7, Field 10 – Highways and Transport, 2006