



FAO: Doug Paulley
Email: request-475207-941b82c1@whatdotheyknow.com
(By email only)

Our Ref: EMP426778
Date: 02/05/2018

Dear Mr Paulley

Request for information under the Freedom of Information Act 2000

Thank you for your email received by VCA on 11/04/2018 where you requested information regarding compliance certificates for certain coaches and PSVAR compliance. Your request is being considered under the Freedom of Information Act (FOI) 2000.

For all parts of questions 1 and 2, the information you have requested from VCA is not held.

In respect of question 3, VCA is not able to answer your question without the relevant approval number. This is outlined in our response as follows:

1) Please supply, or tell me where I can access, the PSVAR Schedule 1 type compliance certificates for coaches in current use by National Express and its franchisees. I particularly would like to see the compliance certificate for their vehicle in most common use, the Caetano Levante, but others are also of interest.

This information is not held by VCA.

The Driver & Vehicle Standards Agency (DVSA) have already answered this question. I'm afraid that VCA have no further information to add.

2) Regarding compliance with PSVAR Schedule 1 s3(2) relating to wheelchair spaces:

"One or more seats which are capable of being tipped, folded or otherwise moved may lie within the volume specified in sub-paragraph (1)(a) or within the gangway specified in paragraph 7 provided that the seat is capable of being easily moved out of the volume or out of the gangway. In the case of a single-deck or double-deck coach, this may include a seat which may be quickly dismantled or removed provided that the seat can be safely stowed."

a) Please can you provide any information which gives more depth as to what is required to comply with this regulation? I am particularly interested with the phrase "provided that the seat is capable of being easily moved out of the volume". How is "easily" defined when you are considering compliance?

VCA do not hold this information, however the legislation is publically available at the following web site.

<http://www.legislation.gov.uk/ukxi/2000/1970/contents/made>

DVSA enforce the Public Service Vehicle Accessibility Regulations 2000 (PSVAR). However the Department for Transport may also be able to offer additional guidance on this legislation as they work with DVSA to ensure that PSVAR compliance is monitored.

VCA have carried out type approve work with Caetano Levante in the past. However to find out what type approval information is held by VCA, we would need to obtain the relevant [European Community Whole Vehicle Type Approval](#) (ECWTA) or other approval number. This number is displayed on the VIN plate and the V5C registration document.

It may be helpful to understand that Type Approval testing and approval is carried out across a range of environmental and safety standards on pre-production vehicles. Once a vehicle type, along with its various systems and component parts has met all of the necessary standards, an approval certificate is issued which will allow the manufacturer to produce vehicles according to those standards that can then be put into service within the EU. This approval work must be carried out by a European Type Approval authority. In the UK VCA is the authority, although approval can be granted by any other European Member State which would then be recognised across the EU. You can read more about Type Approval on our website:

<http://www.vcastaging.co.uk/vehicletype/index.asp>

b) I am looking for information about National Express coaches' compliance with that requirement. Their coaches, including Caetano Levantes and other models, use the "Magic Seat" system that requires removal of a seat and alteration of another in order for a wheelchair user to occupy the space.

Please see the response from the DVSA in which they provided you with the following link

https://www.whatdotheyknow.com/request/psvar_schedule_1_compliance_cert.

3. Please provide recorded information that demonstrates how the DVSA (or VCA) considered this obligation when undertaking the type approval of coaches containing National Express's "Magic Seat" (including the Caetano Levante), what factors they considered and how they reached the decision that it is compliant.

We need to gather further information from you to perform a search.

VCA as the United Kingdom type approval authority (<http://www.dft.gov.uk/vca/vehicletype/index.asp>) issues whole vehicle and system and component approvals. In order to conduct a search of our database we will require the whole vehicle type approval number for the vehicle, this will typically look like the following e11*2007/46*.... and can be found on the vehicle VIN plate or the registration document. Please note that we can only conduct a search of VCA data. If the information is held by DVSA or another approval authority we will not be able to conduct a search.

If you are unhappy with the way in which we have handled your request you can request an internal review by emailing foi@vca.gov.uk. For further details of VCA's complaints procedure please see below details of your right to complain to VCA and the Information Commissioner.

Yours sincerely



Derek Lawlor
Chief Technical & Statutory Operations Office

Your right to complain to VCA and the Information Commissioner

If you are unhappy with the way VCA has handled your request or with the decisions made in relation to your request you may request an internal review within two calendar months of the date of this letter by writing to the FOI Advice Team at:

VCA,
1 The Eastgate Office Centre,
Eastgate Road,
Bristol,
BS5 6XX
Email: foi@vca.gov.uk

Please remember to quote the reference number above in any future communications.
In addition a complaint can be made that VCA has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF