



Department
for Transport

[Redacted]
Porterbrook
Ivatt House
7 The Point
Pinnacle Way
Pride Park
Derby
DE24 8ZS

Peter Wilkinson
Managing Director
Passenger Services
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Web Site: www.dft.gov.uk

Our Ref: RFSPEC 16/23/2

4 December 2019

Dear [Redacted],

The Railways (Interoperability) Regulations 2011 – HST trailer cars - 2020 accessibility deadline

Regulation 45 of the Railways (Interoperability) Regulations 2011¹ (RIR 2011) makes it unlawful for a passenger rail vehicle to be used in service on the trans-European rail system in the UK after 31 December 2019 unless it complies with the current or future versions of the Technical Specification for Interoperability - Persons with Reduced Mobility (PRM TSI) (and/or defined domestic accessibility standards²) except to the extent that:

- a. a derogation from part of the PRM TSI has been granted under Regulation 14 of RIR 2011;
- b. a determination that part of the PRM TSI does not apply has been made under Regulation 13(8) of RIR 2011; or
- c. a dispensation that part of the PRM TSI does not apply has been granted under Regulation 46 of RIR 2011.

This is a dispensation (effective from the date of this letter) made under Regulation 46(4) of the RIR 2011, granting that the vehicles listed in Annex A, which form the trains known as Porterbrook HST (ex LNER) sets need not comply after 31 December 2019 with those parts of the PRM TSI 2014 listed in Annex B. This follows consultation with DPTAC³ and is subject to compliance with the following conditions:

- a. The dispensation applies to operation of the vehicles by East Midlands Railway or London North Eastern Railway only;
- b. The existing level of accessibility standards compliance is maintained;

¹ SI 3066/2011

² The Rail Vehicle Accessibility (Northern Ireland) Regulations 2001 or Part 1 of Schedule 1 to the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010

³ The Disabled Persons' Transport Advisory Committee

- c. Information on non-compliant features of vehicles and alternative travel options is readily available to passengers to assist with informed journey planning.
- d. The operator reports to the Secretary of State on progress to replace the vehicles every 28 consecutive days from 1 January 2020 until the dispensation expires.
- e. The permission granted by this dispensation to East Midlands Railway and London North Eastern Railway expires at 23:59 on 31 December 2020.

For the avoidance of doubt, a separate derogation or determination made under point a) or b) above would be required for any vehicle listed in Annex A that undergoes an upgrade or renewal that requires an authorisation under RIR 2011 after this dispensation is granted.

I have copied this dispensation to East Midlands Railway, London North Eastern Railway and the ORR for their information.

Yours sincerely,

Peter Wilkinson

signed by the authority of the Secretary of State

Annex A

	TF	TFD	TRFB	TSD	TS	TS	TS	TGS
EC61	41115	41165	40702	42159	42160	42109	42110	44057
EC62	41185	41095	40701	42326	42330	42237	42307	44075
EC63	41159	41083	40708	42286	42228	42130	42322	44050
Spare		41190						

Annex B

4.2.2.3.1(2) and 5.3.2.1(1) and (2)	Force to latch or unlatch a manually operated door and tactile markings.
4.2.2.3.1(4)	Automated door controls
4.2.2.3.2(7-13 and 16)	Audible door enabled tones
4.2.2.1.1(2)	Height of seatback handholds .
4.2.2.7.2(1)	All safety, warning, mandatory action and prohibition compliance ISO 3864-1.
4.2.2.7.3 (1)	Bodyside visual passenger information
4.2.2.2(1), (2), (3) (4), (6)	Dimensions of wheelchair space
4.2.2.2(11-14) and 5.3.2.6(1)	Wheelchair space 'call for aid' (First class)

4.2.2.3.3(2)	Clearway to wheelchair space (1 st class)
4.2.2.4	Vehicle threshold illumination
5.3.2.2 (2)	Audible door locked indication in accessible toilet
5.3.2.2 (2)	Visual indication of 'call for aid' activation in accessible toilet
5.3.2.3(2)	Standard toilet door width
5.3.2.2(3),(4)	Force to operate any door control device, and other equipment inside the toilet compartment.
5.3.2.5(1)	Baby change table dimensions
4.2.2.9(4) & (5)	Single vertical external door handrail
4.2.2.9(1)	Handrail diameter
4.2.2.9(4)	Handrail radius
4.2.2.9 (3)	Handrail contrast with background.
4.2.2.11.2(5)	Width of contrast band on external step
4.2.2.11.2(4)	Height of each external step
4.2.2.12.2(2)	Width and fixings of manual boarding ramp
4.2.2.11.1 (1)	Platform step/gap
4.2.2.3.2 (6)	Vestibule flooring contrast