



Department
for Transport

XXXXXXX
Transport for Wales Rail Limited
St Marys House
47 Penarth Road
Cardiff
CF10 5DJ

From the Minister of State
Chris Heaton-Harris MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: XXXXX
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Web site: www.gov.uk/dft

Our Ref: TfWRL/05/2021

27 May 2021

Dear XXXXX,

The Railways (Interoperability) Regulations 2011 – Class 153 Transport for Wales Rail Services - 2021 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 Technical Specification for Interoperability - Persons with Reduced Mobility (PRM TSI) set out in the Annex to Decision 2008/164/EC of the European Commission of 21 December 2007, or any amended version of it, or Commission regulation 1300/2014 of the European Commission of 18 November 2014 which replaced it, or National Technical Specification Notices on Persons of Reduced Mobility that replaced Commission Regulation 1300/2014 from 1 January 2021, or any variation of the NTSN or any NTSN which replaces it (and/or defined domestic accessibility standards²) except to the extent that:

- a. a derogation from part of the PRM TSI or NTSN was granted under regulation 14 before 31 December 2020, or an exemption from part of it has been granted under Regulations 14 and 14A of RIR 2011;
- b. a determination that part of the PRM TSI or NTSN does not apply has been made under Regulation 13(8) of RIR 2011; or
- c. a dispensation that part of the PRM TSI or NTSN 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 Class 153 need not comply after 31 December 2019 with those parts of the NTSN listed in Annex B. This follows consultation with DPTAC³ and is subject to compliance with the following conditions:

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

- a. The dispensation applies to operation of the vehicles by Transport for Wales Rail Services only;
- b. The existing level of accessibility standards compliance is maintained;
- c. Information on non-compliant features of vehicles and alternative travel options is readily available to passengers to assist with informed journey planning.
- d. Transport for Wales Rail Limited will continue to carry out the measures that it has undertaken to assist customers with reduced mobility where and when the Class 153 units are in operation.
- e. The operator reports two-weekly (from 1 June 2021 until the dispensation expires) to the Secretary of State to update on passenger satisfaction with the vehicles and progress to remove the units from the timetable.
- f. The permission granted by this dispensation to Transport for Wales Rail Limited expires at **23.59 on 31 December 2021**.

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 Porterbrook Leasing Limited, Transport for Wales and the ORR for their information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris', with a small mark below it.

Chris Heaton-Harris MP

Minister of State for Transport

signed by the authority of the Secretary of State

Annex A

Units
153906
153909
153914
153922
153935
153910
153913
153921
153926

Annex B

4.2.2.1.1 (1)	Number of seatback handholds
4.2.2.1.1 (2)	Height of seatback handholds
4.2.2.1.2.1 (9)	Height of priority seat cushions
4.2.2.3.1 (2)	Force to latch or unlatch a manually operated door
4.2.2.3.1 (5)	Door button arrangement
4.2.2.2 (1)	Wheelchair spaces
4.2.2.3.2 (5)	
4.2.2.3.3 (3)	
4.2.2.3.2. (1)	External door width (No.2 End only)
4.2.2.3.2. (7-10)	Audible warnings on door controls
4.2.2.7.3 (1)	Bodyside visual passenger information
4.2.2.7.1. (2- 4)	Dynamic visual information display
4.2.2.7.4 (2)	
4.2.2.7.1 (1 – 4)	
4.2.2.7.4 (5)	STI-PA level
4.2.2.9 (1)	Handrail diameter
4.2.2.9 (2)	Radius of curved handrails
4.2.2.9 (3)	All handrails shall contrast with their background
4.2.2.11.1	Platform gap/step
4.2.2.11.2 (4)	Width of contrast band on external step
4.2.2.11.2 (6)	Width of external stepboard
5.3.2.9 (5)	Width of manual boarding ramp and lugs
5.3.2.1 (1)	Door closure visual warning timing
5.3.2.2 (3)	Force to operate any door control device, and other equipment inside the toilet compartment.
5.3.2.4	Universal accessible toilet
Appendix A	All safety, warning mandatory action and prohibition compliance ISO-3864-1