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Our Ref: RGEN 39/23/2

28 January 2010

Dear Nick,

The accessibility of Class 318 vehicles by 2020

We have engaged previously on outlining the Department's proposals for targeting the rail industry's efforts at those features of rail vehicles that have the greatest negative impact on the ability of disabled passengers to use certain vehicles, particularly with a view to their operation past 31 December 2019. I have since written, explaining what would be expected on those vehicles owned by HSBC that were previously subject to the Rail Vehicle Accessibility Regulations 1998.

Nathan Cole and I assessed a Class 318 unit during our visit to Shields depot, on 13 February 2009 for compliance against the RVAR and the Technical Specification for Interoperability - Persons with Reduced Mobility – I'm sorry for the delay in writing to you. As you are aware, the attached checklist shows the assessed compliance at that time of First ScotRail's Class 318 fleet against the standards within both the RVAR and the Technical Specification for Interoperability - Persons with Reduced Mobility, and sets out the Department's view on which areas of these pre-RVAR vehicles (introduced in approximately 1985 but subject to a significant refurbishment in 2005) would need to be made more accessible in order for us to allow the use of the units beyond the 1 January 2020 End Date.

Based on the Government's stated intention of an accessible rail fleet by at least 1 January 2020 and, following discussions during the site visit, our understanding of some of the engineering challenges on this fleet, the attached checklist shows:

- The areas on the vehicles which are already compliant with either RVAR or the PRM TSI (labelled with green);
- In yellow, those non-compliant areas of the unit which are not expected to be corrected (unless a novel solution arises) as either:
 - they deliver only marginal improvements in accessibility; or
 - compliance would involve significant re-engineering of the vehicle.
- Areas where the vehicles already partially comply but where further compliance is expected (shown as blue with red checks): eg. some additional signage for priority seats is required.
- Finally, those areas (shown in red) where improvements to accessibility will need to be achieved in order for these vehicles to operate beyond the End Date. Eg

- Provision of a compliant boarding ramp; and
- Fitment of an accessible toilet if a toilet is to be retained.

As this checklist is also for the use of TOCs and bidders for future franchises, the checklist shows overall what is expected to be delivered on a unit in service. It will be helpful for stakeholders to liaise in future to ensure that updated versions of this checklist are created, in order to record progress made towards greater accessibility.

Thanks to the refurbishment undertaken in approximately 2005, this fleet already has a significantly improved level of accessibility, including provision of a compliant Passenger Information Screen, colour contrast and sufficient numbers of priority seats identified. There are four principal areas where further accessibility is expected.

Doorways

A light source is needed to highlight the threshold into the vehicle.

Wheelchair spaces

A second, compliant wheelchair space will need to be provided, with compliant call-for-aid. The single wheelchair space already provided is not in the same vehicle as the (non-accessible) toilet, so it may need to be moved (see below).

Accessible toilet

If toilet facilities are to be retained on these units, these will need to be accessible from the wheelchair spaces. Informally (as this is more a matter for Transport Scotland), we discussed that this fleet may have a role in replacing older Class 314s on inner-suburban services, and therefore a toilet may no longer be necessary. I would suggest that views on this option be sought from Passenger Focus and local user groups before any decision is made.

Boarding Aid

A compliant boarding ramp will also need to be provided.

I hope this is helpful to you, and would be happy to consider the solutions you propose. We would also welcome a breakdown of indicative costs and your views on the best time(s) to undertake the work.

This position has been agreed with colleagues in Transport Scotland and DPTAC, and shared with colleagues elsewhere in DfT National Networks. It should not be used as a precedent on other vehicles, unless the surrounding conditions are exactly the same as this fleet. Equally, you understand that the Department's policy of targeted compliance relates only to existing vehicles, and provides no grounds for building new vehicles with similar non-compliances in the future.

In due course, HSBC will be able to ask the Department for a formal determination under regulation 5(8) of the Railways (Interoperability) Regulations 2006 (RIR) of which non-compliances need not be rectified (our response would mirror the compliance checklist attached to this letter). This would then allow this fleet, if so desired, to operate past the 1 January 2020 date for rail vehicles to be accessible, by virtue of new RIR regulation 4B(d)(iii). This last was inserted by the Rail Vehicle Accessibility (Interoperable Rail System) Regulations 2008.

I am copying this to Brian Freemantle and Peter Randall here, George Davidson at Transport Scotland and DPTAC. I am also copying to the Office of Rail Regulation, as the body responsible for enforcing the End Date on heavy rail.

Yours sincerely,

John Bengough
Head of Domestic Policy