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Our Ref: RGEN 39/23/2

3 February 2010

Dear Ian,

The accessibility of Class 319 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 Porterbrook that were previously subject to the Rail Vehicle Accessibility Regulations 1998.

Kraig McCarthy and I assessed a Class 319 unit during our visit on 28 April 2009 to Bedford depot, for compliance against the RVAR and the Technical Specification for Interoperability - Persons with Reduced Mobility. As you are aware, the attached checklist shows the assessed current compliance of that 319 unit against the standards within both standards (although I note that First Capital Connect have a number of sub-fleets that vary in different ways). The checklist also sets out the Department's view on which areas of these pre-RVAR vehicles (introduced in approximately 1987) 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: eg. making the existing door warning tone compliant with the PRM TSI; or
 - compliance would involve significant re-engineering of the vehicle.
- The non-compliant areas on the vehicle where we expect some work to be done to bring them closer to compliance, without necessarily achieving full compliance with either RVAR or the PRM TSI (labelled with yellow and red checks):

- Areas where the vehicles already partially comply but where further compliance is expected (shown as blue with red checks): eg. seat back handholds are already fitted in standard class – some additional ones are required for current layout of First Class.
- 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
 - installation of an audio-visual passenger information system (including a call-for-aid in the wheelchair spaces); and
 - fitment of an accessible toilet.

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.

There are ten principal areas where further accessibility is expected.

Doorways

Although the external doorways have audible warnings when the doors close, no audible warning is given when the door becomes openable by passengers – this is needed and must be audible externally.

A light source and a contrasting band across the step-edge are needed to highlight the threshold into the vehicle.

Door Controls

These will need to be replaced as they do not contrast nor do they provide tactile identification.

Both door controls are too high (although the “close” is only non-compliant by 60mm), fixed within a panel which would need to be extended in order to bring both buttons within a compliant height. Some improvement is expected. It was felt, however, that it would be acceptable to swap the position of the two controls (so that the “Open” would be only non-compliant by 60mm). This would involve significantly less work and expenditure than extending all the panels at every doorway.

The vehicle end manual door handles need to be replaced by ones which are palm-operable.

Priority seats

Some seating positions on the assessed unit are labelled as priority seats, although they do not all comply – and some are tip-up designs, which is non-compliant.

The correct number of compliant priority seats, with appropriate signage, will be necessary.

Handrails

The handrails in the doorways are too low. Their diameter is also too low at 25mm, along with clearance at 41mm – non-compliances which we have accepted on other fleets but which should not be replicated when these handrails are replaced.

Handholds

The current design of “looped” handhold is too narrow in cross-section to be gripped comfortably, so will need to be replaced.

Passenger Information System

Although an audible PA system is installed on these units, no visual PIS is fitted (other than the compliant external roller blind system at the ends of the unit) and this will need to be installed.

Toilet

Improvements to the standard toilet will be needed if these are retained

Accessible toilet

Wheelchair accessible toilet facilities will be needed on this fleet.

Wheelchair spaces

The clearway to the current space was improved during the last refresh but it does not have a call-for-aid. This will need to be rectified, along with provision of a second, compliant space.

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 elsewhere in DfT National Networks and DPTAC. 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, Porterbrook 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, 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