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Dear Nick,

The accessibility of Class 365 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 365 unit during our visit to Hornsey depot, on 25 September 2008 – I'm sorry for the delay in writing to you. As you are aware, the attached checklist shows the assessed current compliance of the FCC 365 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 1994) 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. lowering the door open control button by 35mm; or
 - compliance would involve significant re-engineering of the vehicle: eg closing the step riser is not possible without reworking the entire door mechanism.
- 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): eg. allowing seats

that are 10mm too narrow to be used as priority seats, provided that clearances, height, etc are made compliant;

- Areas where the vehicles already partially comply but where further compliance is expected (shown as blue with red checks): eg. the force required to operate the "door open" controls inside the vehicle is acceptable, but is excessive on the controls outside the vehicle;
- 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.

Principally, there are seven areas where further accessibility is expected:

Door controls

The external 'door open' controls require excessive force to operate which will need to be reduced.

Doorways

The 'door enabled' warning sound is not audible externally, nor is it of the required duration.

A light source and a full contrasting band (not shark's tooth) across the doorway are needed to highlight the step into the vehicle.

Priority seats

An adequate number of seats in standard class are currently labelled as being for the priority use of disabled passengers but these do not provide compliant clearances. These will need to be made compliant but as the seats are mounted on rails, this should ease the problem of creating adequate clearances.

No priority seats are currently so designated in First Class, where the seats have both fixed armrests and a fixed table. Provided the table can be made to fold and give sufficient clearance to allow a passenger to stand up straight in front of the aisle-side seat, then the fixed armrests will be acceptable. This solution is likely to preclude the use of any body-side seats as priority seating, but only a small number is needed due to the low capacity of the saloon.

Handrails and handholds

The handrails at the external doorways are too short and need to be extended. Some seat backs in first class have neither handholds nor handrails fitted. Not all handrails currently contrast.

PIS

Audio PIS will be needed, in order to complement the visual displays which, while marginally non-compliant on height (33mm) are acceptable as the text is not squashed and is highly legible.

Toilet

A pre-RVAR model of accessible toilet is fitted, so we checked its usability with the reference wheelchair. There was sufficient space to provide both for a side or front transfer to the toilet, so a new cubicle will not be needed. However, the wash basin could not be reached from the toilet so you understood that this would need to be moved. With the number of horizontal and vertical handrails available, we do not believe that an additional folding handrail is necessary. The door also seemed to intrude excessively into

the throughway, so you would establish whether it would be possible to rehang this in a more recessed position.

Wheelchair spaces

A single, non-compliant wheelchair space is provided, immediately outside the toilet. You will be looking to remodel this end of the vehicle to provide two compliant spaces with appropriate signage and call-for-aids. It will also be necessary to increase the throughway from the vestibule.

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, 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, 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
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