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Our Ref: RGEN 39/23/2

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Dear Nick,

### **The accessibility of HSBC Class 455/8s by 2020**

We have engaged previously on outlining DfT'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 particular vehicles, particularly with a view to their operation past 31 December 2019. I wrote in 2007, explaining what would be expected on those vehicles owned by HSBC that are currently subject to the Rail Vehicle Accessibility Regulations 1998 (RVAR).

On 3 October 2008 Nathan Cole and I assessed with you a Class 455/8 unit currently leased to Southern, at Selhurst Depot, for compliance against the RVAR and the PRM TSI. This fleet was first introduced in 1982, so would not normally be expected to still be operating by 2020. However, we were happy to carry out this assessment, in order to enable HSBC to consider this fleet's long term future particularly as, as a result of the refurbishment that took place a few years ago, this fleet is now one of the most accessible pre-RVAR fleets in service.

Using the assessment as a basis, and the draft checklist that you kindly provided, I have set out in the attached checklist the Department's view on which areas of these pre-RVAR vehicles 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 by which time all rail vehicles in public service in Great Britain must be accessible to disabled people.

Based on the Government's stated intention of an accessible rail fleet (by at least 1 January 2020) and 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 170mm; or
  - The PIS, which was fitted in compliance with RVAR, does not fully comply with additional requirements in the PRM;
- Areas where the vehicles already partially comply but where further compliance is expected (shown as blue with red checks): eg.

- audible warnings are given when the doors close but not when they become openable by passengers; and
  - clearances in front of priority seats needs to be improved.
- Finally, those few 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.
  - illuminating the threshold; and
  - ensuring that the station based ramp can be fixed to the vehicle when in use.

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, such as boarding ramp and use of PIS.

There are three principal areas where further accessibility is expected.

#### Doorways

Although the external doorways have audible warnings when the doors close, there is no audible warning when the door becomes openable by passengers – this is needed.

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

#### Priority seats

Some improvement to priority seating needs to be made. Signage and clearances need to be addressed.

#### Boarding ramps

These need to be fixed to the vehicle when in use. Given that this fleet shares a large number of stations with Porterbrook's Class 456s and Class 319s, I would strongly encourage you to agree a common solution to this issue.

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 Rail & 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**