

Nick Swift
Eversholt Rail Ltd
PO Box 29499
London
NW1 2ZF

John Bengough
Head of Domestic Policy
Rail Standards & Safety
Department for Transport
4/32 Great Minster House
76 Marsham Street
London
SW1P 4DR

DIRECT LINE: 020 7944 5035
FAX: 020 7944 2160
Mobile: 07850 205 327
E-mail: john.bengough@dft.gsi.gov.uk

Web Site: www.dft.gov.uk

Our Ref: RGEN 39/23/2

8 March 2010

Dear Nick,

The accessibility of Class 322 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 322 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 322 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 1990) 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;
- 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. provision of more priority seating; and
- 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.

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 seven 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, as is an external sounder.

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

Priority seats

The seats are currently too low to be accepted as priority seats. Some seating positions on the assessed unit meet the requirements for front clearance priority seats, although not enough are current designated as such. In addition, further appropriate signage needs to be provided.

Handholds

Some seats in first and standards class do not have the seatback handholds that are required.

Labelling

Compliant labelling is needed in various places.

Wheelchair spaces

The current space does not have a call-for-aid. This will need to be rectified, along with provision of a second, compliant space. Throughway to the wheelchair space(s) must also be improved.

Accessible toilet

An accessible toilet will need to be fitted

Boarding Aid

A compliant boarding ramp will 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, and shared with colleagues in Transport Scotland, although this fleet is not expected to remain in Scotland after spring 2011. 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