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Dear Nick,

The accessibility of Class 320 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 320 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 320 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): eg. allowing the handrail on one side of the doorway to remain at its current (non-compliant) height as

it is not possible to fix it higher as the compliant door controls are in the way, provided the handrail on the other side of the doorway is raised;

- 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 six 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.

Floors

Contrast will need to be provided between the saloon and vestibule areas.

Priority seats

Some bay seating positions on the assessed unit meet the requirements for priority seats, although there are not enough to meet the 10% requirement. In addition, further appropriate signage needs to be provided.

Handholds

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

Wheelchair spaces

The current space is not compliant in length, nor does it 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 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