

THE RAIL VEHICLE ACCESSIBILITY (NON-INTEROPERABLE RAIL SYSTEM) (DOCKLANDS LIGHT RAILWAY) EXEMPTION ORDER 2019

Explanatory Note

What does the Order do?

1. The Order exempts rail vehicles known as B92 and B2007 class operated on the Docklands Light Railway network (“DLR”) by Docklands Light Railway Limited (“DLRL”) from the requirements under the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 (“the RVAR 2010”) relating to the following provisions:

- (i) the giving of audible warning before train doors close and the giving of illuminated visual warning signals to passengers when boarding trains (paragraphs 3(5)(b) and 4(2) of Schedule 1 to the RVAR 2010).
- (ii) paragraph 10(4)(b) (clearance between the handrail and other parts of the rail vehicle);
- (iii) paragraph 3 of Part 2 of the Schedule to the 2010 Regulations (illumination of the edge of the passenger doorway floor).

2. The Order further exempts B92 vehicles from the requirements of RVAR 2010 in respect of the following provisions:

- (i) paragraph 6(5)(b) (width of route between wheelchair-compatible doorway and wheelchair space);
- (ii) paragraph 10(4)(a) (diameter of passenger handrail);
- (iii) paragraph 13(3) (dimensions of priority seat and space available to its user), but only in relation to the width specifications of the priority seat shown in diagram C1 in Schedule 2 to the 2010 Regulations.

3. The exemptions expire at 23:59 hours on 31 December 2024, and are subject to conditions as set out below.

Why has the Order been made?

Audio visual door closure warning sequences

4. The B92 and B2007 vehicles have been granted the exemptions for the operation of non-compliant audio and visual door closure warning sequences. The RVAR 2010 requires an audible signal to be given which starts at least 3 seconds before a vehicle’s doors begin to close and that the passenger control device (which at times enables passengers to open and/or close train doors) ceases to be illuminated at least 3 seconds before the doors are closed by a member of the operator’s staff.

5. The DLRL has operated the B92 and B2007 vehicles without an audible warning signal since the railway was first opened in 1987. In July 2018, a weekend trial was conducted with a 3-second warning sound, with a view to meeting the requirement under RVAR by the compliance deadline of 31 December 2019. The purpose of the trial was to validate the operational simulation work, which had predicted significant impact on service reliability with the introduction of the 3 second

warning period, and to assess the impact on safety and accessibility of moving to a revised door closure procedure.

6. The trial validated the modelling; it showed that the 3-second warning sound could not be accommodated in the existing timetable without significantly increasing journey times on some routes, and the need for additional vehicles in service to meet passenger numbers increased to an unsustainable level with existing fleets. Platform observations carried out during the trials also recorded a significant increase in door trap incidents. A report on the 3-second trial was compiled and shared with the Department for Transport (DfT) (Annex 1).

7. Extending the headways ('intervals' between trains) would avoid the need to increase the number of vehicles required in service. However, the impact of doing so would reduce capacity by 6% overall and would lead to further overcrowding on routes which already suffer from severe overcrowding during peak times. Those most likely to be disadvantaged by crowded services are those users with accessibility needs who require additional space to comfortably board the train.

8. A further weekend trial was conducted in September 2018 of a 1-second audio visual warning. However, a different approach was taken to that used in the 3-second trial. Whereas the 3-second trial had run with an amended timetable (to minimise the disruption to passenger services), the 1-second trial ran with an unchanged timetable. With the 1-second trial, it was possible to assess whether any additional dwell time could be absorbed by the existing timetable.

9. The results showed that operational issues still manifested with 1 second added and control room staff had to manually override systems designed to regulate the service so as to prevent greater disruption and performance impact. Ordinarily, trains run under an automated operational system, and increasing the number of manual interventions to this system is undesirable owing to the human-factors risks it introduces. As with the 3-second trial, an increase in door trap incidents was recorded.

10. Following the period of testing and analysis of the findings, DLRL sought a permanent, network wide exemption to retain the existing audio visual warning sequence. This sequence deploys simultaneous audio and visual warning at the same time that the doors are moving to a closed position. This immediately follows the Customer Service Assistant initiating the door closure instruction after confirming that the platform-train interface is clear.

11. DfT is satisfied that the evidence DLRL has provided from the testing it carried out on its trains and network demonstrates that neither a compliant 3 seconds warning period nor a reduced warning period before door closure could be introduced without incurring an impact on safety and service reliability. The current accessibility level remains unaltered by the retention of the existing door closure warnings procedure.

12. DLRL's request for exemption sought that the reduced minimum period of audio-visual door closure warning was applied to both existing trains (B92 and B2007) and trains currently being procured to replace them. During stakeholder consultation, both DPTAC and ORR responded that they did not believe it to be appropriate for the exemption to be extended to future stock. They argued that this would remove the incentive to appraise to audio-visual door closure warnings sequence again when new stock was introduced, thereby denying an opportunity to

achieve compliance in the future.

13. The Minister of State has considered these points and agrees that the exemption should only apply to existing trains. The exemptions granted reflect this position.

Handrail clearance

14. Both fleets currently do not comply with this requirement as the gap between some handrails and the back of seats is 30mm on the B92s and 20mm on the B2007s. The B92 fleet is life expired and will be removed from the network once DLR's new fleet of trains is progressively introduced from 2024.

On the B2007 fleet, there are only four non-compliances per vehicle, and are next to the forward-facing seats at the extreme ends of the vehicle; i.e. they are not located in the wheelchair bays or priority seats.

For both fleets, the passenger's hand is unlikely to clash with the back of the seat because the location of the non-compliance is at the lower end of the handrail, which is not a normal part of the train that passengers grab hold of.

15. DLRL has demonstrated that it is not possible to comply with this regulation without major modifications to both fleets, including redesigning the panels and handrails, at a significant cost. Exemption was previously granted to DLRL for this non-compliance that has since lapsed.

Illumination of the passenger doorway floor

16. Both the B92 and B2007 fleets have similar lighting layouts around the doors, with no light illuminating the edge of the floor at the doors. Ceiling mounted lights do however have large diffusers fitted which spreads the light across the doorway. A yellow 'warning' strip at the edge of the door (compliant with RVAR 2010 requirements) is fitted at every doorway.

B92 fleet only

Pathway to wheelchair spaces

17. On the B92 fleet, the seats opposite the wheelchair space protrude slightly into the distance between the handrails, meaning the narrowest point is only 835mm wide. This is because there is a built-in equipment located under the nearest seat, which cannot be pushed back to create the room to achieve the 850mm minimum throughway requirement.

Diameter of handrails

18. Most of the handrails on the B92 fleet are compliant. However, there are a small number of handrails where the cross section is around 0.1 to 0.2mm above 40mm.

Width of priority seats

19. The width on the B92 fleet is 430mm against the regulation width of 450mm. On the B92 fleet, the cushions across the priority seat area (1 bench comprising 2 seat spaces) are comprised of a single cushion. This cannot be retrospectively fixed without rebuilding the entire seating section in the middle of the train because of the built-in equipment under the seating.

Are there any conditions for the operator to meet during the period of exemption?

20. The exemptions are subject to conditions that require the operator to ensure that the door closure sequence is the same at all doors and on both B92 and B2007 fleet. It also permits that no sound is given at the door where the Passenger Service Assistant stands to dispatch the train, in order to limit repetitive sound exposure to staff.

21. Exemptions granted for handrails, passenger doorway lighting, wheelchair throughways and priority seat widths require that the existing levels of accessibility are maintained.

Why has the exemption been made without being laid before Parliament?

22. Following amendment of section 183 of the Equality Act 2010 by the Deregulation Act 2015, exemptions can now be made by administrative orders, rather than by statutory instruments. The Order will, however, be notified to Parliament in the Annual Report which the Secretary of State is required to lay before Parliament by section 185 of the Equality Act.

Who has been consulted and what did they say?

23. We consulted the Disabled Persons Transport Advisory Committee (“DPTAC”), the Office of Rail and Road and London Transport Users Committee (“London TravelWatch”) on the exemption request, as well as carrying out a period of public consultation via our website.

24. DPTAC raised points relating to the applicability of exemptions relating to audio-visual door closure warnings and future DLR fleets. Their response also asked for clarification on the potential to absorb extended dwell times in operational running, the breadth of disabled passenger consultation carried out, the role of the Passenger Service Assistant in the door closure sequence and how information was made available to passengers on non-compliances.

25. DPTAC also noted that they were concerned that operational demands in high frequency train service environments were eroding the envelope of time available to allow disabled passengers and those with reduced mobility to board and alight trains. They expressed a clear desire that any exemption granted to DLR for reduced periods of audio-visual door closure warning should not set a precedent for other operators.

26. ORR recommended that DLRL should participate in an agreed process of ongoing engagement with appropriate accessibility groups to ensure that the DLR continued to meet the accessibility needs of all passengers. They also recommended that DLRL undertook the appropriate safety assessments on safe dispatch using Passenger Service Assistants and the ‘Ready to Depart’ chime, and that the exemption was not applied to future trains.

27. London TravelWatch did not raise any objections.

28. No submissions were made in response to the public consultation.

29. Consultation responses can be found at Annex A.

Is there an impact assessment?

30. DLRL is a wholly-owned subsidiary of Transport Trading Limited, which is in turn a wholly-owned subsidiary of Transport for London. Transport for London is a public body. For deregulatory measures affecting public bodies, no impact assessment is required.

Contact

31. Julia Christie at the Department of Transport: Tel: 07920 504300 or e-mail: julia.christie@dft.gsi.gov.uk can answer any queries regarding the order.

Annex A – Stakeholder Consultation

DPTAC

Stage 1 Consultation – Door Closure warning times:

I have set out DPTAC's comments on this exemption application below:

(1) DPTAC noted the evidence presented in favour of the exemption request, in particular the potential negative impacts on operational performance and train capacity of extended dwell times, and on safety as the result of an increased number of passengers being hit by closing doors. We also noted the substantial cost of retrofitting equipment on the older B92 fleet.

(2) However, we are concerned that the potential impact on disabled people has not been fully assessed, with conclusions in this area drawn on the basis of engagement with a sole local disability group and a passenger survey where the number of respondents who self-identified as disabled were insufficient to allow conclusions to be drawn. There also seems to have been little evaluation of the original rationale for inclusion of this requirement in the RVAR.

DLRL response:

With respect to the impact on disabled users, DLRL/TfL attended the Tower Hamlets Accessibility Forum in 2018 to discuss the issue, and agreement was made to meet with the most relevant organisation, this was Real.org, a local accessibility group whose users frequently use the DLR and where the issues are very specific to using our services. User issues are fed back to Real.org, who in turn prioritise and discuss these with DLR. It was clear that amongst the many accessibility-related issues with the DLR, door issues and door warble durations had never been raised as an issue.

In addition, there has been extensive research carried out by London Underground on door warbles and the associated impacts which we have been able to draw upon, as a member of the wider, TfL family.

(3) DPTAC does not have the operational or safety expertise to form judgements on the validity of the arguments put forward in this area. Our first recommendation, therefore, is that the ORR's Safety Inspectorate be asked to look at this issue on a more general, network-wide basis. The evidence submitted in support of the application seems to suggest that there is a trade-off between the accessibility benefits of audible warnings and the potential for a reduction in passenger safety as a result of an increase in door-closing incidents (as well as potential operational impacts). If correct, this trade-off is not unique to the DLR, but would apply much more widely across the rail network. As such it would seem appropriate that the ORR looked at the issue in more detail, including the rationale for the inclusion of this requirement in the RVAR, feedback from a wider range of disability groups, and the extent to which there is more general evidence of a negative impact on passenger safety.

DLRL response:

We would support the regulator taking a network-wide approach to this issue.

(4) Taking all the factors above into account, and given the limited life expectancy of the B92 fleet, DPTAC has no objection to a permanent exemption being granted in respect of the B92 fleet.

(5) As far as the B2007 and future fleet is concerned, DPTAC would only support a temporary exemption up to the point that the B92 fleet has been withdrawn from service (on the basis of consistency between the B2207, future and B92 fleets). Prior to any decision being taken on the extent to which exemptions for the B2007 and future fleets should be granted beyond this point, DPTAC recommends that the DLR reviews further the options for mitigating the identified operational and safety impacts of a three second audible warning. Some options that could be considered include:

- beginning the audible warning three seconds earlier, so that the impact on dwell times is reduced or removed;

DLRL response:

It is worth pointing out that the DLR has a dynamic dwell, with the minimum dwell being 2-seconds. This is how the signalling system attempts to deal with late running trains, by reducing the dwell. With overcrowding, particularly in the morning peak, the signalling system is constantly reducing the dwell to 'catch-up' to ensure trains depart on time (although still with human intervention only closing the doors when safe to do so). Through our research, we have found that we cannot accommodate the 3-second warble and maintain current levels of service.

- reviewing the procedures used by other operators to mitigate the potential passenger safety impacts of audible warnings;

DLRL response:

We would be happy to see what other operators have done. We have already consulted with London Underground and the extensive research they have carried out.

- providing PSAs with the ability to halt the door closure process if they identify a potential safety issue;

DLRL response:

The only way the PSAs can halt the door procedure is to re-enable the doors, it is then for the passenger to press the door button.

- conducting a more rigorous assessment of the impact on disabled people through a more focussed survey and/or engagement with a wider range of groups representing disabled people;

DLRL response:

As mentioned earlier, we have consulted with the key accessibility group who collate views from users on the DLR; door issues had never been raised as an

issue by their users. There are a number of other areas deemed high priority and we are currently working on solutions to these issues.

- considering the conclusions/recommendation from any work by the ORR Safety Inspectorate in this area.

DLRL response:

We would await the results of such research.

(6) DPTAC recommends that appropriate information on the permanent and temporary exemptions described above should be provided to passengers in the DLR's DPPP and through other public-facing sources of information (the DLR website for instance), and that the DLR monitors any complaints or issues that emerge as a result of the dispensations.

DLRL response:

Information about exemptions is available via the DfT website.

DLRL and its Franchisee monitor all customer complaints relevant to the DLR on a daily basis. Each complaint is examined and where necessary CCTV is downloaded and reviewed to establish the facts of the complaint. Where appropriate, actions are taken to address issues raised. We would be looking to see if any such complaints are made related to the door closure warning.

(6) Finally, DPTAC would have very strong concerns should the dispensations above be taken as precedents and used to justify reductions in dwell times more widely across the rail network. In this context, it should be emphasised that DPTAC's views on the exemptions described above are specific to the DLR, and absolutely not indicative of support for reductions in dwell times more widely across the rail network.

Please let me know if you have any questions relating to the above or would like to discuss further.

Stage 2 – Miscellaneous amendments consultation

General remarks

Before our specific comments on this request, we would like to make some general remarks with regard to those rail vehicles that will not be compliant with the relevant TSI or RVAR regulations by the 1st January 2020, as required by those regulations.

It is extremely disappointing that the rail vehicles concerned will not be compliant by the due date, particularly given the length of time that train companies, rolling stock companies and other agencies have had to ensure that they meet the requirements of the PTM-TSI and RVAR regulations. This failure is brought into sharp focus by the majority of rolling stock, which will be compliant, as required, by the 1st January, 2020.

The situation with regard to the majority of dispensation and exemption requests received is exacerbated by the fact that such requests have been submitted little more than three months in advance of the compliance deadline, meaning that little or no remedial work is feasible before the deadline. In such a circumstance the only enforcement action open to the Department for Transport and Office of Rail and Road, as we understand it, is to require operators and owners to remove non-compliant rolling stock from service as from the 1st January. The removal of non-compliant stock could potentially have a serious impact on train services, with detrimental impacts on local economies and rail users, including disabled passengers not affected by the areas of non-compliance, and DPTAC has taken this factor into consideration when commenting on dispensation and exemption requests.

We should further add that the large number of requests submitted so close to the compliance deadline has left us with a very limited time to review and comment on each request, meaning that we have not had the opportunity to inspect vehicles at first hand, or, for the most part, to engage directly with fleet owners or operators.

Finally, we should note that DPTAC's views should not be taken to indicate approval or non-approval of requests received by the Department. DPTAC has no statutory role as an approval body; such authority being vested solely in the Secretary of State.

Specific Remarks

1. We note the dispensation requests from the DLR are with regard to their B92 and B2007 fleets and, in both cases, are for the 'lifetime of the fleet'. This request follows-on an earlier exemption request with regard to these vehicles, which DPTAC has previously commented on. The current request is in respect of some areas of non-compliance that were omitted from the earlier request,
2. We note that the documentation supplied by the operator, in respect of this request, makes clear that the rail vehicles concerned are non-compliant with RVAR in multiple areas, including, but not limited to: the distances between

handrails and seat-backs, door edge lighting, and visual displays. Considering that the operator has had a considerable length of time to address these areas of non-compliance, we are disappointed that appropriate mitigations have not been identified, particularly with regard to the B2007 stock, which will be in service for some years to come. However, as mentioned in our 'general remarks' above, the option of removing these vehicles from service is not realistic, given the social and economic impacts on disabled and non-disabled people.

3. Regarding the B92 fleet, we note that this is a request for a non time-limited exemption from the RVAR regulations. In practice this exemption is likely to remain in force until 2024, by which time the fleet concerned will have been replaced by new, fully-compliant vehicles. DPTAC's previous response had accepted the logic of a non time-limited dispensation with regard to the B92 fleets, given the plan to fully replace this fleet with compliant vehicles by 2024. However, as the B2007 stock will remain in service for some time thereafter, DPTAC had recommended that a non-time-limited exemption would be inappropriate, and that a time-limited exemption until 2024, to allow operational consistency between the B92 and B2007 fleets, would be more appropriate.
4. We are pleased that it is our understanding that the Department accepted this recommendation and that only a time-limited exemption until 2024 has so far been granted with respect to the B2007 fleet.
5. On this basis, we would strongly suggest that a similar approach is taken with regard to the current request. This would mean non-time-limited exemption with regard to the B92 fleet, but a time-limited exemption until 2024 in respect of the B2007 fleet..
6. In this context, DPTAC would like to this opportunity to re-iterate our concern with regard to the lack of a three second door closure warning on the B2207 fleet. It is worth repeating our previous comments on this issue:

'DPTAC noted the evidence presented in favour of the exemption request, in particular the potential negative impacts on operational performance and train capacity of extended dwell times, and on safety as the result of an increased number of passengers being hit by closing doors. We also noted the substantial cost of retrofitting equipment on the older B92 fleet.'

However, we still are concerned that the potential impact on disabled people has not been fully assessed, with conclusions in this area drawn on the basis of engagement with a sole local disability group and a passenger survey where the number of respondents who self-identified as disabled were insufficient to allow conclusions to be drawn. There also seems to have been little evaluation of the original rationale for inclusion of this requirement in the RVAR.

DPTAC does not have the operational or safety expertise to form judgements on the validity of the arguments put forward in this area. Our recommendation,

therefore, is that the ORR's Safety Inspectorate be asked to look at this issue on a more general, network-wide basis. The evidence submitted in support of the application seems to suggest that there is a trade-off between the accessibility benefits of audible warnings and the potential for a reduction in passenger safety as a result of an increase in door-closing incidents (as well as potential operational impacts). If correct, this trade-off is not unique to the DLR, but would apply much more widely across the rail network. As such it would seem appropriate that the ORR, RSSB and DLR Ltd looked at the issue in more detail, including the rationale for the inclusion of this requirement in the RVAR, feedback from a wider range of disability groups, and the extent to which there is more general evidence of a negative impact on passenger safety and operational viability.'

7. The five years until 2024 should provide ample opportunity for this issue to be properly evaluated, and for appropriate remedial work and/or other mitigations to be put in place. We are also concerned that the new stock that will be introduced on the DLR does not replicate this problem. A 'whole-system' and holistic approach to the issue, therefore, needs to be adopted.
8. Given the extent of non-compliance now apparent with the B92 and B2007 fleets we would suggest that a pre-condition of any further exemption(s) issued by the Secretary of State should be that the operator provides a full operational and customer mitigation plan.
9. Given the extent of non-compliance on this operator's network, it is very important that the operator fully communicates these areas of non-compliance to disabled people through its website, mobile device 'app', and printed material (including posters) in a range of accessible formats, and that staff are appropriately briefed to respond to questions from disabled customers and their carers/companions. This is particularly important, given that there is an expectation on the part of some disabled travellers that from the 1st January, 2020 all rolling stock will be fully TSI/RAVAR compliant.
10. Finally, the DLR should monitor performance against their finally agreed mitigation plan, and take appropriate remedial action if any aspect of it is failing to prove effective. They should fully involve local disability groups in such monitoring, but also consider mystery shopping, passenger surveys, and the collection of statistical data.

ORR

Stage 1 -Door Closure duration

ORR's conclusions

Throughout their history railways have had differences in their design and operation. Whilst the Docklands Light Railway is consistent throughout its internal design and operation it differs to most other undertakings in the United Kingdom leading to the

current temporary exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010.

There does not appear to be any evidence of a negative impact on staff and passenger safety as a consequence of the existing exemption being in place.

Accordingly Office Rail Regulation can respond as follows:

1. The Docklands Light Railway should only operate either wholly with or without an exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010.
2. In respect of the B92 stock Office Rail Regulation cannot find any reason for not supporting the Docklands Light Railway Limited's application for a permanent exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 (albeit with recommendations).
3. In respect of the new rolling stock proposed for the Docklands Light Railway (currently at tendering stage), Office Rail Regulation would struggle to support the Docklands Light Railway Limited's application for a permanent exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 without further evidence from the Docklands Light Railway as to why they cannot comply with these regulations.
4. In respect of the new rolling stock proposed for the Docklands Light Railway (currently at tendering stage), Office Rail Regulation cannot find any reason for not supporting the Docklands Light Railway Limited's application for a temporary exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 (albeit with recommendations) in the event of the Department of Transport choosing to provide the Docklands Light Railway with a further exemption in respect of the B2007 stock.
5. In respect of the B2007 stock, Office Rail Regulation cannot find any reason for not supporting the Docklands Light Railway Limited's application for a further exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 (albeit with recommendations) in the event the Department of Transport chooses to provide a further exemption.

Given that the new rolling stock proposed for the Docklands Light Railway is currently at tendering stage the Department of Transport will need to decide whether it is reasonable practicable /viable for the B2007 to be ungraded to compliance with Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 in readiness for the introduction of the new rolling stock.

The Docklands Light Railway have indicated that further additional rolling stock may be required in order to achieve compliance with Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010; this could potentially lead to an increase

in the number of new trains already proposed for the Docklands Light Railway (currently at tendering stage).

ORR's Recommendations

Should any further exemption(s) from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 be granted Office of Rail Regulation would recommend the following to apply during the period of that exemption.

- ✓ The DLR (DLRL & KAD) engages in an agreed process on ongoing engagement with appropriate accessibility groups to ensure the DLR continues to meet the accessibility needs of all passengers.
- ✓ The 'Ready to Depart' chime and manual door closing by Passenger Service Assistants continues essentially in its current form.
- ✓ The DLR (DLRL & KAD) undertakes a risk assessment in respect of the use of the 'Ready to Depart' chime relative to the in-service failure of this chime (i.e. risks associated from keeping that unit in service).
- ✓ The DLR (DLRL & KAD) undertakes a thorough review of its safe train despatch particularly the position of the Passenger Service Agent relative to being able to look both ways along the outside of the train (i.e. following good industry practice).
- ✓ As part of the railway's change management process any significant changes to the 'Ready to Depart' chime and manual door closing by Passenger Service Assistants would need to consider any exemption(s) from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 in association with Office of Rail Regulation and Department of Transport.
- ✓ Should the Docklands Light Railway move to (say) a Grade of Automation 4 (GoA4) scenario with automatic door closure then an exemption from Clauses 3(3), 3(5)(b) and 4(2) of the Rail Vehicle Accessibility Regulations 2010 might be difficult to justify.

Stage 2 – Miscellaneous exemption requests

Thank you for the opportunity to comment on this exemption application. I apologise that our response is late. ORR has no objection to this application on safety grounds, and we do not believe it will affect our ability to use our enforcement powers should it become necessary.

London TravelWatch

No objections raised to either Stage 1 or Stage 2 of the consultation.

Public response

“Yvette Cooper flagged this consultation in Parliament.

One point to raise: the noise before the door warning sound is particularly loud, especially if next to where the sound is emitted. It really goes through you. I assume decibels are within legal limits but it's worth highlighting.”

DLRL response:

The sound being referred to is the ‘Ready to Depart’ chime, and is unrelated to door closure warning sounds.

As DLR’s trains are driverless, its purpose is to alert the on-board Passenger Service Agent (PSA) that the signalling system is ready for the train to depart, and that they may then close the doors (albeit only when it is safe to do so, i.e. the platform-train interface is clear). Since the PSA can be at any location on the train, the chime needs to be loud enough so that the PSA can hear it. Otherwise, there may be a delay in departing the train.

Following routine maintenance, the volume can be slightly too loud. Accordingly, the vehicle maintenance team are introducing a new procedure to manage and check the volume on a regular basis.