

2000 No. 182

**DISABLED PERSONS
TRANSPORT**

**The Rail Vehicle Accessibility (LTS Rail Class 357
Vehicles) Exemption Order 2000**

<i>Made</i> - - - - -	<i>27th January 2000</i>
<i>Laid before Parliament</i>	<i>1st February 2000</i>
<i>Coming into force</i> - -	<i>23rd February 2000</i>

The Secretary of State in exercise of the powers conferred on him by section 47 of the Disability Discrimination Act 1995(a) and of all other powers enabling him in that behalf, having consulted the Disabled Persons Transport Advisory Committee and such other persons as he considered appropriate in accordance with section 47(3) of the said Act, hereby makes the following Order:

1. This Order may be cited as the Rail Vehicle Accessibility (LTS Rail Class 357 Vehicles) Exemption Order 2000 and shall come into force on 23rd February 2000.

2. Any reference in this Order to a numbered regulation is a reference to a regulation bearing that number in the Rail Vehicle Accessibility Regulations 1998(b).

3. This order applies to the rail vehicles which are numbered 67651 to 67696, 74051 to 74096, 74151 to 74196 and 67751 to 67796 and which form the multiple-units numbered 357001 to 357046 of the class known as “class 357” (“the exempted vehicles”) as manufactured by ABB Daimler Benz Transportation (UK) Limited for use by LTS Rail Limited.

4.—(1) Subject to articles 5, 6 and 7 below, the exempted vehicles are hereby authorised to be used for carriage even though they do not conform with those provisions of the Rail Vehicle Accessibility Regulations 1998 referred to in paragraph (2) below.

(2) The provisions with which the exempted vehicles are not required to conform are—

- (a) regulation 4(3)(b);
- (b) in so far as regulation 5 relates to control devices which are not operated by the application of pressure and which control doors in the ends of an exempted vehicle, regulation 5;
- (c) in so far as regulation 5(1)(a) relates to control devices which control doors in the side of an exempted vehicle, regulation 5(1)(a);
- (d) regulation 8(1) and (5);
- (e) regulation 13; and

(a) 1995 c. 50.
(b) S.I. 1998/2456.

(f) regulation 16(1)(c) and (e)(iii).

5.—(1) The exemption given by article 4(2)(a) in respect of regulation 4(3)(b) shall cease at the end of 31st December 2000.

(2) The exemption given by article 4(2)(b) in respect of regulation 5 shall cease at the end of 31st December 2011.

(3) The exemption given by article 4(2)(c) in respect of regulation 5(1)(a) shall cease at the end of 31st December 2010.

(4) The exemption given by article 4(2)(d) in respect of regulation 8(1) shall cease at the end of 31st December 2005.

(5) The exemptions given by article 4(2)(d) in respect of regulation 8(5) and by article 4(2)(f) in respect of regulation 16(1)(c) shall cease at the end of 31st December 2001.

(6) The exemption given by article 4(2)(e) in respect of regulation 13 shall cease at the end of 30th June 2000.

(7) The exemption given by article 4(2)(f) in respect of regulation 16(1)(e)(iii) shall cease at the end of 31st December 2000.

6. The exemption given in respect of regulation 16(1)(e)(iii) shall apply only in relation to an exempted vehicle for a period during which the operator provides in that vehicle or, where an exempted vehicle forms part of a train, in that train a person, other than the driver of that vehicle or train, who is reasonably available to assist a disabled person in a wheelchair in that vehicle in the event of an emergency (whether or not the device required by regulation 16(1)(e) has been operated).

7.—(1) The authorisation shall cease forthwith in respect of an exempted vehicle:

- (a) which is operated by a person other than LTS Rail Limited unless the Secretary of State has been given written notice in advance specifying the name and address of that other person; or
- (b) which is operated on a route other than one specified in paragraph (2) below unless the Secretary of State has been given written notice in advance of that other route with a plan showing that route.

(2) The specified routes, including sidings on those routes, for the purpose of paragraph (1) above are between:

- (a) Fenchurch Street Station and Shoeburyness Station via Laindon Station (including Gas Factory Loop);
- (b) Barking (Tilbury Line Junction East) and Pitsea Station via Tilbury Town Station;
- (c) Upminster Station and West Thurrock Junction;
- (d) Liverpool Street Station and Forest Gate Junction via Stratford Station;
- (e) Forest Gate Junction and Woodgrange Park Junction; and
- (f) Woodgrange Park Junction and Barking (Tilbury Line Junction West).

8. The Rail Vehicle Accessibility (LTS Rail Class 357 Vehicles) Exemption Order 1999(a) is hereby revoked.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions.

27th January 2000

Keith Hill
Parliamentary Under Secretary of State
Department of the Environment, Transport and the Regions

(a) S.I. 1999/1448.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use of specified rail vehicles forming Class 357 multiple-units although they do not conform with provisions of the Rail Vehicle Accessibility Regulations 1998 because—

- warning sounds are emitted whenever the passenger doors in the sides of the vehicles are closed;
- passenger operation of some doors is by means of beam-operated sensors;
- the door control devices for doors in the sides of the vehicles are positioned above the maximum permissible height;
- the vehicles have neither the required minimum number of priority seats nor any tables at these priority seats they do have;
- the vehicles have no public address systems;
- the structure at the end of each wheelchair space is narrower than the required minimum width;
- the wheelchair space alarm is not always operable by the palm of the hand.

It sets time limits on the authorisations and imposes conditions.

It incorporates the provisions of the Rail Vehicle Accessibility (LTS Rail Class 357 Vehicles) Exemption Order 1999, which is revoked.

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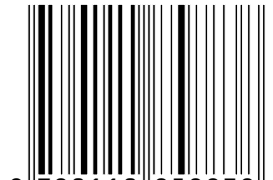
**The Rail Vehicle Accessibility (LTS Rail Class 357
Vehicles) Exemption Order 2000**

£1.50

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E292 2/2000 480967 19585

ISBN 0-11-085883-2



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