STATUTORY INSTRUMENTS

2015 No. 393

DISABLED PERSONS

TRANSPORT

The Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Northern Line 95TS Vehicles) Exemption Order 2015

Made - - - -	*23rd February 2015*
Laid before Parliament	*5th March 2015*
Coming into force - -	*27th March 2015*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 183(1), (2), (4)(b) and (5) and 207 (1) and (4) of the Equality Act 2010(**a**).

In accordance with section 183(4) of that Act the Secretary of State has consulted the Disabled Persons Transport Advisory Committee(**b**) and such other persons as the Secretary of State considers appropriate.

In accordance with section 184(1), (2) and (3) of that Act and regulation 5(2) of the Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008(**c**) and having had regard to representations by the Disabled Persons Transport Advisory Committee after consultation under section 184(2) of that Act the Secretary of State has decided that this Order is to be subject to annulment in pursuance of a resolution of either House of Parliament.

Citation and commencement

1. This Order may be cited as the Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Northern Line 95TS Vehicles) Exemption Order 2015 and comes into force on 27th March 2015.

Interpretation

2.—(1) In this Order—

(**a**) 2010 c. 15.
(**b**) The Disabled Persons Transport Advisory Committee was established under section 125 of the Transport Act 1985 (c. 67) and has a statutory duty to provide the Government with advice on the public passenger transport needs of disabled people.
(**c**) S.I. 2008/2975. This Order was made under section 67 of the Disability Discrimination Act 1995 (c. 50) which was repealed by the Equality Act 2010. This Order has effect as if made under the Equality Act 2010 section 184(4) and 207(4) by virtue of S.I. 2010/2317.

"the 2010 Regulations" means the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010(**a**);

"boarding device exempt vehicle" means a rail vehicle of the type known as 95TS and with a number in the series 52501 to 52686, or 52701(D) to 52726(D);

"carriage two vehicle" means a boarding device exempt vehicle which is the second rail vehicle from the front of a train;

"carriage five vehicle" means a boarding device exempt vehicle which is the fifth rail vehicle from the front of a train;

"exempt vehicle" means a rail vehicle of the type known as 95TS and with a number in the series 51501 to 51686, 51701 to 51726, 52501 to 52686, 52701(D) to 52726(D), 53501 to 53686, or 53701 to 53726;

"Northern Line" means the London Underground route between Edgware, High Barnett, Mill Hill East and Morden stations, via either Charing Cross or Bank stations, and once operational, the extension of the Northern Line to Battersea Power Station authorised by the London Underground (Northern Line Extension) Order 2014(**b**);

"step-free access" means access from the station entrance to the platform level without the use of stairs or escalators;

"train" has the same meaning as in Regulation 2(1) of the 2010 Regulations.

(2) In this Order a reference to a numbered paragraph is a reference to that paragraph of Part 1 of Schedule 1 to the 2010 Regulations.

Exemption relating to facilities for disabled persons in wheelchairs

3. Subject to article 7, where article 4 applies a boarding device exempt vehicle is authorised to be used for carriage on the Northern Line, even if it is used in a manner that does not conform with paragraph 1(1) (boarding devices at wheelchair-compatible doorways).

4.—(1) This article applies in relation to—

(a) a carriage two vehicle which is travelling in a northbound direction; and

(b) a carriage five vehicle which is travelling in a southbound direction

when that vehicle is stationary at any station platform on the Northern Line.

(2) This article also applies in relation to any boarding device exempt vehicle irrespective of its direction of travel which is stationary at a station platform named in tables 1, 2, or 3 of Schedule 1.

Exemptions relating to facilities for disabled persons

5. Subject to article 6, an exempt vehicle is authorised to be used for carriage on the Northern Line, even if it does not conform with, or is used in a manner that does not conform with, the requirements of—

(a) paragraph 8(6)(a) (width of contrasting colour floor strip at passenger doorways of a vehicle), but only in so far as it applies to single doorways with tapered door sills on those vehicles;

(b) paragraph 11(5) (passenger information when vehicle is stationary at a station), but only in so far as it applies to the systems inside the vehicle.

6. The exemption from paragraph 11(5) only applies to a vehicle that is stationary at a station named in Schedule 2, at a platform indicated against its name, and only if—

(**a**) S.I. 2010/432, to which there are no amendments relevant to this Order.
(**b**) S.I. 2014/3102.

(a) whilst the vehicle is stationary at a station named in that Schedule, the systems inside the vehicle are used to announce the name of that station, which line the vehicle is travelling on and at least one of the following items of information—

(i) the destination of the vehicle;

(ii) the next stop;

(b) where no announcement is made at a station as to the destination of a vehicle or its next stop, that information is provided after leaving the station and before the vehicle stops at the next station.

Expiry

7.—(1) The exemption from paragraph 1(1) expires—

(a) in relation to a station platform named in table 1 of Schedule 1, at the end of the day indicated against its name;

(b) in relation to a station platform named in table 2 of Schedule 1, at the earlier of the dates—

(i) when step-free access is provided to that station platform; or

(ii) when that station platform can be accessed, without the use of stairs or escalators, from a vehicle which is required to be used in accordance with paragraph 1(1), and which is stationary at a different station platform providing passenger rail services at that station.

(2) The exemption from paragraph 1(1) does not expire in relation to a station platform named in table 3 of Schedule 1.

Signed by authority of the Secretary of State for Transport

Kramer
Minister of State
Department for Transport

23rd February 2015

SCHEDULE 1

Articles 4 and 7

Table 1

Station platforms at which the exemption from paragraph 1(1) will apply until the end of the day indicated

Station	*Platform*	*Date exemption expires*
Elephant and Castle	1	31st May 2015
Elephant and Castle	2	31st May 2015
Tooting Broadway	1	30th June 2015
Tooting Broadway	2	30th June 2015
Colindale	1	31st July 2015
Colindale	2	31st July 2015
Hampstead	1	31st August 2015
Hampstead	2	31st December 2015
Mill Hill East	1	31st December 2015
Moorgate	7	31st December 2015
Moorgate	8	31st December 2015
Mornington Crescent	2	31st December 2015
Tottenham Court Road	3	31st December 2016
Tottenham Court Road	4	31st December 2016
Bank	3	31st December 2021
Bank	4	31st December 2021

Table 2

Station platforms at which the exemption from paragraph 1(1) will apply until there is step-free access or step free-interchange

Station	*Platform*
Angel	1
Angel	2
Balham	1
Balham	2
Belsize Park	1
Belsize Park	2
Brent Cross	1
Brent Cross	2
Burnt Oak	1
Burnt Oak	2
Chalk Farm	1
Chalk Farm	2
Clapham Common	1
Clapham Common	2
Clapham North	1
Clapham North	2
Clapham South	1
Clapham South	2
Colliers Wood	1
Colliers Wood	2
Embankment	3

Embankment	4
Euston	1
Euston	2
Goodge Street	1
Goodge Street	2
Highgate	1
Highgate	2
Kentish Town	1
Kentish Town	2
Leicester Square	3
Leicester Square	4
Old Street	1
Old Street	2
Oval	1
Oval	2
South Wimbledon	1
South Wimbledon	2
Tooting Bec	1
Tooting Bec	2
Totteridge and Whetstone	1
Totteridge and Whetstone	2
Tufnell Park	1
Tufnell Park	2
Warren Street	1
Warren Street	2
Waterloo	1
Waterloo	2

Table 3

Other station platforms at which the exemption from paragraph 1(1) will apply

Station	*Platform*
Camden Town	3

SCHEDULE 2

Article 6

Station platforms at which the exemption from paragraph 11(5) will apply

Station	*Platform*
Angel	1
Angel	2
Archway	1
Archway	2
Balham	1
Balham	2
Bank	3
Bank	4
Belsize Park	1
Belsize Park	2
Borough	1
Borough	2
Brent Cross	1

Brent Cross	2
Burnt Oak	1
Burnt Oak	2
Chalk Farm	1
Chalk Farm	2
Charing Cross	5
Charing Cross	6
Clapham Common	1
Clapham Common	2
Clapham North	1
Clapham North	2
Clapham South	1
Clapham South	2
Colindale	1
Colliers Wood	1
Colliers Wood	2
East Finchley	3
East Finchley	4
Elephant and Castle	1
Elephant and Castle	2
Embankment	3
Embankment	4
Golders Green	2
Golders Green	5
Goodge Street	1
Goodge Street	2
Hampstead	1
Hendon Central	1
Hendon Central	2
Highgate	1
Highgate	2
Kennington	2
Kennington	4
Kentish Town	1
Kentish Town	2
King’s Cross St. Pancras	7
King’s Cross St. Pancras	8
Leicester Square	3
Leicester Square	4
London Bridge	1
London Bridge	2
Moorgate	7
Moorgate	8
Mornington Crescent	1
Mornington Crescent	2
Nine Elms	1
Nine Elms	2
Old Street	1
Old Street	2
Oval	1
Oval	2
South Wimbledon	1
South Wimbledon	2

Stockwell	2
Stockwell	3
Tooting Bec	1
Tooting Bec	2
Tooting Broadway	1
Tooting Broadway	2
Tottenham Court Road	3
Tottenham Court Road	4
Totteridge and Whetstone	1
Totteridge and Whetstone	2
Tufnell Park	1
Tufnell Park	2
Warren Street	1
Warren Street	2
Waterloo	1
Waterloo	2
West Finchley	1
West Finchley	2
Woodside Park	1
Woodside Park	2

EXPLANATORY NOTE

(This note is not part of the Order)

This Order exempts certain rail vehicles of the type 95TS from the specified requirements of the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 where the vehicles are used on the Northern Line or at specified station platforms on that Line.

This Order includes exemptions which will apply to vehicles used on the Northern Line extension authorised by the London Underground (Northern Line Extension) Order 2014 at specified stations on the route authorised by that Order, once the extension becomes operational.

The Order exempts, subject to conditions, *(articles 3 to 6)* specified vehicles from requirements relating to:

a) fitting a wheelchair boarding device to the open doorways of carriages where wheelchair spaces have been provided;

b) fitting of a contrasting coloured strip on the floor threshold of doorways; and

c) the information provided to passengers inside the vehicle whilst stationary at the stations and platforms listed in Schedule 2.

The wheelchair boarding device exemption applies to the second carriage in any train at all stations when the train is travelling in a northerly direction. It applies to the fifth carriage when the train is travelling in a southerly direction, again at all stations. All carriages in a train where wheelchair spaces have been provided are also exempted, irrespective of the direction of travel, at platforms and stations named in Schedule 1 *(article 4)*. In the case of those stations listed in tables 1 and 2 of Schedule 1, the exemptions are time limited; in case of those listed in table 3 of that Schedule there is no limit of time (as is also the case for the exemptions relating to the fitting of a contrasting coloured floor strip and the information provided to passengers inside the vehicle), but the Secretary of State may revoke the relevant exemptions by Order *(articles 5, 6 and 7 and Schedule 1).*

An impact assessment has not been produced for this instrument as no impact on the costs of business, the public sector, third sector organisations, regulators or consumers is foreseen. An Explanatory Memorandum is available alongside the instrument on the website www.legislation.gov.uk.

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