STATUTORY INSTRUMENTS

# 2015 No. 1631

# DISABLED PERSONS TRANSPORT

## The Rail Vehicle Accessibility (B2007 Vehicles) Exemption Order 2015

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| *Made - - - -* | *26th August 2015* |
| *Laid before Parliament* | *8th September 2015* |
| *Coming into force - -* | *30th September 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(**1**).

In accordance with section 183(4) of that Act the Secretary of State has consulted with the Disabled Persons Transport Advisory Committee(**2**) and such other persons as the Secretary of State considers appropriate.

In accordance with sections 184(1), (2) and (3) of that Act and regulation 5(2) of the Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008(**3**) 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 (B2007 Vehicles) Exemption Order 2015 and comes into force on 30th September 2015.

### Interpretation

**2.**—(1) In this Order—

(**1**) 2010 c.15.
(**2**) 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.
(**3**) 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 This Order was made under section 67 of the Disability Discrimination Act 1995 (c.50) which was repealed by the Equality Act 2010.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 sections 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(**4**);

"Docklands Light Railway" mean the Docklands Light Railway network between Bank, Tower Gateway, Stratford and Stratford International and Beckton, Woolwich Arsenal and Lewisham stations;

"exempt vehicle" means a rail vehicle of the type known as B2007 and with a number in the series 101 to 155;

"platform gap" means the gap between the edge of the door sill of a wheelchair compatible doorway of an exempt vehicle and the platform or stop;

"wheelchair compatible doorway" has the same meaning as in 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**

**3.** Subject to articles 4, 5 and 6, an exempt vehicle is authorised to be used for carriage even if it is used in a manner that does not conform with paragraph 1(1) (boarding devices at wheelchair-compatible doorways), if the vehicle is stationary at a platform at a station on the Docklands Light Railway named in a table in the Schedule.

**Conditions**

**4.** Subject to article 5, the exemption from paragraph 1(1) applies only if —

(a) the platform gap is not more than 85 millimetres measured horizontally; and

(b) the platform gap is not more than 50 millimetres measured vertically.

**5.**—(1) In relation to a platform at a station named in Table 2 of the Schedule, the condition in article 4(a) does not apply until the day indicated next to the name of the station.

(2) In relation to a platform at a station named in Table 3 of the Schedule, the conditions in articles 4(a) and (b) do not apply until the day indicated next to the name of the station.

**Expiry**

**6.** The exemption from paragraph 1(1) expires at the end of 29th September 2025.

**Review**

**7.**—(1) The Secretary of State must from time to time —

(a) carry out a review of articles 3 to 6,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) The report must in particular—

(a) set out the objectives intended to be achieved by the regulatory system established by this Order,

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system which imposes less regulation.

(**4**) S.I. 2010/432, to which there are amendments not relevant to this Order.