

Railway Safety Regulations 1999: Regulation 5

Certificate of Exemption

1. The Office of Rail Regulation (ORR) exempts under regulation 6(1) of the Railway Safety Regulations 1999 (the Regulations) the hinged door rolling stock listed in the Schedule from the requirements of regulation 5(1) of the Regulations. In granting this exemption, ORR has carried out a review of the evidence provided by **DB Schenker Rail (UK) Limited (Company Number: 02938988)** (the company) in support of the exemption request, consulted as required by regulation 6(2) and had regard to the matters set out in regulation 6(3) of the Regulations.
2. In this exemption:
 - “railway” has the same meaning as in the Regulations;
 - “Joint TOC document” means the document entitled ‘Charter Train Managers Operation of Coaching Stock fitted with Secondary Door Locking’ prepared by DB Schenker Rail (UK) Limited and West Coast Railway Company Limited;
 - “rolling stock” means any carriage, wagon or other vehicle used on track and includes a locomotive;
 - “safety management system” has the meaning it has in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS).
3. This exemption applies to the rolling stock with hinged doors for passenger access listed in Schedule (‘the rolling stock’) and is granted subject to the following conditions:
 - (a) The company must ensure that hinged doors are modified so that:
 - (i) they can be securely locked and clearly labelled as not for passenger use, apart from the necessary access doors at the end of each carriage;
 - (ii) they are fitted with secondary locks, equivalent to those specified in the Joint TOC document (and any revisions to it that ORR consents to), which are protected by an anti-tamper device and labelled as being for emergency use only;
 - (iii) all access doors are fitted with secondary door locks that can only be operated by a steward of the company, unless in an emergency.
 - (b) the rolling stock is not used for passenger services on a railway unless:
 - (i) the operator of the rolling stock has and maintains an established safety management system which covers the operation of hinged door rolling stock;

- (ii) competent and adequately trained stewards are provided and are responsible for monitoring doors and passenger behaviour; and for the operation of secondary door locks at all times when passengers are boarding, on-board and alighting the train; any one steward shall be responsible for no more than the doors of any one vehicle or those doors in adjacent vehicles immediately either side of a gangway;
- (iii) passenger announcements and briefing notices are used as appropriate to explain to passengers the door arrangements set out paragraph 3(a).

4. This exemption is valid from 30 March 2012 until 31 March 2023.

5. Under regulation 6(1) of the Regulations, ORR may revoke the whole or any part of this exemption, at any time, in writing.

C Wake

Signed by authority of ORR

30 March 2012



Schedule

The rolling stock vehicles to which this exemption applies are:

Vehicle Number	Type	Date Built
1658	Mk1 RBR	1960-61
1679	Mk1 RBR	1960-61
1680	Mk1 RBR	1960-61
1696	Mk1 RBR	1960-61