

**2013 No. 1931**

**DISABLED PERSONS**

**TRANSPORT**

**The Rail Vehicle Accessibility (Non-Interoperable Rail System)  
(London Underground Metropolitan Line S8 Vehicles)  
(Boarding Devices) Exemption Order 2013**

<i>Made</i> - - - -	<i>31st July 2013</i>
<i>Laid before Parliament</i>	<i>5th August 2013</i>
<i>Coming into force</i> - -	<i>1st September 2013</i>

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(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 Metropolitan Line S8 Vehicles) (Boarding Devices) Exemption Order 2013 and shall come into force on 1st September 2013.

**Interpretation**

**2.**—(1) In this Order—

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(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 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 This Order was made under section 67 of the Disability Discrimination Act 1995 (c.50) which was repealed by the Equality Act 2010.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.

“Metropolitan Line” means the London Underground route between Aldgate and Amersham, Chesham, Watford and Uxbridge Stations;

“MS exempt vehicle” means a rail vehicle of the type known as Metropolitan Line 2010 Tube Stock (S8) and with a number in the series 24001 to 24116;

“Piccadilly Line” means the London Underground route between Cockfosters and Uxbridge and Heathrow Terminal 5 stations, including the Terminal 4 loop at Heathrow;

“pre-1999 vehicle” means a rail vehicle to which regulation 4 of the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010(a) applies;

“step-free access” means access from the station entrance to the platform level without the use of stairs or escalators.

(2) In this Order a reference to a numbered paragraph is a reference to that paragraph of Part 1 of Schedule 1 to the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010.

### **Exemption**

**3.**—(1) Subject to paragraphs 2 and 3 a MS exempt vehicle is authorised to be used for carriage on the Metropolitan Line even if it is used in a manner that does not conform with the requirements of paragraph 1(1) (boarding devices at wheelchair compatible doorways), but only in so far as the vehicle is stationary at a station platform named in a table in the Schedule.

(2) The exemption from paragraph 1(1) expires—

- (a) in relation to a station platform named in table 1 in the Schedule, at the end of the day indicated against its name;
- (b) in relation to a station platform named in table 2 in the Schedule, when step-free access is provided to that station platform;
- (c) in relation to a station platform named in table 3 in the Schedule, at the earlier of the dates—
  - (i) when that platform can safely be accessed by a disabled person using a wheelchair from a pre-1999 vehicle which is providing a service on the Piccadilly Line at that station; or
  - (ii) when step-free access is provided to all platforms at that station.

(3) The exemption from paragraph 1(1) does not expire in relation to a station platform named in table 4 in the Schedule.

### **Consequential provisions**

**4.** The Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010(b) is amended as follows—

- (a) in article 4 for “articles 5 and 6” substitute “article 5”;
- (b) articles 4(b), 6(2) and Schedule 1 are omitted.

**5.** The Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2011(c) is revoked.

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(a) S.I. 2010/432 to which there are amendments not relevant to this Order.  
(b) S.I. 2010/435.  
(c) S.I. 2011/70.

Signed by authority of the Secretary of State for Transport

*Norman Baker*  
Parliamentary Under Secretary of State  
Department for Transport

31st July 2013

## SCHEDULE

Article 3

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

<i>Station</i>	<i>Platform</i>	<i>Date exemption expires</i>
Harrow on the Hill	1	30th November 2013
Harrow on the Hill	2	30th November 2013
Harrow on the Hill	3	30th November 2013
Harrow on the Hill	4	30th November 2013
Harrow on the Hill	5	30th November 2013
Harrow on the Hill	6	30th November 2013
Moorgate	1	30th November 2013
Moorgate	2	30th November 2013
Moorgate	3	30th November 2013
Moorgate	4	30th November 2013

**Table 2 Station platforms at which the exemption from paragraph 1(1) will apply until there is step-free access**

<i>Station</i>	<i>Platform</i>
Croxley	1
Croxley	2
Moor Park	3
Moor Park	4
Neasden	1
Neasden	4
North Harrow	1
North Harrow	2
Northwick Park	2
Northwood	1
Northwood	2
Northwood Hills	1
Northwood Hills	2
Preston Road	1
Preston Road	2
Watford	1
Watford	2
Willesden Green	1
Willesden Green	4

**Table 3 Station platforms at which the exemption from paragraph 1(1) will apply until that platform can safely be accessed by a disabled person using a wheelchair, from a pre-1999 vehicle which is providing a service on the Piccadilly Line at that station, or, there is step-free access at all the platforms at that station**

<i>Station</i>	<i>Platform</i>
Rayners Lane	1
Rayners Lane	2
Ruislip	1
Ruislip	2

**Table 4 Other station platforms at which the exemption from paragraph 1(1) will apply**

<i>Station</i>	<i>Platform</i>
Aldgate	1
Aldgate	2
Aldgate	3
Baker Street	1
Baker Street	2
Baker Street	3
Baker Street	4
Chesham	1
Eastcote	1
Eastcote	2
Finchley Road	1
Finchley Road	4
Great Portland Street	1
Great Portland Street	2
Ickenham	1
Ickenham	2
Northwick Park	1
Rickmansworth	1
Ruislip Manor	1
Ruislip Manor	2
West Harrow	1
West Harrow	2

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order (*article 3*) exempts certain rail vehicles of the type S8 from the requirement under the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 for boarding devices to be fitted between wheelchair compatible doorways and the platform where the vehicles are used at specified platforms and at specified stations on the Metropolitan Line.

Some of these exemptions are of limited duration, the exemptions in so far as they relate to the station platforms named in table 4 of the Schedule are without limitation of time but the Secretary of State may revoke them by Order.

The Order (*articles 4 and 5*) makes consequential amendments to the Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010 and revokes the Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2011.

An impact assessment has not been produced for this instrument as no cost to the business or voluntary sectors is foreseen. An Explanatory Memorandum is available alongside the instrument on the website [www.legislation.gov.org](http://www.legislation.gov.org).

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