

## European Railway Agency Consultation on the preliminary draft version of revised Technical Specifications for Interoperability on Accessibility to Persons with Reduced Mobility covering the Union railway system

### Response from Passenger Focus

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#### 1. Introduction and background

Passenger Focus is the operating name of the Passengers' Council, the official, independent statutory consumer organisation, sponsored by the Department for Transport, representing the interests of rail users nationally.

With a strong emphasis on evidence-based campaigning and research we use our knowledge to influence decisions on behalf of passengers. We work with the industry, other passenger groups and government to secure improvements. We welcome the opportunity to respond to this consultation as we, and our predecessor bodies, have long been concerned with many aspects of transport accessibility.

Passenger Focus undertakes the National Passenger Survey which covers over 55,000 passengers annually seeking their views about the journey which they are currently making. We ask those surveyed to indicate any disability to permit further examination of those views. We have also undertaken two mystery-shop surveys on the provision of assistance to PRM at stations and on trains and the usefulness and convenience of facilities aboard trains and at stations. We intend to repeat this work in 2013, following the introduction of a new assistance-booking service prior to the Olympic Games, to test the level of improvement over the predecessor arrangements, whose overall satisfaction levels were disappointing. The monitoring of feedback by the industry from at least a percentage of PRM is vital to gauge PRM satisfaction. We are also in constant touch with the national organisations representing the interests of people with different disabilities in addition to hosting regular accessibility panel meetings. This work has assisted us greatly in responding to this consultation.

We acknowledge the huge strides made in enhancing accessibility of Britain's railways in recent years; this improvement is borne out by our research findings, yet even now parts of the network remain inaccessible to some people – or those people believe it to be so, even where it is actually accessible. These improvements were brought about by a combination of the introduction in 1999 of the *Rail Vehicle Accessibility Regulations*, a forerunner of the PRM TSI of 2008. Considerable government expenditure under the *Railways for All* scheme has transformed access at 150 priority stations.

As population ages and increases, ever greater demand will be placed on accessibility of the rail network and provisions such as TSI PRM become relevant to ever greater numbers of passengers.

We look forward to 2020 by which time all rail vehicles in Britain should be fully accessible.

## 2. Response to the consultation document

### General comments

We largely welcome the reduction in length of the revised TSI, though in places we have concerns where it appears that brevity has been achieved at the expense of relevant provisions which are absent from the revised wording. We comment on these in turn below.

Paragraph numbering and division within the document on occasions seems uneven, with considerable amounts of text accommodated within a single paragraph or subsection on occasions. Better subdivisions would assist referencing information.

Some of the Appendices are absent preventing comment.

Inconsistency in the use of terms for apparently the same item is unhelpful and perhaps misleading in places: e.g.

- *car, coach, carriage* and *vehicle* are used whereas *carriage* or *coach* would be a more suitable option in British usage in almost all these examples, but it needs to be used consistently;
- *tip-up, drop-down* and *folding seats* are all referred to, with apparently identical intention. The first two may be synonymous – *is that the intention?* – but the third implies a somewhat different arrangement.

As a general point, it seems that sections of the draft have been compiled and/or translated in isolation from others without the benefit of a general review to iron out inconsistencies of vocabulary, expression and layout. The final document would benefit from such attention.

### Specific comments

Our comments follow in the paragraph order of the consultation document for ease of reference.

#### 2.2. Definition of PRM

- We note with some concern that defined categories of disability have been replaced by general statements. It seems that the proposed spread of definitions fails to cover all those in the original list. For the avoidance of doubt of eligibility, we recommend that the original definitions be retained, including the reference to the limited conditions placed on those affected by alcohol and drug use: *"The term PRM does not include people who are dependent on drugs or alcohol unless this dependency is related to medical treatment."* Perhaps also insufficient attention has been paid generally to the definition of PRM as many people who fall into this category, for instance by virtue of their age, would not consider themselves as a PRM.

### 2.3. Level access

- The text reads as though this applies in one direction only, i.e. boarding the train. We recommend minor rewording for clarity such as: “*Level access is access between platform and [carriage/coach] doorway for which it can...*”

#### 4.2.1.2. Obstacle-free route

- Not all stopping points for other modes of transport fall under the auspices of the railway undertaking’s responsibility; they may be on the property of the local authority or another transport company. Such matters are enforceable only on railway property and the text must make this clear. Much the same applies in our response to Appendix G.
- We note that “left luggage facilities” has been omitted from the current list at 4.1.2.3.; whilst recognising that most British stations no longer possess such a facility it should continue to apply at those places which are not bereft of it.
- We welcome the deletion of the original exemption (final paragraph of 4.1.3.2.1.) of the need to provide lifts or ramps at smaller, new stations if an accessible station exists with 30km on the same route.

#### 4.2.1.2.2. Vertical circulation

- *In the 2<sup>nd</sup> paragraph:* Such contrasting bands as are specified to be affixed to the first and last stairs and the tactile strips to be affixed before the first descending step should also apply to landings.
- *In the 3<sup>rd</sup> paragraph:* No definitions of “long” and “steep” are given. Presumably the National Rules as set out in the Department for Transport’s Code of Practice on station accessibility apply.

#### 4.2.1.2.3. Route identification

- *In the 2<sup>nd</sup> paragraph:* It seems that one or more words may be missing after “audible”. Presumably something more than the “talking signs”, also mentioned, is intended here.
- *In the 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs:* In this context we question the relevance of Braille especially given the awkwardness of reading Braille vertically.

#### **4.2.1.3. Doors and entrances**

- We welcome the increased width to 900mm from the 800mm stated in the original clause 4.1.2.4. for new or refurbished structures. Of concern is the fact that it is unclear whether this revised width is to apply retrospectively; if so, considerable additional and unforeseen costs will arise. However, it is also unclear why the minimum 2100mm headroom of the existing clause has not been retained in the revision. We note that the maximum height of door controls has been reduced from 1200mm to 1100mm which should aid usage.

#### **4.2.1.5. Transparent obstacles**

- The text is considerably shorter than the current 4.1.2.6. and as a result the revised version lacks the measurements and definitions of the former. As a result, the “requirements” are far too vague.

#### **4.2.1.6. Toilets and baby-changing facilities**

- It is not immediately clear why some of the content of the current clause on this topic (4.1.2.7.) has been moved elsewhere in the document. (The same applies also to other sections.)
- Current requirements at 4.2.1.7.1. to accommodate bulky luggage require a minimum width of 900mm and a depth of between 1500mm and 1700mm depending on the direction of door opening, and a minimum door width of 900mm. It seems necessary to retain these minima but we cannot locate such a wording elsewhere in the consultation text.
- Where a universal toilet is provided it is far preferable that it be unisex rather than located within a gender-specific toilet. In the latter case a spouse or attendant of the opposite sex cannot enter the toilet with the PRM who may need assistance within the universal cubicle.

#### **4.2.1.7. Furniture and free-standing devices**

- A small but significant change in wording applies here compared with the text in the current 4.1.2.8’s final paragraph: “resting place” in the original has been replaced by “waiting place”. These two terms are not synonymous. A “resting place” should be provided on longer routes which many PRM cannot negotiate without sitting en route. A bespoke wheelchair space need not necessarily be provided at a resting place, if it consists solely of a seat or bench where a level surface alone should suffice.

#### **4.2.1.8. Ticketing, Information desks and customer information points**

- We are concerned that the depths and heights for lower-level counters (currently specified in 4.1.2.9.1., 1<sup>st</sup> paragraph) have been deleted from the revision. It is unclear how in future adequate knee-well space and a suitable maximum-height counter, for instance, will be provided, for wheelchair-using PRM or others who require a lower than standard-height counter. It seems unwise to leave this choice to railway undertakings whose cost considerations may outweigh their concern for PRM access.

#### 4.2.1.9. Lighting

- PRM expect suitable lighting to be available throughout railway premises. The precise meaning of *The illuminance level along obstacle-free routes shall be adapted to the visual task of the passenger* is not immediately apparent. If it means *Lighting must be appropriate to enable passengers to use the station*, or similar, it would be more helpful if the text actually said so.
- Mention of lifts and escalators is omitted; they are increasingly familiar features at many stations.

#### 4.2.1.10. Visual information: signposting, pictograms, printed or dynamic information

- This section is far less prescriptive than its predecessor. It would still benefit from subdivision.
- We note that the previous requirement not to combine advertising with train and station information has been removed. We recommend that it be reinstated.
- 2<sup>nd</sup> paragraph: it is unclear which of the information is deemed “essential”. In practice, the definition of “essential” information will vary from one passenger to the next. Any information is essential to someone. This cannot really be defined. Perhaps “essential” should be deleted. In any case, all information in one format should tally exactly with all other forms of the same information.
- We welcome the additional mention that route-taking information should be repeated at least every 100m.
- Typeface: the proposed new text is meaningless; the definition of “easily readable” varies from person to person and place to place. We recommend reversion to the original text which required use of a sans serif mixed-case typeface. It needs to be unequivocally stated that compressed ascenders and descenders are not permitted.
- Final paragraph: the use of *handicapped* in this case is extremely pejorative in British usage and should be deleted. The term *PRM* is used throughout the document and in its title, so why not here?
- Previous mention of a maximum reading distance is also now absent in this section. We believe that this is vital to many PRM and it should be reinstated here for absolute clarity.
- It is important that on electronic screens colour contrast is good in all light conditions. Red lettering is indistinguishable from the black background and surround for many PRM with sight loss, whereas yellow/amber on black contrasts well.

#### 4.2.1.12 Platform width and edge of platform

- It is unclear from which point(s) along the otherwise minimum width of the platform it may taper “at the end” from 1600mm to 900mm. What is the maximum length at 900mm wide? Or does “end” refer to that part of the platform beyond public use and separated from the public area by a barrier or warning as mentioned at 4.2.1.13?

#### 4.2.1.15. Passenger track-level crossing at stations

- This section is much more prescriptive than in the original document.
- 2<sup>nd</sup> bullet point: no definitions of “moderate”, “steep” or “short” are given. Presumably National Rules apply in the absence of a definition here.
- Final bullet point: comprises a new requirement. In practice this makes no significant difference to PRM in this country.

#### 4.2.2.1.1. Seats – general

- 1<sup>st</sup> paragraph: The mention of 200mm is new. This should enhance stability.

#### 4.2.2.1.2.1. Priority seats – general

- The text here glosses over a number of facts. A very blurred arrangement applies to the enforcement of the use of priority seating. Legislation not only requires that such seating be provided but also specifies the ratio in regulated vehicles. Any passenger, PRM or otherwise, can occupy priority seating but no legal mechanism exists in this country to evict from it those with no need or less need than the PRM for whom it was originally installed – unless PRM have a specific reservation for those seats on that particular train. Signage must comply with Appendix N and set both out the intended purpose of priority seating and those categories of PRM who have first call upon such accommodation. Applicable signage must be visible at all times and not become obscured once a seat is occupied. The signage must explain entitlement fully. It would be helpful for the guidance to indicate that priority seating should be vacated by those who need it less than others even if the law cannot require them to do so.
- While some PRM, whose ability to ‘circulate vertically’ is not sufficiently impaired, may be able to climb stairs to the upper deck, many cannot, or shun the option if possibly required to do so while the train is moving. It should be made absolutely clear that priority seating should appear on both decks but it seems most likely that the majority of it will be required on the lower deck.
- 7<sup>th</sup> and 8<sup>th</sup> paragraphs: Figures 10 to 13 are not included so comment is impossible.

#### 4.2.2.2. Wheelchair spaces

- 1<sup>st</sup> paragraph and table: a new category (“less than 30m train length = 1 space”) has been introduced. This had, in any case, applied in this country before the advent of TSI.
- Table: might the second heading read better as *Appropriate number of wheelchair spaces per train* or similar?

- 3<sup>rd</sup> paragraph: We note the minimum height increase from 1375mm to 1450mm.
- 5<sup>th</sup> paragraph: “materialized” (even “materialised”) makes no sense here. Similarly “acceptable” is meaningless. Is this intended to read *The rear of the wheelchair space must consist of a structure or carry a fitting at least 700mm wide which prevents a wheelchair, with its back against it, from tipping backwards* or similar?
- 6<sup>th</sup> paragraph: It makes sense to allow tip-up seats in the wheelchair space to be used when the space is not occupied by a wheelchair user, but those seats must not protrude when unused into the wheelchair space’s dimensions.
- 7<sup>th</sup> paragraph: Is *also* in the second sentence intentional, referring to a seat for a second companion, or is it intended to mean *instead*? If the former, we welcome this attention to detail as some PRM travel with more than one other person. If, however, the latter is intended, we object strenuously. It is unacceptable and impractical, for both PRM and companion, that the companion’s seat is located across the aisle from the wheelchair space. Thus although a wheelchair space is provided, it may have no room within it for a companion even to stand, let alone sit. A seat on the opposite side of the aisle is of little benefit: the wheelchair user travels in almost total isolation, looking at the rear of the seat in front on many occasions – a poor enough environment on a short trip but intolerable on a long journey. Some PRM require assistance en route, which cannot adequately or conveniently be given, either across the aisle or standing in it. We recommend that this wording be amended and that new builds of train must have a companion seat either immediately adjacent to or opposite the wheelchair space.
- 8<sup>th</sup> paragraph: It is not obvious why train speed should affect the ability or desirability to transfer to a fixed seat if it is more comfortable for PRM and they are capable of doing so. Presumably reference to the transfer being made “in autonomy” refers to “absence of staff assistance”. Presumably a companion may assist without resorting to seeking help from staff – in which case “in autonomy” no longer applies. The need for this clause, and its strangely worded exception, is unclear.
- Last paragraph: as in the case of signage for priority seating, the signage for wheelchair spaces needs to be clear and precise ensuring that any other use being made of it must cease as soon as a wheelchair user boards.

#### 4.2.2.3.2. Exterior doors

- 10<sup>th</sup> paragraph: the absence of Appendix F prevents comment.

#### 4.2.2.3.3. Internal doors

- 1<sup>st</sup> paragraph: In Great Britain no standards apply to internal doors and thus railway undertakings have no standards with which to comply. Research is currently being undertaken to establish which types of rolling stock are more prone to inflicting such injury when passengers are trapped by them; such events account for some 10% of injuries. It may be helpful, therefore, to add for instance *“These doors shall be designed in such a way that they cannot cause injury to passengers. If such doors are automatic, the closing force shall not exceed.....”*

- Final paragraph: The text here now is considerably reduced. As for transparent obstacles (at 4.2.1.5. above), much more detailed requirements are needed for the marking of doors whose transparent area covers 75% or more of its exposed surface.

#### 4.2.2.7.1. Customer information – general

- 2<sup>nd</sup> bullet point: the use of “audible” and “visible” is inappropriate. “Visual” is used elsewhere in this context; we comment on the use of “audible” below in 4.2.2.7.4.
- 5<sup>th</sup> paragraph: As mentioned earlier, it is simply too vague to require texts to be “easily readable”. The fifth bullet point in our response to 4.2.1.10 sets out our views.

#### 4.2.2.7.3. Dynamic visual information

- Final paragraph, page 26: It is important that on-train staff can override on-board information systems to update them as necessary, especially if the calling pattern changes due to disruption or if other visual information is required to complement announcements.

#### 4.2.2.7.4. Dynamic audible information

- Throughout this document *audible* is used probably to mean *aural*. Compare above in 4.2.2.7.3.: *visible* is not used in place of *visual*, although it does seem to be the case in 4.2.2.7.1. “Audible” assumes that it has been heard or is capable of being heard; some aural information is not audible, either because of specific hearing loss or because the sound is simply lost amidst other ambient noise, passing trains etc. To many hearing-impaired PRM some or all aural announcements will never be audible any more than visual information will be visible to some PRM with sight loss. “Spoken information” is used in places (e.g. 4.4.1); this is probable preferable to “audible” as it does not assume that it is heard.
- 2<sup>nd</sup> paragraph: as above, on-board PA systems must be able to be overridden by staff for exceptional announcements which must appear also visually.

#### 4.4.1. Infrastructure subsystem

- 2<sup>nd</sup> paragraph – Obstacle-free routes:
  - The reference to 1,000 users on average per year rather overlooks the fact that the appearance of a single feature generating additional traffic in the vicinity (e.g. new housing, school or retail/leisure facilities) can transform the footfall at such a station dramatically. Therefore, it would be helpful here for a requirement to be included that no work undertaken at such stations should prejudice the ability for compliant facilities to be easily installed at a later date.
  - It is more usual in railway terminology to speak of *boarding and alighting* than *embarking and disembarking*.
  - This seems to overlook the fact that not all PRM require lifts/ramps; passengers with sight loss may well be able to cope with stairs. Any PRM who can reach the

platform should be conveyed by train, not by taxi, unless they prefer the taxi option.

- Clarification is required whether all the other requirements at the station also apply, if some PRM are to be transferred to other stations by road.
- 4<sup>th</sup> paragraph – Ticketing for Visually-impaired Passengers  
Other categories of PRM can also find it difficult or impossible to operate ticket-issuing machines if travelling alone:
  - PRM with arthritis or those who make involuntary movements, for instance, may not be able to touch the screen or press the relevant buttons with adequate force or accuracy.
  - PRM with sensory impairment, even dyslexia, may not understand the necessary procedure or be able to read the relevant details.
  - Where a detour at the station is required to reach the sole ticket machine some PRM may not be physically able to walk such distances or cross bridges without considerable difficulty - or at all.
  - Wheelchair users may need to make a long detour from their departure platform to the ticket office or machine, depending on the station's layout.

Such circumstances should also be taken in to account in this regard.

PRM in Great Britain are covered already by the terms of both the National Rail Conditions of Carriage and also of each rail company's Disabled People's Protection Policies, allowing PRM to pay the same fare en route as they would have done at the station, had they been able. The same benefit should be extended to PRM elsewhere in the Union.

- 6<sup>th</sup> paragraph – Lighting of platforms: Few PRM reaching the station in good time for a train or having just missed one would welcome being required to wait in the dark. It would, at the very least, be unpleasant and could become dangerous – all the more so if undesirable elements were to gather there, attracted by the known absence of lighting. This paragraph's content sits ill alongside the requirements of paragraph 4.2.1.9. It is quite possible that a platform at which no train is expected may give access to station facilities or a convenient side exit.
- 9<sup>th</sup> paragraph – Platform: Wheelchair boarding-aid operational zone: Trains may be formed of several multiple units and will therefore have wheelchair spaces in at least two coaches; other trains, formed of locomotive-hauled stock may include coaches with a wheelchair space at uneven intervals along the length of the train. It is unclear, therefore, what this means. Any such "operational zone" will need to extend to most of the platform's working length in many cases. It is unclear whether this is permitted within the proposed wording, which needs to be clarified to ensure that wheelchair users can board and alight regardless where along the platform any coach with a dedicated wheelchair space draws up. We appreciate the need for doors to/from the wheelchair space should not be fouled by platform structures: awning supports, signalling equipment etc.

#### 4.4.2. Rolling stock subsystem

- Carriage of assistance dogs: In Great Britain assistance dogs are permitted into catering vehicles; other animals are not. It seems reasonable that the same level of access be permitted as a matter of course to PRM with an assistance dog elsewhere.

- Access and Reservation of Priority Seats

Enabling non-PRM to book priority seats can cause friction when PRM who travel at short notice are unable to occupy the accommodation specially installed for their use if non-PRM have reservations for it. We have never understood the logic of making priority seating reservable by all categories of passenger, even if opened up to them only shortly before the departure date/time. PRM are no different from other passengers in that they may need to travel without notice on some occasions or may simply wish to make impulse journeys. In such circumstances their ability to travel can be severely compromised.

In case (ii), if non-PRM have reserved priority seats, where this is permitted, the wording on the signage adjacent to priority seats will need to reflect this, otherwise even with a reservation (which on some railway undertakings involves payment of an additional fee) non-PRM will still technically have to vacate it to conform with the requirements shown on that signage. On reflection, is it worth the antagonism and practical difficulty on the train of reserving priority seats for the general public? We understand the logic of doing so aboard services on which compulsory reservation applies.

#### 4.6. Professional qualifications

Training of staff is paramount to ensure appropriate assistance. We cannot overstate the need for railway undertakings to include PRM and their representative organisations in drawing up suitable training. It is vital to ensure that staff understand the needs of disabled passengers and learn how to best meet them. The importance of training staff to assist disabled passengers properly is a major element in the effectiveness of the arrangements. We cannot emphasise too strongly or too often the need for fully-trained staff at all levels to effectively assist PRM when planning their travel arrangements and throughout their journey.

To a certain extent also, PRM need to appreciate the extent to which assistance can reasonably and usually be provided.

#### 5.3.1.2. Platform ramps

- Last paragraph: “securization” appears again; perhaps “securing” is intended.

#### 5.3.2.4. Universal toilet

- 2<sup>nd</sup> paragraph: The addition of a further set of door-operation controls, both inside and outside the cubicle, creates huge potential for yet greater confusion and erroneous operation. While the idea behind this principle is well understood, it is difficult to imagine how to remove all risk of an embarrassing mistake from use of the door controls, given the misadventures which are already known to occur: e.g.
  - passengers who close but subsequently fail to lock the door;
  - those who have successfully locked it but, wishing to test their security, press the ‘open’ button, not realising its overriding mechanism and believe as a result that they had not locked the door after all, whereas in fact they had;

- those who, having successfully locked the door, cannot distinguish between its opening mechanism and the emergency alarm.

The possibility of malicious use of such additional controls from the exterior of the cubicle by other persons should also not be overlooked.

#### 7.1.2.4. Rolling stock of an existing design

- 4<sup>th</sup> paragraph: the date of 1<sup>st</sup> June 2017 is not one which we recognise in this or any other rail context, in Great Britain at least.

#### 7.3.1. Existing infrastructure

- Without Appendices B and C it is impossible to respond.

#### Appendix G

- 3<sup>d</sup> bullet point: This point has been raised already; the step-free route may involve other undertakings' property.

#### Appendix M1 – Scope

- Transportable wheelchair: The revised TSI it appears is silent on whether a mobility scooter, within the size and weight dimensions specified, is deemed a transportable wheelchair, whether it is included under a different category, or if it is excluded entirely. Use of mobility scooters is increasing and will doubtless continue to do so as the population ages. They are a major mobility boon to many, but the size and weight of some deny them access to trains and other modes of public transport. However, some smaller, lighter models now qualify for carriage by rail (and on other modes) in Great Britain. Many conform to the necessary criteria governing the carriage of wheelchairs. As many of today's wheelchairs are motorised, the distinction between them and scooters is less clear than was once the case. It seems that growth in usage of such machines is likely throughout the Union and reference to them should usefully be made here, in this revision. Should we assume, therefore, in the absence of reference to mobility scooters here that this is a matter to be decided by National Rules?

#### Appendix N

- The signage does not specify that seats should be given up by non-PRM to those for whom they are intended. Neither does it state that a reservation for that priority seat by a non-PRM means that the reservation holder can occupy it even when an unreserved PRM may expect to use it.

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