
STATUTORY INSTRUMENTS

2014 No. 2660

**DISABLED PERSONS
TRANSPORT**

The Rail Vehicle Accessibility (Non-Interoperable Rail System) (Blackpool Tramway) Exemption Order 2014

Made - - - - *29th September 2014*
Laid before Parliament *10th October 2014*
Coming into force - - *1st November 2014*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 183(1), (2), (4)(a) 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 the Disabled Persons Transport Advisory Committee⁽²⁾ 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⁽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 (Non-Interoperable Rail System) (Blackpool Tramway) Exemption Order 2014 and comes into force on 1st November 2014.

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 This Order was made under section 67 of the Disability Discrimination Act 1995 ([c. 50](#)) which was repealed by the Equality Act 2010.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 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(4);

“Blackpool tramway” means the tramway running from Starr Gate in Blackpool to Fleetwood;

“designated heritage stop” means a stop listed in the Schedule;

“Fleet B tramcar” means the Double Deck “Balloon” tramcars with vehicle numbers 700, 707, 709, 711, 713, 718, 719, 720, and 724;

“tramcar” has the same meaning as in regulation 2(1) of the 2010 Regulations; and

“tramway” means a system of transport used wholly or mainly for the carriage of passengers which employs parallel rails which—

- (a) provide support and guidance for vehicles carried on flanged wheels; and
- (b) are laid wholly or partly along a road or in any other place to which the public has access (including a place to which the public has access only on making a payment).

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

Exemptions relating to Fleet B tramcars

3. A Fleet B tramcar is authorised to be used for carriage on the Blackpool tramway even if it does not conform with the requirements of—

- (a) paragraph 9(1)(b) (handholds must have a slip-resistant surface);
- (b) paragraph 9(1)(e) (width of the cross-section of handholds);
- (c) paragraph 10(1)(b) (handrails in a tramcar must be at intervals of not more than 1050 millimetres in its longitudinal plane);
- (d) paragraph 12(2)(c) (request-stop controls must be adjacent to at least every third row of seats);
- (e) paragraph 14(1)(e) (steps must be illuminated);
- (f) paragraph 14(1)(f) (step height must be no greater than 200 millimetres);
- (g) paragraph 14(1)(g) (step depth must be no less than 300 millimetres); and
- (h) paragraph 18(2) (a tramcar which can accommodate 100 or more passengers must have at least 2 wheelchair spaces).

Exemptions for heritage tramcars

4. (1) Subject to paragraphs (2) and (3) a tramcar first brought into use before 1st January 1999 is authorised to be used for carriage on the Blackpool tramway even though—

- (a) it does not conform with the provisions of the 2010 Regulations with which it would otherwise be required to conform; or
- (b) it is used otherwise than in conformity with the provisions of the 2010 Regulations with which its use would otherwise be required to conform.

(2) The authorisation under paragraph (1) applies to a tramcar which is—

- (a) used to demonstrate or operate an historical or special type of transport service; and
- (b) used primarily for tourist, educational or recreational purposes.

(3) The authorisation under paragraph (1) only applies if passengers are permitted to board or alight from the tramcar solely at a designated heritage stop.

(4) [S.I. 2010/432](#) to which there are no amendments relevant to this Order.

Signed by authority of the Secretary of State

29th September 2014

Baroness Kramer
Minister of State
Department for Transport

SCHEDULE

Article 2

Designated heritage stops

The stops on the Blackpool tramway which are designated heritage stops are the stops known as—

- (a) Pleasure Beach Turning Circle;
- (b) North Pier, northbound stop;
- (c) North Pier, southbound stop;
- (d) Uncle Tom’s Cabin, northbound stop;
- (e) Uncle Tom’s Cabin, southbound stop;
- (f) Bispham, northbound stop;
- (g) Bispham, southbound stop;
- (h) Cleveleys, northbound stop;
- (i) Cleveleys, southbound stop;
- (j) Fleetwood Bold Street, alighting stop;
- (k) Fleetwood Pharos Street, boarding stop; and

each identified by the display of a sign identifying it as a heritage tram tours stop.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order exempts certain tramcars from specified requirements of the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 (“the 2010 Regulations”) where the vehicles are used on the Blackpool Tramway. These are specified double deck “Balloon” tramcars (“Fleet B tramcars”) and certain types of historic and special tramcars which first entered service before 1st January 1999 and which are being used primarily for tourist, educational or recreational purposes to demonstrate an historical or special type of transport service.

The Order exempts Fleet B tramcars from requirements of the 2010 Regulations relating to:

- the surface of handholds being slip resistant;
- the width of the cross section of handholds;
- the distance between handrails in a tramcar;
- the provision of stop controls in a tramcar;
- the illumination of steps in a tramcar;
- the height of steps in a tramcar;
- the depth of steps in a tramcar; and
- the provision of wheelchair spaces where a tramcar has capacity to accommodate 100 or more passengers.

The Order exempts the historic and special tramcars from all the requirements under the 2010 Regulations subject to their being used as described above and subject to passengers only being permitted to board these tramcars at designated heritage stops.

This Order is without limitation of time but the Secretary of State may revoke this exemption by Order.

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