

Railway Safety Regulations 1999: Regulation 5

Certificate of Exemption

1. The Office of Rail and Road (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, subject to the conditions listed below. In granting this exemption, ORR has carried out a review of the evidence provided by **Venice Simplon-Orient-Express Limited (Company Number 01551659)** (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:
 - "Hinged Door Rolling Stock" means any carriage with hinged doors for used by passengers for boarding and alighting from the train;
 - "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;
 - "Railway" has the same meaning as in the Regulations;
 - "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 Hinged Door Rolling Stock listed in the 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; or
 - (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; or
 - (iii) they are fitted with secondary door locks that can only be operated by a steward of the operator, unless in an emergency.
 - (b) The following apply when the Rolling Stock is being used for passenger services:
 - (i) the operator must ensure that it has and maintains an established Safety Management System which covers the operation of the Rolling Stock;
 - (ii) the operator must ensure that competent and adequately trained stewards are provided and are responsible for monitoring hinged 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;

(iii) the operator must ensure that one steward shall only be responsible for either:

(1) the hinged doors in any one of the Rolling Stock, or

(2) those hinged doors at one end of the Rolling Stock and those hinged doors at the corresponding end of the immediately adjacent Rolling Stock;

(iv) the operator must ensure that passenger announcements and briefing notices are used as appropriate to explain to passengers the arrangements set out paragraph 3(a);

(v) the operator must ensure that passenger loadings do not exceed the total seating capacity available within the relevant Rolling Stock;

(vi) the operator must ensure that it will undertake, review and maintain platform train interface ('PTI') risk assessments and train dispatch instructions for the route and send these to any station facility owners whose facilities will be used by that passenger service.

(c) The Company must ensure that the fitment of a method of centrally locking hinged doors in a closed position to the Rolling Stock shall take place in accordance with the fitment plan provided to ORR on 31 August 2022 (the '**Fitment Plan**').

(d) The Company must ensure that it provides ORR with written updates of progress against the Fitment Plan at 6-monthly intervals starting from the date of this certificate.

(e) The Company must notify ORR in writing of delays to completion of any part of the Fitment Plan, including the reasons for the delays.

(f) The Company must ensure that ORR is notified at least 12 weeks in advance and in writing, of any proposed changes from established processes and procedures as set out within the application.

(g) The Company must ensure that ORR is notified of any changes relating to the Rolling Stock. This includes the withdrawal of and/or acquisition of Hinged Door Rolling Stock.

4. This exemption is valid from 1 April 2023 until 21 February 2025.

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

M Farrell

Signed by authority of ORR

29 March 2023



Schedule

The Hinged Door Rolling Stock to which this exemption applies are:

Vehicle Number	Type	Date Built
99530	Pullman Parlour Car	1951
99531	Pullman Parlour Car	1927
99532	Pullman Parlour Car	1951
99534	Pullman Kitchen Car	1925
99535	Pullman Parlour Car	1927
99536	Pullman Parlour Car	1928
99537	Pullman Kitchen Car	1932
99539	Pullman Kitchen Car	1928
99541	Pullman Parlour Car	1928
99543	Pullman Kitchen Car	1932
99545	Mk1 Baggage Car	1962
99546	Pullman Kitchen Car	1932
6313	Mk1 Generator Car	1958
9502	Mk2 E BSO	1972

Schedule last updated 29 March 2023