

DART VALLEY RAILWAY PLC

Passengers' Charter

I. INTRODUCTION

PLEASE READ THIS PASSENGERS' CHARTER CAREFULLY BEFORE PURCHASING TICKETS FROM US.

This Passengers' Charter (together with the documents referred to in it) tells you some useful information about our Tours and sets out various rules which apply to all persons who travel on Tours operated by or on behalf of Dart Valley Railway PLC.

By purchasing a Ticket for a Tour (as those terms are defined in our Terms and Conditions of Sale of Tickets [click on the relevant link on our Terms & Conditions page] you agree to behave in accordance with (and you agree to procure that all persons on whose behalf you are purchasing Tickets shall behave in accordance with) the terms of this Passengers' Charter.

In this Passengers' Charter "Passenger" means any person who is a passenger on any of our vehicles and/or vessels.

2. ACCESS POLICY

For your information, our quietest day of the week is normally a Friday. Passengers using wheelchairs may find that travelling with us on a Friday will involve less crowds and therefore you may be more able to enjoy our Tours, and the locations they serve, at your own pace.

Our services are often heavily used so neither we, nor our contractors, can guarantee to carry you or provide a seat on a particular service. We strongly advise Passengers to arrive in good time for all planned departures.

Steam Railway

- Disabled Passengers are welcome on our steam trains.
- Paignton, Churston and Kingswear stations are on the flat, however due to the nature of the access via steps at Goodrington station, joining or leaving the train is not possible unless the Passenger can manage a flight of steps with a carer's assistance.
- Access to Churston Station Up platform is via footbridge. Passengers physically unable to use the footbridge with (where required) their carer(s), may use the foot crossing. Users should be aware that the slope is approximately 1 in 10 and prepare accordingly and must obey all signage and instructions. Instructions for the use of the crossing must be followed. Churston foot crossing is designated solely for the use of Passengers physically unable to use the footbridge plus carer (where required).
- Motorised wheelchairs are welcome, but due to their size the number allowed on each train is at the discretion of the train guard. The total number of traditional wheelchairs is also at the discretion of the train guard.
- There are toilet facilities for disabled customers at Paignton and Kingswear stations only. Toilets on our trains are not suitable for use by disabled Passengers.

River Boats & Ferries

- Disabled Passengers are welcomed on board, but for safe access a small degree of mobility is needed by everyone.
- Due to jetty and vessel design, Passengers who use wheel chairs must be able to walk (assisted if necessary), for just a few steps for access at boarding gates, since our staff are not permitted to lift occupied wheel chairs.
- Each disabled Passenger must be accompanied by a person who is able to help if there is an emergency on board.

- We regret that motorised wheelchairs and scooters are not normally permitted on board our river boats and/or ferries, due to their weight and bulk, which may obstruct the safe movement of other Passengers.
- The total number of wheelchairs permitted on board is at the discretion of the Master of the vessel and may vary depending upon the weather and the vessel's location.

Buses

- Most of our buses are Heritage style and therefore have a traditional "step" entrance with a grab pole in the middle. This means they cannot convey a wheelchair user, unless the Passenger has sufficient mobility to get themselves up two steps and then a few short paces to the seats, the front row of which are prioritised for Passengers with access difficulties.
- Our Greenway shuttle bus (normally used for Winter 100 service also), and one of the closed top Double Decker buses (mostly used between Totnes and Paignton when an open topper is not selected) are of the more modern DDA Compliant low floor easy access buses. On these two buses a wheelchair user can wheel themselves on board using a ramp deployed by our driver, and then there is a designated safe space for one wheelchair with priority given to a wheelchair user (although please note that by law we cannot enforce a mother and buggy user to vacate this space if they are unwilling to give it up to the wheelchair user).
- If a Passenger requires a wheelchair friendly bus, please let us know in advance, as we may be able to allocate an appropriate bus to carry them, bearing in mind it can only carry one such Passenger so it will always be on a first come first served basis.
- We regret we do not operate yet a DDA compliant open top bus.
- We regret that motorised wheelchairs and scooters are not normally permitted on board our buses, due to their weight and bulk, which may obstruct the safe movement of other Passengers.
- Passengers who use foldable wheelchairs are also welcome. However, the chairs must be carried folded up and stored in the luggage bins available on the buses.
- Wheelchairs must not block the main gangways, which must be kept clear at all times. The result is that the number of such chairs we are able to carry on any one journey is severely limited, mostly to a maximum of three, and at the discretion of the driver (as there may also be baby buggies on board).

Care must be taken to assess slope by operators of wheelchairs and pushchairs, (historic station platforms in particular may be uneven and slope unexpectedly) and brakes must be applied when stationary.

3. BOATS & FERRIES

- We reserve the right, when necessary and at our reasonable discretion and upon reasonable notice, to alter timetables, reroute vessels for reasons of safety and/or stop vessels serving a particular location(s).
- For your own safety and the safety of other Passengers, you must follow all instructions and/or directions (whether verbal or written) given by our crew while on board any of our vessels. Particular care must be taken embarking/disembarking and moving around vessels.

4. BUSES

- We reserve the right, when necessary and at our reasonable discretion and upon reasonable notice, to alter timetables, reroute buses for reasons of safety and/or stop buses serving a particular location(s).
- For your own safety and the safety of other Passengers, you must follow all instructions and/or directions (whether verbal or written) given by the driver while on board any of our buses. Particular care must be taken embarking/disembarking and moving around the buses.

5. TRAINS AND TRACK

Safety is paramount to the running of all railway services. There are areas across the railway system that have restricted access, for example pedestrian-only areas, as using other forms of transport (e.g. bicycles) may cause a danger. Access is strictly forbidden on any non-public parts of the operating network, (anywhere other than station buildings, car parks, station platforms and designated railway crossing points).

Passengers disembarking from trains must not attempt to open the doors until the train has come to a complete stop and must ensure that the platform is also adjacent. To avoid the hazard of injury from premature door opening, Passengers and public on station platforms must remain at least 1 metre from the edge of the platform until the train has come to a complete stop. Kindly allow room for other Passengers to disembark before boarding. For the avoidance of injury, intending Passengers must not attempt to board a train when in motion or once the departure process has commenced. If in doubt ask a member of staff.

6. CONDUCT OF PASSENGERS AND SAFETY

When travelling with us and whilst on our property (including buildings, stations (including platforms), trains, boats and buses), Passengers must:

- refrain from smoking either conventional or electronic cigarettes.
- behave in a manner that is not abusive or threatening and is not likely to cause offence to other Passengers or staff.
- refrain from leaving rubbish or discarded items.
- follow all instructions and/or directions of our staff.
- act in a manner which shows due regard for their own safety and comfort and that of other Passengers and our staff.
- notify a member of staff immediately if, at any time during the course of a Tour, a Passenger sustains an injury (e.g. whilst boarding, travelling on or disembarking from any of our trains, buses and/or vessels).
- except in an emergency, refrain from talking to, obstructing or otherwise distracting the driver/pilot of our trains, buses and/or vessels whilst they are in motion.
- not distribute leaflets, papers or other articles or offer anything for sale or collect for charity without our prior written consent.
- not use bicycles, roller skates, roller blades, scooters, skateboards or similar equipment anywhere on our property.
- not interfere with, damage or deface any of our equipment, whether forming part of our trains, buses and/or vessels or otherwise.
- not use emergency exits except in an emergency and/or when instructed to do so by our staff.

You must not do anything forbidden by our Byelaws or by the Conduct Regulations.

Passengers must at all times, and in all places, take reasonable precautions for their own safety, particularly in minding their step when embarking, disembarking or moving around in or on our vehicles, vessels and/or property.

We reserve the right to take any measures we consider necessary to protect the safety and comfort of our Passengers and staff, including temporarily or permanently banning Passengers from travelling with us following an incident of misconduct.

Any member of our staff may (without a refund): (i) refuse (in their sole discretion) to allow any Passenger to board a train, bus and/or vessel; and/or (ii) direct any Passenger to disembark a train, bus and/or vessel, in either case where the behaviour of the Passenger could cause danger, nuisance or annoyance to other Passengers and/or crew.

Whilst we will do everything we reasonably can to control conduct of other Passengers, we cannot be held responsible for their conduct.

7. FARE EVASION

All Passengers must hold a Ticket that is valid for the date of travel and for the journey they are making. If, in our reasonable opinion, a Passenger does not hold a valid ticket we reserve the right to:

- (i) demand payment from the Passenger in respect of the amount unpaid for the correct Ticket;
- (ii) direct such Passenger to disembark a train, bus and/or vessel; and/or
- (iii) notify the law enforcement authorities who may, at their discretion, take further action against such Passenger.

8. CCTV

Our services may be monitored by CCTV to provide added security for our Passengers and staff. The video and sound recordings will be used solely for the monitoring of safety, security, service quality and in support of relevant criminal and civil legal proceedings and complaint investigation.

Images of you may be provided to the police, DVSA, the Traffic Commissioner or any other enforcement agency at their reasonable request.

9. MISCELLANEOUS

Dogs

We are very much dog friendly. Well behaved dogs are more than welcome on all of our services (excluding Santa Express trains) for a nominal fee of £2 per dog. However, all Passengers must adhere to the following; (i) dogs must be kept on a lead at all times; (ii) dogs must not sit on our seats; (iii) Passengers must always 'pick up' after their dogs.

Lost property

We will do all that we reasonably can to locate and return any property left on our premises or on one of our services to its owner. If lost property is not claimed within a month, Passengers acknowledge and accept that we will become the owner of the property and that we may dispose of the said property at our discretion.

If a Passenger finds lost property on one of our vehicles/vessels, please hand it to a member of staff. Providing the item is not perishable or objectionable, we will keep it for a month.

If a Passenger wishes to claim any item of lost property, please provide us with your name and address (i.e. by email to enquiries@dsrrb.co.uk, by post to Queens Park Station, Torbay Road, Paignton, TQ4 6AF or by telephone on + 44 (0)1803 555 872). In addition, a claimant of lost property may be required demonstrate to us (to our reasonable satisfaction) that the item belongs to them. We reserve the right to charge (and Passengers agree to pay) a reasonable administration fee in respect of our handling the enquiry and/or for our costs in posting the item back to its owner (if we agree to do so, at our sole discretion).

If the lost property is contained in a package, bag or other container, we may open it and examine it in order to trace the owner or identify the nature and value of the lost property.

Luggage and Possessions

Provided they do not obstruct access to safety and life-saving equipment, gangways, stairs and/or passageways and such items are not placed on seats, Passengers may carry onto our vehicles/vessels reasonable items of:-

- personal luggage.
- folding buggies and/or folding cycles.
- any other item,

provided always that the Passenger can carry the item without assistance and provided that the item is not dangerous or likely to injure anyone.

Passengers may not bring onto our vehicles/vessels any item that:

- is more than 2 metres long.
- the Passenger is unable to carry without assistance
- is a hazardous or inflammable substance
- is likely to cause injury or offence to other Passengers or to our staff
- is likely to cause damage to any vessel, vehicle or property or to compromise the safety thereof.

In any event, staff may refuse permission for a Passenger to carry any item onto our vehicles/vessels. If you are not sure if a particular item will be allowed onto our vehicles/vessels, please contact us for advice before the date of travel (i.e. by email to enquiries@dsrrb.co.uk, by post to Queens Park Station, Torbay Road, Paignton, TQ4 6AF or by telephone on + 44 (0)1803 555 872).

We accept no responsibility for loss of or damage to any personal property you chose to carry onto our vehicles/vessels.

10. MODIFICATION OF THE PASSENGERS' CHARTER

We reserve the right to update or amend this Passengers' Charter from time to time. Please review this page regularly to ensure you are aware of any changes we have made, as those changes are binding on all Passengers.

II. APPLICABLE LAW

If you are a consumer, this Passengers' Charter and its subject matter and formation is governed by English Law. All Passengers agree that the courts of England and Wales will have non-exclusive jurisdiction in respect of any disputes relating to this Passengers' Charter. However, if you are a resident of Northern Ireland, you may also bring disputes in Northern Ireland in respect of this Passengers' Charter, its subject matter and formation, and if you are a resident of Scotland, you may also bring proceedings in Scotland in respect of this Passengers' Charter, its subject matter and formation.

If you are a business, this Passengers' Charter, its subject matter and formation (and any non-contractual disputes or claims) is governed by English law. We both agree to the exclusive jurisdiction of the courts of England and Wales in respect of any disputes relating to this Passengers' Charter (including any non-contractual disputes or claims).