

Recommendation(s) Status: Investigation into safety at user worked crossings

This report is based on information provided to the RAIB by the relevant safety authority or public body.

The status of implementation of the recommendations, as reported to us, has been divided into eight categories:

Key to Recommendation Status

Open (replaces Progressing and Implementation On-going)	Actions to address the recommendation are ongoing.
Closed (replaces Implemented, Implemented by alternative means, and Non-implementation)	ORR consider the recommendation to have been taken into consideration by an end implementer and evidence provided to show action taken or justification for no action taken.
Insufficient response:	The end implementer has not provided sufficient evidence that the recommendation has been taken into consideration, or if it has, the action proposed does not address the recommendation, or there is insufficient evidence to support no action being taken.
Superseded:	The recommendation has been superseded either by a newer recommendation or actions have subsequently been taken by the end implementer that have superseded the recommendation.
Awaiting response:	Awaiting initial report from the relevant safety authority or public body on the status of the recommendation.

RAIB concerns on actions taken by organisations in response to recommendations are reflected in this report and are indicated by one of the following:

Red – RAIB has concerns that no actions have been taken in response to a recommendation.

Blue – The blue triangle shows recommendations where the RAIB has concerns that the actions taken, or proposed, are inappropriate or insufficient to address the risk identified during the investigation.

White – The white triangle shows recommendations where the RAIB notes substantive actions have been reported, but the RAIB still has concerns.

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Report Title	Investigation into safety at user worked crossings
Report Number	13/2009
Date of Incident	13/06/2008

Rec No.	Status	RAIB Concern	Recommendation	RAIB Summary of current status
13/2009/01	Closed - I	None	<p>Network Rail should invite the authorised user or other invitees (such as persons having business on the land) to participate in the preparation of comprehensive site specific risk assessments for UWCs in all cases. The intention of this recommendation is that all factors affecting the use of the crossing should be considered when risk assessments are carried out, and that this should be done at all crossings, instead of just at those which have been assessed as higher risk.</p>	<p>Network Rail is proposing actions in response to this recommendation, but consider that it may not be reasonably practicable in all cases.</p>
13/2009/02	Closed - I	None	<p>Network Rail should include in the risk assessments that it carries out for UWCs that are not equipped with telephones or lights an evaluation of whether there is sufficient information for users on where they should make a decision on whether it is safe to cross, based on the best sighting of approaching trains. Where deficiencies are identified consideration should be given to:</p> <ul style="list-style-type: none"> I enhancement of sighting by the removal of obstructions (including improved management of vegetation), so removing the need for additional guidance to users; I the moving and/or adaptation of existing signs, gates or barriers; I the provision of an additional sign or visual feature to mark a point 	<p>Network Rail consider that existing measures address the 1st, 2nd and 3rd bullet. Network Rail propose no action in response to the 3rd bullet.</p>

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			<p>where users can wait in safety, clear of the line, and have sufficient sighting of approaching trains (ie at the final decision point); or</p> <p>I the upgrading of the crossing to an enhanced level of protection, using telephones or warning lights as appropriate to the location.</p> <p>The intention of this recommendation is that, as a result of risk assessment, users should be given sufficient information or protection to enable them to use the crossing safely.</p>	
13/2009/03	Closed - NI	Red	<p>Network Rail should initiate research into reasonably practicable methods of marking the final decision point at those UWCs where such a solution is assessed as being appropriate. This scope of this research should include:</p> <p>I the requirement to reconcile the needs of various types of user (eg drivers of vehicles, pedestrians, cyclists and equestrians);</p> <p>I the various categories of UWC (including those which also include public footpaths and bridleways);</p> <p>I an analysis of where to locate such signs or visual features in relation to the track; and</p> <p>I the need to protect the railway from vehicle incursions.</p>	<p>Network Rail stated that is is not reasonably practicable to mark the final decision point. RAIB is in discussion with ORR, Network Rail and RSSB about the possibility of further research into marking of the final decision point.</p>
13/2009/04	Closed - NI	Red	<p>Network Rail should, taking into account the results of the current trials with new technology, consider how the protection of UWCs which at present are without telephones or lights, can be improved to give the user reliable, consistent and timely warning of the approach of trains, and implement a programme to upgrade the crossings which would benefit from this protection.</p>	<p>I am disappointed that application of new technology has proved to be so limited. I note that ORR does not accept Network Rail's arguments on CBA costings.</p>

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13/2009/05	Closed - I	None	Network Rail should carry out an assessment of the risks and benefits of removing the need for the crossing user to open gates or barriers, in conjunction with the protection of the crossing by road traffic signs or lights of an appropriate type. The results of this assessment should be used to inform Network Rail's policy on the upgrading of user worked crossings.	Network Rail considers that its existing measures and initiatives meet the intent of this recommendation. ORR is considering whether to close the recommendation.
13/2009/06	Closed - I	None	Northern Ireland Railways should take note of the findings of this report and review their risk assessment and crossing management arrangements accordingly.	DOI has reported that NIR has reported that it has completed actions taken in response to this recommendation.
13/2009/07	Closed - I	None	The Heritage Railway Association should draw its members' attention to this report so that individual heritage railways can note the findings and review their risk assessment and crossing management arrangements.	The Heritage Railway Association has taken action in response to this recommendation. ORR has closed the recommendation.
13/2009/08	Open	None	The Department for Transport, in consultation with the Office of Rail Regulation, should review the requirements for signs prescribed by law for use at private crossings, and revise them as necessary, taking into account the need to convey information and instructions clearly and unambiguously to diverse users.	DfT has a proposed action plan and timescale for delivery to be taken in response to the recommendation. ORR will advise when the status of this recommendation changes.