

# Improving Signage at Private Level Crossings



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## **Foreword**

Britain has one of the safest railways in Europe for both passengers and rail staff, but it is important that we continue to keep a strong focus on safety and identify areas for improvement. This consultation sets out our proposals for improving one particular aspect of our safety regime - the signs at private crossings, with the aim of ensuring that they clearly convey information to the user on the safe operation of the crossing.

Private crossings, generally where the railway crosses a private road, represent a particular area of risk on the mainline rail network, as well as on heritage and tramway lines. This is because often the onus is on the user to follow the instruction provided by the signage before crossing the track. The safety of these crossings is therefore particularly influenced by the signs conveying information to the user how to cross safely, so it is vital that these are clear and fit for purpose. We consider that there is room for improvement in this area.

The Department for Transport (the Department) has worked closely with Network Rail (NR), the Office of Rail and Road (ORR) and the Rail Safety and Standards Board (RSSB) to develop a new set of signs for use at private crossings. These new signs reflect recent RSSB research projects and have been user tested by NR at their Cannock Chase test track.

Our aim is to introduce a modern, simpler, more helpful set of signs, which will improve safety at private crossings. The Transport Research Laboratory and NR have tested the new signs to ensure that they are suitable to be prescribed for use. However, we wish to ensure that we have views from as many groups as possible who will use these signs on a regular basis, and so this consultation seeks the views of a wide range of consultees who have an interest in the proper operation of these crossings, including NR (which manages the UK's railway infrastructure), heritage railway operators (who manage private crossings on their railway infrastructure), ORR (the safety regulator) and RSSB (which helps to set safety standards). We particularly welcome views from landowners who have such crossings on their land, as well as those who use the crossings, including courier or delivery companies, ramblers, horse riders, and others.

## **Executive summary**

## Introduction

The Government remains fully committed to ensuring our railways remain safe, building upon the UK's enviable safety record. This involves constant vigilance to identify particular areas where safety issues may arise. Private crossings are one of these areas.

While signage at private crossings works well in most cases, two incidents over the last decade, at Frampton Mansell<sup>1</sup> and Frognal Farm<sup>2</sup>, have highlighted that signage at private crossings requires updating. The subsequent reports by the Rail Accident Investigation Branch (RAIB) recommended that the Department, in conjunction with ORR and NR, review and revise signage at private crossings so that those signs clearly and unambiguously convey information and instructions on how to use the private crossing correctly.

The Private Crossings (Signs and Barriers) Regulations 1996<sup>3</sup> ("the 1996 Regulations") prescribe a range of signs for use at private crossings, but those Regulations and signs need to be updated to keep pace with changing technology or user practice. In particular, there is now a far wider range of people, including couriers or delivery drivers, who may need to use a private crossing than in 1996, not all of whom will be familiar with their safe use.

The Department therefore proposes to revoke the 1996 Regulations and replace them with a new set of regulations. These regulations will prescribe a set of new signs that provide clearer information on the safe use of private crossings, and are the subject of this consultation document. The consultation document also:

- proposes an approach to replacing the signage in the 1996 Regulations with the signage contained in the new regulations, to ensure these are in place as soon as reasonably practicable; and
- clarifies the Department's view of the concept of authorised users of private crossings, which has been raised by RAIB as a concern.

<sup>&</sup>lt;sup>1</sup> https://www.gov.uk/raib-reports/fatal-accident-at-frampton-level-crossing

<sup>&</sup>lt;sup>2</sup> https://www.gov.uk/raib-reports/report-12-2018-collision-at-frognal-farm-user-worked-crossing

<sup>&</sup>lt;sup>3</sup> http://www.legislation.gov.uk/uksi/1996/1786/contents/made

Taken together, we believe that these changes are a further step in ensuring the continued safety of our railways.

## How to respond

The consultation period began on 06 April 2022 and will run until 01 June 2022. Please ensure that your response reaches us before the closing date. The consultation can be found at <a href="https://www.gov.uk/dft#consultations">https://www.gov.uk/dft#consultations</a>. If you require either a hard copy, or you need the document in an alternative format, please contact <a href="rail.safety@dft.gov.uk">rail.safety@dft.gov.uk</a>

Please send consultation responses to:

## Rail.Safety@dft.gov.uk

If you are unable to respond by email, we would invite you to ask someone to email on your behalf. If that is not possible, then we ask you send responses to:

Rail Safety Team Floor 2, Zone 1 Department for Transport 33 Horseferry Road London SW1P 4DR

When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

When sharing your consultation response, please indicate whether you would have any problems with us contacting you to ask follow-up questions.

A list of those consulted is attached at Annex D. If you have any suggestions of others who may wish to be involved in this process, please contact us.

## Freedom of Information Act 2000

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

## **Confidentiality and Data Protection**

This consultation by the Department is being carried out to gather views on proposed new signage at private crossings across Great Britain.

As part of this consultation we will receive your email or home address when you submit your response. We may use this email or home address to ask you follow-up questions on any of your responses, unless you indicate that we should not ask follow-up questions.

Your consultation response and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. The Department will, under data protection law, be the data controller for this information. <u>DfT's privacy policy (open in new window)</u> has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

We will not use your name or other personal details that could identify you when we report the results of the consultation. Any personal information you provide will be kept securely and destroyed within 12 months of the closing date.

## Background

## **Private Crossings**

- 1.1 There are two categories of level crossing on Great Britain's (GB's) rail network:
  - crossings where the railway bisects a public right of way and where the public in general have a right to use the crossing – these include public roads, public footpaths or public bridleways. Most public road crossings are controlled by lights, audible alarms with barriers, or gates, which close across the road when trains are approaching. Those on public footpaths may also have visual and/or audible alarms to warn pedestrians of approaching trains; and
  - crossings where the railway bisects a private right of way and the public in general do not have the right to use the crossing, and which often rely on the user to follow instructions and determine when it is safe to cross.
- 1.2 This consultation focusses on the latter category and they are referred to as private crossings in this document.
- 1.3 There are around 3,000 private crossings in Great Britain<sup>4</sup>, of which around 2,200 are on NR owned infrastructure, around 750 on heritage rail lines and one on a tramway. Many of these crossings were created with the rapid growth of the railways in the Victorian era to maintain access for landowners, such as farmers. These crossings are the responsibility of the relevant railway operator (referred to as the "level crossing operator" elsewhere in this document), and includes NR, tram companies, and Heritage Rail operators.
- 1.4 A range of measures exist at private crossings to ensure their safe use. Some have gates that are either manually or power operated, while others provide a telephone for users to call a signaller to check that it is safe to cross. Others rely on users visually checking that no trains are approaching, sometimes along with "whistle boards" (where there is no clear line of sight for users a "whistle board" reminds the train driver to sound the train's horn to signal that a train is approaching the crossing). Finally, some private

<sup>&</sup>lt;sup>4</sup> This figure includes all private crossings on mainline and heritage networks.

crossings have miniature stop lights that are red when a train is approaching and turn green when it is safe for the user to cross. These can also have an audible warning.

## Legislation governing signs and barriers at private crossings

- 1.5 The Private Crossings (Signs and Barriers) Regulations 1996 (the 1996 Regulations) govern signage and barriers at private crossings. The 1996 Regulations prescribe the signs that are to be used, together with conditions regarding any barriers, gates, or miniature stop lights etc that may need to be erected, and standards that those barriers or gates need to meet. Signs prescribed in the 1996 Regulations may be placed on or near a private road or path that crosses the railway. All signs or barriers placed on or near a private crossing must be of the prescribed form or otherwise authorised by the Secretary of State.
- 1.6 In addition to the signs prescribed in the 1996 Regulations a level crossing operator may also ask the Secretary of State to authorise bespoke signs, gates or barriers for a specific private crossing where such signs, gates or barriers are not provided for in the 1996 Regulations.
- 1.7 If a sign is placed at a private crossing that is not prescribed under the 1996 Regulations or separately authorised by the Secretary of State, that may constitute a breach of the duty under the Health and Safety at Work Act etc 1974 (HSWA) to ensure that the crossings are as safe as reasonably practicable.
- 1.8 This consultation concerns signs at private crossings. Signs at public level crossings (which includes public highways and footpaths) are governed by the Traffic Signs Regulations and General Directions 2016. Signs on public crossings must be prescribed under those regulations or they can be individually authorised in a similar fashion to those at private crossings.

## **Authorised user**

- 1.9 During the nineteenth century, when most of Great Britain's railways were constructed, where a railway passed through an existing area of private land, or bisected a private road or path, the landowner would normally be given private access to the crossing through a Private Act of Parliament that would apply to a specific level crossing.
- 1.10 This has given rise to what is referred to by some in the rail industry as the authorised user concept. Although the authorised user has a right to use the crossing it has over time also become associated with a set of expectations to ensure the safe passage of other users over private crossings, and to brief them on their safe operation. The concept of authorised users in the sense of a duty to instruct all potential users has no legal basis. In some cases this expectation might have applied to landowners and tenants or people living or working close to level crossings, being expected to brief visitors on how to use a crossing safely based on their experience, alongside guidance provided by the level crossing operator such as NR (or its predecessors).
- 1.11 There are provisions in other legislation that impose general duties on landowners and tenants of land to ensure the safety of visitors on their land, or of their employees. These provisions are set out in the following paragraphs.

## Occupiers' Liability Act 1957 and 1984

- 1.12 The Occupiers' Liability Acts 1957 and 1984 codify the previous common law which required occupiers of premises or land to ensure the safety of visitors on their property.
- 1.13 The test of whether someone is an occupier relates to the control they have over the premises, which can include land as well as buildings or structures. In this case, the landowners or the tenants (or possibly both) who occupy the land through which the railway passes will owe a duty of care to visitors to their land. This will include delivery drivers, employees, tradespeople etc, and anyone who is invited in to walk or drive on the private roads or footpaths.
- 1.14 The duty requires the occupier to take reasonable care that all visitors will be safe while they are on the premises. While the level crossing itself is on land owned and controlled by the level crossing operator, signs on the road or footpath will be on the land controlled by the occupier of the land in some cases. The legal framework envisages that signs are placed with the landowner's consent on the path or road, rather than on the level crossing operator's land.

#### Health and Safety at Work etc Act 1974

- 1.15 Certain landowners and all businesses operating on land served by a private crossing may also owe a duty of care to their employees and others under the HSWA, to ensure that employees use the crossing safely and do not damage the crossing or obstruct or remove the signs placed by the private crossing. The duty on employers (the duty holders) to ensure the health and safety of staff may also extend to delivery companies and require them to ensure that their drivers are properly briefed on what to look out for in relation to private crossings.
- 1.16 The Act also places responsibilities on duty holders to ensure that they do not do anything that could jeopardise the safety of visitors onto their land, for instance by making sure that verges are maintained so that signs at a private crossing can be easily seen, or ensuring that the private road is properly maintained so that it is safe for any delivery drivers who need to use it.
- 1.17 However, the principal duty to maintain private crossings, ensure that the gates operate correctly and that the signs are prescribed or authorised, remains with the level crossing operator. The level crossing operator must, under HSWA, carry out a risk assessment of each crossing and ensure that reasonably practicable safety measures are in place. This includes a consideration of whether signs or other equipment is needed, and if so, where they should be placed.

## The case for change

- 2.1 In recent years, the number and diversity of users of private crossings have increased significantly, in part due to the increase in the popularity of online shopping, which has led in turn to a large increase in the number of couriers and home delivery drivers using private roads. The Department's Road Traffic Estimates indicate that van travel has grown substantially over the last 25 years, increasing 106% to 55.5 billion vehicle miles in 2019<sup>5</sup>. Some of these users may not previously have used private crossings and may be unfamiliar with how to use or operate these safely. It will not always be possible for authorised users to know who will be using a particular crossing or when they are likely to arrive, in order to brief them on how to use the crossing safely.
- 2.2 In addition, rail traffic along some formerly quiet routes has increased since 1996, increasing the risks to users of private crossings. As more trains use the network at faster speeds, the risks at private crossings increase, as there is more likelihood of a user encountering a train moving while they are trying to use the crossing.
- 2.3 Since the 1996 Regulations were made, there have also been significant advancements in the technology deployed at these crossings, such as power operated gate openers (POGOs), which remove the need for users to open and close gates manually and a greater variety of miniature stop lights. The 1996 Regulations do not allow signs to be used that take account of these newer technologies, although they can be authorised separately by the Secretary of State.
- 2.4 A class investigation (which considers a safety theme based on RAIB investigations, other known incidents, and industry data to make safety recommendations) was carried out by RAIB in 2009 into the safety of private crossings<sup>6</sup>. This identified that signs are not always easy for all users to understand and that the risks associated with individual crossings are not taken into account when signs are designed. The RAIB report made a number of recommendations, including a recommendation that the requirements for signs at private crossings should be reviewed.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/978087/van-statistics-2019-to-2020.pdf

<sup>6</sup> https://assets.publishing.service.gov.uk/media/547c904640f0b6024100019f/R132009 090603 UWCs.pdf

2.5 Two incidents, which are discussed below, have further highlighted the need for changes to the 1996 Regulations.

## **Fatal Accident at Frampton Level crossing**

2.6 On 11 May 2014, a passenger train approaching the village of Frampton Mansell, in Gloucestershire, struck the last motorcycle of a group of three on Frampton private crossing, fatally injuring the rider. Signage on the approach to the crossing instructed vehicle users to use a telephone located close to the crossing. This allowed the railway signaller to tell users whether it was safe to cross the railway. The riders did not use the telephone because they believed that they could cross safely by looking for trains before crossing, and because the signs did not grab their attention sufficiently for them to read the information on them. The RAIB report made six recommendations, one directed to the Department, setting out how it should work with NR and the ORR to identify any appropriate legislative changes needed to allow implementation of improved level crossing signage.

## Frognal Farm incident

- 2.7 On 23 October 2017, a passenger train collided with a parcel delivery van at Frognal Farm private crossing, near Teynham, in Kent. The van was severely damaged, and the van driver suffered serious injuries.
- 2.8 The level crossing was equipped with POGOs, controlled by a button at the side of the approach road, and a telephone that vehicle drivers were required to use to contact the signaller to obtain permission to cross. Being unfamiliar with this type of crossing, the van driver did not notice the telephone and pressed the button to operate the gates. They opened, and so he returned to his van to drive across the crossing, believing it was safe to cross. The RAIB report found that an underlying cause of the accident was the system where authorised users are responsible for briefing visitors about the safe way to use private crossings, which they considered not reasonable in present day circumstances.
- 2.9 In the report on Frognal Farm, RAIB made two recommendations to Government:

**Recommendation 1:** NR, with the Office of Rail and Road and the Department, should review and revise the information offered to users of private crossings, including consideration of signage wording and diagrams, the conspicuity and placement of signage, and the actions that the user needs to take, including operation of the gates or barriers, and communication with the signaller. The review should also consider, alongside the presentation of information, practicality and feasibility of the current arrangements by which authorised users are expected to brief and inform other potential users of the crossing, in view of the increased dependence of occupiers on delivered goods and services from a plethora of sources, and other factors which may increase the number of crossing users.

**Recommendation 2**: As part of its support for the work identified in recommendation 1, the Department, in consultation with the Office of Rail and Road, should change the requirements for signs prescribed by law for use at private crossings, taking into account the need to convey information and instructions clearly and unambiguously to diverse users.

#### **Further Considerations**

- 2.10 We are also conscious that the number of signs in the 1996 Regulations is limited and does not reflect the diverse groups of users of private crossings. For example, there are no symbols in the Regulations for tractors, horse riders and farm trailers, which often use private crossings. RAIB reported that this can generate uncertainty over whether users have an obligation to follow all the instructions on the signs, or those that they think apply to just them.
- 2.11 Furthermore, the graphics on some of the signs are poor. In some cases, some of the text on signs is so large that it draws attention away from the instructions on the sign, undermining its effectiveness.

## The Concept of authorised users instructing others to use crossings

- 2.12 The collision at Frognal Farm highlighted a number of broader concerns about the continued relevance of the authorised user concept as a means of providing instruction to enable people to use or operate private crossings safely. The concept worked when only a landowner or farmer, their immediate family, and employees living and working on the estate used the crossing. These people could be easily briefed, and unexpected and irregular visitors were far fewer. Nowadays, employees are less likely to live on the farm or estate, and the number and variety of visitors is often much higher. It is now much more likely that a number of different delivery companies or drivers will deliver to the same address, often without the direct knowledge of the recipient, and also much less likely that they will be familiar with the workings of each particular private crossing.
- 2.13 As discussed in Section 1 above, landowners, occupiers and employers are already under duties of care under the Occupiers' Liability Acts and HSWA to ensure that visitors or employees on their land are protected from harm. These duties have an established legal basis and are well understood by safety regulators and crossing operators. There is a significant potential overlap, and consequent risk of confusion between these existing duties and the authorised user concept.

## Action taken by the Department and other bodies

3.1 The Department fully accepts the need for improved signage at private crossings and has taken significant steps to address this. Since 2015, it has worked closely with key rail industry stakeholders, including the RSSB, the ORR and NR, to develop an improved suite of prescribed signs, based on detailed user research and testing carried out over a number of years.

## **RSSB** Research into signage at private crossings

- 3.2 In 2015, with funding from the Department, the RSSB undertook a 'root-and-branch' review<sup>7</sup> of the types of signs that should be presented to users at private crossings. This research project was named T983 'Research into Signs at Private Level Crossings'. The overall aim of the project was to investigate signs, signals, markings and other design elements that best convey the points of information that users need to negotiate private crossings. The project assessed the current signs, signals and markings at these crossing types and provided suggestions for improvement. Prototypes based on these design suggestions were then developed and subsequently evaluated and refined through a process of user evaluation.
- 3.3 The project concluded by developing a suite of new sign designs, with clearly marked instructions with pictograms, and with instructions in the order the user should follow them. Any confusing or conflicting information was removed from the signs. In addition, the RSSB project report suggested that further work should be carried out to test, trial and evolve these signs in a real environment, so that user behaviour could be factored into the development of new signs.
- 3.4 Since June 2016, the Department has worked closely with NR and the ORR to develop those signs further based on RSSB's research and create a new suite of signs to replace those contained in the 1996 Regulations. These new signs underwent user trials at NR's test track in Cannock Chase, Staffordshire over two weeks in April and June 2019, to understand how unfamiliar users would react to the signs in a realistic setting. They have also been tested in a real-world environment.

<sup>&</sup>lt;sup>7</sup> https://www.rssb.co.uk/research-catalogue/CatalogueItem/T983

## **Cannock Chase Trials**

- 3.5 Trials took place at NR's Cannock Chase test track, using a mock-up of a level crossing, which includes the features of a real crossing without any trains operating over it, allowing for rigorous testing in a safe environment. The trials were conducted independently by the Transport Research Laboratory, and focused on 5 crossing types which involved a total of 80 participants aged between 18 and 75 years of age. The participants consisted of both familiar and unfamiliar users (with a higher percentage of unfamiliar users), traversing with cars and walking on foot.
- 3.6 The range of level crossing types were used as part of the trials to enable NR to understand the responses of users to the different crossings that they might encounter in real life including:
  - non-telephone crossings, where users would have to open and close gates, and listen and/or look for approaching trains;
  - telephone crossings, where users must use the telephone provided to talk to a local signaller to find out if it's safe to cross;
  - POGO crossings, where the gates will open and close without the user having to manually do so (including re-crossing the tracks to close the "entrance" side gate after driving across)
  - miniature stop light crossings, where there are stop lights connected to the signalling system which make it clear when it's safe to cross; and
  - miniature stop light crossings with POGOs.
- 3.7 It was found that the new signage has a significant safety benefit to unfamiliar pedestrians and car drivers alike, in most situations and for most crossing types. Furthermore, most users were able to use the information on the signs to correctly identify the need to telephone the signaller to obtain permission at crossing types with a telephone present. This suggests the signs clearly conveyed important operational information to the unfamiliar user.
- 3.8 The trials also found that a number of users did not initially read the signs and assumed that the crossing operated or opened automatically when approached by a vehicle. However, once the signs were read, they were able to operate the crossing successfully and safely.
- 3.9 Minor improvements were made to some of the signs in response to feedback and the outcomes of the user trials. Overall, the Cannock Chase trials found that the new signs were effective in communicating instructions to unfamiliar users, so that the crossing could be used safely.
- 3.10 The signs were subject to an equalities test by NR as part of their production and trialling. It found that changing the signs to a clearer, ergonomically sound design provides the opportunity to aid those who have an audio or visual disability, including dyslexia.

## **Real world testing**

3.11 Since 2019, the proposed signage has also been tested at real world locations, which was recommended by the Transport Research Laboratory, namely at Jacky Duffin Wood crossing and Thorney Marsh crossing. NR has spoken to users at these locations, who have indicated that the new signs are easier to understand than the older versions.

## Proposed legislative changes

4.1 The Department's focus is on improving safety at private crossings and this Section sets out the Government's proposals to provide for clearer signage at private crossings and to address concerns around the concept of authorised users.

## Proposals for new prescribed signage at private crossings

- 4.2 Following the successful completion of the trials of the proposed new signage in 2019, we propose to prescribe in new regulations that the designs set out at Annex B should now be used at all private crossings. We propose that these new requirements will apply to all level crossing operators.
- 4.3 The Department, NR and the ORR, on the basis of the testing work discussed in Section 3, consider the signs are an improvement on the existing ones as they have been created from first principles and developed by industry experts and based on research undertaken by the RSSB. They will reflect the diverse groups of users of private crossings, improve the visual clarity of signs, such as better graphics, and improve the sequencing of instructions to avoid misunderstandings. Fundamentally, they will more effectively support a safer railway, reducing the safety risk at private crossings.
- 4.4 The proposed set of new prescribed signs at Annex B are intended to be comprehensive enough to cover the vast majority of private crossings currently in use, or expected to be in use in the future, on the rail network.
- 4.5 It will not be possible to cater for all circumstances within a single set of regulations, given the diverse nature of GB's rail network and the uniqueness of individual crossings, so there will be exceptional cases where signs authorised by the Secretary of State for the specific private crossings are needed.
- 4.6 To cater for these exceptional cases, the Transport and Works Act 1992 already contains a provision that enables the Secretary of State to authorise the use of signs that differ from those prescribed in regulations. This will remain the case after the new regulations come into force. As is currently the case, applications for authorisation would need to be sent to the Department for a decision. Details of all signs authorised under this power can be requested by contacting the Department at Privatelx.authorisations@dft.gov.uk.

- 4.7 There are also rare cases across the network where private crossings co-exist with public crossings, such as footpaths. At these crossings, different regimes exist for signage, as has been mentioned in Section 1. Level crossing operators will be expected to place the proposed new signs at the private crossing but will not be able to place consistent signs at a public footpath or other public road crossing at the same location. In order to place signs prescribed in regulation for private crossings, at a public level crossing, an application for an authorisation for the signs must be made to the Department under the Traffic Signs Regulations and General Directions 2016.
- 4.8 Once the regulations have been made, the Department considers there is merit in publishing guidance on how to have signs authorised, to ensure clarity. We would welcome stakeholder's views on this matter.
- 4.9 Our proposals for how these provisions will be implemented and enforced are set out in Section 5.

## **Authorised users**

- 4.10 We consider that the concept of the authorised user as someone with a duty to instruct all potential users has no legal basis. Furthermore, defining an authorised user in such a way would also place a reliance on third parties (such as landowners and tenants) who may not always be available or equipped to carry out such duties effectively. As RAIB set out in their report on the Frognal Farm incident, it is no longer reasonable (if it ever was) to expect authorised users to provide information to everyone who may approach a private level crossing about how to use it safely. Instead, we consider it much more important to focus on improving the signage at private crossings so that they provide clear and unambiguous instructions to all users. This should be accompanied by regular briefings and outreach training by crossing operators, for example briefings to parcel delivery companies.
- 4.11 Based on our assessment set out above, we consider that the authorised user concept is outdated and therefore do not intend to legislate to give it a legal basis. This means that the primary duty for ensuring health and safety at private crossings will remain with the level crossing operators and that they should ensure that the signage and barriers are designed and installed in a way that minimises the risk to all types of users, including those who may not be familiar with them, as discussed in paragraph 1.17. Level crossing operators should make clear to landowners that they do not consider an authorised user has obligations placed on them under any legislation with respect to instructing all potential users.

## Implementation of new regulations

- 5.1 Given the large number of private crossings currently in operation on GB's rail network, it is likely to take some time to replace the existing signage with the new prescribed signs across the entire network. NR has reported that it would be significantly more cost-effective and avoid the need to divert resources away from other safety critical work, if replacement of the old signage with the new signage were to be phased over several years. This would then allow it to carry out work to replace signage alongside other planned maintenance work at private crossings, bringing efficiency benefits.
- 5.2 For these reasons, we do not expect signs placed under the 1996 Regulations to be replaced immediately. Any signs prescribed in the 1996 Regulations that were placed before the coming into force of the new regulations will remain legally placed. All signs erected after the coming into force of the new regulations should be the new signs (as at that point, these will be the only legally prescribed signs). This includes the replacement of any old signs which become damaged or defaced.
- 5.3 Those signs which have been authorised by the Secretary of State under the Transport & Works Act 1992 will remain authorised until or unless those authorisations are revoked. In most cases these will be signs that are unique to the private crossing they are on, meaning they are unlikely to be used elsewhere and will therefore not be prescribed due to their rarity. In other cases, the new signs proposed by this consultation will be prescribed upon the enacting of the legislation.
- 5.4 We will expect level crossing operators to put in place robust plans for completing the replacement of all existing signage with the new signage to ensure the best safety outcomes. These plans would need to be informed by existing risk assessments, to ensure that priority is given to crossings identified as highest risk. ORR as the safety regulator may scrutinise these plans and monitor progress in implementing them.
- 5.5 We accept that it will take time for level crossing operators to replace the old signs with the newer, safer signs. However, we are clear that it is important that all operators take steps, including putting in place plans, to replace the outdated signs it is the Government's clear expectation that they do so. We consider it important that this process

is complete as soon as possible, and definitely during CP7<sup>8</sup> (1 April 2024-31 March 2029). We consider that this time period gives a realistically achievable window for level crossing operators, particularly those in the heritage sector. However, given its particular importance, we expect NR to complete this process much sooner than the end of CP7 where it is possible and efficient to do so - by 2025 in the clear majority of cases. We would welcome clear plans and proposals from NR in response to this consultation on the most effective and efficient means to do so, including any issues that would arise from this timetable, before we confirm our expectation.

5.6 We expect crossing operators to take a risk-based approach to replacing the signs, focussing resources on replacing those at the riskiest crossings earliest to realise the greatest safety benefit.

More generally, we would welcome views by parties on this timing, including whether the roll out of the new signs should be achieved before the end of CP7 – and whether it is realistic to achieve this by an earlier date.

## **Effect of Revocation on Signage**

5.7 The table below explains how signage prescribed or authorised under powers contained in the Transport and Works Act 1992 will be affected by the changes proposed in this consultation paper.

	After 1996 Regulations Revoked
1996 Regulations - Prescribed Signs	Legal if erected before the Regulations were revoked. Signs to be erected after the new regulations come into force must be the new signs.
Transport & Works Act 1992 – Authorised Signs	Legal. The new regulations will not affect extant authorisations.
Proposed Regulations – Prescribed Signs	Legal.
Signs not prescribed under 1996 Regulations or Proposed Regulations nor authorised under the Transport & Works Act 1992	Not legal.

Ontrol Periods are the 5-year timespans into which NR, the owner and operator of most of the rail infrastructure in GB, works for financial and other planning purposes. Each Control Period begins on 1 April and ends on 31 March to coincide with the financial year. We are currently in Control Period 6.

## Costs

- 6.1 We have estimated the cost of updating the signage at private crossings using baseline unit costs provided by NR. These unit costs are £1k for signage and £1k for the cost of labour by contractors, a total of £2k per crossing. At some locations, additional signs may be needed, resulting in additional labour costs. We therefore predict that the unit cost could rise to £4k for some private crossings, depending on the labour requirements or if any infrastructure needs to be adjusted, such as barriers and poles.
- 6.2 The table below shows our estimate of the overall cost to level crossing operators of implementing the proposed changes to the prescribed signage. The high-end cost estimate assumes that all crossings would require additional spend, which we consider to be a substantial over-estimate. In reality, we expect that the majority of private crossings would fall into the lower cost bracket, particularly in cases where level crossing operators are also able to combine work to replace signage with other planned maintenance work. We therefore expect that the overall costs of this regulatory change would be nearer the lower figure.

Level Crossing Operator	Number of Level Crossings	Low Cost	High Cost £
NR	2,237	4,474,000	8,948,000
Heritage Rail	760	1,520,000	3,040,000
Tram Operator	1	2,000	4,000

- 6.3 There are around 210 heritage rail operators in the UK of varying sizes, with some operators responsible for more private crossings than others. It is therefore expected that some heritage operators will face a larger cost burden than others. We engaged with the Heritage Rail Association who represents a majority of these stakeholders to discuss this in 2019 and look forward to their comments in response to this consultation.
- 6.4 As the estimated costs for these operators fall below the £5m per year threshold that would trigger the requirement to conduct an Impact Assessment, the Department has undertaken a de-minimis Impact Assessment, which are not routinely published.

## What will happen next

A summary of responses, including what the Department intends to do next, will be published within three months of the consultation closing on the .GOV website. Paper copies will be available on request.

If you have questions about this consultation, please contact:

## rail.safety@dft.gov.uk

Rail Safety Team Floor 2, Zone 1 Department for Transport 33 Horseferry Road London SW1P 4DR

## Annex A: Full list of consultation questions

We would welcome comments from stakeholders on the following questions:

#### **Question 1**

What are your views on the case for change that is set out in this document?

#### Question 2

What do you think of the time period suggested for the rollout of the new signs? Do you think that this time period could be, or should be, further shortened?

#### **Question 3**

What are your views on the content and format of the signage proposed at Annex B? Are there improvements or suggestions you recommend, especially in relation to those who may have disabilities?

#### **Question 4**

This consultation suggests that the concept of authorised user is outdated and therefore does not need to be set out in legislation. The duty of care imposed by the Occupiers' Liability Acts and HSWA are considered to be adequate. Instead, the revised signage proposed in this document and the continued outreach and briefings provided by crossing operators will help to ensure the safety of those using level crossings. What do you think of this proposal?

#### **Question 5**

What is your view of the costs for placing signs that we have used in this document? What are the cost impacts of different timescales for replacing signage?

Are there any other comments you wish to make about costs, either generally or in relation to your organisation?

## **Question 6**

What are your views on whether the Department should publish guidance to help level crossing operators apply for the authorisation of non-prescribed signs?

#### **Question 7**

Are there any other comments that you wish to make in relation to these proposals?

Note: When sharing over your consultation response, please indicate if you would prefer us not to ask follow-up questions.

## Annex B: Prescribed signs proposed in this consultation

Sign Identifier	Description	Sign Diagram
UV01	Type: Universal warning sign	
	Applicable to: All user worked level crossings	
	Standard dimensions: W700mm x H619mm	9
	Permitted variants: W600mm x H530mm W800mm x H707mm	A
HL01	Type: High level information sign	
	Applicable to: User worked, footpath and bridleway crossings with telephones (where no MSLs are provided)	STOP Talanhara
	<b>Application criteria:</b> An additional high level information sign (HL**) shall be applied where there is an adjacent footpath or bridleway associated with a user worked crossing with telephones (the appropriate HL** shall be applied as per the site specific method of operation).	Telephone
	Standard dimension: W700mm x H350mm	
	Permitted variants: W600mm x H300mm W800mm x H400mm	
HL03	Type: High level information sign	
	Applicable to: User worked, footpath and bridleway crossings with MSLs	STOP Red STOP Clear
	<b>Application criteria:</b> An additional HL03 shall be applied where there is an adjacent footpath or bridleway associated with a user worked crossing with MSLs.	
	Standard dimension: W700mm x H350mm	
	Permitted variants: W600mm x H300mm W800mm x H400mm	
HL04	Type: High level information sign	
	Applicable to: User worked, footpath and bridleway crossings (where no telephones or MSLs are provided)	$ \mathbf{v} $
	<b>Application criteria:</b> An additional HL04 shall be applied where there is an adjacent footpath or bridleway associated with a user worked crossing with no telephones or MSLs.	Look   Listen

	Standard dimension: W700mm x H350mm	
	Permitted variants: W600mm x H300mm W800mm x H400mm	
WW01	Type: Whistle board information sign  Applicable to: Level crossings where whistle boards are provided  Standard dimensions W300mm x H420mm	Trains only sound warning horn between 6am and midnight
CC02	Applicable to: Any level crossing  Permitted variant: The appropriate variant shall be applied as per the site specific method of operation.  Standard dimensions W300mm x H200mm	Level crossing information  Name: Cradle Bridge  O.S. Grid reference:TR 032444 Mileage: ACR 58m 37ch In emergency use telephone provided  B  Level crossing information  Name: Cradle Bridge  Q.S. Grid reference:TR 032444 Mileage: ACR 58m 37ch In emergency telephone: 01234 444444  C  Level crossing information  Name: Cradle Bridge  O.S. Grid reference: TR 032444 Mileage: ACR 58m 37ch To contact signaller telephone: In an emergency use above telephone number  D  Level crossing information  Name: Cradle Bridge  O.S. Grid reference: TR 032444 Mileage: ACR 58m 37ch To contact signaller telephone: In an emergency t

DI01

Type: Detailed instructions sign

**Applicable to:** User worked crossings with no telephones, no MSLs or power operated gate openers (POGO)

**Application criteria:** Crossing has no separate footpath or bridleway access and no bridleway rights of way exist.

Standard dimensions: W700mm x H1440mm

Permitted variants: W600mm x H1440mm

W800mm x H1400mm

Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals







- You must telephone the number to get permission to cross
- 2. Follow the instructions given







- Always Look in both directions for approaching trains every time you cross
- 2. If no trains, open both gates on foot
- 3. Re-join vehicle, Stop Look and Listen again for trains
- 4. Cross without stopping
- Close both gates on foot. Look and Listen for trains every time you cross



- Stop, Look and Listen in both directions for approaching trains before crossing
- 2. Cross without stopping
- 3. Always close gates behind you

DI02

Type: Detailed instructions sign

**Applicable to:** User worked crossings with no telephones, no MSLs or POGO

**Application criteria:** Crossing has no separate footpath or bridleway access, but bridleway rights of way exist.

Standard dimensions: W700mm x H1440mm

Permitted variants: W600mm x H1440mm

W800mm x H1400mm

Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals



- You must telephone the number to get permission to cross
- 2. Follow the instructions given







- Always Look in both directions for approaching trains every time you cross
- 2. If no trains, open both gates on foot
- 3. Re-join vehicle, Stop Look and Listen again for trains
- 4. Cross without stopping
- 5. Close both gates on foot. Look and Listen for trains every time you cross





- Stop, Look and Listen in both directions for approaching trains before crossing
- 2. Cross without stopping
- 3. Always close gates behind you

DI03	Type: Detailed instructions sign	Always telephone signaller before
	Applicable to: User worked crossings with no telephones, no MSLs or POGO	crossing with a vehicle which is large, low, slow moving or with animals
	Application criteria: Crossing has a separate footpath or bridleway access.	1. You must telephone the number to get permission to cross  2. Follow the instructions given
	Standard dimensions: W700mm x H1060mm	
	Permitted variants: W600mm x H1060mm W800mm x H1060mm	1. Always Look in both directions for approaching trains every time you cross  2. If no trains, open both gates on foot
		3. Re-join vehicle, Stop Look and Listen again for trains. 4. Cross without stopping 5. Close both gates on foot, Look and Listen for trains every time you cross
DI04	Type: Detailed instructions sign	
	Applicable to: User worked crossings with POGO (no telephones or MSLs)	Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals
	Application criteria: Crossing has no separate footpath or bridleway access and no bridleway rights of way exist.	1. You must telephone the number to get permission to cross  2. Follow the instructions given
	Standard dimensions: W700mm x H990mm	Z. TO HOW the Historical system
	Permitted variants: W600mm x H990mm W800mm x H990mm	1. Stop and Look in both directions for approaching trains before crossing 2. If no trains, push button to open both gates 3. Stop Look and Listen again for trains 4. Cross without stopping 5. Push button to close both gates
DI05	Type: Detailed instructions sign	Alaman talantara signallar tarfora
	Applicable to: User worked crossings with POGO (no telephones or MSLs)  Application criteria: Crossing has no separate footpath or bridleway access, but bridleway rights of way exist.  Standard dimensions: W700mm x H990mm	Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals  1. You must telephone the number to get permission to cross  2. Follow the instructions given
	Permitted variants: W600mm x H990mm W800mm x H990mm	1. Stop and Look in both directions for approaching trains before crossing 2. If no trains, push button to open both gates 3. Stop Look and Listen again for trains 4. Cross without stopping 5. Push button to close both gates

DI06	Type: Detailed instructions sign	
	Applicable to: User worked crossings with POGO (no telephones or MSLs)  Application criteria: Crossing has a separate footpath access, but no bridleway rights of way exist.  Standard dimensions: W700mm x H990mm  Permitted variants: W600mm x H990mm  W800mm x H990mm	Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals  1. You must telephone the number to get permission to cross 2. Follow the instructions given  1. Stop and Look in both directions for approaching trains before crossing 2. If no trains, push button to open both gates 3. Stop Look and Listen again for trains 4. Cross without stopping 5. Push button to close both gates
DI07	Type: Detailed instructions sign  Applicable to: User worked crossings with POGO (no telephones or MSLs)  Application criteria: Crossing has a separate footpath access and bridleway rights of way exist.  Standard dimensions: W700mm x H990mm  Permitted variants: W600mm x H990mm  W800mm x H990mm	Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals  1. You must telephone the number to get permission to cross 2. Follow the instructions given  1. Stop and Look in both directions for approaching trains before crossing 2. If no trains, push button to open both gates 3. Stop Look and Listen again for trains 4. Cross without stopping 5. Push button to close both gates
DI08	Applicable to: User worked crossings with telephones  Application criteria: Crossing has no separate footpath or bridleway access and no bridleway rights of way exist.  Standard dimensions: W700mm x H1120mm  Permitted variants: W600mm x H1120mm W800mm x H1120mm	Always telephone before crossing with a vehicle or animals  1. You must use the telephone provided to get permission to cross  2. Tell the signaller what you are crossing with and follow their instructions  3. When permission is given, open both gates on foot  4. Cross without stopping  5. Close both gates on foot  1. Stop Look and Listen in both directions for approaching trains before crossing  2. Cross without stopping  3. Always close gates behind you

DI09	Type: Detailed instructions sign	Always telephone before
	Applicable to: User worked crossings with telephones	crossing with a vehicle or animals
	Application criteria: Crossing has no separate footpath or bridleway access, but bridleway rights of way exist.  Standard dimensions: W700mm x H1120mm  Permitted variants: W600mm x H1120mm W800mm x H1120mm	1. You must use the telephone provided to get permission to cross 2. Tell the signaller what you are crossing with and follow their instructions 3. When permission is given, open both gates on foot 4. Cross without stopping 5. Close both gates on foot
		1. Stop Look and Listen in both directions for approaching trains before crossing 2. Cross without stopping 3. Always close gates behind you
DI10	Type: Detailed instructions sign	Always telephone before
	Applicable to: User worked crossings with telephones  Application criteria: Crossing has a separate footpath or bridleway access.  Standard dimensions: W700mm x H740mm  Permitted variants: W600mm x H740mm  W800mm x H740mm	crossing with a vehicle or animals  1. You must use the telephone provided to get permission to cross 2. Tell the signaller what you are crossing with and follow their instructions 3. When permission is given, Look and Listen for trains 4. Open both gates on foot 5. Cross without stopping 6. Close both gates on foot
DI11	Applicable to: User worked crossings with telephones and POGO  Application criteria: Crossing has no separate footpath or bridleway access and no bridleway rights of way exist.  Standard dimensions: W700mm x H1195mm  Permitted variants: W600mm x H1195mm  W800mm x H1195mm	Always telephone before crossing with a vehicle or animals  1. You must use the telephone provided to get permission to cross  2. Tell the signaller what you are crossing with and follow their instructions  3. When permission is given, push button to open both gates  4. Cross without stopping  5. Push button to close both gates  1. Stop, Look and Listen in both directions for approaching trains before crossing  2. Push button to open both gates  3. Stop, Look and Listen again for trains  4. Cross without stopping  5. Push button to close gates

#### DI12a Type: Detailed instructions sign Always telephone before crossing with a vehicle Applicable to: User worked crossings with telephones and or animals **POGO** o 💝 📤 🧮 Application criteria: Crossing has no separate footpath or You must use the telephone provided to get permission to cross bridleway access, but bridleway rights of way exist. DI12a 2. Tell the signaller what you are crossing shall be provided where an equestrian user is always required with and follow their instructions to telephone for permission to cross. 3. When permission is given, push button to open both gates 4. Cross without stopping Standard dimensions: W700mm x H1195mm 5. Push button to close both gates Permitted variants: W600mm x H1195mm W800mm x H1195mm 1. Stop, Look and Listen in both directions for approaching trains before crossing 2. Push button to open both gates 3. Stop, Look and Listen again for trains 4. Cross without stopping 5. Push button to close gates DI12b Type: Detailed instructions sign Always telephone before crossing with a vehicle Applicable to: User worked crossings with telephones and or animals **POGO** 0 0 **Application criteria:** Crossing has no separate footpath or You must use the telephone provided to get permission to cross bridleway access, but bridleway rights of way exist. DI12b 2. Tell the signaller what you are crossing shall be provided where there is no requirement for an with and follow their instructions equestrian user to telephone for permission to cross. 3. When permission is given, push button to open both gates 4. Cross without stopping Standard dimensions: W700mm x H1195mm 5. Push button to close both gates Permitted variants: W600mm x H1195mm W800mm x H1195mm 6 TO Stop, Look and Listen in both directions for approaching trains before crossing 2. Push button to open both gates 3. Stop. Look and Listen again for trains 4. Cross without stopping 5. Push button to close gates DI13 Type: Detailed instructions sign Always telephone before crossing with a vehicle Applicable to: User worked crossings with telephones and or animals POGO **Application criteria:** Crossing has a separate footpath You must use the telephone provided access, but no bridleway rights of way exist. to get permission to cross 2. Tell the signaller what you are crossing with and follow their instructions Standard dimensions: W700mm x H740mm 3. When permission is given, push button Permitted variants: W600mm x H740mm 4. Cross without stopping W800mm x H740mm 5. Push button to close both gates

#### DI14a Type: Detailed instructions sign Always telephone before crossing with a vehicle Applicable to: User worked crossings with telephones and or animals **POGO** o づ 📤 🥅 Application criteria: Crossing has a separate footpath access You must use the telephone provided and bridleway rights of way exist. DI14a shall be provided to get permission to cross 2. Tell the signaller what you are crossing where there is no requirement for an equestrian user to with and follow their instructions telephone for permission to cross. 3. When permission is given, push button to open both gates 4. Cross without stopping Standard dimensions: W700mm x H1195mm 5. Push button to close both gates Permitted variants: W600mm x H1195mm W800mm x H1195mm 1. Stop, Look and Listen in both directions for approaching trains before crossing 2. Push button to open both gates 3. Stop. Look and Listen again for trains 4. Cross without stopping 5. Push button to close gates DI14b Type: Detailed instructions sign Always telephone before crossing with a vehicle Applicable to: User worked crossings with telephones and or animals **POGO** Application criteria: Crossing has a separate footpath access You must use the telephone provided to get permission to cross and bridleway rights of way exist. DI14b shall be provided 2. Tell the signaller what you are crossing where an equestrian user is always required to telephone for with and follow their instructions permission to cross. 3. When permission is given, push button to open both gates 4. Cross without stopping Standard dimensions: W700mm x H1195mm 5. Push button to close both gates Permitted variants: W600mm x H1195mm W800mm x H1195mm 1 Stop Look and Listen in both directions for approaching trains before crossing 2. Push button to open both gates 3. Stop, Look and Listen again for trains 4. Cross without stopping 5. Push button to close gates

#### DI15 Type: Detailed instructions sign Always telephone before crossing with a vehicle which is large, low, slow moving or with animals Applicable to: User worked crossings with telephones and **MSLs** You must use the telephone provided Application criteria: Crossing has no separate footpath or to get permission to cross bridleway access and no bridleway rights of way exist. 2. Follow the instructions given Standard dimensions: W700mm x H1440mm Permitted variants: W600mm x H1440mm Always check green light shows every time you cross W800mm x H1440mm 2. If no light shows do not cross telephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot 1. Check that green light shows 2. If no light shows do not cross telephone signaller 3. Cross without stopping 4. Always close gates behind you DI16 Type: Detailed instructions sign Always telephone before crossing with a vehicle which is large, low, slow moving or with animals Applicable to: User worked crossings with telephones and **MSLs** <u>~}</u> ∮ You must use the telephone provided Application criteria: Crossing has no separate footpath or to get permission to cross bridleway access, but bridleway rights of way exist. 2. Follow the instructions given Standard dimensions: W700mm x H1440mm Permitted variants: W600mm x H1440mm Always check green light shows every time you cross W800mm x H1440mm 2. If no light shows do not crosstelephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot 1. Check that green light shows 2. If no light shows do not crosstelephone signaller 3. Cross without stopping 4. Always close gates behind you

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DI17	Applicable to: User worked crossings with telephones and MSLs  Application criteria: Crossing has a separate footpath or bridleway access.  Standard dimensions: W700mm x H1060mm  Permitted variants: W600mm x H1060mm W800mm x H1060mm	Always telephone before crossing with a vehicle which is large, low, slow moving or with animals  1. You must use the telephone provided to get permission to cross  2. Follow the instructions given  1. Always check green light shows every time you cross  2. If no light shows do not cross - telephone signaller  3. Open both gates on foot  4. Check that green light still shows  5. Cross with vehicle without stopping  6. Check that green light still shows  7. Close both gates on foot
DI18	Type: Detailed instructions sign  Applicable to: User worked crossings with telephones, MSLs and POGO  Application criteria: Crossing has no separate footpath or bridleway access and no bridleway rights of way exist.  Standard dimensions: W700mm x H990mm  Permitted variants: W600mm x H990mm  W800mm x H990mm	Always telephone before crossing with a vehicle which is large, low, slow moving or with animals  1. You must use the telephone provided to get permission to cross  2. Follow the instructions given  1. Always check green light shows every time you cross  2. If no light shows do not cross telephone signaller  3. Push button to open both gates  4. Check that green light still shows  5. Cross without stopping  6. Push button to close both gates
DI19	Type: Detailed instructions sign  Applicable to: User worked crossings with telephones, MSLs and POGO  Application criteria: Crossing has no separate footpath or bridleway access, but bridleway rights of way exist.  Standard dimensions: W700mm x H990mm  Permitted variants: W600mm x H990mm  W800mm x H990mm	Always telephone before crossing with a vehicle which is large, low, slow moving or with animals  1. You must use the telephone provided to get permission to cross  2. Follow the instructions given  1. Always check green light shows every time you cross  2. If no light shows do not cross-telephone signaller  3. Push button to open both gates  4. Check that green light still shows  5. Cross without stopping  6. Push button to close both gates

DI20	Type: Detailed instructions sign	Always telephone before crossing
	Applicable to: User worked crossings with telephones, MSLs and POGO	with a vehicle which is large, low, slow moving or with animals
	Application criteria: Crossing has a separate footpath access, but no bridleway rights of way exist.	You must use the telephone provided to get permission to cross     Follow the instructions given
	Standard dimensions: W700mm x H960mm  Permitted variants: W600mm x H960mm	1. Always check green light shows every
	W800mm x H960mm	time you cross  2. If no light shows do not cross - telephone signaller  3. Push button to open both gates  4. Check that green light still shows  5. Cross without stopping  6. Push button to close both gates
DI20B	Type: Detailed instructions sign	Always telephone before crossing
	Applicable to: User worked crossings with telephones, MSLs and hydraulic barriers operated by a push button	with a vehicle which is large, low, slow moving or with animals
	<b>Application criteria:</b> Crossing has a separate footpath access, but no bridleway rights of way exist.	You must use the telephone provided to get permission to cross     Follow the instructions given
	Standard dimensions: W700mm x H960mm  Permitted variants: W600mm x H960mm  W800mm x H960mm	1. Always check green light shows every time you cross 2. If no light shows do not cross - telephone signaller 3. Push and hold button to raise both barriers 4. Check that green light still shows 5. Cross without stopping 6. Push and hold button to lower both barriers
DI20P	Type: Detailed instructions sign	
	Applicable to: User worked crossings with telephones, MSLs and manually operated pump barriers  Application criteria: Crossing has a separate footpath	Always telephone before crossing with a vehicle which is large, low, slow moving or with animals  1. You must use the telephone provided to get permission to cross
	access, but no bridleway rights of way exist.	Follow the instructions given
	Standard dimensions: W700mm x H960mm	
	Permitted variants: W600mm x H960mm W800mm x H960mm	1. Always check green light shows every time you cross 2. If no light shows do not cross - telephone signaller 3. Pump to raise both barriers 4. Check that green light still shows 5. Cross without stopping 6. Hold to lower both barriers

## DI20K Type: Detailed instructions sign Always telephone before crossing with a vehicle which is large, low, slow moving or with animals Applicable to: User worked crossings with telephones, MSLs and hydraulic barriers operated by a key You must use the telephone provided Application criteria: Crossing has a separate footpath to get permission to cross access, but no bridleway rights of way exist. 2. Follow the instructions given Standard dimensions: W700mm x H960mm **Ö**≒ **ॐ** 1. Always check green light shows every Permitted variants: W600mm x H960mm time you cross W800mm x H960mm 2. If no light shows do not cross telephone signalle 3. Use key to raise both barriers 4. Check that green light still shows 5. Cross without stopping 6. Use key to lower both barriers **DI21** Type: Detailed instruction signs Always telephone before crossing with a vehicle which is large, low, slow moving or with animals Applicable to: User worked crossings with telephones, MSLs and POGO 000 A Application criteria: Crossing has a separate footpath access and bridleway rights of way exist. You must use the telephone provided to get permission to cross 2. Follow the instructions given Standard dimensions: W700mm x H985mm Permitted variants: W600mm x H985mm ~ 6 4 6 F W800mm x H985mm Always check green light shows every time you cross 2. If no light shows do not cross telephone signaller 3. Push button to open both gates 4. Check that green light still shows 5. Cross without stopping 6. Push button to close both gates

DI22 Type: Detailed instructions sign Always telephone before crossing with a vehicle which is large, Applicable to: User worked crossings with telephones and low, slow moving or with animals miniature stop lights on-demand (MSLs on-demand) 2000 Pm **Application criteria:** Crossing has no separate footpath or You must use the telephone provided to get permission to cross bridleway access and no bridleway rights of way exist. 2. Follow the instructions given Standard dimensions: W700mm x H1500mm Permitted variants: W600mm x H1500mm W800mm x H1500mm 1. Push button to display light 2. If no light shows do not cross telephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot telephone signaller Cross without stopping **DI23** Type: Detailed instructions sign Applicable to: User worked crossings with telephones and MSLs on-demand Application criteria: Crossing has no separate footpath or bridleway access, but bridleway rights of way exist. Standard dimensions: W700mm x H1500mm Permitted variants: W600mm x H1500mm 1. Push button to display light W800mm x H1500mm telephone signaller 3. Open both gates on foot

Always close gates behind you

DI24	Type: Detailed instructions sign	Always telephone before crossing
	Applicable to: User worked crossings with telephones and MSLs on-demand	with a vehicle which is large, low, slow moving or with animals
	<b>Application criteria:</b> Crossing has a separate footpath or bridleway access.	You must use the telephone provided to get permission to cross     Follow the instructions given
	Standard dimensions: W700mm x H1070mm	
	Permitted variants: W600mm x H1070mm W800mm x H1070mm	1. Push button to display light 2. If no light shows do not cross - telephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot
DI25	Type: Detailed instructions sign	
	Applicable to: Footpath crossings with no telephones or MSLs	Stop, Look and Listen in both directions
	Standard dimensions: W700mm x H435mm	for approaching trains before crossing  2. Cross without stopping
	Permitted variants: W600mm x H375mm W800mm x H500mm	3. Always close gates behind you
DI25S	Type: Detailed instructions sign	
	Application: Footpath crossings with no telephones or MSLs	X
	<b>Application criteria:</b> This is a variant of DI25 to be provided at footpath crossings with stiles.	Stop, Look and Listen in both directions for approaching trains before crossing     Cross without stopping
	Standard dimensions: W700mm x H435mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	
DI26	Type: Detailed instructions sign	A - 1 - ia
	<b>Applicable to</b> : Bridleway crossings with no telephones or MSLs	Stop, Look and Listen in both directions for approaching trains before crossing
	<b>Application criteria:</b> This sign shall not be deployed where a bridleway crossing is located adjacent to a level crossing equipped with POGO. In these circumstances an equestrian/cyclist user is instructed to use the POGO access instead.	Cross without stopping     Always close gates behind you
	Standard dimensions: W700mm x H435mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	

DI27	Type: Detailed instructions sign	Always telephone before
	Applicable to: Bridleway crossings with telephones	crossing with horses
	Standard dimensions: W700mm x H1080mm	
	Permitted variants: W600mm x H1030mm W800mm x H1375mm	1. You must use the telephone provided to get permission to cross 2. Tell the signaller you are crossing with a horse and follow their instructions 3. Cross without stopping 4. Always close gates behind you
		1. Stop, Look and Listen in both directions for approaching trains before crossing 2. Cross without stopping 3. Always close gates behind you
DI30	Type: Detailed instructions sign	<b>A</b>
	Applicable to: Footpath crossings with MSLs on-demand	1. Push button to display light
	Standard dimensions: W700mm x H440mm	2. If no light shows do not cross - telephone signaller 3. Check that green light shows
	Permitted variants: W600mm x H375mm W800mm x H500mm	Cross without stopping     Always close gates behind you
DI30S	Type: Detailed instructions sign	<b>A</b>
	Applicable to: Footpath crossings with MSLs on-demand  Application criteria: This is a variant of DI30 to be provided at footpath crossings with stiles.  Standard dimensions: W700mm x H440mm	1. Push button to display light 2. If no light shows do not cross - telephone signaller 3. Check that green light shows 4. Cross without stopping
	Permitted variants: W600mm x H375mm W800mm x H500mm	
DI31	Type: Detailed instructions sign	
	Applicable to: Bridleway crossings with MSLs on-demand	1. Push button to display light
	Standard dimensions: W700mm x H440mm	If no light shows do not cross     - telephone signaller     Check that green light shows
	Permitted variants: W600mm x H375mm W800mm x H500mm	Cross without stopping     Always close gates behind you

DI32 Type: Detailed instructions sign Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals Applicable to: User worked crossings with MSLs (no **.....** telephones) 1. You must telephone the number to get permission to cross Application criteria: Crossing has no separate footpath or 2. Follow the instructions given bridleway access and no bridleway rights of way exist. **~** Standard dimensions: W700mm x H1235mm Always check green light shows every time you cross Permitted variants: W600mm x H1235mm 2. If no light shows do not cross -W800mm x H1235mm telephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot 1. Check that green light shows 2. If no light shows do not cross telephone signaller 3. Cross without stopping 4. Always close gates behind you **DI33** Type: Detailed instructions sign Always telephone signaller before rossing with a vehicle which is large, low, slow moving or with animals Application: User worked crossings with MSLs (no telephones) 1. You must telephone the number to get permission to cross Application criteria: Crossing has no separate footpath or 2. Follow the instructions given bridleway access, but bridleway rights of way exist. **∂** Standard dimensions: W700mm x H1235mm Always check green light shows every time you cross Permitted variants: W600mm x H1235mm 2. If no light shows do not cross W800mm x H1235mm telephone signal 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot **₫** 1. Check that green light shows 2. If no light shows do not cross telephone signaller 3. Cross without stopping 4. Always close gates behind you

DI34	Type: Detailed instructions sign	Alwaya talanhana aignallar hafara
	Applicable to: User worked crossings with MSLs (no telephones)	Always telephone signaller before crossing with a vehicle which is large, low, slow moving or with animals
	Application criteria: Crossing has a separate footpath or bridleway access	You must telephone the number to get permission to cross     Follow the instructions given
	Standard dimensions: W700mm x H1060mm	
	Permitted variants: W600mm x H1060mm W800mm x H1060mm	1. Always check green light shows every time you cross 2. If no light shows do not cross-telephone signaller 3. Open both gates on foot 4. Check that green light still shows 5. Cross with vehicle without stopping 6. Check that green light still shows 7. Close both gates on foot
DI36	Type: Detailed instructions sign	
	Applicable to: Bridleway crossings with MSLs	1. Check that green light shows
	<b>Application criteria:</b> DI36 shall be provided where a user is required to telephone for permission to cross if no light shows. This sign shall not be deployed where a bridleway crossing is located adjacent to a level crossing equipped with POGO. In these circumstances an equestrian/cyclist user is instructed to use the POGO access instead.	2. If no light shows do not cross - telephone signaller 3. Cross without stopping 4. Always close gates behind you
	Standard dimensions: W700mm x H440mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	
DI37	Type: Detailed instructions sign	<u></u>
	Applicable to: Footpath crossings with MSLs	Check that green light shows
	<b>Application criteria:</b> DI37 shall be provided where a user is required to telephone for permission to cross if no light shows.	If no light shows do not cross     - telephone signaller     Cross without stopping
	Standard dimensions: W700mm x H440mm	Always close gates behind you
	Permitted variants: W600mm x H380mm W800mm x H500mm	
DI37S	Type: Detailed instructions sign	<u> </u>
	Applicable to: Footpath crossings with MSLs	Check that green light shows
	<b>Application criteria:</b> DI37S shall be provided where a user is required to telephone for permission to cross if no light shows. This is a variant of DI37 to be applied at footpath crossings with stiles.	If no light shows do not cross     - telephone signaller     Cross without stopping
	Standard dimensions: W700mm x H440mm	
	Permitted variants: W600mm x H380mm W800mm x H500mm	
	<u>l</u>	<u> </u>

DI38	Type: Detailed instructions sign	
	Applicable to: Footpath crossings with MSLs	1. Check that green light shows
	<b>Application criteria:</b> DI38 shall be provided where there is no requirement for a user to telephone for permission to cross if no light shows.	2. If no light shows - Stop, Look and Listen 3. Cross without stopping 4. Always close gates behind you
	Standard dimensions: W700mm x H440mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	
DI38S	Type: Detailed instructions sign	<b>A</b>
	Applicable to: Footpath crossings with MSLs	<b>*</b>
	<b>Application criteria:</b> DI38S shall be provided where there is no requirement for a user to telephone for permission to cross if no light shows. This is a variant of DI38 to be applied at footpath crossings with stiles.	Check that green light shows     If no light shows     Stop, Look and Listen     Cross without stopping
	Standard dimensions: W700mm x H440mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	
DI39	Type: Detailed instructions sign	<b>A</b> 1 <b>A</b> 1
	Applicable to: Bridleway crossings with MSLs	1. Check that green light shows
	Application criteria: DI39 shall be used where there is no requirement for a user to telephone for permission to cross if no light shows. This sign shall not be deployed where a bridleway crossing is located adjacent to a level crossing equipped with POGO. In these circumstances an equestrian/cyclist user is instructed to use the POGO access instead.	2. If no light shows - Stop, Look and Listen 3. Cross without stopping 4. Always close gates behind you
	Standard dimensions: W700mm x H440mm	
	Permitted variants: W600mm x H375mm W800mm x H500mm	
SI40	Type: Supplementary instruction sign	Voor dogs
	Applicable to: User worked, footpath and bridleway crossings level crossings	Keep dogs on a lead
	<b>Application criteria:</b> Provided as part of risk-based decision making where dogs off leads is a known risk.	
	Standard dimensions: W300mm x H100mm	
SI41A	Type: Supplementary instruction sign	
	Applicable to: All user worked crossings with POGO and telephones	Vehicle Gate Control  If the gates do not open, use
	Standard dimensions: W250mm x H120mm	telephone provided 🗸

SI41B	Type: Supplementary instruction sign	
	Applicable to: All user worked crossings with POGO (no telephones)	Vehicle Gate Control  If the gates do not open contact the signaller
	Standard dimensions: W250mm x H120mm	contact the signalier
SI42	Type: Supplementary instruction sign  Applicable to: All user worked crossings with POGO  Standard dimensions: W90mm x H90mm	For manual operation only
SI43	Type: Supplementary instruction sign	
	Applicable to: All user worked crossings with POGO	
	Standard dimensions: W90mm x H120mm	In emergency push button .
SI44	Type: Supplementary instruction sign	
	Applicable to: All user worked crossings with POGO	
	Standard dimensions: W300mm x H420mm	Do not cross while gates are in motion
SI45	Type: Supplementary instruction sign  Applicable to: User worked, footpath and bridleway crossings level crossings	HORSE RIDERS MUST DISMOUNT
	Application criteria: Provided at crossings where users are required to dismount before using the crossing. This can also be used in conjunction with CB01 at crossings where there is overhead electrification equipment.  Standard dimensions: W595mm x H175mm	
IS580b	Type: Instruction sign	
	<b>Applicable to:</b> Station barrow crossings with white lights (used by staff only).	
	Standard dimensions: W400mm x H600mm	Caution cross only when light shows

C10470	Trunce Complementary Instruction sign	
SI3179	Type: Supplementary Instruction sign	Press for assistance to
	Applicable to: Station barrow crossings	cross the line
	Permitted variant: The appropriate variant shall be applied as per the site specific method of operation.	Telephone
	Standard dimensions: W675mm x H300mm	for assistance
CA03	Type: Instruction sign	
	<b>Applicable to:</b> Station barrow crossing (where members of the public are not permitted)	
	Standard dimensions: W300mm x H420mm	
CDO4	Turner Warring a sign	Passengers must not cross the line
CB01	Type: Warning sign	
	Applicable to: Level crossings where there is overhead electrification equipment or a live rail	<b>                                    </b>
	Permitted variant: The appropriate variant shall be applied as per the site specific electrical hazard.	Pangar
	Standard dimensions: W525mm x H875mm	Danger Overhead live wires  Do not touch the live rail
BA02	Type: Warning sign	Caution
	Applicable to: Level crossings over lines signalled for bi-directional movements where users are expected to stop look and listen for approaching trains	Bi-directional working Trains can be signalled in either direction on each line
	Standard dimensions: W610mm x H200mm	
MSLs with	Type: Instruction sign	
Integrated User	Applicable to: Footpath and bridleway crossings with MSLs	Red STOP Green Clear
Instructions	Application criteria: Provided where adequate sighting exists	If no light shows,
	Notes: This is not a duplicate of Diagram 108	Stop, Look and Listen
	Standard dimensions: W650mm x H500mm	
MSLs with	Type: Instruction sign	
Integrated User	Applicable to: Footpath and bridleway crossings with MSLs	Red STOP
Instructions	Application criteria: Provided where there is not adequate sighting	Green Clear If no light shows -
	Notes: this sign is not a duplicate of Diagram 107	telephone signaller
	Standard dimensions: W650mm x H500mm	
	1	ı

MSLs	Type: Instruction sign	STOP STOP STOP
with Integrated	Applicable to: User worked, footpath and bridleway crossings	
User Instructions	Notes: Available as continuous or on-demand.	Red Red Red
	Standard dimensions: As per manufacturer specifications and product	Green Green Green
	acceptance certificate	Clear Clear Clear
		Push Button Push Button
		Follow user instructions Wait for Green If no light do not cross - Phone Crossing Operator
		STOP STOP STOP Red Red
		Green Green Green Clear Clear Clear
		Wait for Green Push Button If no light Do not cross Phone Crossing Follow user Operator instructions
Existing si	ignage from The Private Crossings (Signs & Barriers) Regulat 2022 Regulations	ions 1996 to be retained in the
Diagram 104	Type: Instruction sign	Hold down to lower
	Applicable to: User worked crossings with barriers	Maximum penalty for not closing barriers £1000
	Standard dimensions: W300mm x H380mm	Pump to raise both barriers In the evert of failure phone crossing operator
Diagram	Type: Warning sign	Maximum penalty for not closing gates £1000
105	Applicable to: User worked crossings	
	Standard dimensions: W460mm x H60mm	
Diagram 106	Type: Warning sign	
100	Applicable to: Vehicular crossing gates	
	Standard dimensions: 600mm diameter	
Diagram 107	Type: Instruction sign	Red STOP
	Applicable to: MSL crossings with telephones	Green Clear
	Permitted variant: The lenses of the lamps may be rectangular instead of circular	IF NO LIGHT-
	Standard dimensions: W650mm x H400mm	PHONE CROSSING OPERATOR

Diagram 108	Type: Instruction sign  Applicable to: MSL crossings with no telephones  Permitted variant: The lenses of the lamps may be rectangular instead of circular  Standard dimensions: W650mm x H400mm	Red STOP Green Clear  IF NO LIGHT- PROCEED WITH CAUTION
Diagram 111	Type: Reminder sign  Applicable to: Level crossings with user operated gates  Standard dimensions: W450mm x H275mm	Have you closed the gates ?
Diagram 112	Type: Reminder sign  Applicable to: Level crossings with user operated barriers  Standard dimensions: W400mm x H375mm	Have you lowered the barriers?
Diagram 113	Type: Warning sign  Applicable to: User worked crossings where the railway is equipped with overhead electric wires and the road approaches are on a gradient  Permitted variant: Telephone number is provided at crossings with no telephones.  Standard dimensions: W700mm x H1000mm	Overhanging loads may foul live wires If in doubt telephone crossing operator citra 3-49 789
Diagram 115	Type: Instruction sign  Applicable to: User worked, footpath and bridleway crossings level crossings  Application criteria: Provided as part of risk-based decision making where gate indiscipline exists.  Standard dimensions: W325mm x H60mm	Shut and fasten gate

## Annex C: Consultation principles

The consultation is being conducted in line with the Government's key consultation principles. Further information is available at https://www.gov.uk/government/publications/consultation-principles-guidance

If you have any comments about the consultation process, please contact:

Consultation Co-ordinator Department for Transport Zone 1/29 Great Minster House London SW1P 4DR Email consultation@dft.gov.uk

## Annex D: List of those consulted

AA
ADEPT
Authorised Users <sup>9</sup>
Amazon
Association for Delivery Drivers
Association of British Riding Schools
British Cycling
British Horse Society
British Driving Society
Church of England
Country Land and Business Association Limited
Cycling UK
DHL
Disabled Motoring UK
Disabled Ramblers Association
Disabled Persons Transport Advisory Committee
Evri (formerly Hermes)
FedEx
Green Lane Association (GLASS)
Heritage Railway Association

 $<sup>^{\</sup>rm 9}$  All authorised users will be consulted. Individual names are not published here.

Hostelling Scotland Institute of Public Rights of Way and Access Management Institution of Railway Operators Institution of Railway Signal Engineers Local Government Association Long Distance Walkers Association **National Farmers Union National Trust** Natural England (DEFRA) Natural Resources Wales (Welsh Government sponsored body) **Network Rail** Office of Rail and Road Parliamentary Advisory Council for Transport Safety (PACTS) Post Office **RAC** Rail Delivery Group Riding for the Disabled Association **RNIB RNID** Road Haulage Association **RSSB** Rural England **Rural Services Network** Scottish Natural Heritage (public body) Scottish Rural Network

**Tenant Farmers Association** 

The Light Rail Transit Association

The Ramblers (Ramblers Scotland, Ramblers Cymru)

The Royal Association of British Dairy Farmers

**Transport Association** 

Transport for Scotland

**Transport for Wales** 

Trail Riders Fellowship

**UKTram** 

Wales Rural Network

Youth Hostels Association