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4 February 2021

Mr Andrew Hall
Deputy Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Andrew,

RAIB Report: Collision at Stainforth Road level crossing on 11 January 2018

I write to provide an update¹ on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 19 July 2018.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 1 is **'Implemented'**.

We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 5 February 2021.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

¹ In accordance with Regulation 12(2)(b) of the Railways (Accident Investigation and Reporting) Regulations 2005

Recommendation 1

The intention of this recommendation is to ensure that the risk of existing level crossings being open to road users during the passage of trains is recognised and actively managed on Network Rail managed infrastructure.

Network Rail should:

- review the responses provided to Special Inspection Notice 180 in order to identify those locations where it is possible for a level crossing to be open to road users while it is occupied by a train;
- review the risks associated with such scenarios at the identified locations and identify suitable risk mitigation measures to address them; and
- draw up a time-bound plan to improve the crossings as appropriate, with those presenting the higher risk improved ahead of those presenting the lower risk

ORR decision

1. Network Rail has collated the responses to SIN 180 to identify level crossings which could remain open to road users while occupied by a train and put together a time bound plan to improve risk mitigation at those locations.
2. We have reviewed the approaches taken by Network Rail routes to identify relevant sites and then assess and provide solutions for the level crossing along with expected timescales for the work to take place and think that it addresses the recommendation.
3. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
 - taken the recommendation into consideration; and
 - has taken action to implement it.

Status: Implemented.

Previously reported to RAIB

4. On 14 June 2019 ORR reported the following:

We are content with the actions and timescales Network Rail have identified to address this recommendation. Once the responses to SIN 180 have been collated, we have asked Network Rail to provide us with a list of level crossings that have been identified for improvements, the work to be done and the expected timescale for completion.

Update

5. On 7 January 2021 Network Rail provided the following closure statement and supporting information:

The actions in special instruction notice 180 have been completed with each route organisation identifying the level crossings with a configuration that may have a risk similar to at Stainforth. A review of reasonable actions has been undertaken, and timescale for completion have been set. A summary of identified actions is appended in the attached "routes SIN180 returns list".



Stainforth Road
SIN180 survey result

Previously reported to RAIB

Recommendation 1

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Network Rail should:

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- draw up a time-bound plan to improve the crossings as appropriate, with those presenting the higher risk improved ahead of those presenting the lower risk

ORR decision

1. We are content with the actions and timescales Network Rail have identified to address this recommendation. Once the responses to SIN 180 have been collated, we have asked Network Rail to provide us with a list of level crossings that have been identified for improvements, the work to be done and the expected timescale for completion.

2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration; and
- is taking action to implement it by 31 October 2019.

Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed.

Information in support of ORR decision

3. On 10 January 2019, Network Rail provided the following initial response:

Network Rail has created the Special Instruction Notice 180 in order to identify the sites where the infrastructure configuration that allows the level crossing protection to be withdrawn with a train wholly or partly on the level crossing. The action detailed in SIN 180 are required to be complete by 31-3-2019.

The information gathered by SIN 180 is considered to address bullet point 1 above, and enables the assessment of risk at those sites.

Actions are:-

1. *A structured risk assessment of the causal factors will be undertaken eg the likelihood of an approaching LC user being unable to see and stop if a train is occupying the level crossing (categorisation of approach speeds of users), and the likelihood of a train stopping in a position to cause a conflict and the level crossing protection (vicinity of limits of movement authority, normal stopping points (stations etc). The initial output of this risk assessment is a categorised list of sites with insignificant risk and sites where risk mitigations may be considered.*

2. *A review of proposed infrastructure renewal programs will be used to inform the duration of any risks identified until configuration mitigations are planned by asset renewal.*

3. *Identify risk mitigations where these can be justified eg for significant residual risks with long renewal timescales, interim measures will be considered by cost benefit analysis against the level of risk to be mitigated.*

4. *Creation of implementation plan for any risk reduction measures identified, both planned asset renewal and interim measures.*

It is planned that items 3 and 4 are subject of a further Special Inspection Notice.

Timescale: 30 April 2019

4. On 9 May 2019, Network Rail notified us that the deadline for completion had been extended to 31 October 2019 as analysis of proposed remedial actions and the residual risk is a more significant task than originally expected.