

**Oliver Stewart**  
**RAIB Recommendation Handling Manager**



17 November 2023

Mr Andy Lewis  
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Fatal collision between a tram and a pedestrian at Cleveleys, Lancashire on 24 November 2021**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendations addressed to ORR in the above report, published on 17 November 2022.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of all 3 recommendations is '**Closed**'.

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 20 November 2023.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', is written over a horizontal line.

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

## **Initial consideration by ORR**

1. All 3 recommendations were addressed to ORR when the report was published on 17 November 2021.
2. After considering the recommendations ORR passed recommendation 1 to Blackpool Transport Services and recommendations 2 & 3 to Blackpool Council asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

### **Recommendation 1**

*The intent of this recommendation is to ensure that Blackpool Transport Services adequately identifies and manages risks arising from its tramway activities.*

Blackpool Transport Services, working in conjunction with Blackpool Council, should review its process for assessing and controlling the risks arising from its tramway activities to ensure it is effective, incorporates industry best practice and is updated at appropriate intervals. Blackpool Transport Services should develop a timebound plan to implement any changes identified.

### **Recommendation 2**

*The intent of this recommendation is to ensure that Blackpool Council adequately identifies and manages risks arising from its tramway activities.*

Blackpool Council, working in conjunction with Blackpool Transport Services, should review its process for assessing and controlling the risks arising from its tramway activities to ensure it is effective, incorporates industry best practice and is updated at appropriate intervals. Blackpool Council should develop a timebound plan to implement any changes identified.

### **ORR decision**

4. Although recommendation 1 was addressed to Blackpool Transport Services (BTS) and recommendation 2 to Blackpool Borough Council (BCC), we were pleased that the two organisations (as owner, operator and infrastructure manager for the Blackpool tram network), worked closely together to address the recommendations. This approach demonstrated a clear commitment to both organisations working together and improving the overall understanding of risk across the network.
5. The overall plan for assessing and controlling risk was captured in the Tramway Asset Management Strategy (TAMS). Delivery of the strategy was covered by the Tramway Asset Management Plan (TAMP). We requested confirmation that the TAMS and TAMP documents also covered tramway operations as well as asset management. BTS and BCC confirmed this and clarified that the documents do

cover operations as well as asset management, they have been renamed the Tramway Asset & Operational Management Strategy and the Tramway Asset & Operational Management Plan.

6. A number of joint committees have been set up by BTS and BBC to consider safety issues including driver training, risk assessment at crossings and the creation of a database to monitor the condition of tramway infrastructure. We asked BTS and BCC to confirm that the joint risk assessment process had been reviewed as part of the work to address the recommendation. BTS/BCC confirmed that the review had been done by the joint Tramway Infrastructure Improvement Committee and the Tramway Infrastructure Health & Safety Committee.

7. Our own evidence gathering and engagement with BTS and BCC has identified significantly improved collaboration of the identification and assessment of risks and the tracking of actions.

8. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, BTS and BCC have:

- taken recommendation 1&2 into consideration; and
- have taken action to close them

**Status: Closed.**

### **Information in support of ORR decision**

9. On 2 March 2023 Blackpool Transport Services and Blackpool Council provided the following joint initial response to recommendations 1 & 2:

*Blackpool Transport Services, in conjunction with Blackpool Track Services and Blackpool Council have developed and are implementing a documented Tramway Asset Management Strategy (TAMS) with the resulting actions detailed in the Tramway Asset Management Plan (TAMP).*

*The TAMS is an overarching document that defines the roles and responsibilities of the various parties, the joint approach to managing tramway assets together with the associated compliance, assurance, audit and control processes. The Tramway Health and Safety arrangements are an integral part of the TAMS.*

*The resulting tramway hazard and risk management arrangements between Track Services and Tramway Services are specified in the TAMS and the TAMP.*

*The following working groups (and required attendees) have been established to manage the coordination and cooperation regarding the various aspects of tramway infrastructure and tramway operations:*

*Tramway Infrastructure Improvement Committee (quarterly) Tram Depot/ Tram Rollingstock (bi-monthly)*

*Infrastructure and Health & Safety (bi-monthly)*

*Line Development (already established with partner agencies)*

*Blackpool Transport Services Ltd intend to purchase a new asset management system which will serve as a repository for all safety (and other information) going forward.*

*Details regarding paragraphs 112a.i, 112b.ii, 112b.iii and 113 in the report:*

*Tram driver training: All tram drivers undertake two-day driver refresher training that covers, amongst other things, hazard perception training, lessons learned from recent operational incidents on the Tramway together with industry best practice, gained through participation with UK Tram and the Light Rail Safety and Standards Board*

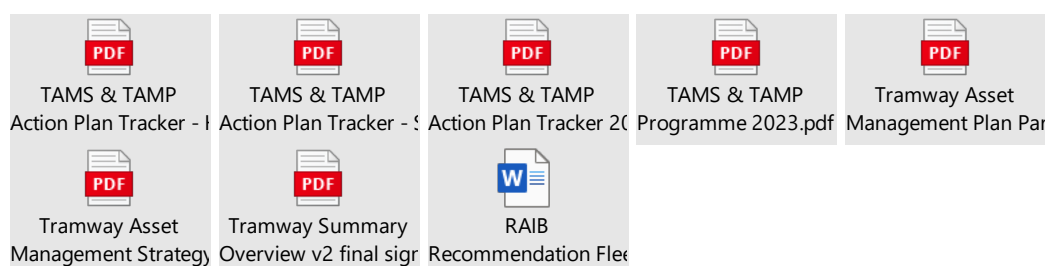
*Actions specific to Fleetwood Road/ Anchorsholme Lane foot crossing: The pathway has been re- aligned in accordance with the current LRSSB guidelines. Adjacent flora has been either trimmed back or removed, the traction pole relocated, and lighting columns are being installed. This has greatly increased the conspicuousness of all users of the crossing.*

*General Actions across the Tramway: Speed limits have been lowered at road crossings to further manage any risk to pedestrians crossing the tramway.*

*Blackpool Council/ Track Services and Blackpool Transport Services are currently evaluating all crossings, commencing with what are consider the top five hazardous crossings, based on historical data.*

*When completed, these will be re-evaluated on an annual basis and signed off by both parties.*

10. On 19 July 2023 Blackpool Transport Services provided the following documents containing information explaining the latest action that Blackpool Transport Services and Blackpool Council have taken. In addition to the word document, there are copies of the latest issue of the Tramway Asset Management Strategy (TAMS), the Tramway Asset Management Plan (TAMP) and the associated Action Plan.



11. On 13 October 2023 Blackpool Transport Services provided the following update:

*While a joint approach to operational safety by Blackpool Council (Track Services) and Blackpool Transport Services runs through the Tramway Asset Management Strategy and the Tramway Asset Management Plan (and supporting documents) this may not have been explicit.*

*In order to clarify the overall scope of the Tramway Asset Management Strategy and Tramway Asset Management Plan these documents have been renamed to highlight the fact that they also cover the operational aspects of the tramway.*

*They will now be known as the Tramway Asset & Operational Management Strategy and the Tramway Asset & Operational Management Plan.*

*These documents already make numerous references to the operational safety aspects of the tramway, as do the associated action and metrics trackers and so the purpose of the change is solely to add clarity as to the intent of the documents.*

*The Action Plan Tracker has been similarly renamed, together with the joint TS and BTS safety and risk assessment review activities.*

*Risk assessment processes have been reviewed through the activities of the Tramway Infrastructure Improvement Committee and the Tramway Infrastructure Health & Safety Committee.*

*The implementation of joint risk management activities between Blackpool Council (BC), the BC Track Infrastructure team and Blackpool Transport Services (BTS - the tramway operator & maintainer), have been a key focus of these committees and forms an integral part of their work.*

*The respective Safety Management Systems have also been updated to reflect the emphasis on the joint approach to risk management (relevant extract below).*

*Risk management procedures have also been updated to reflect the joint approach to risk management (as attached).*



BTS MGMT 0012 Risk  
Management Policy r

#### **Extract from Safety Management System**

*The roles and responsibilities, of BTS and BC(TS) are developed within the Tramway Asset & Operational Management Strategy (TAOMS) and the Tramway Asset & Operational Management Plan (TAOMP). A Tramway Infrastructure Improvement Committee (TIIC), chaired by the responsible BC director, oversees all aspects of tramway performance, monitoring performance against targets, and setting improvement targets as required. This ensures that robust health & safety arrangements and risk assessment frameworks are in place in relation to all elements of the tramway. Deliverables are detailed in the TAOMS / TAOMP action plan. The TIIC meets quarterly.*

*A Tramway Infrastructure Health & Safety Committee (reporting to the TIIC) has been established to ensure that robust health & safety arrangements and practices are in place. These relate to the operation of the trams and the management and maintenance of the infrastructure, ensuring a joined up and collaborative approach between the Council, TS and BTS.*

### **Recommendation 3**

*The intent of this recommendation is to ensure that Blackpool Council has an assurance process that provides an effective oversight of the activities of Blackpool Transport Services.*

Blackpool Council should review the processes it uses to provide assurance and audit of Blackpool Transport Services to ensure that it has visibility of ongoing safety performance and a clear understanding of how risks are being managed. Blackpool Council should develop a timebound plan to implement any changes identified

### **ORR decision**

12. Objective 4 of the Tramway Asset Management Strategy (TAMS) and Tramway Asset Management Plan (TAMP) is concerned with the assurance and audit of BTS by BCC. The TAMP document provides evidence that BC are effectively monitoring BTS through a commitment to continuous improvement, KPIs, audit and compliance monitoring.

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

- taken the recommendation into consideration; and
- has taken action to close it

**Status: Closed.**

### **Information in support of ORR decision**

14. On 2 March 2023 Blackpool Transport Services and Blackpool Council provided the following joint initial response:

*The intent of this recommendation is to ensure that Blackpool Council has an assurance process that provides an effective oversight of the activities of Blackpool Transport Services.*

*Blackpool Council should review the processes it uses to provide assurance and audit of Blackpool Transport Services to ensure that it has visibility of ongoing safety performance and a clear understanding of how risks are being managed. Blackpool Council should develop a timebound plan to implement any changes identified (paragraph 113).*

*The Council recently commissioned the Tramway Asset Management Strategy and the associated Plan (TAMS and TAMP) that clearly identifies senior management roles ensuring compliance monitoring along with the Tramway Infrastructure Improvement Board. The Board was created with the following criteria (The board includes senior members from both the Council and Blackpool Transport. In particular, monitoring and auditing safety risks)*

*Results of Management KPIs, Operations Compliance Monitoring and Audits. Applicable legal and other requirements.*

*The results of stakeholder engagement and relevant communications, including complaints, and on the adequacy and effectiveness of the Tramway Communications Strategy.*

*Reports on the adequacy and effectiveness of the Tramway Policy and Strategy.*

*Other records or reports on performance of the Tramway infrastructure.*

*Follow-up actions from previous Strategic Reviews.*

*Changing circumstances, including changes in legislation, funding or other requirements related to the Tramway infrastructure.*

*Changes in technology.*