

Oliver Stewart
RAIB Recommendation Handling Manager



17 October 2024

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

**RAIB Report: Near miss at Coltishall Lane User Worked Level Crossing,
Norfolk on 21 January 2021**

In the 2023 RAIB annual report, Coltishall rec 1 was identified as an area of concern (red triangle) as RAIB considered no action had been taken to address the recommendation.

ORR remain of the opinion that the information provided by Network Rail and sent to RAIB on 8 February 2023, was sufficient to assure ORR Network Rail had done all that is reasonably practicable to close the recommendation.

Nevertheless, we held a meeting with Network Rail on 11 March 2024 to discuss the red triangle and have since been provided with some further information, as set out in Annex A. Furthermore, we are aware that Coltishall level crossing has been upgraded to an AHB crossing.

In our view, a key causal factor in the near miss at Coltishall was gate discipline and Network Rail have prioritised level crossings of that type for new signs. In addition, ORR has funded Network Rail in CP7 to conduct research into gate discipline.

We would welcome RAIB to consider this additional information against the red triangle.

RAIB also notified us of possible triangles regarding Lady Howard rec 1 (white) and Farnborough North rec 1 (blue). Both possible triangles are being actively discussed and we are considering what further information we can provide regarding these matters of concern.

We will publish this response on the ORR website.

Yours sincerely,

Oliver Stewart

On 16 June 2024 Network Rail provide the following additional information:

Network Rail understands that RAIB have concerns about our response to recommendation 1, Coltishall Lane, and we seek to reassure colleagues through this additional response. It is important to stress, however, that we remain satisfied with our closure paper and with the robustness of our level crossing risk management framework, and to this end, how we assess safety at all crossings in a consistent and detailed way. We remain open and committed to learning lessons from incidents, and so far as is reasonably practicable, in taking steps to address recommendations to prevent or reduce the likelihood of reoccurrence.

In making decisions as to how we will address learning, we will always look at current processes and embrace change where we believe it can be reasonably practicably introduced. A good test case is Tibberton 8 and our efforts to improve our management of fog risk. In the case of Coltishall Lane 1, there were factors that were beyond the control of Network Rail as underlying to the events that occurred at the crossing.

Nonetheless, the recommendation itself has been carefully considered.

In addition to the elements covered within our closure paper, the following points are intended to offer you additional confidence in why we have reached the decision that we have.

- There are only 52 user worked level crossings on the network which reside on a public highway according to our most recent ALCRM download. Of these 52 crossings, 25 are equipped with an active warning system in the form of an MSL. This means that crossings with a similar level of passive protection as per Coltishall Lane (at the time of the incident) are 27 in number. This equates to 1.9% of all public highway crossings, or 0.9% of all vehicular crossings on the network.*
- Network Rail's risk assessment process encompasses a comprehensive level of detail leading to decision making about site safety and importantly crossing suitability in its environment. Critically, for user worked level crossings to exist on public roads, assessors must look at all risks including user and train volume, which needs to be low, thereby reducing incident likelihood. In turn, these risks must be considered against other public highway crossings, such as automatic half barriers and open crossings, where usage and therefore risks are greater.*
- Network Rail does not consider that it is reasonably practicable to prioritise this small portfolio of lightly used crossings above investing in the safety of higher risk locations unless local specific risks are identified within our risk assessment processes to the contrary.*
- We do, however, acknowledge that these crossings should be prioritised for the new instructional safety signs as introduced in legislation in the form of The Private Crossings (Signs and Barriers) Regulations, 2023. Network Rail, as a traffic authority, has received from DfT a letter of authorisation for these signs to be used on the public highway as part of TSRGD protocols.*
- In addition, Network Rail through its chairpersonship of the industry Level Crossing Strategy Group, shall raise the matter of planned diversionary routes over level crossings with local authorities and highways agencies, making specific reference to how traffic changes can import risks to the railway and public and passenger safety.*

As part of continuous improvement, we will continue to monitor this area of our level crossing risk management framework, adopting new innovation and technology where it is identified as a reasonably practicable control to improve safety. We remain committed to level crossing safety and thank RAIB for their continuous support in identifying opportunities to strengthen our processes in support of everyone home safe every day.

