

# ORR's consultation on the review of guidance on level crossings – A WSR review of the Consultation Document

**Background** – Level Crossings are the biggest cause of anxiety for the Railway Industry and as there are 58 crossings of varying types on the West Somerset Railway, Britain's longest Standard Gauge Heritage Railway, a detailed response to the proposed Guidance Document has been formed.

## Our views on the Paper:

<b>Chapter:</b> None	<b>Section:</b> None	<b>Paragraph:</b> None
Points for clarification – The term horn needs to be expanded in the definitions to include steam locomotive whistles for Heritage Railways and mainline charter operations.		
<b>Chapter:</b> 2	<b>Section:</b> 2	<b>Paragraph:</b> Table 8
Technical profiles – Clause 20, Table 8 on page 18 refers to the varying types of crossing including AOCL and ABCL. These have been given the vertical profiles for the AHBC. We would ask for clarification as to whether this was correct because there is not the same risk for vehicle grounding as there would be at an AHBC. The information in this table does not match that found in section 15.		
<b>Chapter:</b> 2	<b>Section:</b> 10	<b>Paragraph:</b> All
User worked Crossings – There is a lack of conformity between the advice given in this section and the already published advice in the Document – Using Level Crossings safely – to be found on page 11. In this regard it is thought sensible that wording is included to the effect that “ <i>operators and managers should make best endeavours to make contact and where possible jointly access private crossings to engage the user and should also to seek to enforce users of private crossings to engage with Railways</i> ”. However it is recognised that this may be more relevant to the law society review of Level Crossings.		
<b>Chapter:</b> 2	<b>Section:</b> 11	<b>Paragraph:</b> 159
With regard to public foot crossings – the document is biased to mainline operations in the TPV Equation ( <i>page 44, section 11, paragraph 159</i> ) would be unsuitable for Heritage Railway Operations. This could give developers the opportunity to avoid costs of upgrading crossings due to new Industrial or housing schemes.		
Risk assessment methodology would be useful for all crossings.		
<b>Chapter:</b> 2	<b>Section:</b> 19	<b>Paragraph:</b> 310
Page 69, Paragraph 310 onwards – this clearly ID's what is required but not whom it should be done by. We would like to see advice on how Railway's and the Highways Agencies come to a clear understanding for their collective responsibilities on items such as fencing, Boundary for highways maintenance and signage.		
<b>Chapter:</b> 3	<b>Section:</b> -	<b>Paragraph:</b> All
Crossings being identified as being out of use: There does not appear to be any guidance of this type of procedure. It would be useful to refer users of the document to the law society project; however		

## West Somerset Railway plc

The Railway Station, Minehead, Somerset, TA24 5BG.

Tel: 01643 704996; Fax: 01643 706349

[www.west-somerset-railway.co.uk](http://www.west-somerset-railway.co.uk); email: [info@west-somerset-railway.co.uk](mailto:info@west-somerset-railway.co.uk) Doc # 429142.01

a new paragraph included in *section 3* advising operators how they might determine whether it is possible to close a crossing. A diagram to help with this could be included as the opposite found on page 111 which shows a flow chart of the applying for a new level Crossing Order process.

**Chapter:** 3

**Section:** 5

**Paragraph:** All

Page 108 & 109 - Information for Traffic and planning Authorities. We are aware of the lack of enforcement on the responsibility on developers and planning authorities to take into account additional necessary safety measures and the consequent costs on Railway operation. The present requirement for consultation needs to be supplemented with the requirement that the developer funds the cost of additional new works and there ongoing maintenance.

There is little point in our view in requiring the railway operator to be a statutory consultee if there is no statutory requirement for the requirements of the consultation to be acted upon. The ORR needs to be the final determinee rather than the Railway operator or developer in these cases.

**West Somerset Railway plc**

The Railway Station, Minehead, Somerset, TA24 5BG.

Tel: 01643 704996; Fax: 01643 706349

[www.west-somerset-railway.co.uk](http://www.west-somerset-railway.co.uk); email: [info@west-somerset-railway.co.uk](mailto:info@west-somerset-railway.co.uk) Doc # 429142.01