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To: See attached list

Dear consultee

Railway Safety Regulations 1999 – Review of policy on the use of Mark 1 passenger rolling stock operated at speeds exceeding 40 kilometres per hour

1. Following a review of policy, this consultation letter seeks your views on the Office of Rail Regulation's (ORR's) proposal to allow train operators to operate Mark 1 (MK 1) passenger rolling stock on the national network without barrier vehicles and with passengers permitted to travel in leading vehicles (subject to certain conditions).

Background

2. Regulation 4 of the Railway Safety Regulations (RSR) 1999 prohibited the operation of MK 1 passenger rolling stock after 31 December 2002, unless modified to prevent overriding in the event of a collision. These regulations were made following a number of serious collisions involving MK 1 rolling stock some of which had been designed prior to 1947, on the Southern Region of Britain's Railways.

3. MK 1 rolling stock has since been removed from the network except for: some single line branches where a small number operate in 'absolute block' in isolation from other trains; and approximately 160 vehicles which are registered for mainline operation on charter trains. There are currently 13 companies who hold exemptions from the regulations to operate MK1 rolling stock.

4. The RSR 1999 permits exemptions to be issued to allow operators to use MK1 rolling stock on the national network. Most exemptions specify a barrier vehicle between the locomotive and the rake of coaches. The barrier vehicles were defined as Mark 2 (MK 2) or Mark 3 (MK 3) and most exemptions prohibited passengers from travelling in the leading vehicles.



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Purpose of review of ORR policy

5. Several operators have requested that the use of barrier vehicles should be reconsidered as operators are not able to maximise revenues from empty passenger vehicles and the removal of the condition will increase operational flexibility for a proportion of their trains. ORR is committed to reducing burdens on the businesses we regulate and in the light of this, we are considering whether to revise our policy on this issue.

Outcome of ORR's review

6. ORR's review of our policy in this area took into account, amongst other considerations, the following factors:

- The RSR 1999 have served the intended purpose of removing passenger rolling stock that had the lowest levels of crash worthiness;
- The remaining MK 1 stock on the network has a maximum of three doors on each side, most having two doors and these vehicles have historically performed better in collisions and derailments;
- The national network has been fitted with the Train Protection and Warning System (TPWS) and all locomotives hauling charter trains are fitted with TPWS, including all of the main line registered steam locomotives that are the predominant form of traction for the MK 1 rakes of coaches;;
- If a barrier vehicle is provided, operators have to couple and uncouple the barrier vehicle on each reversal thereby exposing staff and volunteers to the risks associated with shunting and coupling;
- Operators have provisions in place to control risks to passengers in Mark 1 coaches on the ends of trains;
- The use of the more rigid monocoque type MK 2 or MK 3 as a barrier vehicle may cause more structural damage to the leading MK 1 vehicles in a rake.

Proposal

7. We are therefore seeking comments on a proposal to permit train operators to operate rakes of MK1 passenger vehicles on the national network without barrier vehicles and with passengers permitted to travel in leading vehicles. This would be subject to the following:

- Provision by the operator of a suitable and sufficient risk assessment;



- Each exempt vehicle that could be coupled in a rake of coaches is identified by a unique number;
- All vehicles are coupled with buck eye couplers fitted with shelf brackets;
- All vehicles in the rake have the same buffing height (plus or minus 5mm);
- All vehicles are verified by the operator to have crash pillars of an equivalent or greater strength than the original BR design. Owners or operators should provide an engineers report of the condition of the crash pillars and body structure in general together with any evidence of structural repair or modification.
- No MK 2 or MK 3 vehicles are marshalled at either end of a rake of Mark1 coaches;
- The maximum speed limit of a rake of MK1 vehicles should not exceed 75 miles per hour (120 kilometres per hour) for steam operation; for electric or diesel operation the maximum speed would be that of the plated speed of the coach.

Where a vehicle does not meet all of the above criteria it would be considered on a case by case basis considering the operators risk assessment for the use of that particular vehicle or rake of coaches. Such an assessment should consider the crash worthiness of the vehicles when involved in collisions and derailments at credible operating speeds. This would apply for example to wooden body stock and vehicles with end loading capabilities less than 200 tonnes.

Responses

8. Please send your comments on our proposals by 21 April 2011 by post or email to:
- Chandrika Shah
Executive
Legislative Development Team, 3rd Floor
Railway Safety Directorate
Office of Rail Regulation
1 Kemble Street
London WC2B 4AN
- Email: chandrika.shah@orr.gsi.gov.uk

*Please note, when sending documents to us in electronic format that will be published on our website, we would prefer that you email us your correspondence in **Microsoft Word format**. This is so that we are able to apply web standards to content on our website.*



If you do email us a PDF document, where possible please:

- create it from the electronic Word file (preferably using Adobe Acrobat), as opposed to an image scan; and
- ensure that the PDF's security method is set to **no security** in the document properties.

9. If you send a written response, you should indicate clearly if you wish all or part of your response to remain confidential to ORR. Otherwise we would expect to make it available on our website and potentially to quote from it. Where your response is made in confidence please can you provide a statement summarising it, excluding the confidential information that can be treated as a non-confidential response. We may also publish the names of respondents in future documents or on our website, unless you indicate that you wish your name to be withheld.

10. A copy of this letter can be found on our website at: <http://www.rail-reg.gov.uk>

Yours sincerely

Tracy Phillips



Consultation list for Mark 1 rolling stock

ATOC

Riviera Trains Ltd

DB Schenker Rail (UK) Ltd

RSSB

Heritage Railway Association

**Scottish Highland Railway Company
Ltd**

Mid-Hants Railway

**Scottish Railway Preservation Society
Railtours**

Network Rail Infrastructure Ltd

Stagecoach South Western Trains Ltd

North Yorkshire Moors Railway

**Venice Simplon-Orient-Express Ltd
(VSOE), Northern Belle Fleet**

**Princess Royal Class Locomotive
Trust Ltd**

Wessex Trains Ltd

Railfilms Ltd

West Coast Railway Co Ltd