

Andrew Eyles
RAIB Relationship and Recommendation Handling
Manager

Telephone 020 7282 2026

E-mail andrew.eyles@orr.gsi.gov.uk

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

Dear Andrew,

RAIB Report: Collision of a road-rail vehicle with a buffer stop at Bradford Interchange station

I write to provide an update¹ on the action taken in respect of recommendation 5 addressed to ORR in the above report, published on 24 July 2013.

Annex A to this letter provides details of the action taken. The status of recommendation 5 is '**Implemented**'. We do not propose to take any further action in respect of this recommendation unless we become aware that any of the information provided becomes inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 27 April 2016.

Yours sincerely,

Andrew Eyles

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

Recommendation 5

The intention of this recommendation is that the vehicle acceptance process applicable to modifications to RRVs should be more widely understood.

Network Rail should:

- a. brief all suppliers of RRVs on the scope of the engineering acceptance process, and the importance of submitting accurate, vehicle-specific information to VABs when seeking acceptance of modifications to RRVs; and
- b. clarify with all suppliers of RRVs, and vehicle acceptance bodies, the extent to which reliance on 'first-of-class' approval is appropriate when modifications are made to a number of different vehicles that fulfil the same functional requirement but are significantly different in their design.

ORR Decision

1. ORR considers that recommendation 5 has been addressed through the publication of new Railway Industry Standard 1710 (Rail industry Standard for Engineering Certification of Railborne Plant).
2. After reviewing information received from Network Rail, 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

3. On 29 January 2014 ORR reported to RAIB that Network Rail was working in partnership with RSSB to review:
 - RIS 1530PLT;
 - Review of VAB [Vehicle Acceptance Body] requirements; and
 - Assist in cascading the appropriate briefing information.
4. On 25 November 2014 ORR reported that RSSB and Network Rail had identified that the Network Rail rail-borne plant product acceptance and VAB scrutiny processes needed to be aligned with existing statutory legislation and that, as a consequence the timescale to address this recommendation had been extended from 31 October 2014 until 1 September 2015.

Update

5. On 25 September 2015 Network Rail notified ORR that the timescale for completing the implementation of this recommendation had been extended to 29 February 2016 for the following reason:

This recommendation cannot be closed out until the latest update to Railway Industry Standard (RIS) 1530 and new RIS1710 have been published. Both publications are now not due until January 2016.

6. On 23 February 2016 Network Rail provided the following closure statement to ORR:

In collaboration with the RSSB, Network Rail has reviewed the intent of this recommendation and other on-track plant related incidences. The outcome identified a need to update both the Network Rail railborne plant product acceptance and vehicle acceptance body (VAB) scrutiny processes to align them with existing statutory legislation, principally the European Machinery Directive (as enacted in this country by the Supply of Machinery (Safety) Regulations 2008).

In August 2014 a project was commissioned by the RSSB Plant standards Committee to develop and implement a new product acceptance process.

The proposed changes will see Railway Industry Standard (RIS1530_Plant) be updated by the removal of the reference to existing product acceptance process / requirements. The proposed 3 tier process will form a new Railway Industry Standard.

The latest versions of applicable standards (RIS-1530-PLT issue 6 (Rail industry Standard for Technical Requirements for On-Track Plant and their Associated Equipment and Trolleys) & RIS-1710-PLT Issue 1 (Rail industry Standard for Engineering Certification of Railborne Plant)) both came into force upon publication on the 5th December 2015.

See section 3.8 of RIS-1710-PLT for additional information [Annex B].



RIS 1530PLT Iss 6.pdf



Briefing Note
RIS1530PLT Issue 6.pdf



Impact Assessment
RIS1530PLT Issue 6.pdf



RIS 1710PLT Iss 1.pdf



Briefing Note
RIS1710PLT Issue 1.pdf



Impact Assessment
RIS1710PLT Issue 1.pdf

7. RIS-1530-PLT and RIS-1710-PLT have been published in the RSSB website at <http://www.rssb.co.uk/rgs/standards/RIS-1530-PLT%20Iss%206.pdf> and <http://www.rssb.co.uk/rgs/standards/RIS-1710-PLT%20Iss%201.pdf> respectively.

Section 3.8 of new RIS-1710-PLT (Rail industry Standard for Engineering Certification of Railborne Plant)

3.8 Modifications

3.8.1 Modifications to all railborne plant

3.8.1.1 Except as set out in 3.8.2, modifications to previously accepted railborne plant shall be re-certificated by a PAB or assessed by a competent engineer that re-certification is not necessary. A competent engineer is one of:

- a) An accredited signatory of a PAB.
- b) A professional head of rail vehicle engineering of a railway undertaking operating on-track machines.
- c) Network Rail, Professional Head of Plant Engineering.
- d) London Underground, Relevant Head of Technical Discipline.

G 3.8.1.1.1 A modification is anything affecting compliance with the relevant technical standard set out in 3.1.4, including the maintenance requirements. Normally a modification will require skilled intervention and is not already described in the instruction handbook.

G 3.8.1.1.2 For OTP, in the majority of cases the Asset Manager of the railborne plant is not the holder of a safety management system, therefore it is recommended that advice be sought from the PAB or the relevant professional head as shown in 3.8.1.1.

G 3.8.1.1.3 The decision whether a modification requires re-certification is based on whether the change is significant.

3.8.1.2 The decision that formal re-certification is not required shall be documented and signed by the competent engineer who made the decision. The railborne plant Asset Manager shall keep a copy of this written confirmation on file and retain an auditable record of all work undertaken and approved.

3.8.1.3 The PAB shall assess any modification and consider whether any limitations need to be added to, amended or removed from the Engineering Conformance Certificate to achieve compliance with the relevant technical standard set out in 3.1.4.

G 3.8.1.3.1 This clause is applicable when any Engineering Conformance Certificate is re-issued, for example for a change of Asset Manager or change of identification number.

3.8.1.4 For OTP, the Asset Manager shall provide to all Infrastructure Managers who are known to have granted Product Acceptance the item of OTP, details of all modifications undertaken to a railborne plant, including details of work undertaken, and a copy of either, the competent engineer's assessment, or a new Engineering Conformance Certificate that has been issued.

3.8.2 Modifications to mobile elevating work platforms

3.8.2.1 The railborne plant Asset Manager shall have any modification to a mobile elevating work platform (MEWP) assessed by a PAB, manufacturer or a Notified Body (NoBo), for the potential to affect the compliance with BS EN 280:2001 or later.

3.8.2.2 Where the modification will affect the compliance with BS EN 280:2001 or later, an assessment shall be made and where compliant, a certificate of conformance to BS EN 280:2001 or later, shall be issued covering the modification.

G 3.8.2.2.1 The requirements of 3.8.2.1 and 3.8.2.2 are that all modifications to railborne plant that include MEWP functionality are assessed by a PAB, manufacturer or NoBo. The professional head of rail vehicle engineering of a railway undertaking does not have the discretion as to whether or not a modification requires re-assessment for compliance to BS EN 280:2001.

G 3.8.2.2.2 Following the decision about compliance with BS EN 280:2001 the next decision is about compliance to the relevant technical standard set out in 3.1.4, as set out in 3.8.1.1.

G 3.8.2.2.3 The assessment of compliance to BS EN 280 is carried out by a NoBo (as stated in Machinery Directive).
