

**Oliver Stewart**  
**Senior Executive, RAIB Relationship and**  
**Recommendation Handling**

Telephone 020 7282 3864

E-mail [oliver.stewart@orr.gsi.gov.uk](mailto:oliver.stewart@orr.gsi.gov.uk)

14 February 2017



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

Dear Andrew,

**RAIB Report: Near-miss at Butterswood level crossing, North  
Lincolnshire, 25 June 2013**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 16 June 2014.

The annex to this letter provides details of the action taken regarding this recommendation, the status of which is now '**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 15 February 2017.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

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

## Recommendation 1

*The intent of this recommendation is to provide a positive indication to train drivers when automatic locally monitored level crossings have failed to operate for the approaching train.*

Network Rail, in consultation with RSSB, should conduct a human factors and technical review of the indications displayed at driver's crossing indicators provided on the approach to automatic locally monitored level crossings, and evaluate alternative means (e.g. audible and visual) of indicating to train drivers that the level crossing has not operated as intended. A time-bound plan for improvements arising from the review should be developed using a risk-based approach.

### ORR decision

1. Network Rail have carried out a review of the indicators provided to train drivers on the approach to AOCL level crossings and concluded that existing arrangements control the risk so far as is reasonably practicable.
2. After reviewing the information provided 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. Network Rail and ORR met on 16 October to clarify the understanding of the recommendation and agree the actions required to address it. This was confirmed in an email from Network Rail on 24 October 2014 which set out the following agreed plan:

*Network Rail's commitment is to undertake a review of the methods of attracting the attention of a train driver on the approach to an Automatic Barrier Crossing Locally monitored (ABCL). This will include the consideration of the provision of TPWS or AWS along with any other reasonable options that may arise from a Workshop session for the purpose of identifying options.*

*Network Rail will then consider the ergonomic value of each reasonable option and what contribution to the safe operation of the crossing that may accrue. Options which are reasonably practical with regard to cost and benefits will be considered for development to implementation.*

4. On 17 February 2015 Network Rail advised that the deadline for completion had been extended from 31 January 2015 until 11 July 2016. The action plan summary which accompanied this extension notification stated that 'Network Rail will undertake an initial assessment of the risk of drivers failing to react...' - Network Rail's original interpretation of the recommendation- rather than the agreed review of the 'methods of attracting the attention of a train driver on the approach to an Automatic Barrier Crossing Locally monitored (ABCL)'.

## Update

5. Following a timescale extension, Network Rail provided the following closure statement and supporting evidence on 20 January 2017:



RAIB Butterswood  
Rec 1 signed closure.



R664 IDM Minutes  
Final Draft.pptx

6. Network Rail state in summary the following:

*Network Rail has considered Recommendation number 1 from the RAIB Report and concluded that it is not appropriate to change the arrangements of indications provided at automatic locally monitored level crossings (AOCL/ABCL types).*

*The reasons for this conclusion are:*

1. *Network Rail has collaborated with RSSB to examine the risk associated with these indications and confirmed that there the risk is controlled so far as is reasonably practical, see RSSB presentation dated 14 Aug 2015.*
2. *Network Rail has reviewed the requirements and arrangements for, meaning and presentation of the indications to drivers at these types of crossings. After careful consideration of these and alternatives confirm that there is no benefit likely to be derived from altering the present arrangements.*