

Chris O'Doherty
RAIB Relationship and Recommendation Handling
Manager

Telephone: 020 7282 3752

e-mail: chris.o'doherty@orr.gsi.gov.uk

2 April 2013

Ms Carolyn Griffiths
Chief Inspector of Rail Accidents
Rail Accident Investigation Branch
Block A, 2nd Floor
Dukes Court
Dukes Street
Woking GU21 5BH

Dear Carolyn

**Fatality at Johnson's footpath crossing near Bishop's Stortford, Hertfordshire,
on 28 January 2012**

I write to report¹ on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 13 December 2012.

The annex to this letter provides details of the consideration given/action taken in respect of each recommendation where recommendation 1 is in progress and recommendations 2 and 3 are being implemented.

In respect of these recommendations ORR is satisfied that Network Rail is taking appropriate action to address the recommendations and will monitor Network Rail's progress. If we become aware that any of the information provided becomes inaccurate I will write to you again².

We expect to update you on progress with recommendation 1 by 31 October 2013.

We expect to publish this response on the ORR website on 12 April 2013.

Yours Sincerely

Chris O'Doherty



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

² In accordance with Regulation 12(2)(c)

Initial Consideration by ORR

All 3 recommendations contained in the report were addressed to ORR when RAIB published its report on 13 December 2012.

After considering the report / recommendations, on 4 February 2013, ORR passed all 3 Recommendations to Network Rail asking it to consider and where appropriate act upon them.

Details of consideration given and any action taken, in respect of these recommendations are provided below.

ORR also brought this report to the attention of RSSB as recommendations 1 and 3 make reference to RSSB.

Recommendation 1

The intent of this recommendation is to identify reasonably practicable ways of improving the conspicuity of miniature stop light indications at pedestrian crossings, in order to reduce the potential for a level crossing user to be unaware of a red light.

This is increasingly important where pedestrians may be distracted by personal music devices and smartphones.

Network Rail should investigate ways to make cost-effective improvements to the conspicuity of visual warnings of approaching trains, taking account of the findings of relevant RSSB research projects.

Such improvements might include moving existing miniature stop light indications to the near side of the railway, or the provision of 'back-to-back' or 'side-to-back' indications.

The results of this investigation should be used to determine the optimum configurations for new installations, as well as the situations in which it would be reasonably practicable to enhance existing installations.

If appropriate, Network Rail should then arrange for the Level Crossing Risk Management Toolkit to be updated accordingly.

Details of steps taken or being taken to implement the recommendation

1. Network Rail in its response on 20 February 2013 advised that:

The National Level Crossing Team is currently in the preparatory phase of trialling a back-to-back Miniature Stop Light (MSL) system at Farnborough.

Civil work will be completed by the end of February 2013 followed by installation of the new back-to-back MSLs. The output of the trial will be analysed and the benefits will be considered.

The results of the trials will be considered in conjunction with on-going human factors research. The results will inform guidance on future installations, specifically optimum configuration.

Depending on the conclusions of the trial, suitable sites will be identified and considered for implementation. The investigation results will be incorporated into an update to the Level Crossing Toolkit in 2014.

Supplementary document – 'Suggested works at Farnborough North'.

Timescale: 31 March 2014

ORR Decision

2. ORR is satisfied that Network Rail is taking appropriate action to address the recommendation and will monitor Network Rail's progress to address the recommendations made at ORR / Network Rail national bi-monthly liaison meetings.

3. 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
- is taking action to implement it.

Status: *In-progress*

ORR will update RAIB by the end of October 2013 on action being taken to address this recommendation.

Recommendation 2

The intent of this recommendation is to prevent signage from obscuring approaching trains at crossings which are equipped with miniature stop lights, thus providing users with an additional warning of an approaching train.

Network Rail should amend its guidance on risk mitigations to take account of possible improvements in the visibility of approaching trains at level crossings equipped with miniature stop lights, particularly where signage or other level crossing equipment may obscure the view of the line.

Details of steps taken or being taken to implement the recommendation

4. Network Rail in its response on 20 February 2013 advised that:

The National Level Crossing Team will review and amend as necessary the guidance on risk mitigations to take account of possible improvements in the visibility of approaching trains at level crossings equipped with MSLs, particularly where signage or other level crossing equipment may obscure the view of the line.

The circumstances surrounding the incident at Johnson's Crossing and the lessons learnt will be used to develop a case study briefing. This briefing will be delivered to the level crossing community.

Timescale: 31 July 2013

ORR Decision

5. ORR is satisfied that Network Rail is taking appropriate action to address the recommendation and will monitor Network Rail's progress to address the recommendations made at ORR / Network Rail national bi-monthly liaison meetings.

6. 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
- is taking action to implement it.

Network Rail has advised ORR that it is taking action to address the recommendation

ORR will write to RAIB if it becomes aware that the information below is inaccurate.

Recommendation 3

The intent of this recommendation is to make a comprehensive set of risk reduction measures available to level crossing managers.

Network Rail, in consultation with RSSB, should review the thirteen level crossing risk reduction options identified in RSSB research report T730 [Understanding human factors and developing risk reduction solutions for pedestrian crossings at railway stations – June 2009], to determine whether or not each option should be included as a mitigation available to those responsible for managing the risk at level crossings (paragraph 75b). Network Rail should embed the findings of this review in its management of level crossing risks, and communicate these changes to all relevant staff. Guidance should be provided to the relevant staff on potential costs and benefits, as well as the specific circumstances in which each measure might be effective.

Details of steps taken or being taken to implement the recommendation

7. Network Rail in its response on 20 February 2013 advised that:

The National Level Crossing Team, in conjunction with RSSB, will review the thirteen level crossing risk reduction options identified in the RSSB report T730 and determine whether or not each option should be included as a mitigation available to Level Crossing Managers (LCMs).

The findings of the review will be communicated and embedded into the management of level crossing risks.

Guidance will also be reviewed to ensure that LCMs are provided with guidance on potential costs and benefits, as well as the specific circumstances in which each measure might be effective.

Timescale: 31 June 2013

ORR Decision

8. ORR is satisfied that Network Rail is taking appropriate action to address the recommendation and will monitor Network Rail's progress to address the recommendations made at ORR / Network Rail national bi-monthly liaison meetings.

9. 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
- is taking action to implement it.

Network Rail has advised ORR that it is taking action to address the recommendation

ORR will write to RAIB if it becomes aware that the information below is inaccurate.