

EAST LANCASHIRE RAILWAY

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Mr. Stefano Valentino,
Senior Executive,
Legislative Development Team,
Railway Safety Directive,
Office of Rail Regulation,
One Kemble Street,
LONDON, WC2A 4AN

19th. April, 2010

Dear Sir,

The Railways & Guided Transport (Miscellaneous Amendments)
Consultative Document

We refer to the above document and appreciate the opportunity afforded to the Company to comment thereon. Our comments are submitted in the same tabulated format as that in the document on Page 21:

Question 1: We agree that the current position re. exclusions from ROGS should remain unchanged.

Question 2: We know of no such circumstances.

Question 3: We know of no such circumstances apart perhaps from narrow gauge railway rolling stock.

Question 4: We have no knowledge or experience in this area.

Question 5: It is by no means unusual for vehicles, not normally used on the mainline to require temporary approval certification covering a delivery by rail to another location. We would therefore strongly support a retention of this system.

Question 6: We see no reason why tramways in Scotland should be treated in any different manner to those in England & Wales regarding RAIB powers.

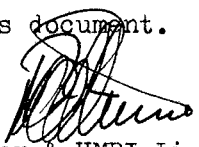
Question 7: We have no comments to offer on the proposed new definitions.

Question 8: We have no comment to offer on this proposal.

Question 9: Whilst we strongly support the inclusion of volunteers in the safety critical work definition for the cogent reasons you cite, we cannot understand the need to change the present definition in Reg. 23(1) of ROGS. We have never been under any misapprehension as to the intention of this wording and regard all our volunteers involved in safety critical work as 'staff' without distinction from who are paid. We are assuming that the revised Regulation is intended to be a separate definition so that there will be no possibility of confusion in user's minds with the preceding paragraph - the definition of 'telecommunications...'

Question 10: We have no further comments on the proposals in this document.

Yours faithfully,


R. Johnstone, ELR Safety Manager & HMRI Liaison.
(For & on behalf of the ELLR Co. Ltd.)

cc Mr. W. E. Hillier, HRA
Mr. R. Law, ELR Operations & Safety Director.
Mr. D. C. Smith, ELR Deputy Safety Manager.

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