

From: Evans, Andrew W, Imperial College
Sent: 24 August 2012 11:43 AM
To: Valentino, Stefano
Subject: Consultation on ROGS regulations

Dear Stefano

I am not on the consultation list for the amendments to the ROGS regulations, but I have been discussing them with John Cartledge of Passenger Focus/ London Travelwatch. I have a concern about the proposals, and John suggested that I write to you.

My concern is with the proposal to exclude certain Network Rail lines listed in Annex E from the scope of the Railway Safety Directive (RSD), under Article 2(2)(b) of the RSD. I understand that the aim is to exclude these lines from certain safety requirements that apply to the more main parts of the national system, on the grounds that they are not necessary on such lines and would be unduly costly. I do not object to that.

My concern is that excluding the lines from the scope of the RSD would not only exclude them from the safety requirements above, but also from all other parts of the RSD. In particular, it appears to me that they would be excluded from the Common Safety Indicators (CSIs) and Common Safety Targets (CSTs). I am particularly concerned about their exclusion from the CSIs, because the CSIs constitute the only official source of data for European rail safety performance trends and comparisons.

For that purpose they need coverage that is as complete as possible. If individual countries exclude certain lines, such comparisons are of much less value. Therefore while I am happy that metros, tramways, heritage, and industrial railways should be excluded from the RSD, I would resist excluding any "heavy rail" lines from the CSIs, even branch lines, and even narrow gauge lines. It is made worse if different countries exclude lines on different criteria, or if they change their criteria over time. The ERA have been working hard to improve the quality, coverage, and consistency of their data, and it would be serious if that effort suffered a setback.

By way of illustration, in some countries certain serious accidents have already been excluded from the ERA's accident database and from the CSIs, because they were deemed to fall outside the scope of the RSD under article 2(2)(b). The most serious such accident so far that I am aware of is the accident near Merano in Italy on 12 April 2010. A local passenger train was swept away by a landslide, with 1 staff and 8 passenger fatalities. There is no record of that accident in ERA's accident database, and Italy's CSIs for 2010 show no fatalities in train collisions or derailments. The reason is that the line was owned by the local authority, who had taken it over from FS, and operated by a local operator; it was thus not regarded as part of the national system. To add to that, there was a further fatal derailment at Naples later in the same year, also excluded. To my mind, the omission of such accidents and casualties undermines the CSIs, which may therefore give an inaccurate record of a country's railway safety performance. In my own analyses I include both accidents.

Therefore my comment is that, although I do not object to the exclusion of the lines named in Annex E from main-line-type safety requirements, please implement that in a way that does not exclude these lines from the CSIs and CSTs.

With kind regards

Andrew Evans
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