

Your ref:  
Our ref: pgh-ukt-100204ms

The Manager  
Domestic Legislation  
Office of Rail Regulation  
3rd Floor  
One Kemble Street  
London  
WC2B 4AN

4th February 2010

Dear Steve Lee

**Re: Consultation on Managing Level Crossings: A Guide for Users, and Operators**

UKTram Ltd comprises the Confederation of Passenger Transport (CPT), pteg (the PTE group), LRTF (the Light Rapid Transit Forum) and London Trams (part of TfL). We were formed in 2005 specifically to represent the UK tramway industry in its dealings with Government and other agencies, and to carry out research primarily into costing issues in the design, procurement and construction of tramway systems in the UK.

Thank you for inviting UKTram to comment on the draft document "Railway Safety Publication 7"

Whilst we note that tramways are excluded from the scope of this document we are concerned that a negative position will continue to lead the tramway sector exposed to scope creep and the inappropriate application of the policies and principles enshrined in this document.

You should be aware that in its investigations, RAIB insists on defining tramway "at grade" crossings as level crossings and that this inevitably leads investigators, and potentially coroners and the courts to look at level crossing guidance when considering the characteristics of tramway at grade crossings.

As an industry we believe that rather than the current negative position regarding tramway crossing policy and guidance it would be appropriate for ORR to publish positive policy statements and guidance on the way in which it expects tramway crossings to be evaluated, designed and managed.

UKTram Activity group 3A is currently working on the production of positive design and assessment guidance for at grade crossings as well as the benchmarking of crossing incident data across the sector.

We would welcome the support of ORR in taking this work forward and in placing the guidance on a similar footing to that for the heavy rail sector.

We would also welcome the opportunity to work with ORR to develop a policy position on the creation of new tramway at grade crossings in order to counter the policy statement in RSP7 that “Our view is that, other than in exceptional circumstances, no new level crossings should be created”.

We would welcome the opportunity to continue to be consulted on the development of RSP7 as we feel the tramway sector may be able to provide useful input to the development of guidance for our heavy rail colleagues as well as to extract those sections that are relevant for inclusion into the proposed tramway guidance.

Yours sincerely

Phil Hewitt  
**Chairman - UKTram**  
Email: philiphewitt@tfl.gov.uk  
Direct line: 020 8689 3788

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