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

Dear Andrew,

**RAIB Report: Fatal accident at Bayles and Wylies footpath crossing,
Bestwood, Nottingham**

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 26 September 2013.

The annex to this letter provides details of the action taken. The overall status of recommendation 2 is '**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 we will write to you again.

We will publish this response on the ORR website on 24 June 2016.

Yours sincerely,

Andrew Eyles

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

Recommendation 2

The intent of this recommendation is to improve the safety of pedestrian crossings crossed by tramways on segregated lines and where trams run at relatively high speed.

Tram operators should review the marking of the boundary of pedestrian crossings crossed by segregated tramways where trams run at relatively high speeds. The review should assess the effectiveness of the means of demarcation in the following respects:

- indicating that a pedestrian is entering into a higher risk area; and
- prompting pedestrians to look for approaching trams.

Where appropriate, the review, which should also take account of the emerging findings of RSSB's research project T984, should include identification of proposals to improve the effectiveness of the means of demarcation. Improvements that are appropriate and practicable should be implemented.

ORR decision

1. ORR is content that Metrolink has carried out a suitable review of pedestrian crossings, taking into account the findings of T984, which satisfies the intent of this recommendation.
2. ORR, in reviewing the information received from Metrolink, has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, it has:
 - taken the recommendation into consideration; and
 - taken action to implement it.

Overall Status: Implemented. This concludes the full implementation of this recommendation.

Previously reported to RAIB

3. On 21 April 2016 ORR reported to RAIB that recommendation 2 had been implemented by all tram operators with the exception of Metrolink. ORR was awaiting confirmation from Metrolink that it had completed its planned review of each of its crossings to ensure consistency of each demarcation and danger zone. This review planned to take into consideration the four conclusions in the RSSB research project.

Update

4. On 22 April 2016 Metrolink provided the following update:

In light of the RSSB research report (T984) into the causes of pedestrian accidents at level crossings and potential solutions, Metrolink RATP Dev UK has reviewed the current risk assessments for the tramway pedestrian crossings and found that there are no extra measures to be implemented at present.

Each tramway crossing has been assessed and is clearly and distinctively marked as a crossing and is compliant with ORR guidance in Rail Safety Publication 2 (RSP2). The crossings are demarcated and properly signed with speed limits set according to walking and sighting distances and have non-slip, level surfaces.

Metrolink RATP Dev UK will continue to work with other tramway operators and UK Tram with their Working Group 3A - Crossings and consider any changes that may be suggested for the demarcation of pedestrian crossings in order to be consistent with the tramway industry.

In the meantime, any further risk control measures identified in its operational risk assessments will be implemented.