



Pat Marshall
Managing Director
West Coast Railway Company Limited
Jesson Way, Crag Bank
Carnforth
Lancashire
LA5 9UR

Our Ref:

Case Ref: PRM-SCA-45

Date: 19 May 2015

**Contact: Ian Bertram
HM Principal Inspector of Railways**

2A, Foss House
Kings Pool
1-2Peasholme Green
York
YO1 7PX

Dear Ms Marshall,

**THE RAILWAYS AND OTHER GUIDED TRANSPORT SYSTEMS (SAFETY)
REGULATIONS 2006 (ROGS)**

REVOCATION OF SAFETY CERTIFICATE – PARTS A & B

We would like to confirm ORR's current position following the close of the notice period relating to our consideration of the revocation of West Coast Railway Company's (WCRC) Safety Certificate, which followed our initial investigation into the recent SPAD at Wootton Bassett Junction.

In accordance with regulation 15(3) of ROGS, our letter of 17 April 2015 put you on formal notice that we were considering revoking WCRC safety certificate. The notice specified a period of 28 days for you to make any representations in writing or orally

to ORR. A copy of the notice was sent to affected parties to give them the opportunity to make any representations during the notice period.

During the notice period, WCRC attended meetings on 22 April and 15 May at our offices, during which oral representations were made. At the latter meeting we reiterated to you the seriousness of the incident at Wootton Bassett and our concerns which have led us to consider revoking WCRC's safety certificate. We provided you with an opportunity to explain what steps you had already taken during the 28 day notice period. You informed us that you have recruited a Non-Executive Director, General Manager and additional staff to supplement your safety management team. We concluded the meeting by stating that we require you to demonstrate that WCRC is committed to making the necessary changes from Board level down to secure a Safety Management System which is fit for the scale of your operations.

During the notice period we have also inspected driver management systems, train movements and maintenance facilities in England and Scotland.

As part of our consideration whether or not to revoke WCRC's safety certificate, we have fully considered the representations made by you during the two meetings and during our visits to your premises. We have also fully taken into consideration the representations received, and not withdrawn, from affected parties.

Owing to the steps you have already taken to improve your Safety Management System and our satisfactory site visits, we are satisfied that there is no significant risk requiring the revocation of WCRC's safety certificate.

However, we still have concerns that the proposed changes to WCRC's Safety Management System have not been fully embedded and that there are still some outstanding matters requiring attention. We therefore consider it necessary to serve an Improvement Notice, setting out:

- (a) the changes we believe are necessary to ensure there is no repeat occurrence of the incident in question,
- (b) the way in which you should evidence that these changes are being made or have been made and
- (c) the timescales for compliance.

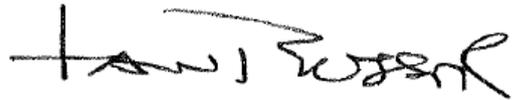
ORR will also require WCRC to demonstrate periodically that it is meeting all of the conditions of the revised Safety Management System and Improvement Notice. If we find any non-compliance, then we could consider you to be in breach of the Improvement Notice and could also look again to the revocation of your Safety Certificate.

Your continued full compliance with the Safety Management System and Improvement Notice will also be considered when WCRC is required to renew its Safety Certificate.

We will now need to agree with you the scope of your proposed future operations and a plan for ORR's supervision of your management systems over the next few months.

Yours Sincerely

Ian Prosser

A handwritten signature in black ink, appearing to read 'Ian Prosser', written in a cursive style.

HM Chief Inspector of Railways