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Ms Carolyn Griffiths
Chief Inspector of Rail Accidents
Cullen House
Berkshire Copse Rd
Aldershot
Hampshire GU11 2HP

Dear Carolyn,

RAIB Report: Fatal accident at Gipsy Lane footpath crossing, Needham Market, Suffolk, 24 August 2011

I write to provide an update¹ on the action being taken in respect of recommendation 1 of above report, published on 18 July 2012.

On 9 June 2014, we reported that Network Rail anticipated that a bridge would be in place by 30 November 2014. (The annex to this letter provides details of what was previously reported.)

Update:

On 12 December 2014 Network Rail reported to ORR that:

Gipsy Lane has stalled at GRIP 4 [Guide to Rail Investment Process - Single Option Development]. Suffolk County Council (SCC) will only support an underpass and object to a ramped footbridge on the grounds of visual intrusion.

For the ramped footbridge Network Rail faces opposition from almost every stakeholder.

The underpass option is favoured by all stakeholders. It was initially considered prohibitively expensive. However, Network Rail is re-costing the scheme, and SCC may offer a financial contribution.

Network Rail Anglia Route needs to make a decision as to which option it wishes to pursue.

The stepped footbridge with passive provision for ramps is not supported by Network Rail's Access and Inclusion team.

The programmes for the implementation for the underpass option and the footbridge option due to land availability and consents are likely to be between 52 -76 weeks

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

from when a decision is made. This is subject to consents being granted, available funding and possession availability.

6 months has been allocated to allow for financial review by the Council and Network Rail.

A Temporary Speed Restriction (TSR) will remain in place until the situation is resolved.

The status of this recommendation is now 'In-Progress', as it is not clear what is to be installed or the timescale it is to be installed by. (This was previously reported as 'Implementation On-going').

ORR will continue to monitor the situation and will update RAIB by 28 August 2015

We will publish this response on the ORR website on 16 January 2015.

Yours sincerely,

Chris O'Doherty

Previously reported to RAIB

Recommendation 1

The intent of this recommendation is for Network Rail to improve the safety of pedestrians at Gipsy Lane crossing.

Network Rail should arrange for the closure of Gipsy Lane footpath crossing.

If Network Rail is not granted permission by the local council to close Gipsy Lane footpath crossing, it should take appropriate risk-reduction measures so that pedestrians have sufficient time to cross safely, and are adequately warned of approaching trains.

Brief Summary on what was previously reported to RAIB on 17 July 2013

Network Rail stated that a firm decision has been made and agreed to by the Council, that an underpass will be installed at Willow Walk to support the permanent closure of Gipsy Lane and Willow Walk level crossings. The scheme has now been fully specified, is with the procurement team and has been put out to tender.

The scheme is due to be implemented by the end of March 2014. However, until the contractors have returned their tenders (including details of construction methodology) Network Rail is not able to commit to any more detailed timescales.

Update

1. Network Rail has been in discussion with Suffolk County Council. The Council asserting that that a ramped footbridge or underpass should be installed to meet requirements in the Equality Act 2010. However, houses would need to be demolished to accommodate either of these solutions.
2. On 3 April 2014 Network Rail stated that: *Option selection did not identify any steps-free solutions for closure of the crossing, which was a requirement stipulated by the County Council. It has been decided to progress with a stepped footbridge. Reaching this outcome has delayed the scheme by approximately 6 months. The contract has now been let for the bridge's construction. (Completion date: 30 November 2014)*
3. *The 50mph Temporary Speed Restriction (TSR) continues to provide the required sighting for level crossing users.*

ORR Decision

4. After reviewing all the information received ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:

- taken the recommendation into consideration and
- is taking action to implement it.

Status: *Implementation on-going.*