

**Oliver Stewart**  
**RAIB Recommendation Handling Manager**



11 October 2022

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

Dear Andy,

**RAIB Report: Fatal accident at Athelney level crossing, near Taunton, Somerset on 21 March 2013**

I write to provide an update<sup>1</sup> on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 24 February 2014.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 1 is **'Implemented'**.

We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 12 October 2022.

Yours sincerely,

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

Oliver Stewart

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

## Recommendation 1

*The intent of this recommendation is to reduce the risk resulting from extended waiting times at automatic level crossings, due to delays caused by the controls being 'out of synchronisation', which may encourage motorists to violate warnings.*

Network Rail should introduce measures to reduce the risk from extended operating times of automatic crossings caused by operation of a strike-in treadle by a train travelling away from the level crossing. This might include issuing suitable operating instructions to signallers for those crossings that might be affected or the installation of directional treadles. An engineered solution should be installed where reasonably practicable.

### ORR decision

1. Having reviewed the closure statement provided by Network Rail, we requested evidence that work on Eastern Region had started before the recommendation could be considered to be implemented.
2. The evidence provided by Network Rail in response showed that the majority of the work to install engineering controls where they are reasonably practicable in Eastern has been completed, from what Network Rail provided, with treadle controls provided at level crossings that are planned to be upgraded to MCB-OD. The box instructions have also been provided, as asked for in the recommendation.
3. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
  - taken the recommendation into consideration; and
  - has taken action to implement it

**Status: Implemented.**

### Previously reported to RAIB

4. On 24 February 2015 ORR reported the following:

ORR will advise RAIB when all actions being taken to address this recommendation have been completed. ORR will seek the outcome of Network Rail's assessment of any practicable risk control measures that can be applied to locally monitored automatic crossings that better control collision risk than the Driver's Crossing Indicator and Rule Book instructions.

### Update

5. On 11 July 2022 Network Rail provided the following closure statement:



Athelney Rec 1  
TA.doc

6. On 21 July 2022 ORR asked Network Rail the following:

We have reviewed the closure statement but need a bit more information before we can decide if it has been implemented or not. For Eastern region, the closure statement says Evidence that some work has begun however an action plan is outstanding. Could you share the evidence you have for Eastern Region starting work, as if we consider sufficient work has been done/is planned, we might be able to close the recommendation.

7. On 22 July 2022 Network Rail provided the following current evidence from Eastern region:



RE Athelney Rec 1 -  
Eastern Region Action

## Previously reported to RAIB

### Recommendation 1

*The intent of this recommendation is to reduce the risk resulting from extended waiting times at automatic level crossings, due to delays caused by the controls being 'out of synchronisation', which may encourage motorists to violate warnings.*

Network Rail should introduce measures to reduce the risk from extended operating times of automatic crossings caused by operation of a strike-in treadle by a train travelling away from the level crossing. This might include issuing suitable operating instructions to signallers for those crossings that might be affected or the installation of directional treadles. An engineered solution should be installed where reasonably practicable.

### Steps taken or being taken to address the recommendation

1. In its response of 15 May 2014, Network Rail provided the following information:

#### General summary

*Network Rail will carry out a review of all automatic crossings that have the potential to be affected by extended opening times as the result of the operation of strike in treadles by trains travelling away from the level crossing. Those that are identified will be reviewed to agree and then install an appropriate engineered solution where this is reasonably practicable. The review will include the suitability of operational instructions for Signallers contained in signal box instructions, which will be updated where improvements are identified.*

#### Action plan

*The action plan for Athelney recommendation 1 will be achieved in two phases:*

#### **Phase 1:**

- a) *the issuing of a Special Instruction Notice (SIN) to Route Signalling & Telecoms teams (by 31 May 2014)*
- b) *The SIN will require Route Signalling & Telecoms teams to:*
  - *Identify affected automatic crossings that do not have bi-directional control;*
  - *Work with local operations managers to agree the engineered solution to be implemented where practicable and to identify any changes to be made to signal box instructions*
  - *Respond to HQ providing details of all affected crossings and the agreed action to address the risk. This is to identify which crossings will have an engineered solution*

*To provide directional controls installed and which will have signal box instruction updates made (by 31 July 2014)*

#### **Phase 2:**

*Routes installing the selected solutions identified in their response to the SIN. This will be achieved by:*

- a) *The installation of selected engineering solutions to provide directional control.*
- b) *Updating signal box instructions to implement changes to operational instructions.*
- c) *Implement interim mitigation measures as appropriate.*

*Indicative timescales for part 2 of the action plan will be provided by the end of August 2014. Timescale for completion is 30 September 2015.*

2. On 14 October 2014 Network Rail provided the update below:

- *The issue of a SIN has been delayed; activity has taken place to gather as much information as possible informally. The information gathered is not detailed enough in all cases to replace the need for a SIN.*
- *The responses to the informal request for information indicate that there are 61 crossings that fall into scope, see below. The results have led to an estimate of three months for receipt of returns on a SIN, whose issue will now follow briefing at the SAMG meeting on 21 October 2014. The achievability of the SIN return date will be checked at this meeting.*

*The SIN will mandate identification of the scope, and selection of one of two actions (technical or procedural). To support this the intention is to append a typical Box Instruction detailing the requirement to man the crossing with an attendant whilst wrong direction moves are in place and who will check the crossing returns to fully functioning order after the move has taken place.*

<b>Route</b>	<b>Number of affected AHB Crossings</b>	<b>Notes</b>
<i>Anglia</i>	<i>0</i>	
<i>East Midlands</i>	<i>2</i>	<i>Names, detailed</i>
<i>Kent</i>	<i>3</i>	<i>Names, detailed (one DBS owned)</i>
<i>LNE</i>	<i>8</i>	<i>Names, detailed</i>
<i>LNW (North)</i>	<i>0</i>	<i>Detailed</i>
<i>LNW (South)</i>	<i>0</i>	<i>Names, detailed</i>
<i>Scotland</i>	<i>3</i>	<i>Names, detailed</i>
<i>Sussex</i>	<i>15</i>	<i>Number, Approx.</i>
<i>Wales</i>	<i>4</i>	<i>Names, detailed</i>
<i>Wessex</i>	<i>18</i>	<i>Names, Approx.</i>
<i>Western</i>	<i>8</i>	<i>Names, detailed</i>
<b><i>Final Total</i></b>	<b><i>61</i></b>	

3. On 11 February 2015 Network Rail provided an update stating:

*Network Rail acknowledges that the update given in October 2014 did not demonstrate how other types of automatic crossings in addition to AHBs are being addressed.*

*Since developing the action plan for the recommendation, Network Rail's understanding of the most appropriate means to address the recommendation has evolved. The action plan did not take account of the best means of delivery, including taking account of other existing or new recommendations which might result in similar work for RAM teams. This is further explained below.*

*Recognising the potential for catastrophic risk that exists at AHB crossings due to the high road traffic moment and crossing protection present, SIN 141 (restricted to*

*AHB crossings) was issued to give greater focus and expedite delivery of risk controls for this core type. SIN 141 will identify and result in measures being applied to AHB crossings at which extended operating times can be caused by controls being out of synchronisation.*

*Identification of other automatic crossing types at which this risk exists is being accrued through data being collected as part of other recommendations. Network Rail recognised that the returns from SIN 137 would provide this information and avoid duplication of effort by RAM teams and lead to greater efficiencies.*

*SIN 137 has been issued as part of the action to address Motts Lane Recommendation 1 and 2, and will result in the identification of other automatic crossing types i.e. ABCL, AOCL, AOCL +B, and MSLs that do not have bi-directional controls. This data will be available by May 2015. In the meantime the following activity will take place:*

*An additional SIN will be drafted to mandate changes to the operational instructions for affected MSL crossings (the scope of which will be obtained from SIN 137). The intention to issue this SIN is to be briefed to the Signalling RAMs at the next SAMG meeting scheduled for 10th March 2015. This will be issued once the returns from SIN 137 have been received. Network Rail anticipates the actions resulting from this SIN will be complete by 30th September 2015.*

*Network Rail is currently assessing the merits of any practicable risk control measures that can be applied to locally monitored automatic crossings that better control collision risk than the Driver's Crossing Indicator and Rule Book instructions. This will result in a safety related decision being taken as to whether any practicable risk reduction can be achieved.*

## **ORR decision**

4. ORR in reviewing the responses provided by Network Rail has concluded that in accordance with the Railway (Accident Investigation and Reporting) Regulations 2005, it has:

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

**Status: Implementation On-going:** *ORR will advise RAIB when all actions being taken to address this recommendation have been completed.*

*ORR will seek the outcome of Network Rail's assessment of any practicable risk control measures that can be applied to locally monitored automatic crossings that better control collision risk than the Driver's Crossing Indicator and Rule Book instructions.*