

**Memorandum of Understanding
Revision of RSP5**

1. This Memorandum of Understanding is between the Office of Rail Regulation (ORR) and the Heritage Railway Association (HRA).
2. ORR wishes to ensure that its document "Railway Safety Publication 5: Guidance on Minor Railways (RSP5)" is reviewed and updated to reflect current good practice across the full range of activities undertaken by minor railways, and kept under review with further updates as needed. It considers that this is best achieved by HRA taking the lead responsibility for reviewing the current edition of the guidance document, and drafting and issuing replacement guidance, given that the relevant expertise is to be found in HRA and its members.
3. For its part, the HRA is willing to take this lead responsibility for reviewing the guidance, drafting and issuing replacement guidance, and keeping it under review. However, it wishes to ensure that the published guidance should continue to benefit from the statement in the current edition of RSP5 that "Following the guidance is not compulsory and you are free to take other action. But if you do follow the guidance you will normally be doing enough to comply with the law. Railway inspectors seek to secure compliance with the law and may refer to this guidance as illustrating good practice." In order that it can endorse such a statement, ORR will have the final decision in the event of any disagreement on drafting.
4. ORR requires that any replacement of the existing RSP5 is openly available. It recognises that HRA may wish to make any supplementary guidance available only to its members.
5. To take this work forward, ORR and HRA have established a steering group comprising the following members:
 - HM Assistant Chief Inspector and HM Principal Inspector (ORR); and
 - Chairman, Vice-chairman, Chairman of the Operating and Safety Committee, Chairman of the Legal Services Committee and ORR Safety Liaison Officer (HRA).
6. The role of the Steering Group is:
 - To agree the structure of revised documentation;
 - To agree a project plan for reviewing the guidance, and drafting and issuing replacement guidance, including responsibilities and timescales;
 - To monitor delivery of the plan; and
 - To resolve any issues of content and drafting.
7. The Steering Group will normally meet at least three times a year. Either party may request a meeting of the steering group.
8. ORR and HRA will review the operation of this MoU after one year of operation, and at five yearly intervals thereafter..

Date of understanding

Signed on behalf of ORR



Signed on behalf of HRA



dated this 31st July 2013