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16 June 2020



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

Dear Andrew,

RAIB Report: Collision between two road-rail vehicles at Cholmondeston, Cheshire on 19 September 2018

I write to report¹ on the consideration given and action taken in respect of the recommendations addressed to ORR in the above report, published on 16 July 2019.

The annex to this letter provides details of actions taken in response to the recommendations and the status decided by ORR. The status of recommendations 1 & 2 is '**Implementation on-going**'.

ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website on 17 June 2020.

Yours sincerely,

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

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

Oliver Stewart

Initial consideration by ORR

1. Both recommendations were addressed to ORR when the report was published on 16 July 2019.
2. After considering the recommendations ORR passed recommendation 1 to RSSB and recommendation 2 to Network Rail asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. ORR also brought the report to the attention of the Rail Plant Association as it was concluded that there are equally important lessons for them. ORR did not ask them to provide a reply.
4. This annex identifies the correspondence with end implementers on which ORR's decision has been based.

Recommendation 1

The intent of this recommendation is to prevent those operating and controlling road-rail vehicles from adopting unofficial operating methods during travelling.

RSSB, in consultation with the industry, and involving due industry process, should review the effectiveness and practicality of the engineering and procedural controls permitted by RIS-1530-PLT to manage the travelling of road-rail vehicles safely, taking into account reasonably foreseeable misuse by machine operators and machine controllers, and make changes to the standard, as necessary. This review should include consideration of the following:

- requirements for visibility of the line ahead, taking into account that road-rail vehicles generally spend as much time travelling in reverse as they do forwards (this will be particularly applicable for conversions of unidirectional road vehicles); and
- requirements for managing speed - in particular whether use of a speedometer is an acceptable means of managing speed where the machine's capability is much greater than its permitted maximum.

ORR decision

5. RSSB have accepted the recommendation and have developed a plan for making changes to RIS-1530-PLT (Rail Industry Standard for Technical Requirements for On-Track Plant and their Associated Equipment and Trolleys), principally around permitted options for plant in 'travelling mode'.
6. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, RSSB has:
 - taken the recommendation into consideration; and
 - is taking action to implement it by June 2022

Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed.

Information in support of ORR decision

7. On 12 September 2019 RSSB provided the following initial response:

RSSB accepts the recommendation and consulted with the Plant Standards Committee on 29 August 2019, gaining approval to update RIS-1530-PLT issue 6 (Technical Requirements for On-Track Plant and Their Associated Equipment and Trolleys). Specifically, the guidance associated with clause 5.9.1 ('Travelling mode') will be strengthened to provide more clarification in the guidance on the permitted options. This amendment will be included as part of a full revision of RIS-1530-PLT that will be undertaken as RSSB Standards Project 19-006, which was approved by the Plant Standards Committee on 29 August 2019 and supported by the Energy Standards Committee on 5 September 2019. We will provide updates in due course.

8. On 7 May 2020, RSSB provided the following update as part of the periodic update it provides to ORR on progress with RAIB recommendations assigned to them:

Period 7 update:

The project is running to plan. The PLT SC has approved the proposal for change. The project is currently being defined with a view to taking a project plan to PLT SC in November 2019, which will then inform the request for investment in December 2019.

Period 8 update:

The project plan was approved by Plant Standards Committee on 08/11/2019. The project team are preparing project documentation to inform the request for investment in December 2019.

Period 10 update:

The project team is now drafting and reviewing documents related to RIS-1530-PLT and will be engaging with key industry stakeholders. Publication date is June 2022.

Period 11 update:

This project is running on track. The project team are now drafting and reviewing documents related to RIS-1530-PLT, and will be engaging with key industry stakeholders.

Period 12 update:

04/03/2020 - This project is running on track. The project team are now drafting and reviewing documents related to RIS-1530-PLT and will be engaging with key industry stakeholders.

Period 13 update:

01/04/2020 - The project team is now drafting and reviewing documents related to RIS-1530-PLT will be engaging with key industry stakeholders.

Period 1 update:

29/04/2020 -The project team are now drafting and reviewing documents related to RIS-1530-PLT and will be engaging with key industry stakeholders.

Recommendation 2

The intent of this recommendation is to prevent operational misuse of existing RRVs when travelling.

Ahead of any changes resulting from recommendation 1, Network Rail should review all road-rail vehicles that are based on unidirectional road vehicles that it permits to operate on its infrastructure, to understand the potential for foreseeable operational misuse when travelling in the reverse direction. It should introduce or amend any mitigations that this review identifies as being necessary to manage the risk of operational misuse. The review should include consideration of the following:

- visibility of the line ahead, particularly in the reverse direction; and
- potential for operators to exceed prescribed speed limitations.

ORR decision

9. Network Rail has conducted a review of its On-Track Plant fleet to identify vehicles with a potential for foreseeable operational misuse when travelling in the reverse direction. A feasibility study is being carried out and changes will be made where justified.

10. 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
- is taking action to implement it by November 2020.

Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed.

Information in support of ORR decision

11. On 4 December 2019 Network Rail provided an initial response setting out how they were going to deliver the project by November 2020. On 11 June 2020,

Network Rail provided an updated version of the delivery plan, showing the latest position and that they were still on track to complete the project by November 2020:

Delivery Plan

1. *Publish Safety Communication – **Complete.***
Action completed prior to publication of initial action plan.
2. *Identify affected OTP – **Complete.***
Action completed prior to publication of initial action plan.
3. *Review clarity of existing operational – **Complete.***
Action completed prior to publication of initial action plan.
4. *Commence collection of functional capability information for affected OTP – **Complete.***
5. *Complete collection of functional capability information – **ongoing.***
We have identified 40 vehicles that are not fitted with CCTV and will be subject to final confirmation when COVID restriction permits further inspection of some of these machines
6. *Application for seedcorn funding (Feasibility study into currently allowed assisted engineering operational control (CCTV technology) – **Complete.***
Application made on time, following NR protocol a Managed Services Framework contract was engaged. This required a period of clarification with the supplier which in this case was ALTRAN. Following mutual understanding between ALTRAN and NR a quote was sent to NR. This quote exceeded initial budget. A decision was made to revise initial application, this was approved, and a new application was made. Action delayed by several months because of time taken during clarification and reapplication.
7. *Gain seedcorn funding - **Complete.***
 - *Funding gained (initial application) – January 2020*
 - *Funding gained (re-application) – May 2020*
8. *Commence feasibility study - **Complete***
Kick off meeting held on 5th June 2020. Study expected to take 13 weeks.
9. *Publish recommendation from OTP fleet survey, where appropriate – ~~May 2020.~~ **August 2020.***
10. *Publish outcome of feasibility study, where appropriate – ~~August 2020.~~ **September 2020.***
11. *Implement recommendations and outcome, where applicable – **October 2020.***

*12.4 weeks contingency (Contracts and procurement process, standards change process (if applicable)) – **November 2020.***