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13 April 2017



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

Dear Andrew,

**RAIB Report: Tram collision with pedestrian near Market Street tram stop,
Manchester, 12 May 2015**

I write to report¹ on the consideration given and action taken in respect of the three recommendations addressed to ORR in the above report, published on 12 April 2016.

The annex to this letter provides details in respect of each recommendation.

The status of recommendations 1 is '**implemented**'.

The status of recommendations 2 and 3 is '**progressing**'.

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 18 April 2017.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Oliver Stewart', is written over a horizontal line.

Oliver Stewart

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

Initial consideration by ORR

1. All 3 recommendations were addressed to ORR when the report was published on 12 April 2016.
2. After considering the recommendations ORR passed recommendations 1 & 2 to Metrolink RATP Dev UK and Recommendation 3 to UK Tram 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.

Recommendation 1

The intent of this recommendation is to improve MRDL's care of drivers and other staff involved in an accident.

Metrolink RATP Dev Ltd should improve its process of providing for the welfare of staff who have been involved in potentially traumatic incidents. This should include immediately releasing them from safety critical activities as well as arranging for them to be accompanied to an appropriate location. It should also contain provisions for support and/or counselling, taking account of the possibility that the individual may need to provide evidence to investigating authorities

ORR decision

3. Metrolink RATP Dev UK Ltd have carried out a review of their welfare arrangements for staff. They found the processes to be effective, but have taken steps to re-brief them to staff to help ensure they are properly followed in future. The processes are also routinely reviewed as part of both internal and external audit.
4. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, RATP Dev UK Ltd has:
 - taken the recommendation into consideration; and
 - has taken action to implement it

Status: Implemented.

Information in support of ORR decision

5. On 3 March 2017 Metrolink RATP Dev UK provided the following initial response:

We have reviewed our welfare for staff arrangements and have confirmed that the processes in place are effective but, unfortunately, were not followed in this instance. This was initially undertaken as part of our standard accident and incident reporting and investigation process that is applied as a matter of course following accidents / incidents. We have carried out the following to

remind staff of their responsibilities in respect of procedures PROC 0164- Accident & Incident Investigation and PROC 071 -Incident, Crisis & Risk Management Plan:

- *Briefing of staff- both verbally and in writing*
- *Efficacy of the processes are subject to both in-house and external audits*

Recommendation 2

The intent of this recommendation is to promote a further examination of the need for additional risk control measures in the Piccadilly Gardens area.

Metrolink RATP Dev Ltd in conjunction with Transport for Greater Manchester should review the effectiveness of risk mitigation measures associated with tram operations through the pedestrianised area in the vicinity of Piccadilly Gardens. This review should include:

- reference to previous risk assessments;
- identification of the dominant contributors to the overall level of risk;
- historical experience of accidents and near misses in this area (based on collation of existing data); and
- the experience and knowledge of tramway staff, including drivers.

The findings of this review should be used to identify and evaluate possible additional mitigation measures. Any that are considered to be reasonably practicable should then be programmed for implementation

ORR decision

6. The review, in conjunction with Transport for Greater Manchester (TfGM) by RATP Dev UK Ltd of the effectiveness of risk mitigation measures for tram operations around Piccadilly Gardens has not yet taken place. ORR has asked for confirmation of what arrangements are being made, particularly as RATP Dev UK Ltd will no longer be the tram operator after July 2017.

7. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, RATP Dev UK Ltd has:

- taken the recommendation into consideration; and
- is taking action to implement it, but ORR has yet to be provided with a timebound plan for the review and actions arising from it.

Status: Progressing. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.

Information in support of ORR decision

8. On 3 March 2017 Metrolink RATP Dev UK provided the following initial response:

MRDL has reviewed our Risk Assessments for the effectiveness of the risk mitigation measures put in place in association with tram operations through the pedestrianized areas in and around Market Street. We included (as normal) a review of any previous associated risk assessments and the history of accidents / incidents in these areas. We also reviewed the training and knowledge of tramway staff, including drivers. We found that the measures in place are adequate, are reasonably practicable, have been effectively implemented and are subject to formal review.

On a separate issue, MRDL, in conjunction with TfGM, will undertake a review of the content and efficacy of its risk mitigation measures associated with tram operations through the pedestrianised area in the vicinity of Piccadilly Gardens. This review will also involve all applicable agencies and transport undertakings.

9. ORR wrote to Metrolink RATP Dev Ltd asking for confirmation that the review of risk mitigation measures for tram operations around Piccadilly Gardens, due to be carried out in conjunction with TfGM will take place. This is in the context that that RATP Dev Ltd will no longer be the tram operator for Metrolink after July 2017.

Recommendation 3

The intent of this recommendation is for guidance on tramways explicitly to promote measures to evaluate and manage the risk to pedestrians arising from the operation of trams through pedestrianised areas such as Piccadilly Gardens.

UK Tram should, as part of revising guidance for the design and operation of urban tramways, make explicit provision for the management of risk in areas where trams and pedestrians/cyclists share the same space. This should include:

- guidance on the collection and collation of data on accidents and incidents;
- the types of hazards to be considered;
- methods of risk assessment; and
- examples of design and operational measures for mitigating the risk.

ORR decision

10. UKTram are revising guidance on the design and operation of urban trams as part of the revision of RSP2 and associated guidance documents. UK Tram aim to complete this work by spring 2018, although have not yet provided a detailed time-bound plan. ORR has been invited to attend the UK Tram Guidance, Safety, Standards and Assurance (GSSA) group, which will enable us to monitor progress of the revision of RSP2 and associated guidance.

11. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, UK Tram has:

- taken the recommendation into consideration; and
- is taking action to implement it by Spring 2018.

Status: *Progressing*. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation

Information in support of ORR decision

12. On 27 April 2016 UK Tram provided the following initial response:

UKTram has reviewed recommendation 3 from the RAIB report detailed above and we can confirm that as part of it revision of RSP2 and associated Guidance Documents we will include the revision of guidance on the design and operation of urban tramways. The revision will make explicit provision for the management of risk in areas where trams and pedestrians/cyclists share the same space. This will include:

- *guidance on the collection and collation of data on accidents and incidents via UKTrams TAIR reporting database;*
- *the types of hazards to be considered;*
- *methods of risk assessment; and*
- *examples of design and operational measures for mitigating the risk.*

The proposed timescale of the guidance note revisions detailed above should see these completed by Spring 2018.