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## HEALTH AND SAFETY COMMISSION

### PUBLICATION OF 'MANAGING THE ACCIDENTAL OBSTRUCTION OF THE RAILWAY BY ROAD VEHICLES'

A Paper by Shirley Williams

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#### Issue

1. The publication of the report of the four working groups set up to take forward the recommendations of the Commission and the Highways Agency following the road/rail crash at Great Heck, near Selby on 28 February 2001.

#### Timing

2. Routine. The paper is presented for information.

#### Recommendation

3. The Commission is invited to note the contents of the paper.

#### Background

4. On 28 February 2001 a vehicle left the M62 motorway at Great Heck, near Selby, ran down the railway embankment and onto the East Coast Main Line, where a passenger train struck it. The passenger train was derailed and then struck by a freight train traveling in the opposite direction. Six passengers and four staff on the trains were killed. The driver of the vehicle was found guilty of causing the deaths of 10 people by dangerous driving. The Deputy Prime Minister commissioned early reports about the crash from HSE and TRL Ltd (formerly the Transport Research Laboratory). HSE's report made clear that the accident was considered to have resulted from a highly unlikely and unpredictable chain of events. TRL's report showed that the safety barriers met the requirements of the

national standard. The Deputy Prime Minister was also concerned about the general issues this crash raised about the accidental incursion of road vehicles onto the railway. He asked the Commission to convene a working group to look at the circumstances of incidents where vehicles have blocked rail lines and whether there are features in common that might have been preventable. The HSC report "*Obstruction of the railway by road vehicles*" was published on 25 February 2002. The Deputy Prime Minister asked the Highways Agency to review its standards for nearside safety barriers. Their report "*To review the standards for the provision of nearside safety fences on major roads*" was also published on 25 February 2002. The two reports contained 19 separate recommendations to Government. **Annex 1** lists the recommendations in the two reports.

## **Argument**

5. Given its role in relation to both road and rail travel, the DfT agreed to take forward action on the recommendations in the reports described above. As a result, DfT published a report 'Managing the accidental obstruction of the railway by road vehicles' on 25 February 2003. It sets out the work of four working groups constituted to identify the necessary steps to manage the accidental incursion of vehicles onto the railway. The DfT press release announcing the publication of the report is attached at **Annex 2** and the Ministerial Statement on the same topic is attached at **Annex 3**. The report describes the process that should be followed to manage the accidental incursion of the railway by road vehicles and presents a protocol for apportioning responsibility and costs of improvements at sites where roads meet, cross or run close to railways. The report contains a proforma for local authorities to use to rank the risks at such sites.

6. The report meets recommendations 1 and 5 of the HSC report "*Obstruction of the railway by road vehicles*" and recommendations f, g and l of the Highways Agency report "*To review the standards for the provision of nearside safety fences on major roads*".

7. Recommendations 2 and 3 of the HSC report were that more and better data should be collected about the accidental incursion of road vehicles onto the railway. British Transport Police will record data about road/rail incidents from April 2003. Railway Safety will collate this and will include supplementary information about the road itself.

8. The Highways Agency is taking forward recommendations a, b, c, d, e, h, i, j and k of its report

9. Action to meet recommendations 4 and 7 of the HSC report is still outstanding. DfT will collect information about road/rail incidents and plans to review the work to implement the recommendations in 2006.

10. Compliance with the protocols and procedures described in the report is central to reducing the risk of road/rail incidents. HMRI plan to monitor Network Rail's progress in applying the guidance and intend to inspect the arrangements in place within the company. The objective is to check Network Rail's arrangements and progress in applying the risk assessment guidance across Great Britain, including the cooperation they receive from local highway authorities in carrying out risk assessments, and implementing a programme of appropriate improvements. HMRI intend this work to be part of the proactive inspection of Network Rail organised through the intervention plan for the Company. HMRI

is currently reviewing and updating the intervention plan before the start of next work year and aim to finalise resourcing of it in the near future.

### **Consultation**

11. HMRI were consulted during the preparation of this paper, which has been sent to DfT and Highways Agency for information.

### **Presentation**

12. The report was published on 25 February 2003, and was accompanied by a press release issued by DfT

### **Costs and Benefits**

13. There are no cost implications associated with this paper. The costs arising from the actions required by the Report will fall to the railways and authorities responsible for highways.

### **Financial/Resource Implications for HSE**

14. The cost of the planned inspection initiative will be met from HMRI's budget.

### **Environmental Implications**

15. There are no environmental implications associated with this paper.

### **Other Implications**

16. There are no other issues associated with this paper. The Scottish Executive and the Welsh Assembly were represented on the working groups and were consulted during the preparation of the two reports.

### **Action**

17. The Commission is invited to note the contents of the paper.

**RECOMMENDATIONS****1 Recommendations from HSC Working Group report 'Obstruction of the railway by road vehicles'**

Recommendation 1: DTLR should lead, with the involvement of relevant interested parties, the development of tools and data for use at local level by highway and railway professionals to carry out comparative assessments of the risks of road vehicles obstructing the railway at specific sites.

The tools should be useable for both locally and nationally managed roads, and for locations including road bridges over railways, locations where roads and railways run close together as well as locations where road vehicles can gain access to the railway via adjoining land. The tools should recognise the large numbers of assessments to be carried out and the large numbers of sites likely to be low risk. They should provide the simplest and fastest possible way to separate low risk sites from those requiring further assessment. The aim should be to complete this work within a year of acceptance of the report.

Recommendation 2: DTLR should lead a collaborative initiative involving HSE, railway infrastructure controllers and relevant police authorities to ensure that relevant information in respect of both rail and road aspects of any incident (broadly equivalent to that contained in SMIS and STATS-19 data fields) is collected as far as practicable for all incidents in which road vehicles get onto railway property. The aim should be to complete this work by April 2002.

Recommendation 3: Railway Safety, London Underground and other railway infrastructure controllers should adapt their incident recording systems to enable collection and analysis of all such relevant information. The aim should be to complete this work by April 2003.

Recommendation 4: Those responsible for road and rail infrastructure should lead programmes of risk assessment work to achieve coverage of those sites identified by application of the tools required by Recommendation 1, as requiring further attention. The parties should collectively establish a consistent basis for classifying locations into higher risk (those where an assessment of options for improvement should be made) and lower risk (those where no action need be taken). At many locations there may be no reasonably practicable measures to be taken beyond what is already in place. Where reasonably practicable measures are identified, they should normally be implemented within two years of identification. DTLR should maintain general oversight of this programme.

Recommendation 5: DTLR should lead, in collaboration with HSE, railway infrastructure controllers and the highway authorities, the development of guidance on the proportionate application of available measures suited to different circumstances for the management of risk at specific locations where roads meet, cross or run close to railways. This initial work should be developed to the status of good practice guidance, paying particular regard to ensuring that the practices recommended are those, which are appropriate and provide the most effective control of risk for a given use of resources, regardless of which party will then carry responsibility for implementation. The aim should be to have the main elements in an initial suite of guidance available by April 2003 and refined in the light of experience.

Recommendation 6: DTLR should lead, in collaboration with HSE and others with a relevant interest, the development of a protocol for apportioning responsibility and costs of improvements made at locations where roads meet, cross or run close to railways. The aim is to have this developed by April 2003.

Recommendation 7: Once the protocol recommended above (Recommendation 6) is in place and action on the other recommendations in this report is underway, DTLR should conduct a review of progress to determine that the response is proportionate to risk and to see what further action (if any) is required. This should include review of arrangements for governance and management of safety risks at interfaces between roads and railways. The review should consider the nature and scale of the risks involved, alternative possible models for governance of those risks, and the effectiveness of the protocol developed in response to Recommendation 6.

## **2 Recommendations from Highways Agency report 'To review the standards for the provision of nearside safety fences on major roads'**

The Group recommends that:

- a. The latest UK research and best practice from international experience is incorporated at the earliest opportunity into standards.
- b. Additional research is targeted at issues where either accident data or international experience identifies potential shortcomings. In particular, research should be undertaken into understanding more about how and where errant vehicles travel after leaving the carriageway.
- c. The Highways Agency introduces a clearer and more open procedure for updating the standard relating to safety barriers.
- d. DTLR take the lead in bringing together the interested parties to prepare advice on appropriate mitigation measures for application on minor roads crossing rail lines.
- e. Risk assessments be further developed for the provision of safety barriers, including additional and/or alternative protection or mitigation measures to take account of local circumstances.
- f. A common risk assessment framework for road/rail interfaces be prepared and used in order to identify high risk sites and prioritise work programmes.
- g. The risk assessment methodology recognise the needs of both road and rail as separate authorities and their need to address wider safety interests.
- h. The Highways Agency enhance the collection of accident data including reporting links matching barrier repairs with non injury accidents. Other national highway authorities are recommended to consider similar action.
- i. Data are collected on the implementation and effectiveness of barriers abroad.

j. The standard is reviewed to take account of the Group's recommendations and the thinking behind the standard made clearer.

k. Additional measures that may be required from application of the amended standard be implemented and should apply to works on the existing road network as well as to new works.

l. Action to implement the recommendations is undertaken within twelve months and the Highways Agency report on progress at that time.

**MEASURES TO REDUCE THE RISK OF OBSTRUCTION OF THE RAILWAY BY ROAD VEHICLES**

Guidance to reduce the risk of vehicles obstructing railway lines was announced today by Minister for Transport John Spellar.

The report “Managing the accidental obstruction of the railway by road vehicles” takes forward the recommendations made by the Health and Safety Commission and Highways Agency last year.

The report sets out:

- criteria for the apportionment of responsibility and costs of improvements made at locations where roads meet, cross or run close to railways.
- guidance on enhanced risk assessments and physical measures to help reduce the risk of vehicles accidentally leaving the road and getting onto the railway.
- means to identify relevant information that it would be practicable and useful to collect about incidents where road vehicles get onto railway property.

In a written Ministerial statement Mr Spellar said:

“The report sets out the work of representatives of the highway authorities, railway infrastructure authorities and other organisations to identify the steps we consider should be taken jointly by railway infrastructure authorities and highway authorities to manage the risk of the accidental incursion of road vehicles onto the railway. It includes a protocol for apportioning responsibility and costs of mitigation measures. Also, following the adoption of an initial risk prioritisation framework a second stage assessment process has been produced for sites where the risk of a road vehicle accidentally getting onto the railway is not clear cut. Good practice guidance measures have been identified to help mitigate risk at specific sites. British Transport Police have agreed to collect the data about such incidents on a common basis. In order to update the standards for safety barriers on major roads in a clear and open procedure, the Highways Agency has let a contract and

set up a technical project board to steer the update of standards for safety barriers on major roads in a clear and open procedure.

Copies of the report will be sent to all local highway authorities and railway infrastructure authorities.”

#### Notes to Editors

1. The Highways Agency report is available to download at [www.highways.gov.uk](http://www.highways.gov.uk)
2. The HSE report is available to download at [www.hse.gov.uk/railway/obstruct.pdf](http://www.hse.gov.uk/railway/obstruct.pdf) and as a printed item from HSE Books (tel 01787 881165 fax 01787 313995 or [www.hsebooks.co.uk](http://www.hsebooks.co.uk)) ISBN 07176 2294 0 price £5.00
3. Managing the accidental obstruction of the railway by road vehicles is available on the Department for Transport's website at <http://www.roads.dft.gov.uk/roadnetwork/bridgesites/index.htm>

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**MINISTERIAL STATEMENT ANNOUNCED IN BOTH THE HOUSE OF COMMONS AND  
THE HOUSE OF LORDS ON TUESDAY 25 FEBRUARY 2003**

**MANAGING THE ACCIDENTAL OBSTRUCTION OF THE RAILWAY BY ROAD  
VEHICLES**

I am pleased to announce that today the Government has published its report on the management of the accidental obstruction of the railway by road vehicles. The report has been produced in response to the 19 separate recommendations made by the Health and Safety Commission<sup>1</sup> and Highways Agency<sup>2</sup> reports published in February last year.

The report sets out the work of representatives of the highway authorities, railway infrastructure authorities and other organisations to identify the steps we consider should be taken jointly by railway infrastructure authorities and highway authorities to manage the risk of the accidental incursion of road vehicles onto the railway. It includes a protocol for apportioning responsibility and costs of mitigation measures. Also, following the adoption of an initial risk prioritisation framework a second stage assessment process has been produced for sites where the risk of a road vehicle accidentally getting onto the railway is not clear cut. Good practice guidance measures have been identified to help mitigate risk at specific sites. British Transport Police have agreed to collect the data about such incidents on a common basis. In order to update the standards for safety barriers on major roads in a clear and open procedure, the Highways Agency has let a contract and set up a technical project board to steer the update of standards for safety barriers on major roads in a clear and open procedure.

Copies of the report will be sent to all local highway authorities and railway infrastructure authorities. Copies will be placed in the Library of the House. Details will be made available on the Department for Transport's website at <http://www.roads.dft.gov.uk/roadnetwork/bridgesites/index.htm>

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<sup>1</sup> "*Obstruction of the railway by road vehicles*" ISBN 07176 2294 0 available from HSE books price £5.00 or to download at [www.hse.gov.uk/railway/obstruct.pdf](http://www.hse.gov.uk/railway/obstruct.pdf)

<sup>2</sup> "*To review the standards for the provision of nearside safety fences on major roads*" available to download at [www.highways.gov.uk](http://www.highways.gov.uk)