OFFICE OF RAIL REGULATION

United Kingdom National Safety Authority
Annual Safety Report 2010

September 2011

Contents

Scope of the Report

Article 18 of the Railway Safety Directive requires the National Safety Authority (NSA) to publish an annual report. This report covers the UK's national safety authority's activities from 1 January to 31 December 2010.

In the UK, the role of National Safety Authority is shared between the Office of Rail Regulation (ORR) and the Department for Regional Development in Northern Ireland (DRDNI). ORR is responsible for England, Scotland and Wales, collectively known as Great Britain (GB) and DRDNI is responsible for Northern Ireland (NI). Since ORR represents DRDNI in relations with the European Railway Agency (ERA), this report covers the UK as a whole. Part one relates to the activities of ORR and part two to DRDNI. However, the Common Safety Indicator (CSI) data have been aggregated at a UK level, and include data relating to both Great Britain and Northern Ireland.

The scope of this report is the entire UK mainline railway system, and covers both 1435mm (GB) and 1600mm (NI) networks. Mirroring the scope of UK implementation of the Railway Safety Directive, the report does not cover metros, tramways and other light rail systems, or infrastructure that is functionally separate from the rest of the UK network.

Summary of the Report

Railway safety continued to improve during 2010, with a considerable reduction in the number of fatalities being observed. However, there was also an increase in the number of serious injuries suffered by passengers and other members of public, which is a cause of concern for ORR.

No passengers were killed in 2010 as the result of train accidents. In addition, no members of the workforce were killed by being hit by trains. This year four people were killed as a result of accidents at level crossings, and a further four members of the public died in accidents at railway stations.

Safety levels continued to improve in Northern Ireland, with no fatalities or serious injuries being reported during 2010.

1. Part 1: Great Britain

Introduction to the Report

Article 18 of the Railway Safety Directive states:

Each year the safety authority shall publish an annual report concerning its activities in the preceding year and send it to the agency by 30 September at the latest. The report shall contain information on;

a) *The development of railway safety including an aggregation at member state level of the CSIs laid down in Annex 1;*

b) *Important changes in legislation and regulation concerning railway safety;*

c) *The development of safety certification and safety authorisation;*

d) *Results of and experience relating to the supervision of infrastructure managers and railway undertakings.*

This is the fifth annual report from ORR to the European Railway Agency (ERA).

The report will be published on the ORR and ERA websites and will contribute to the next ERA biennial report on safety performance in Member States. ORR also produces an annual report on its overall activities as well as an annual health and safety report for infrastructure managers, railway undertakings and other interested stakeholders in Great Britain. Copies of previous reports can be obtained from the ORR website.

ERA has developed a template and accompanying guidance document for NSAs to use when producing the annual report. In 2009 ERA revised the template and accompanying guidance to include reporting on the application of the Common Safety Method on Risk Evaluation and Assessment. This report substantively reflects the ERA template, although certain sections have been abbreviated or combined for editorial purposes. Where we have been unable to provide the required information, an explanation has been given on why this has not been possible.

2. Railway structure information

Railway network

2.1 In Great Britain the rail network consists of 15,754 km of track, of which 5,249 km is electrified.[1] A map showing the main routes can be found in Annex A.

Railway undertakings and infrastructure managers

2.2 In Great Britain passenger services are operated by a mixture of franchised and open-access train operating companies. Freight services are provided by a small number of freight operating companies. Details of railway undertakings and infrastructure managers that operate in Great Britain can be found in Annex A.

2.3 ORR is also responsible for regulating health and safety on the UK's six tramway systems, over 200 heritage railways and the London Underground, Docklands Light Railway, Glasgow Subway and Tyne and Wear metro systems. These railway undertakings are considered to be outside the remit of this report.

[1] *ORR National Rail Trends Yearbook 2009-2010*

3. Summary: General trend analysis

3.1 Railway safety continued to improve during 2010 and overall the UK safety performance continues to be amongst the best in Europe. There were no passenger or workforce fatalities in train accidents during the year. This is the fourth year in succession with no such fatalities. There was a considerable reduction in the number of fatalities which, as in previous years, were primarily linked to unauthorised users. Four members of the public died in accidents at railway stations. The year also saw a significant reduction in the number of fatalities at level crossings with four people killed. There were also fewer collisions between trains and vehicles at level crossings.

3.2 However the report shows an increase in the number of serious injuries suffered by passengers and members of the public compared with the previous year with a growing number of injuries occurring at stations. The number of passengers coming to harm when getting off or on trains at stations is a cause of concern and ORR is working with the industry to ensure that railway undertakings and infrastructure managers improve operational focus and risk assessment in this area.

4. Organisation

Who we are

4.1 ORR is the combined, independent safety and economic regulator of Great Britain's railways. We are independent of Government and of the rail industry but accountable to the UK Parliament and the courts for the achievement of the objectives set out in UK and European Union law. These objectives require us to promote continuous improvement in;

- the health and safety performance of the railways; and
- the value the railways offer to users and funders, including meeting the needs of passengers and of freight users, and the wider needs of society and the economy.

4.2 In summary, we promote safety and value on Britain's railways.

What we do

4.3 We have extensive powers of direction to ensure compliance with statutory requirements. As the national safety authority, we regulate health and safety for all railways in Britain (including London Underground, light rail, trams and the heritage sector as well as the mainline railway). We are also the competition authority for all railways and related supply markets and also have powers to enforce some aspects of consumer law in the railway sector. In addition, we have a wide range of economic regulatory functions for the mainline railway and are responsible for setting the major Infrastructure Manager's funding levels and outputs, enforcing the delivery of these outputs, and for ensuring fair access to the GB mainline network.

4.4 Our responsibilities do not, however, give us the authority to set or enforce the terms of franchises by which governments buy passenger services from the private sector or to regulate the fares charged to passengers.

Our vision

4.5 Our vision for Britain's railways has three key dimensions;

- Zero workforce and industry-caused passenger fatalities, with an ever decreasing overall safety risk;
- Satisfaction levels of passenger and freight customers equivalent to the best in railways and in other forms of transport; and
- Efficiency equivalent to that achieved by the best comparable railways across the world.

4.6 We acknowledge and applaud the progress that the railway industry has made in recent years, and to a large extent the improvements have continued throughout 2010. However, there is still considerable progress needed before Britain's railways achieve our vision.

Our 2009- 2014 strategy

4.7 In the light of our vision, our past experience, and the challenges the industry faces, our strategy sets out two principle roles – securing delivery by the industry of its regulatory obligations and helping the mainline railway meet the long-term challenges.

4.8 We have identified seven strategic themes in order to categorise our work. We judge our own performance by how effectively the industry addresses them;

- Excellence in health and safety culture and risk control;
- Excellence in asset management;
- Improved industry planning and timely and efficient delivery of major projects;
- Efficient use of capacity on the mainline network;
- Development by the industry of the capabilities of its people;
- High quality data and information for key decisions; and,
- Focus on passenger and freight customers.

Our organisation

4.9 We are a non-ministerial Government department with just under 300 staff. Our annual budget is around £32 million, and we oversee a sector whose turnover is £18 billion. Around 58% of our costs relate to our safety roles, and 42% to economic regulation.

4.10 ORR's health and safety activities are funded through a railway safety levy on the railway industry. The levy is proportionate to the turnover of each organisation.

4.11 ORR is led by a board appointed by the Secretary of State for Transport. Anna Walker is the current chair, and the chief executive during 2010 was Bill Emery.[2]

[2] Bill Emery announced his decision to step down as ORR chief executive in autumn 2010. He was succeeded by Richard Price, who took office in spring 2011.

4.12 ORR's headquarters are in London. ORR has continued to implement a plan to rationalise its regional accommodation, reducing the number of offices from 15 to six by 2012. The offices are to be located in London, Glasgow, Birmingham, Bristol, Manchester and York. During 2010, four regional offices were closed, and a new office was opened in York.

ORR structure chart

4.13 Organisational structure charts for ORR and ORR's Railway Safety Directorate can be found in Annex B.

5. The development of railway safety

Initiatives to maintain/ improve safety performance

5.1 The Office of Rail Regulation's Railway Safety Directorate includes teams of health and safety inspectors allocated to the regulation of:

- the mainline infrastructure manager(s) and associated contractors;
- passenger railway undertakings;
- freight railway undertakings; and
- other railway transport systems (e.g. metros, trams and heritage railway systems).

5.2 In 2010, we continued to gather data and intelligence to inform our rail management maturity model, known as RM3, which provides a framework for the assessment of an organisation's management capability to control health and safety risks, and identifies areas that should be improved. RM3 has been embraced by the industry with increasing recognition that the best performing companies are those that have fully integrated health and safety systems within their management culture.

5.3 Throughout the year, we undertook proactive inspections and audits of railways within Great Britain and continued to emphasise the importance of occupational health by promoting our occupational health programme: 'ORR review of work related ill- health in the GB rail industry in 2010'. We carried out a baseline review of work-related ill- health and its management in the rail industry. We intend to repeat the occupational health survey in 2014 so that we are able to report industry progress and assess the impact of our programme.

5.4 We also:

- continued to encourage and require effective co-operation between the infrastructure manager and railway undertakings to ensure that system-wide and interface safety issues were addressed;
- continued to focus on level crossing safety risk;

- continued to focus our investigation resource on those incidents we considered likely to require enforcement action, to provide a proportionate response to complaints received; and
- ensured that the industry addressed the relevant issues raised in RAIB reports (see p. 19).

5.5 We worked constructively with the European Commission and the European Railway Agency (ERA) throughout the year. Key aspects of our engagement include:

- chairing the European committee which has developed a programme of 'cross audits' of national safety authorities;
- influencing the final criteria for assessment of applications for safety certificates and authorizations;
- influencing the development of a common approach to post-certification supervision by NSAs and monitoring by duty holders of their management system;
- helping to ensure a pragmatic approach to harmonisation of freight wagon maintenance;
- preparing a certification scheme for entities in charge of maintenance of freight vehicles, in particular seeking a proportionate approach that enables NSAs to participate effectively and establish co-operation arrangements; and
- co-operating with ERA to initiate a drafting guide for Technical Standards for Interoperability. This will help provide better focused standards that are more consistent.

Detailed data trend analysis

5.6 CSI data has now been collected for five years. The scope of the statistics, the definitions applied and the data on CSIs can be found in annex C.

CSI reportable accidents

5.7 In 2010, the total number of accidents fell from 104 in 2009 to 62 .There was a reduction for all categories of people involved, with the exception of other users, which saw an increase to five fatalities in 2010 from three in 2009.

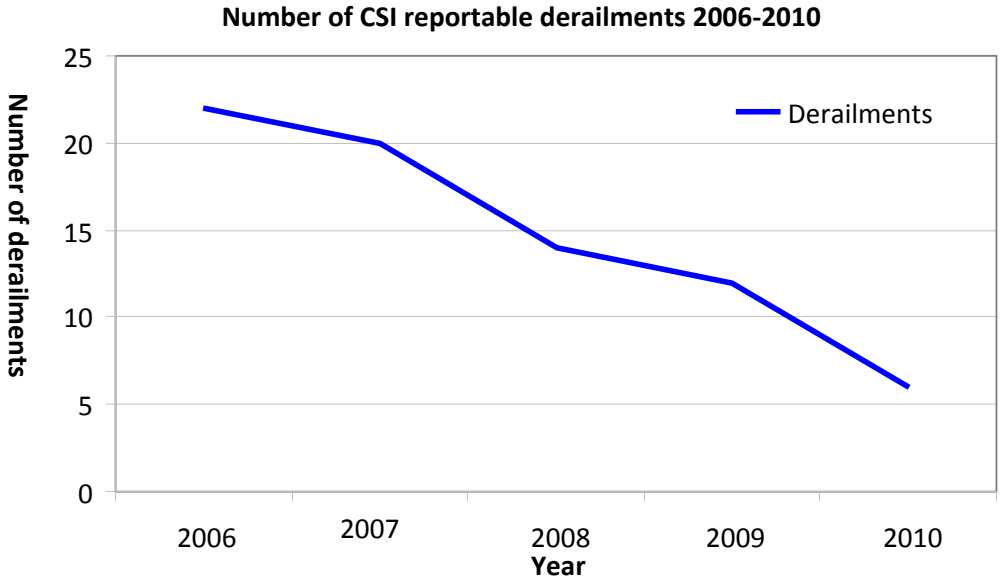
5.8 In total, during 2010, there were 25 fatalities and 23 serious injuries. This included two multi-casualty incidents. In one incident two unauthorised users who had moved onto the track at a station were killed after being struck by a passing train. In a separate incident three passengers and one member of the workforce received serious injuries when a train collided with a heavy goods vehicle on a level crossing. (See pp.14-16 for further fatal and injury data.)

5.9 The number of level crossing accidents fell to seven in 2010. This is the lowest number reported between 2006 and 2010.

5.10 The number of rolling stock fires fell from six in 2009 to two in 2010. Both fires occurred when DC electric multiple units developed faults as a result of snow ingress during a period of severe winter weather.

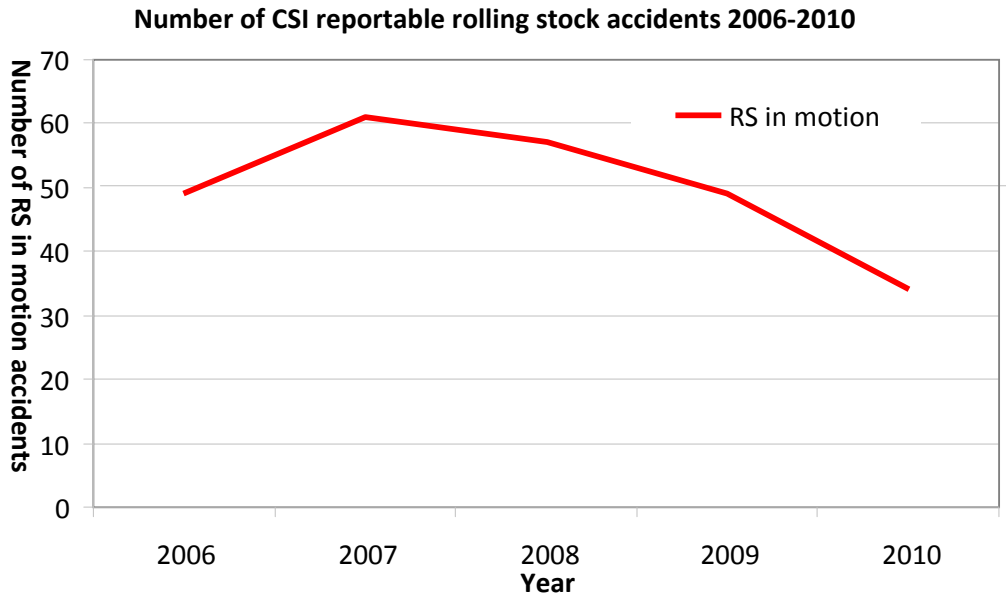
CSI reportable derailments

5.11 Derailments continued to fall and have done every year since 2006. In 2010, there were six CSI reportable derailments, compared with 22 in 2006. All six derailments resulted in severe delays to the GB rail network. These included a derailment to an express passenger train, following an axle failure.



CSI reportable rolling stock in motion accidents

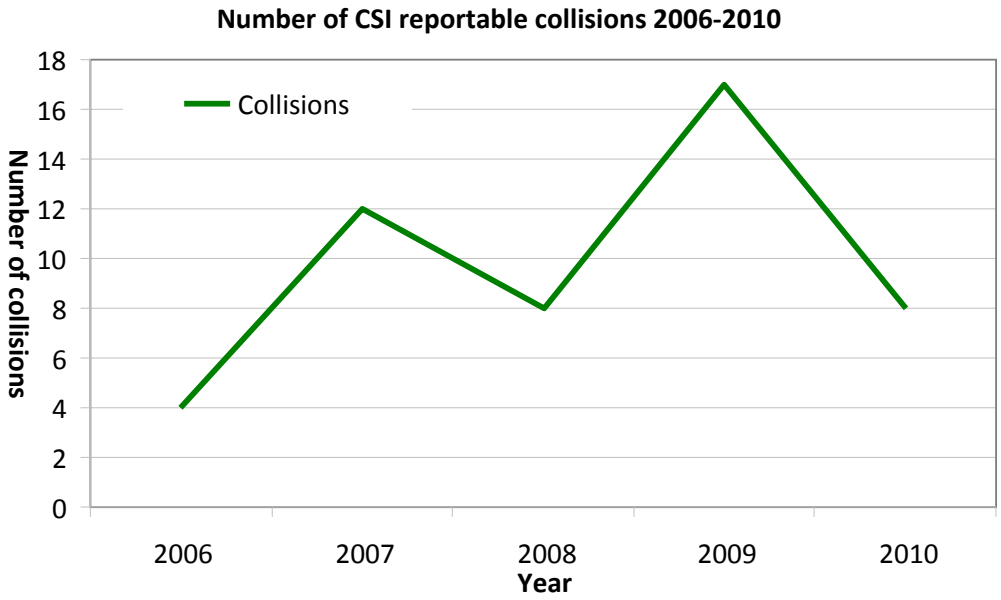
5.12 The number of accidents caused by rolling stock in motion fell for the fourth year in succession. There were 34 CSI reportable accidents in 2010, compared with 49 in 2009.



CSI reportable collisions

5.13 The number of collisions remained volatile and did not show any consistent trend. The number of collisions fell to eight in 2010 but it continues to fluctuate year to year.

5.14 Although no fatalities and serious injuries were reported in those collisions, on all but one occasion the damage to rolling stock and infrastructure exceeded €150,000. There were two incidents of trains striking fallen trees, as well as several incidents in which trains hit items of infrastructure, including collapsed overhead line equipment and level crossing gates. Two collisions also resulted in derailments. On one occasion a passenger train collided with several large boulders that had fallen on to the railway line as the result of a landslide. Another passenger train was derailed after colliding with a large block of ice that had formed in a tunnel because of severe weather conditions.



CSI reportable fatalities

5.15 The total number of fatalities fell by over 50% in 2010. In total, there were 25 fatalities on the network, the lowest number reported between 2006 and 2010. There were zero CSI reportable passenger and workforce fatalities in 2010 which is the first time since 2006 that this has occurred.

5.16 In 2010, the number of unauthorised users continued to be the category with the highest number of fatalities, with the majority of unauthorised users being trespassers. Nevertheless fatalities in this category reported a reduction with 16 fatalities in 2010 compared with 36 in 2009, and a high of 41 in 2008. The ORR is encouraged by this decline. However, at this stage we do not believe that the fall can be directly attributed to a particular initiative. We continue to work closely with the infrastructure manager and railway undertakings to combat unauthorised access to the network. Our planned inspection programme places particular emphasis on child trespass and incidents that could lead to potentially high risk train accidents (for example, through lineside materials being left in known trespass areas). The infrastructure manager, railway undertakings, British Transport Police and other community partners hold regular, local meetings to analyse route crime trends and share best practice for tackling unauthorised access from across the network. These local groups, known as Community Safety Partnership Groups (CSPGs) are sponsoring projects in their area that will help to tackle the issue of trespass. This sponsorship has contributed to a variety of initiatives; from platform end barriers at stations to funds for community youth groups.

5.17 Four members of the public were killed in incidents at railway stations involving moving trains. This remains an area of concern to ORR and we are working with railway undertakings and infrastructure managers to address the risks to passengers when getting on or off trains.

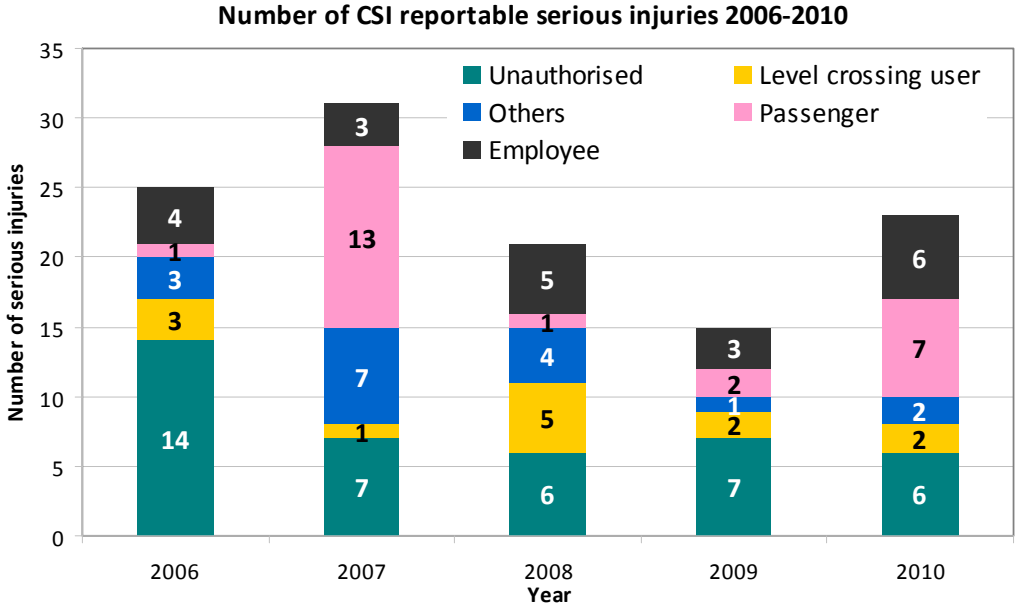
5.18 There was also a reduction in the number of level crossing users killed in 2010. Between 2007 and 2009, the number of level crossing users killed per year was 13 or 14; however in 2010 this number fell to 4. Whilst we are very encouraged by this fall, there is no room for complacency and ORR does not believe at this stage that the decline can be attributed to a single initiative. Our proactive inspection of level crossings is focused on user- worked crossings with telephones, crossings with inadequate sighting distance and automatic half- barrier crossings. Highest priority is given to assessing the safety of heavily used crossings on busy/fast railway lines. In addition, the infrastructure manager is carrying out a substantial programme of work to improve level crossing safety. This includes a high profile media campaign (including TV adverts) which is designed to educate the public about the need to act safely at level crossings.

CSI reportable serious injuries

5.19 The number of CSI reportable serious injuries increased to 23 in 2010 with a growing number of injuries occurring at stations. This is the highest number reported since 2007. In particular, the number of passengers seriously injured rose to seven in 2010 compared to two in 2009. Three of those were seriously injured in the same incident after a train collided with a lorry on a level crossing.

5.20 Six members of the workforce were also seriously injured, the highest number reported between 2006 and 2010. There were six separate incidents, which included four separate occasions where track maintenance workers were struck by moving trains or on-track machines. In addition a train driver received serious injuries after his train collided with a lorry on a level crossing, and a contractor was injured when a road-rail vehicle ran away from a worksite and collided with a stationary freight train.

5.21 The number of level crossing users seriously injured remained unchanged from 2009 at two whilst unauthorised persons fell to six. There has been relatively little change in this category since 2007.

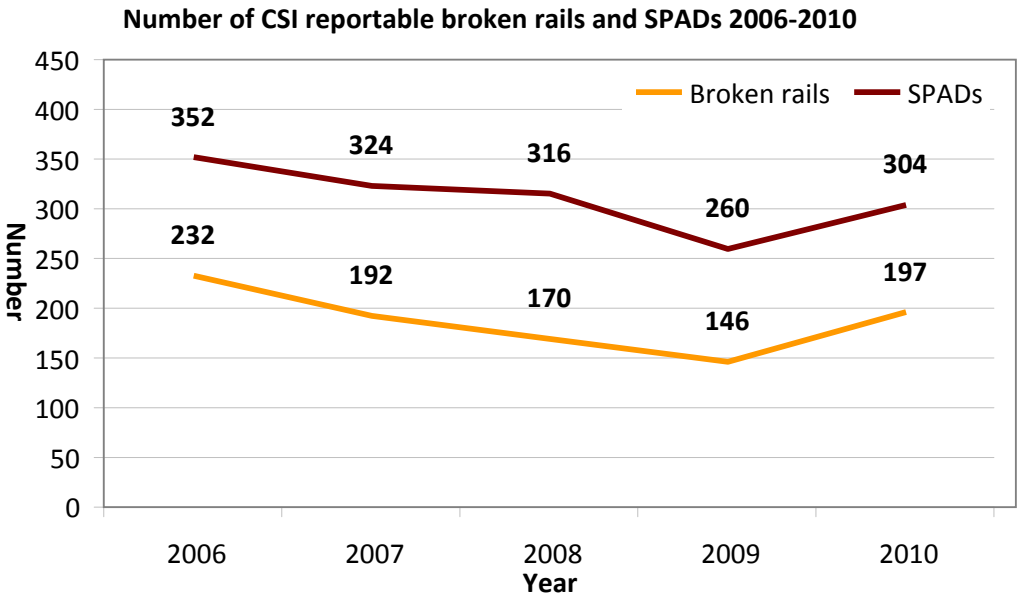


CSI reportable broken rails and SPADs

5.22 The total number of precursors rose from 440 in 2009 to 541 in 2010. It is not possible to compare data prior to 2009 due to a change in how wrong-side signal failures were defined. The main reasons for the overall increase were increases in the number of signals passed at danger (SPADs) and in the number of broken rails.

5.23 There were 197 broken rails in 2010, the highest number recorded since 2006. This increase may be attributed to periods of severe winter weather conditions experienced in the UK at the beginning and end of 2010. ORR is now working with infrastructure managers to identify the potential cause of rail breaks.

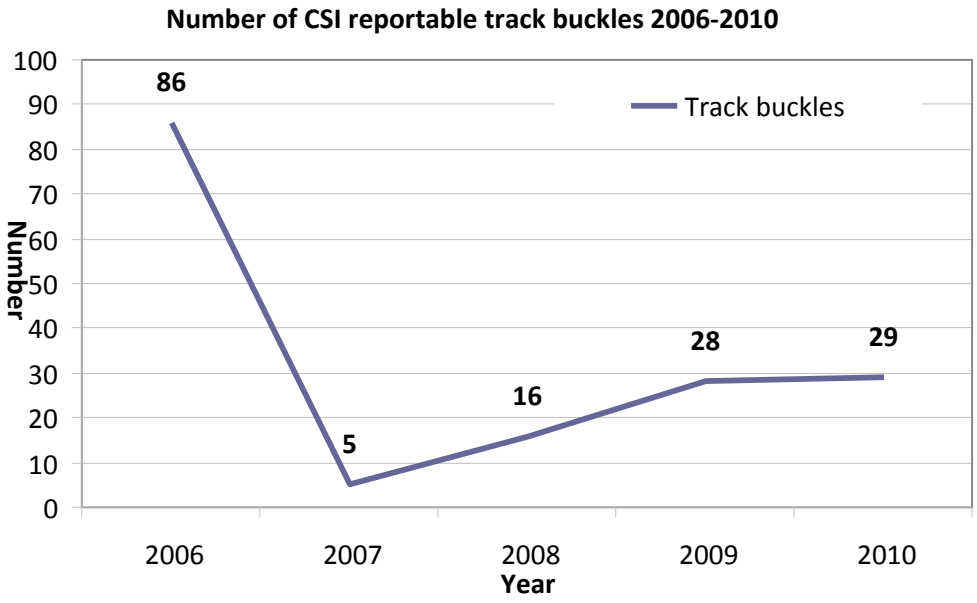
5.24 The number of SPADs rose to 304 in 2010. Although this was lower than the figures reported between 2006 and 2008, it represents an increase on the 2009 figure. The 2009 figures were lower than expected; therefore the 2010 figures represent a return to the current expected level of SPADs. However, since the majority of SPADs tend to occur in the autumn when rail conditions tend to be poorer, ORR's inspectors continued to focus their attentions on incidents of low adhesion throughout 2010.



CSI reportable track buckles

5.25 The number of track buckles continues to show an upward trend. There was a slight increase in 2010 to 29 and this is the third year in a row that it has increased. However, the volume of track buckles is very low compared with broken rails and SPADs. The majority of track buckles appear to be the result of high temperatures experienced during the summer.

5.26 The number of broken wheels remained at zero in 2010. There was one CSI reportable broken axle during 2010, which resulted in the derailment of an express passenger train.



Results of safety recommendations

5.27 The Rail Accident Investigation Branch (RAIB) is the UK's National Investigation Body for the purposes of the Railway Safety Directive.

5.28 In 2010 RAIB produced 20 reports and issued 98 recommendations. RAIB investigation reports include recommendations to improve safety. RAIB can direct recommendations to any organisation it regards as best placed to implement the changes required. This can include railway and non-railway organisations. Recommendations are also addressed to ORR who, as National Safety Authority us responsible for ensuring that recommendations are properly implemented. Recommendations addressed to ORR in 2010 included a recommendation for railway undertakings to highlight areas of potential low adhesion in route risk assessments, route learning material and driver briefings, after a collision between two passenger trains. RAIB issued a series of recommendations relating to the training and competence of train preparers and examiners after ballast fell from a loaded freight train as it passed through a station, injuring several passengers. Recommendations were also issued that related to an infrastructure manager's management of earthworks after a landslide led to the derailment of a passenger train, and to the arrangements for protecting track maintenance staff after a worker was hit by a train and suffered fatal injuries in 2009. 93 recommendations were addressed to ORR. During the year, ORR reported 140 recommendations as implemented, including some from the previous year.

5.29 ORR holds regular meetings with RAIB at all organisational levels. These range from investigation site liaison meetings, to high level discussions between ORR and RAIB senior management.

6. Important changes in legislation and regulation

6.1 The Railway Safety Directive has been implemented into national law by the following legislation:

(a) The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS) implement chapters II, III (except article 13) and IV of the Railway Safety Directive;

(b) The Railways (Access to Training Services) Regulations 2006 implement chapter III, article 13; and

(c) The Railways (Accident Investigation and Reporting) Regulations 2005 and the subsequent Railways (Accident Investigation and Reporting) (Amendment) Regulations 2005 implement chapter V into UK law.

6.2 Having the right legislation in place is the foundation for ORR's work in helping the railway industry to improve its health and safety culture and risk controls. The ROGS regulations were designed to incentivise dutyholders to take the right actions and behaviours. In order to assess their effectiveness, ORR commissioned an independent review of the impact of the regulations on stakeholders. The final report of this three- year study was published in 2010, and showed that the main objectives were being met and that levels of rail safety had been maintained, and in some cases improved, since the regulations have been in force. The report has also shown that costs to the industry have not increased, and evidence suggests that ROGS may be more cost effective than the previous safety regime.

6.3 In 2010 ORR undertook work to revise the application criteria for safety certificates and safety authorisations, as well as the accompanying guidance, in preparation for the coming into force of the Common Safety Method of Conformity Assessment. ORR continued to work closely with the UK ministry, the Department for Transport, on transposing a number of amendments to the Railway Safety Directive, including the introduction of a certification scheme for entities in charge of maintenance. ORR also supported the Department for Transport throughout 2010 in their work to implement the Interoperability Directive (2008/57/EC).

6.4 Details of legislative changes that took place during 2010 can be found in annex D.

7. The development of safety certification and authorisation

National legislation: Starting dates and availability

7.1 *Starting date for issuing Safety Certificates according to Article 10 of Directive 2004/49/EC*

Directive 2004/49/EC was transposed into UK law via the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS). ROGS came into force in 2006. All UK mainline railway undertakings have been required to hold a ROGS safety certificate since 2006.

7.2 *Starting date for issuing Safety Authorisations according to Article 11 of Directive 2004/49/EC*

All UK infrastructure managers have been required to hold a ROGS safety authorisation since 2006.

7.3 *Availability of national safety rules or other relevant national legislation to railway undertakings and infrastructure managers*

ORR published guidance for the GB rail industry in July 2009, which can be found on its website.[3] ORR is waiting for confirmation that the proposed national safety rules have been accepted by the European Commission, before publishing the rules on its website. In the meantime, stakeholders are advised to contact ORR's European policy team for further information on the proposed national safety rules.

Numerical data

7.4 See Annex E

[3] http://www.rail-reg.gov.uk/server/show/category.1511 This document was revised in May 2011 to take into account amendments to the Railway Safety Directive.

Procedural aspects

Safety Certificates, Part A & Part B

7.5 *Reasons for updating/amending Part A & Part B Certificates*

During 2010, ORR amended one Part A and two Part B mainline safety certificates. Reasons for amendments included a change in operations by a railway undertaking to include the carriage of dangerous goods as well as changes to Railway Undertaking (RU) names and organisation size.

7.6 *Main reasons if the mean issuing time for Part A and Part B Certificates (restricted to those mentioned in Annex E and after having reviewed all necessary information) was more than the four months foreseen in Article 12(1) of the Safety Directive*

The average issuing time for Part A and Part B certificates was within the four month timescale laid down in Article 12(1) of the Railway Safety Directive. No applications exceeded the timescales established in ROGS. ORR provides informal advice to railway undertakings in order to support applications for safety certificates. This ensures that applicants submit the correct documentation in the required format, reducing the administrative burdens for both the applicant and ORR.

7.7 *Overview of requests from other NSAs to verify/access information relating to the Part A certificate of a railway undertaking that has been certified in your country, but applies for a Part B certificate in another Member State*

During 2010, ORR did not receive any requests from other NSAs to verify or access information relating to the Part A certificate of a railway undertaking that had been certified in the UK, but applied for a Part B certificate in another Member State.

7.8 *Summary of problems with the mutual acceptance of the Community wide valid Part A certificate*

During 2010 ORR encountered no major problems with the acceptance of Part A certificates issued in another Member State. Currently there is one railway undertaking that operates on the GB mainline network that holds a Part B safety certificate awarded by ORR and a Part A certificate that was issued by another NSA.

7.9 *NSA Charging fee for Part A & Part B certificates*

ORR does not charge a fee for the issue of Part A or Part B certificates.

7.10 *Summary of problems with using the harmonised formats for Part A or Part B certificates*

ORR encountered no major problems using the harmonised format for Part A or Part B certificates during 2010.

7.11 *Summary of the common problems/difficulties for the NSA in the application procedures for Part A or Part B certificates*

We find the application procedures for Part A and Part B certificates to be straightforward. We encourage railway undertakings to make early contact with ORR as well as to submit applications in advance in order to avoid any unnecessary delays. However, we believe that a question could be added to the safety certificate application form to allow applicants to state whether or not they wish to apply for a safety authorisation at the same time. This is particularly relevant to railway undertakings that operate passenger services and also manage stations

7.12 *Summary of the problems mentioned by railway undertakings when applying for a Part A or Part B certificate*

In general, the feedback ORR has received from RUs is that the application process is straightforward. We actively engage with applicants to ensure that they understand what they are required to include in their application for a certificate. The ORR ROGS guidance provides a step by step description of the application process.

7.13 *Feedback procedure (e.g. questionnaire) that allows railway undertakings to express their opinion on issuing procedures/ practices or to file complaints*

We hold regular liaison meetings with railway undertakings. These provide an opportunity for railway undertakings to raise any problems they may be having, including any issues relating to safety certification. In addition, ORR assessors maintain an issues log, detailing any problems that occur with an application and what actions are necessary to rectify them. The document is shared with the applicant. On some occasions, we will meet with the applicant to outline the content of the issues, especially if there are major issues. We will explain what actions are necessary to rectify the issues; in some cases this can be achieved during the meeting.

Safety Authorisations

7.14 *Reasons for amending/updating safety authorisations*

ORR amended one safety authorisation during 2010. This was following the addition of new infrastructure by a mainline infrastructure manager.

7.15 *Main reasons if the main issuing time for Safety Authorisations (restricted to those mentioned in Annex E, and after having received all necessary information), was more than the four months foreseen in Article 12(1) of the Safety Directive*

The average issuing time for safety authorisations during 2010 was under four months. No application exceeded the timescales set out in ROGS. ORR provides informal advice to infrastructure managers in order to support applications for safety authorisations. This ensures that applicants submit the correct documentation in the required format, reducing the administrative burdens for both the applicant and ORR.

7.16 *Summary of problems/ difficulties in the application procedures for Safety Authorisations*

ORR finds the application procedures for safety authorisations to be relatively straightforward

7.17 *Summary of the problems mentioned by infrastructure managers when applying for a safety authorisation*

In general, the feedback received by from infrastructure managers was that the application process was straightforward. As discussed above, railway undertakings and infrastructure managers have highlighted the lack of a question relating to safety authorisations on the safety certificate application form. Some applicants state in their covering letter of a safety certificate application that they also wish to apply for a safety authorisation. ORR, infrastructure managers and railway undertakings are all of the opinion that a formal approach would better reflect current industry practice.

7.18 *Feedback procedure (e.g. questionnaires) that allows infrastructure managers to express their opinion on issuing procedure/ practices or to file complaints*

In 2010, we met regularly with infrastructure managers. This provided an opportunity for them to raise any problems they had been experiencing, including issues relating to safety authorisations.

7.19 *NSA Charging fee for issuing a Safety Authorisation*

ORR does not charge for issuing safety authorisations

8. Supervision of railway undertakings and infrastructure managers

Inspections and audits

8.1 In 2010 ORR undertook a mixture of statutory and reactive work, as well as proactive inspections and audits in order to test the effectiveness of safety management systems and risk control in priority risk areas. ORR aims to assess all areas of a railway undertaking or infrastructure manager's safety management system over a five year period.[4] In 2010 ORR's railway safety directorate allocated just over 50% of frontline resources to inspection activities.

Summary of experiences

8.2 ORR's inspection teams continued to focus their inspection activity using sector specific teams. ORR has separate inspection teams that specialise in passenger railway undertakings, freight railway undertakings and the major UK infrastructure managers. There are also dedicated teams for light rail, heritage and tramway operations: however the work of these teams is outside the scope of this report.

8.3 ORR undertook a series of significant safety management system audits across the GB rail industry in 2010. These audits probed in depth a railway undertaking or infrastructure manager's management system and compared it against the ORR's Rail Management Maturity Model (RM3). The audits involved interviews with staff throughout the management chain, assessment of documentary evidence and, most importantly, a range of front line inspection to test how the system works in practice. This combination adds value and tests management system effectiveness in a way that some industry 'standards compliance' audits cannot.

[4] See ORR Inspection Manual - Validation of ROGS safety management systems http://www.rail-reg.gov.uk/server/show/nav.1520#related

Passenger railway undertakings

8.4 This year the ORR railway undertaking teams focused their activities on the management of train drivers and driver competence, emergency planning and problems caused by low adhesion. The teams also investigated a number of rolling stock failures and continued to review railway undertakings' arrangements for the management of occupational health.

8.5 *Driver management and competence:* All of the companies inspected were able to demonstrate a high level of commitment to the need to effectively manage this high risk area. As well as evidence of this commitment, inspectors found examples of strong leadership in the pursuit of continual improvement. Inspectors also found examples where companies were moving to a more risk based approach and had a desire to adopt best practice and to learn from others both inside and external to the rail industry.

8.6 *Emergency planning*: Inspectors found varying degrees of liaison on emergency planning arrangements between railway undertakings and the emergency services, other railway organisations and interested parties. Station emergency plans were generally well managed, although testing appeared to be patchy with some railway undertakings performing regular emergency exercises, with others limiting their testing to evacuation drills.

8.7 *Low adhesion*: Low adhesion remained a significant concern in 2010 and ORR inspectors were not satisfied that the GB industry had a reliable strategy, both for existing rolling stock and the specification for new rolling stock. Inspectors found a lack of understanding of the need for efficient and reliable sanding which manifested itself in several serious incidents. These included a passenger train being unable to stop for almost four kilometres due to poor rail conditions.[5] ORR is now examining all aspects of low adhesion and the practicability of introducing best European practice.

8.8 *Rolling stock failures*: There were a number of notable incidents involving rolling stock during 2010. These included the failure of a gearbox and

[5] This incident is currently being investigated by RAIB. Further details can be found on the RAIB website http://www.raib.gov.uk/publications/current_investigations_register/101108_Stonegate_.cfm

subsequent derailment of a passenger train.[6] More rolling stock was being used beyond its intended design life. ORR devoted an increasing amount of time in 2010 to monitoring the safety performance and maintenance of older rolling stock to verify that procedures were in place to ensure ongoing safe operation.

Freight railway undertakings

8.9 This year, ORR's dedicated safety freight railway undertaking team focused its efforts on priority risk areas, including the following;

8.10 *Maintenance of rolling stock*: All railway undertakings that were inspected were able to demonstrate a high level of commitment to effectively manage this area. Overall, inspectors identified good performance in respect of the standard of maintenance carried out. The inspection team also looked at the maintenance of freight vehicles away from workshops. Following an extensive series of site inspections across the whole network, ORR concluded that, with the appropriate controls in place, freight wagons can be maintained safely away from maintenance workshops.

8.11 *Freight operations on third party sites*: Inspectors found that safety management arrangements at the majority of third party sites (e.g. factory sidings) were less than adequate to deliver good conditions for train operation. In some cases there was reluctance or, more frequently, a lack of awareness amongst railway undertaking staff to report site conditions which reflected a weakness in safety culture. ORR also believes that some railway undertakings are reluctant to push for better standards on site due to the current economic climate.

Infrastructure managers

8.12 ORR's Railway Safety Directorate has a dedicated section that supervises the activities of GB's mainline infrastructure managers. The section consists of seven route teams aligned to geographical regions, and a team that provides national coordination. In each team inspectors are assigned to individual

[6] This incident is currently being investigated by RAIB. Further details can be found on the RAIB website http://www.raib.gov.uk/publications/current_investigations_register/100220_east_langton.cfm

maintenance delivery units. During 2010 the teams focused their activities on the following areas;

8.13 *Workforce safety*: ORR was pleased to see that infrastructure managers had implemented a significant number of changes to improve track worker safety, including an increase in the amount of 'green- zone' working (where there is no direct risk from moving trains). Although no members of the workforce were killed as a result of being hit by trains in 2010, five track workers received serious injuries and ORR's inspectors were still required to use enforcement action on a number of occasions where track workers were at risk of being hit by trains. Electrical safety also remained a concern. Inspectors took enforcement action on several occasions where the infrastructure manager had failed to adequately protect workers from risks from overhead line equipment or electrified third rail systems.

8.14 *Asset safety*: ORR's inspectors reviewed the mainline infrastructure manager's management of structures, drainage and track during 2010. In all areas we were disappointed to find evidence of missing data, poor reporting and a significant backlog of inspections. As a result, inspectors were required to take enforcement action. The mainline infrastructure manager appointed a director of asset information in autumn 2010. We expect to see improvement in this area.

8.15 *Level crossings*: Level crossing risk remained a key focus for ORR's inspectors during 2010. We were pleased to see the mainline infrastructure manager's increased focus on level crossing risk, including the appointment of a national lead for level crossings, as well as a fundamental review of risk assessment and control. However, our inspection work found continuing weaknesses with the maintenance of level crossings. There were issues with vegetation, road surfaces, signage and communication with regular users of user-worked crossings, some of which merited enforcement action.

8.16 Four level crossing users were killed during 2010. In addition three passengers and one member of the workforce received serious injuries when a passenger train collided with a lorry on a user-worked crossing. The lorry driver had driven onto the crossing without getting the signaller's permission to cross the line. The driver was subsequently prosecuted and received a prison sentence.

8.17 *Construction Safety*: In 2010, ORR's inspection activity looked at recognised risks on railway construction sites, including work at height, lifting operations, segregation of people from moving plant, use of road- rail vehicles (RRVs) and on-track plant, manual handling, management of fatigue, control of lineside scrap and control of contractors. Inspectors found examples of good and bad practice with regards to the planning and management of construction activity. We were particularly concerned to find examples of basic safety requirements not being complied with on construction sites; inspectors discovered examples of poor use of personal protective equipment, including fall-arrest equipment with out-of-date inspection records, poor site access controls and scaffolds without the necessary edge protection. Inspectors found that where contractors were used, the mainline infrastructure manager had failed to specify health and safety standards as part of the contractual arrangements. One member of the workforce received serious injuries when a road-rail vehicle ran away from a worksite and collided with a stationary freight train. Inspectors were required to take enforcement action in order to bring about the necessary control measures, whilst an engineering solution was developed.

Summary of relevant corrective measures/ actions relating to safety aspects

8.18 ORR has a number of enforcement powers at its disposal. These range from providing information and advice to railway undertakings and infrastructure managers to issuing more formal notices or bringing prosecution under GB health and safety legislation.[7]

8.19 *Improvement Notices*: Improvement notices require an improvement in activity within a set timescale. In 2010 ORR inspectors served 28 improvement notices. Improvement notices were issued for a variety of reasons. This included notices served on railway undertakings for failing to demonstrate the competence of driver trainers and assessors, and for failing to adequately assess the risks posed to the health of workers manually cleaning rolling stock underframes. Improvement notices were also issued to infrastructure

[7] The statutory basis for ORR's enforcement powers is the Health and Safety at Work Act, 1974 http://www.legislation.gov.uk/ukpga/1974/37/contents

managers for reasons including the failure to properly plan lifting operations and for failing to ensure that user-worked level crossings were used safely.[8]

8.20 *Prohibition Notices*: Prohibition notices require an activity to stop completely until health and safety issues have been addressed: 15 were served in 2010. The notices were issued to a variety of parties, including infrastructure managers and maintenance contractors. Reasons for issuing prohibition notices included the failure of an infrastructure manager to provide an adequate means of ensuring worker safety when track maintenance workers and road-rail vehicles were operating on the same worksite.[9]

8.21 *Prosecutions*: ORR also has the ability to use GB health and safety legislation to bring prosecutions against organisations and individuals. Six separate prosecutions were concluded during 2010.[10] An infrastructure manager was prosecuted following a fatality at a level crossing. A railway undertaking was also prosecuted after an incident in a maintenance workshop where a member of staff received serious injuries.

Summary of complaints from infrastructure managers concerning railway undertakings related to conditions in the Part A/ Part B certificate

8.22 No complaints of this nature were received from infrastructure managers during 2010. ORR encourages railway undertakings and infrastructure managers to resolve any issues through regular meetings and other dialogue.

Summary of complaints from railway undertakings concerning infrastructure managers related to conditions in their authorisation

8.23 No complaints of this nature were received from infrastructure managers during 2010. ORR encourages railway undertakings and infrastructure managers to resolve any issues through regular meetings and other dialogue.

[8] http://www.rail-reg.gov.uk/server/show/ConWebDoc.10321

[9] http://www.rail-reg.gov.uk/server/show/nav.1585

[10] http://www.rail-reg.gov.uk/server/show/nav.1643

9. Reporting on the application of the Common Safety Method (CSM) on risk evaluation and assessment

9.1 Since 19 July 2010 the CSM on risk evaluation and assessment has applied to significant technical changes affecting vehicles or significant changes concerning structural subsystems where required by Article 15(1) of Directive 2008/57/EC or by a Technical Specification for Interoperability (TSI). ORR is not aware that this CSM has been applied by any railway undertaking, infrastructure manager or manufacturer during 2010. Many rolling stock and infrastructure projects were at an advanced stage when the Regulation came into force and therefore existing domestic processes for assuring safety including safety verification and Interoperability authorisation would have been applied.

9.2 ORR continued to engage with the GB rail industry on this CSM throughout 2010. We organised briefing sessions to ensure that stakeholders were aware of the implications of the CSM coming into force, and outlined the differences between safety verification, the current process for introducing new or altered vehicles onto the GB rail network, and the processes laid down by the CSM.

9.3 We have published guidance on the CSM for GB industry, which supplements the ERA guidance and supports the application of the CSM by stakeholders.

9.4 The application of the CSM on risk evaluation and assessment remains voluntary with respect to operational or organisational significant changes until 1 July 2012.

9.5 During 2011 we will be engaging with industry on possible changes to GB legislation to amend the requirement for safety verification of technical projects. This will simplify decision-making for these projects as the CSM on risk assessment and evaluation becomes more widely applied.

10. NSA Conclusions on the reporting year: Priorities

10.1 Safety performance on the GB mainline rail network continued to improve throughout 2010, with European safety data showing that Great Britain has one of the safest railways in Europe.

10.2 Our vision for Britain's railways remains as published in our corporate strategy for 2009-2014.

10.3 In particular this year we have:

- carried out inspections of construction work on the infrastructure including enhancements and renewal projects. We have taken enforcement action on worker safety issues;
- critically appraised the infrastructure manager's ability to manage organisational change in its infrastructure maintenance departments;
- assured ourselves about the management of train drivers' competence;
- scrutinised arrangements for managing emergencies at stations; and
- continued to participate in plans for the London Olympics in 2012.

10.4 ORR supports the development of a European framework which promotes market opening, and improved competitiveness of rail, while ensuring that a robust safety regime is in place. To achieve these goals, we believe that the priorities are:

- ensuring proper implementation throughout Europe of the obligations and responsibilities in the Railway Safety Directive, and other measures in the second railway package;
- developing cooperation arrangements between national safety authorities (NSAs) to ensure effective supervision and enforcement and build mutual confidence.

10.5 In December 2009, the Secretary of State for Transport announced that the ORR and the Department for Transport would jointly sponsor a report entitled the Rail Value for Money Study, to be led by Sir Roy McNulty. The report,[11] published in May 2011, examines the overall cost structure of all elements of the railway sector and makes recommendations for cost reductions that will improve value for money to passengers and the taxpayer while continuing to expand capacity as necessary and drive up passenger satisfaction.

10.6 We are now monitoring the industry's response to the report, including those recommendations that suggested ways of improving the standards regime in the industry.

[11] See: http://www2.dft.gov.uk/pgr/rail/strategyfinance/valueformoney/interim/

11. Sources of information

ORR Health and Safety Report, July 2011
http://www.rail-reg.gov.uk/server/show/nav.2614

ORR National Rail Trends Yearbook 2009-2010
http://www.rail-reg.gov.uk/server/show/nav.1528

ORR Inspection Manual- Validation of ROGS Safety Management Systems
http://www.rail-reg.gov.uk/server/show/nav.1520#related

Railway Management Maturity Model (RM3)
http://www.rail-reg.gov.uk/server/show/nav.1098

Techniques for the evaluation of management systems - user manual
http://www.rail-reg.gov.uk/server/show/ConWebDoc.7771

ORR Occupational health programme
http://www.rail-reg.gov.uk/server/show/nav.2609

12. Part 2: Northern Ireland

Scope of the Report

12.1 This section of the report covers the railway system in Northern Ireland for the period 1 January 2010 to 31 December 2010. There are no metros, trams or other light rail systems in Northern Ireland, nor is there any privately owned railway infrastructure.

12.2 Translink is the brand name of the integrated public transport operation of Citybus, Northern Ireland Railways (NIR), and Ulsterbus. NIR operates a fully integrated system, acting as both Infrastructure Manager and Train Operator. The Department for Regional Development assists NIR to operate rail services. Funding helps maintain and develop the rail infrastructure (track, stations, bridges, level crossings) and rolling stock, which includes trains, equipment and associated plant machinery.

12.3 See Annex A for Northern Ireland railway network map.

12.4 Heritage and tourist railways in Northern Ireland are privately owned and run, for the most part on dedicated track. They do not provide passenger services for the travelling public and are not funded by the Department. They are however a valuable tourist and heritage amenity.

12.5 All railway operators in Northern Ireland including heritage railways are required to comply with regulations introduced by the Department to further improve railway safety. In some circumstances heritage railways operating on their own tracks and at a line speed that does not exceed 25mph/40km may be exempted from some regulations where the Department is satisfied that the safety of passengers and the general public is not compromised.

13. The Safety Authority for Northern Ireland

13.1 In Northern Ireland the Safety Authority for the purpose of implementing the Railway Safety Management Regulations (Northern Ireland) 2006**,** (hereafter known as the "Safety Management Regulations") is the Department for Regional Development, established by article 3(1) of the Departments (Northern Ireland) Order 1999.

13.2 The Department's key responsibilities as Safety Authority are:

- to ensure that Northern Ireland Railways, the operator of the public railway service in Northern Ireland manages the network efficiently and in a way that meets the needs of its users;
- to encourage continuous improvement in health and safety performance;
- to secure compliance with relevant health and safety law, including taking enforcement action as necessary;
- to develop policy and enhance relevant railway health and safety legislation; and
- to issue or refuse safety certificates to railway operators in accordance with the "Safety Management Regulations".

13.3 The Safety Authority duties are managed by the Department's Ports and Public Transport Division, 3rd Floor Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB**.**

13.4 The Department's role as Safety Authority for Northern Ireland is to:

- provide the appropriate regulatory framework so that railway safety is generally maintained and, where reasonably practicable, continuously improved;
- assess each duty holder's application for safety certificates and authorisations, including its co-operation arrangements;

- assess whether safety is being achieved by inspecting duty holders' safety management systems (SMSs) and assessing available safety information and data; and
- authorise the placing into service of structural subsystems in Northern Ireland on the UK trans-European network; and check that they are operated and maintained in accordance with the essential requirements.
- authorise the placing into service of structural subsystems in Northern Ireland on the UK trans-European network; and check that they are operated and maintained in accordance with the essential requirements.

14. Development of railway safety in Northern Ireland

14.1 The Railway Safety Management Regulations (Northern Ireland) 2006 are aimed at harmonising safety standards on the NI Railway Network. These Regulations impose prohibitions and requirements in relation to safety on Northern Ireland railways.

14.2 Part 2 and regulation 18 of the Regulations implement, in Northern Ireland, Directive 2004/49/EC on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of transport undertakings and Directive 2001/14/EC on the allocation of infrastructure capacity and the levying of charges for use of infrastructure and safety certification ("the Railway Safety Directive"), except in relation to access to training facilities, placing in service of in–use rolling stock and accident and incident investigation.

14.3 Part 2 of the Regulations contains prohibitions in relation to the operation of trains or vehicles on any railways in Northern Ireland and the management and use of infrastructure unless a person has established and is maintaining a safety management system and in specified cases has a safety certificate in relation to the operation of vehicles or a safety authorisation in relation to the management and use of infrastructure. Part 2 also makes provision in relation to the requirements for a safety management system and the issuing, amendment and revocation of safety certificates and authorisations and for the giving of notices to the Department.

14.4 Part 3 provides for general duties on any railway operators subject to the duties in Part 2 to carry out risk assessment, co–operate with each other and certain other persons and to prepare an annual safety report to the Department. It makes provision in relation to annual reports to the European Railway Agency and for the issuing, keeping and public inspection of documents.

14.5 Part 4 makes provision in relation to the carrying out of safety critical work on any railways. It imposes obligations on those controlling the carrying out of such work to ensure that it is only carried out by fit and competent persons, that safety critical workers do not carry out work when fatigued, and related co–operation requirements.

14.6 Part 5 makes provision for appeals in relation to decisions relating to safety certificates and authorisations, for transitional provisions in relation to compliance with the provisions of regulations (3)(1) and (2), for the granting of exemptions and for a defence in relation to the safety verification requirements in regulation 4.

Common Safety Indicators

14.7 CSI data was collected for 2010. The data is broadly similar to that for 2009 although it has now been compiled in accordance with the latest ERA CSI template. NIR have provided the required data as transport operator in NI. The CSI data has been aggregated at a UK level and includes data for both Great Britain and Northern Ireland.

Rail Accident Investigation Branch

14.8 The Rail Accident Investigation Branch (RAIB) established by the Railways and Transport Safety Act 2003 is established on a UK-wide basis. It had no incidents to consider for full investigation in Northern Ireland in 2010. The Department confirmed to RAIB during the year that all outstanding recommendations from previous reports had been accepted and carried out satisfactorily.

15. Important legislative changes since the last report

15.1 The Department introduced the Train Driving Licences and Certificates Regulations (Northern Ireland) 2010 on 30 March 2010. These Regulations implement, for Northern Ireland, European Commission Directive 2007/59/EC on the certification of train drivers driving locomotives and trains on the railway system in Northern Ireland.

15.2 The Department also has responsibility to make or amend Public Level Crossing Orders in Northern Ireland in accordance with Section 66(4) of the Transport Act (NI) 1967 upon an application made by NIR. On the 13 December 2010, the Department introduced the Level Crossing (Lissue) Order (Northern Ireland) 2010 which became operative on 28 January 2011.

Procedural issues

15.3 There were no specific procedural issues raised by NIR during the period covered by this report. This is partly due to the fact that the Department continues to work closely with NIR on all aspects of railway safety on the Northern Irish rail network.

15.4 The main routes for Northern Ireland Railways to express opinion on issuing procedures, practices or to file complaints continues through the on-going contact between them and the Department.

Safety authorisations

15.5 No updated, amended or part authorisations were issued in 2010. This is partly due to the fact that the Department continues to work closely with NIR on the development of their application for authorisation.

16. Supervision of railway undertakings and infrastructure managers

16.1 In Northern Ireland, the day to day supervision of the health and safety performance of the railway industry is undertaken through the Railway Safety Management Regulations (Northern Ireland) 2006 where the Safety Authority is the Department.

General

16.2 The Department also continues to work closely with its counterpart in the Irish Republic, the Department of Transport, and the two railway operators on the island, NIR and Irish Rail, on all EU issues and mutual railway safety matters as they impact on the shared service between Belfast and Dublin. The Department also works closely with the Department for Transport in Great Britain and with the Office of Rail Regulation on European issues.

17. Conclusions

17.1 Safety performance on the Northern Irish mainline rail network continued to improve throughout 2010, with European safety data showing that Northern Ireland has one of the safest railways in Europe.

17.2 Northern Ireland has historically a low level of serious rail incidents. This situation has been maintained during 2010, with no reportable fatalities or serious injuries.

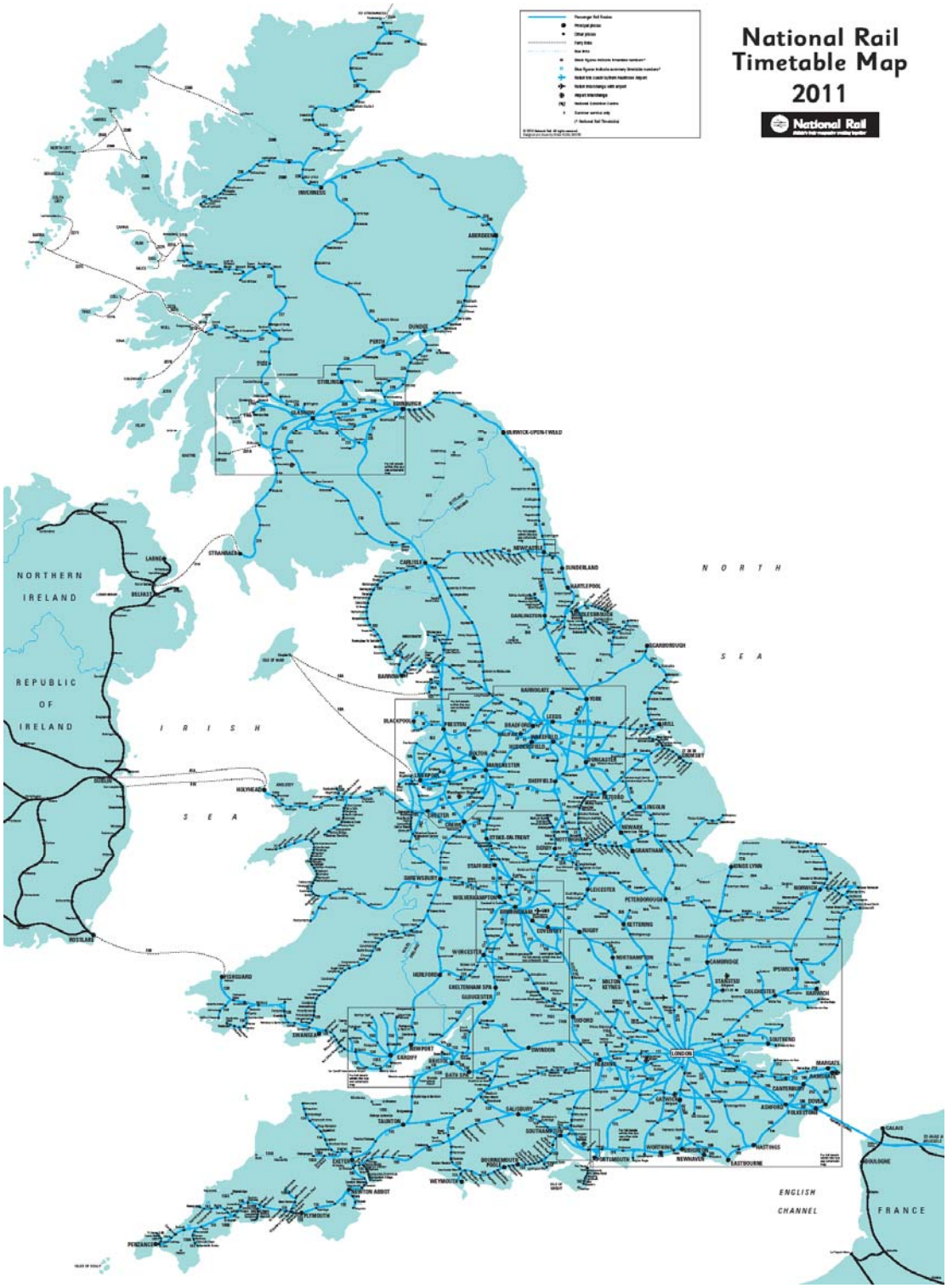
17.3 The Railway Safety Management Regulations (Northern Ireland) 2006 which came into effect on 30 June 2006 provide an adequate legislative framework for the Department to continue to work with Northern Ireland Railways to ensure smooth implementation of its safety management system.

17.4 During 2010-11 we will continue to press for improved safety, performance and efficiency on the Northern Ireland railway network and we will take action on under-performance as necessary.

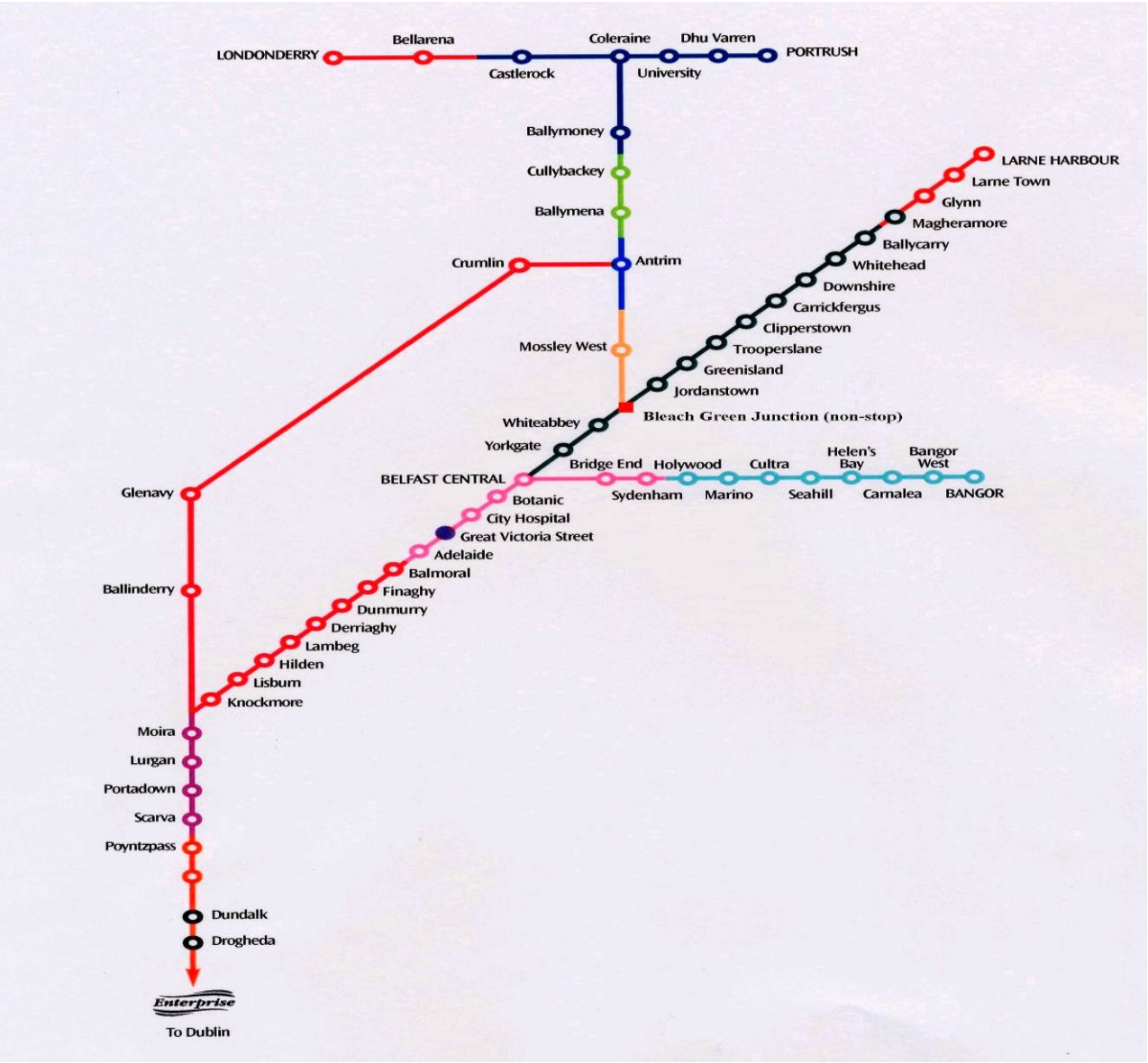
ERA Annual Report Annex

Annex A: Railway structure information

Map of GB rail network



Map of Northern Ireland rail network



List of railway undertakings and infrastructure managers

Infrastructure Managers

Name	**Address**	**Website/Network Statement Link**	*Safety Authorisation (Number/Date)*	*Start date commercial activity*	*Total Track Length/Gauge*
Network Rail Infrastructure Ltd	Kings Place, 90 York Way, London, N1 9AG.	http://www.networkrail.co.uk/aspx/3645.aspx	UK2120070029 Expires: 24/05/2012	October 2002	Track Length: 15,815 km Gauge: 1,435mm (4ft 8.5in) Standard gauge
Network Rail (CTRL) Ltd	Kings Place, 90 York Way, London, N1 9AG.	http://www.networkrail.co.uk/aspx/3645.aspx	UK2120090004 Expires: 18/04/2012	November 2007	Track Length: 108 km Gauge: 1,435mm (4ft 8.5in) Standard gauge

Railway Undertaking(s) operating on the mainline network

Name	**Address**	**Website**	*Safety Certificate A-B 2004/49/EC (Number/Date)*	*Start date commercial activity*	*Traffic Type (Freight,…)*
Arriva Trains Wales/ Trenau Arriva Cymru Ltd	Arriva Trains Wales, St Mary's House, 47 Penarth Rd, Cardiff, CF10 5DJ UK	www.arrivatrainswales.co.uk	A- UK1120070004 B- UK1220070004 Exp 15/02/12	Current franchise began 5 February 2004	Franchised passenger operator
C2C Rail Ltd	C2C Rail Limited 7 Triton Square London NW1 3HG	www.c2c-online.co.uk	A- UK1120070036 B- UK1220070036 Exp. 14/12/12	Current franchise began 23 May 2003	Franchised passenger operator
The Chiltern Railway Company Ltd	Chiltern Railways Marylebone Station London NW1 6JJ UK	www.chilternrailways.co.uk	A- UK1120080052 B- UK1220080052 Exp. 23/06/13	Current franchise began 5 February 2004	Franchised passenger operator
East Coast Mainline Company Ltd	East Coast Main Line Company Limited 4th Floor One Kemble Street London WC2B 4AN	www.eastcoast.co.uk	A- UK1120090080 B- UK1220090080 Exp. 23/09/14	Started operations 4 December	Franchised passenger operator

East Midlands Trains Ltd	East Midlands Trains Ltd Friars Bridge Court 41-45 Blackfriars Road London SE1 8NZ	www.eastmidlandstrains.co.uk	A-UK1120070035 B-UK1220070035 Exp. 10/11/12	Current franchise began 11 November 2007	Franchised passenger operator
First Capital Connect Ltd	First Capital Connect Ltd 50 Eastbourne Terrace Paddington London W2 6LG	www.firstcapitalconnect.co.uk	A-UK1120070018 B-UK1220070018 Exp 31/03/12	Current franchise began 9 February 2006	Franchised passenger operator
First Great Western Ltd	First Greater Western Ltd Milford House 1 Milford Street Swindon Wiltshire SN1 1HL	www.firstgreatwestern.co.uk	A-UK1120080063 B-UK1220080063 Exp 30/09/2013	Current franchise began 8 December 2006	Franchised passenger operator
First ScotRail Ltd	First Scotrail Limited 395 King Street Aberdeen AB24 5RP	www.scotrail.co.uk	A-UK1120080055 B-UK1220080055 Exp. 30/09/13	Current franchise began 10 December 2004	Franchised passenger operator
Keolis/ First Transpennine Express Ltd	First/ Keolis Transpennine Limited 50 Eastbourne Terrace Paddington London W2 6LG	www.tpexpress.co.uk	A-UK1120070006 B-UK1220070006 Exp. 20/02/12	Current franchise began 30 January 2004	Franchised passenger operator

London & Birmingham Railway Ltd	London & Birmingham Railway Limited 3rd Floor 41-51 Grey Street Newcastle upon Tyne NE1 6EE	www.londonmidland.com	A-UK1120070037 B-UK1220070037 Exp. 10/11/12	Current franchise began 11 November 2007	Franchised passenger operator
London & South Eastern Railway Ltd	London & South Eastern Railway Limited 3rd Floor 41-51 Grey Street Newcastle upon Tyne NE1 6EE	www.southeasternrailway.co.uk	A-UK1120070005 B-UK1220070005 A (high speed)-UK1120070042 B (high speed)-UK1220070042 Exp. 30/04/12	Current franchise began 6 December 2007	Franchised passenger operator
National Express East Anglia	London Eastern Railway Ltd 7 Triton Square London NW1 3HG	www.nationalexpresseastanglia.com	A-UK1120070002 B-UK1220070002 Exp. 10/01/12	Current franchise began 10 December 2004	Franchised passenger operator
London Overground Rail Operations Ltd	LOROL Great Central House Marylebone Station Melcombe Place London NW1 6JJ	www.lorol.co.uk	A-UK1120070034 B-UK1220070034 Exp. 10/11/12	Current franchise began 9 November 2007	Franchised passenger operator

Merseyrail Electrics 2002 Ltd	Rail House, Lord Nelson Street, Liverpool, L1 1JF	www.merseyrail.org	A-UK1120080045 B-UK1220080045 Exp. 23/05/13	Current franchise began 17 July 2003	Franchised passenger operator
Northern Rail Ltd	Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire RG27 9UY	www.northernrail.org	A-UK1120080047 B-UK1220080047 Exp. 22 June 2013	Current franchise began 6 January 2010	Franchised passenger operator
Southern Railway Ltd	Southern Railway Ltd 3rd Floor 41-51 Grey St, Newcastle Upon Tyne, Tyne and Wear, NE1 6EE	www.southernrailway.com	A-UK1120090076 B-UK1220090076 Exp. 19/09/14	Current franchise began 19 May 2010	Franchised passenger operator
Stagecoach South Western Trains Ltd	Stagecoach Southwestern Trains Ltd Friars Bridge Court 41-45 Blackfriars Road London SE1 8NZ	www.southwesttrains.co.uk	A-UK112007003 B-UK1220070003 Exp. 03/02/12	Current franchise began 20 May 2004	Franchised passenger operator
West Coast Trains Ltd (Virgin Rail Group)	West Coast Trains Ltd The School House, 50 Brook Green, London, W6 7RR	www.virgintrains.co.uk	A-UK1120080058 B-UK1220080058 Exp. 30/09/13	Current franchise began 10 December 2008	Franchised passenger operator

XC Trains Ltd (Cross Country)	XC Trains Limited Admiral Way Doxford International Business Park Sunderland SR3 3XP	www.crosscountrytrains.co.uk	A-UK1120070040 B-UK1220070040 Exp. 01/11/12	Current franchise began 6 Januray 2011	Franchised passenger operator
DB Regio Tyne and Wear Ltd	DB Regio Tyne & Wear Limited Great Central House Marylebone Station Melcombe Place London NW1 6JJ	www.nexus.org.uk/metro	A-UK1120090082 B-UK1220090082 Exp: 31/03/15	Current track access contract began 22 December 1999	Open access passenger operator
Eurostar UK Ltd	Eurostar (UK) Limited Times House Bravington Walk London N1 9AW	www.eurostar.com	A-UK1120090083 B-UK1220090083 Exp: 18/04/12	Current track access contract began 14 August 2009	Open access passenger operator
Grand Central Railway Company Ltd	Grand Central Railway Company 2011 Ltd River House 17 Museum Street York YO1 7DJ	www.grandcentralrail.co.uk	A-UK1120090074 B-UK1220090074 Exp: 30/06/14	Current track access contracts began 18 January 2007 (Sunderland services), and 12 February 2010 (West Riding services)	Open access passenger operator
Heathrow Express Operating Company Ltd	Heathrow Express Ltd 2 Lancelot Road Wembley Middlesex HA0 2RJ	www.heathrowexpress.com	A-UK1120070019 B-UK1220070019 Exp: 31/03/12	Current track access contract began 27 May 2005	Open access passenger operator

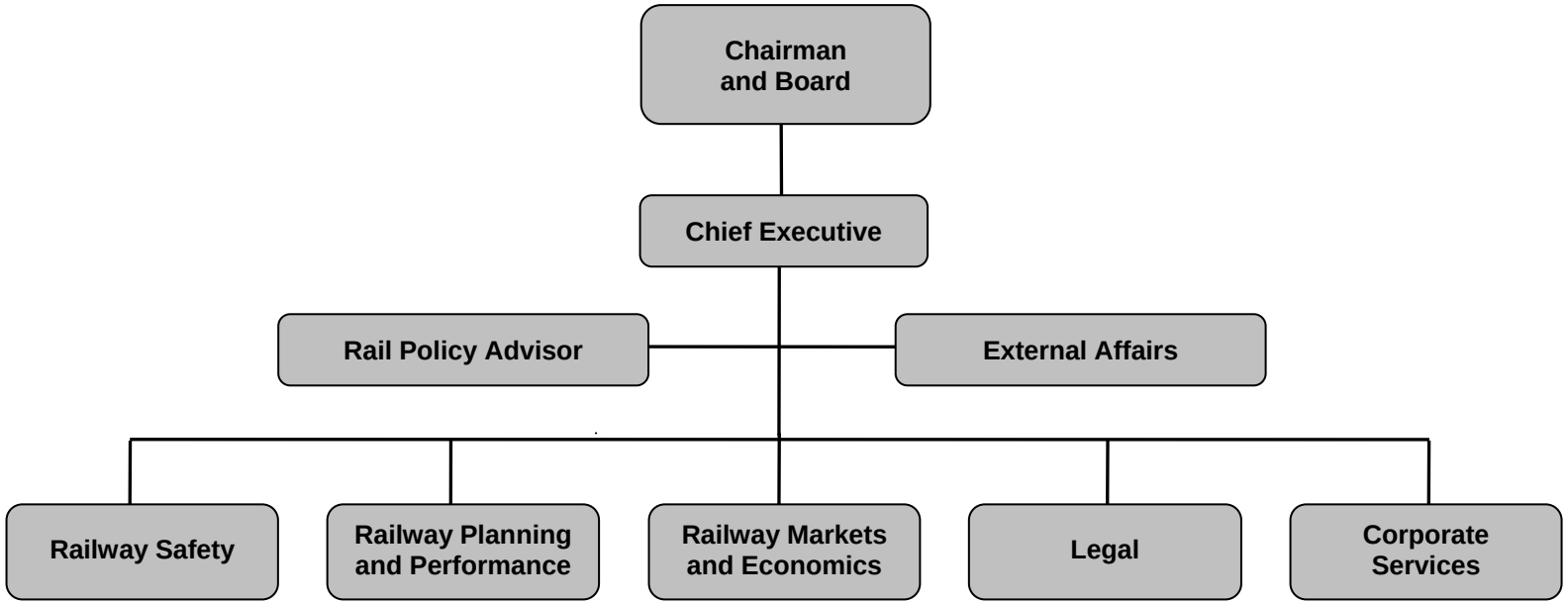
Hull Trains Company Ltd	4th Floor Europa House, 184 Ferensway, Hull, HU1 3UT.	www.hulltrains.co.uk	A- UK1120070021 B- UK1220070021 Exp: 01/04/12	Current track access contract began 12 February 2010	Open access passenger operator
North Yorkshire Moors Railway Enterprises plc	Pickering Station Pickering North Yorkshire YO18 7AJ	www.nymr.co.uk	A- UK1120080067 B- UK1220080067 Exp: 30/09/13	Current track access contract began 17 January 2007	Open access passenger operator
Wrexham, Shropshire & Marylebone Railway Company Ltd	Great Central House Marylebone Station, Melcombe Place London NW1 6JJ	Ceased operations 28 January 2011	A- UK1120080046 B- UK1220080046 Exp: 17/03/13	Current track access contract began 31 January 208	Open access passenger operator
Colas Rail Ltd	Dacre House 19 Dacre Street London SW1H 0DJ	www.colasrail.co.uk	A- UK1120090078 B- UK1220090078 Exp: 02/09/12	Current track access contract began 21 December 2006	Freight operator
Devon & Cornwall Railways Ltd	Stanhope Station Stanhope Bishop Auckland DL13 2YS	http://www.rmslocotec.com/#/dcr/4539306317	A- UK1120100085 B- UK1220100086 Exp: 26/01/15	Current track access contract began 26 April 2011	Freight operator

Direct Rail Services Ltd	Direct Rail Services Herdus House Ingwell Drive Westlakes Science and Technology Park Moor Row Cumbria CA24 3HU	www.directrailservices.com	A-UK1120070030 B-UK1220070030 Exp: 20/05/12	Current track access contract began 8 January 2010	Freight operator
DB Schenker Rail (UK) Ltd	Lakeside Business Park, Carolina Way, Doncaster, South Yorkshire, DN4 5PN	www.rail.dbschenker.co.uk	A-UK1120070015 B-UK1220070015 Exp 19/03/12	Current track access contract began 9 February 2006	Freight operator
Freightliner Ltd	3rd Floor, The Podium, 1 Eversholt Street, London NW1 2FL	www.freightliner.co.uk	A-UK1120080061 B-UK1220080061 Exp 30/09/13	Current track access contract began 01/04/09	Freight operator
Freightliner Heavy Haul Ltd	3rd Floor, The Podium, 1 Eversholt Street, London NW1 2FL	www.freightliner.co.uk	A-UK1120080062 B-UK1220080062 Exp: 30/09/13	Current track access contract began 26/09/07	Freight operator
GB Railfreight Ltd	GB Railfreight Ltd 15-25 Artillery Lane, London E1 7HA	www.gbrailfreight.com	A-UK1120080056 B-UK1220080056 Exp: 06/08/13	Current track access contract began 29 January 2008	Freight operator

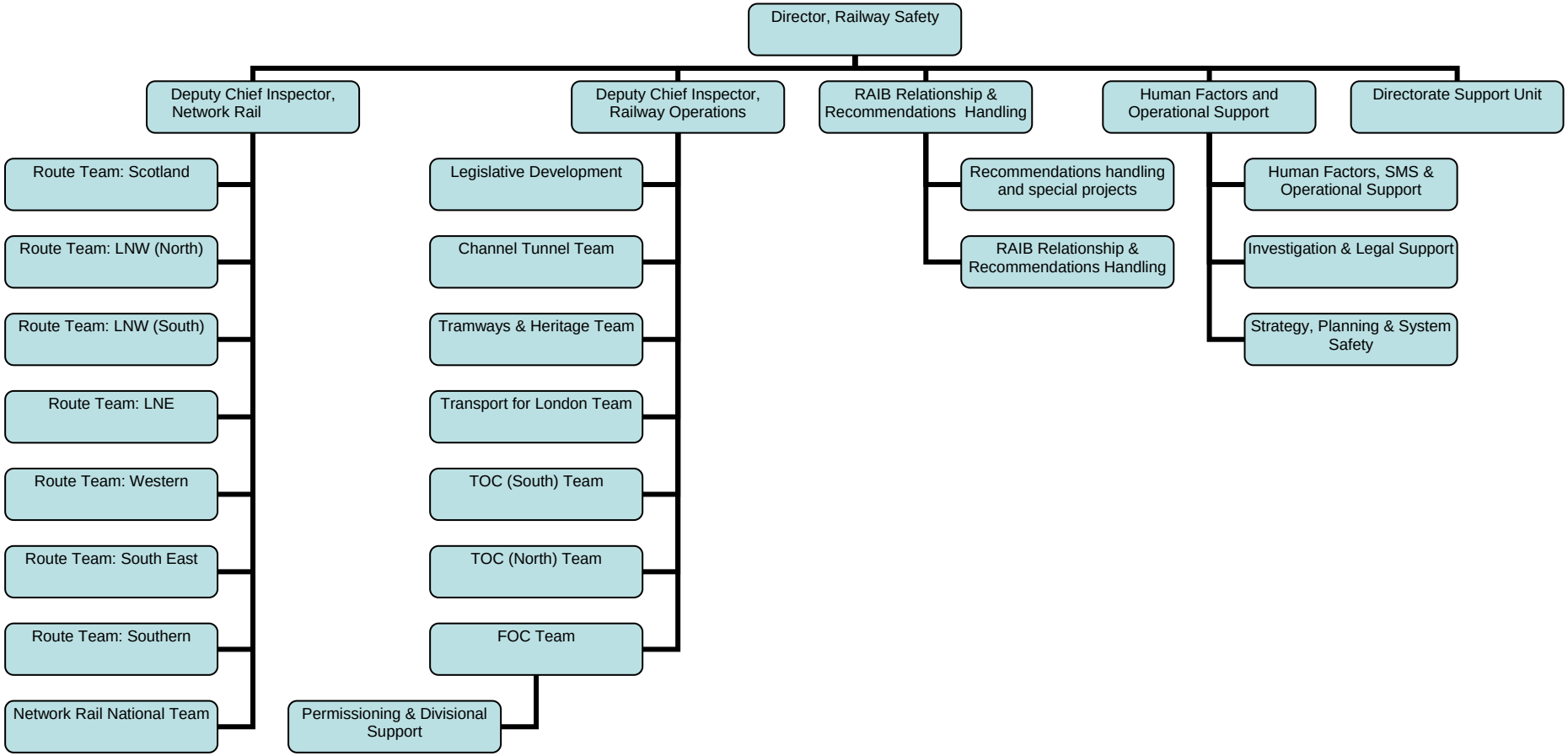
Jarvis Fastline Ltd	Fastline Limited Hill House 1 Little New Street London EC4A 3TR	Ceased operations 28 March 2010	A-UK1120070027 B-UK1220070027	Track access contract began 24/01/05 Withdrawn 29/03/10	Freight operator Note: Entered administration 29/03/10
Serco Ltd	Serco House, 16 Bartley Wood BP Bartley Way Hook Hampshire RG27 9UY	www.serco.com	A-UK11200714 B-UK12200714 Exp: 30/09/12	Current track access contract began September 2008	Freight operator
West Coast Railway Company Ltd	Off Jesson Way Cragbank Carnforth Lancashire LA5 9UR	www.westcoastrailways.co.uk	A-UK1120080064 B-UK1220080064 Exp: 30/09/13	Current track access contract began 7 December 2005	Freight operator

Annex B: Organisation

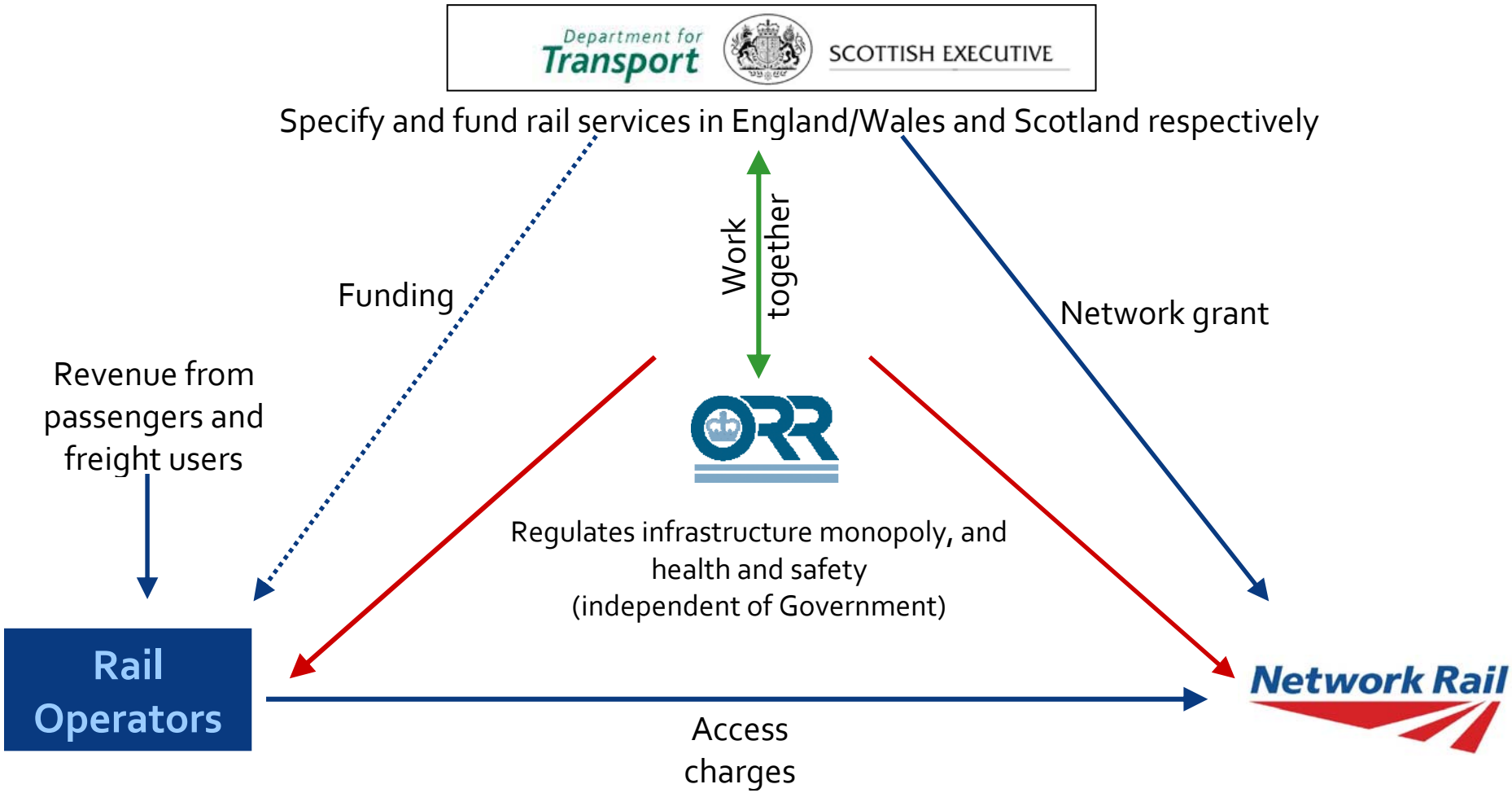
ORR organisation



ORR Railway Safety Directorate (at 31 December 2010)



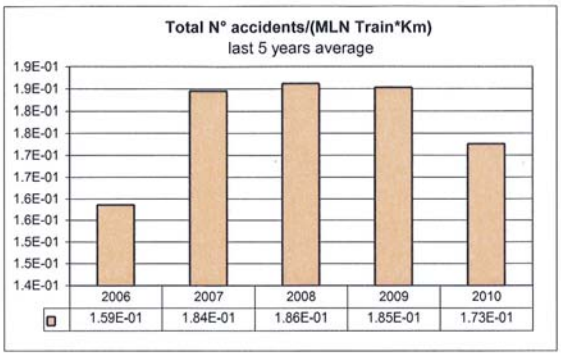
Organisational flow chart

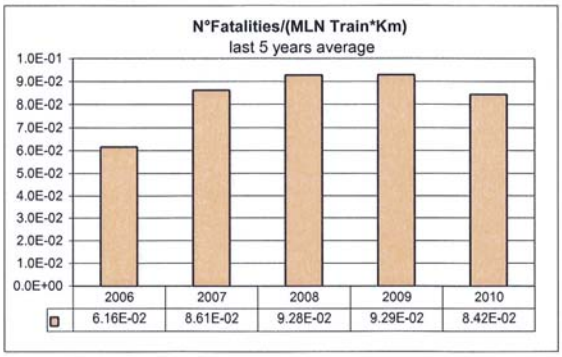


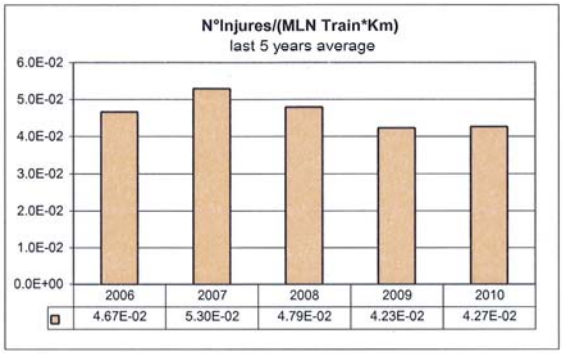
Annex C: CSI Data

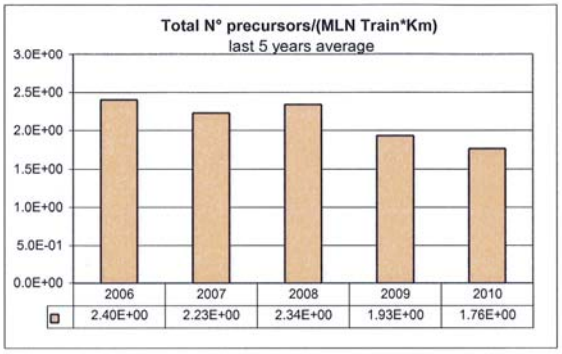
CSIs data

Performance at a glance



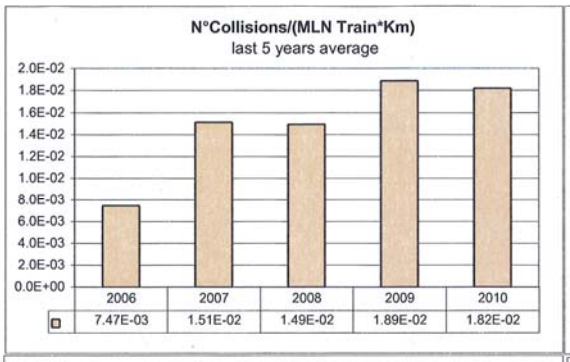


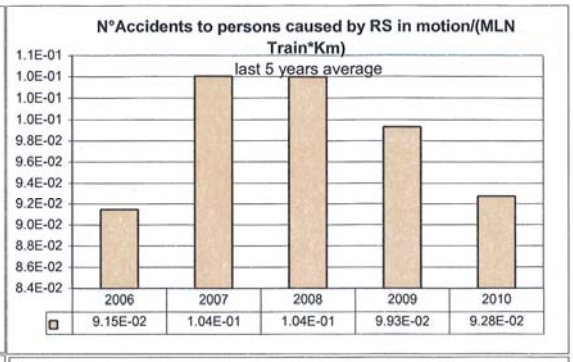


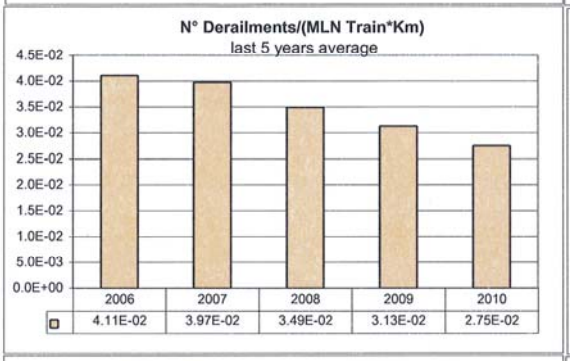


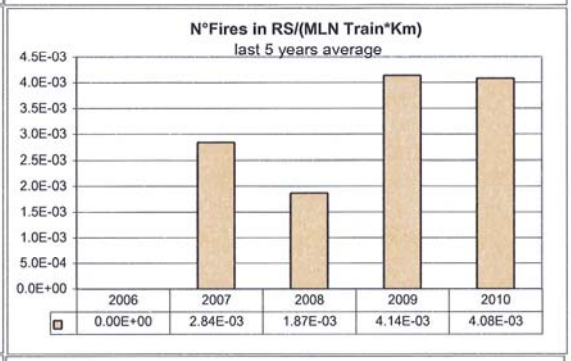
2007 report: values related to 2006.
2008 report: values related to the average between 2006 and 2007.
2008 report: values related to the average among 2006, 2007 and 2008.
2009 report: values related to the average among 2006, 2007, 2008 and 2009.

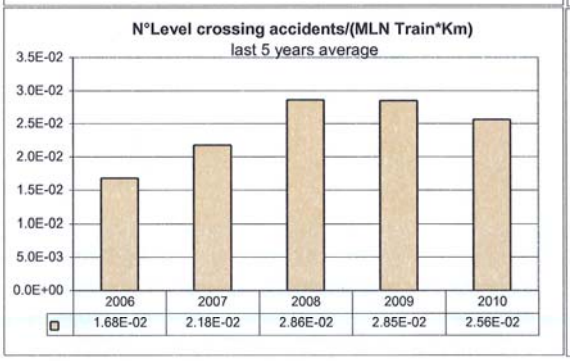
Accidents divided by type

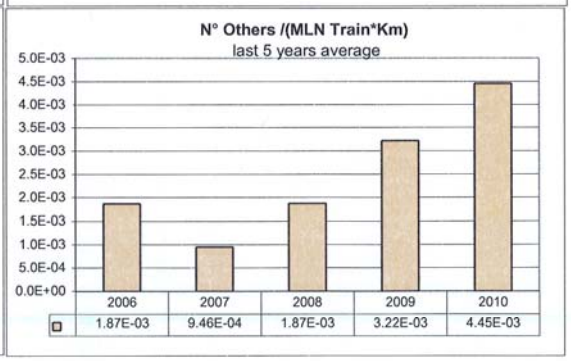












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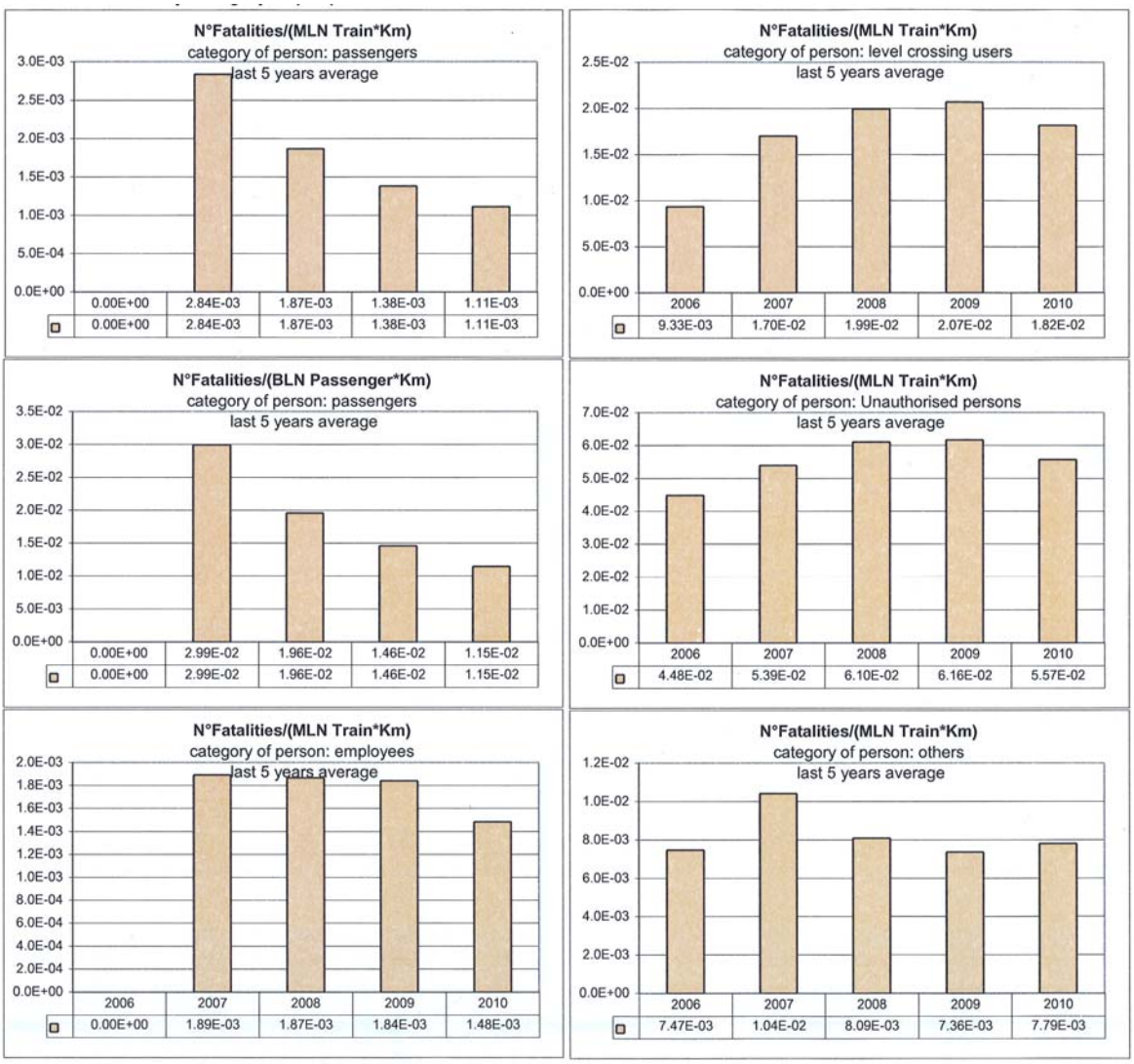
2009 report: values related to the average among 2006, 2007, 2008 and 2009.

Fatalities divided by category of people involved



2007 report: values related to 2006.
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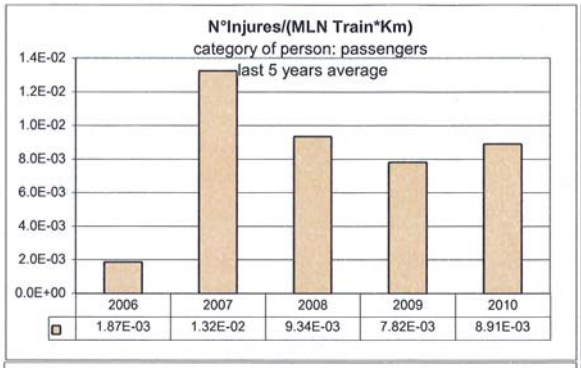
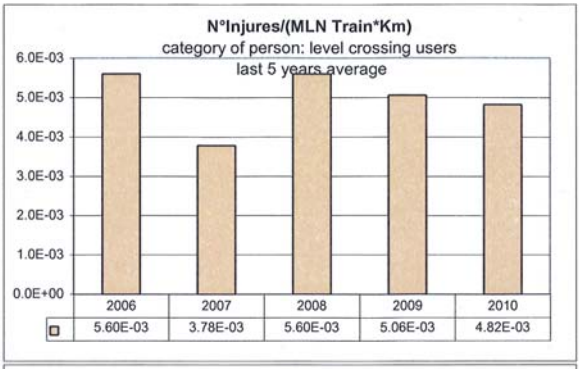
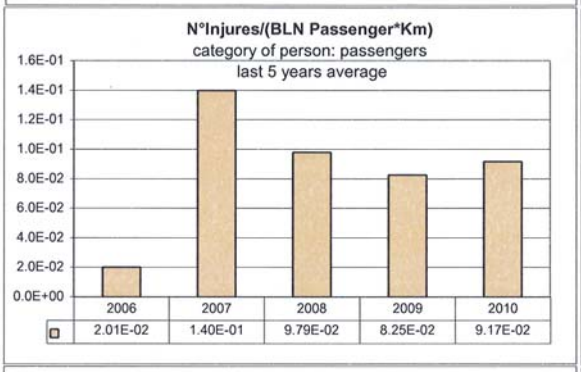
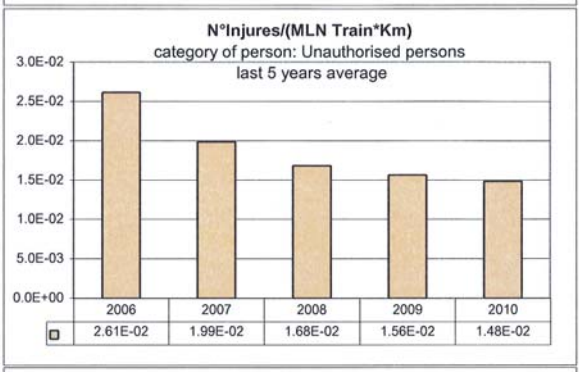
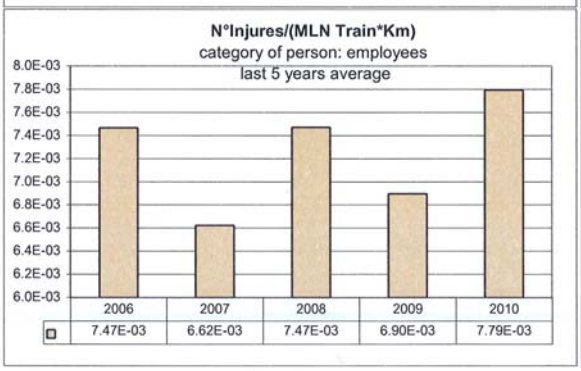
Injuries divided by category of people involved

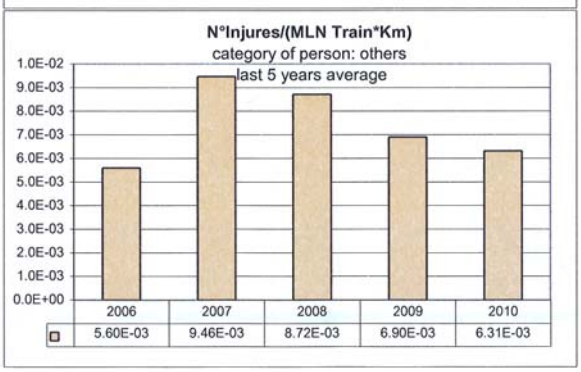












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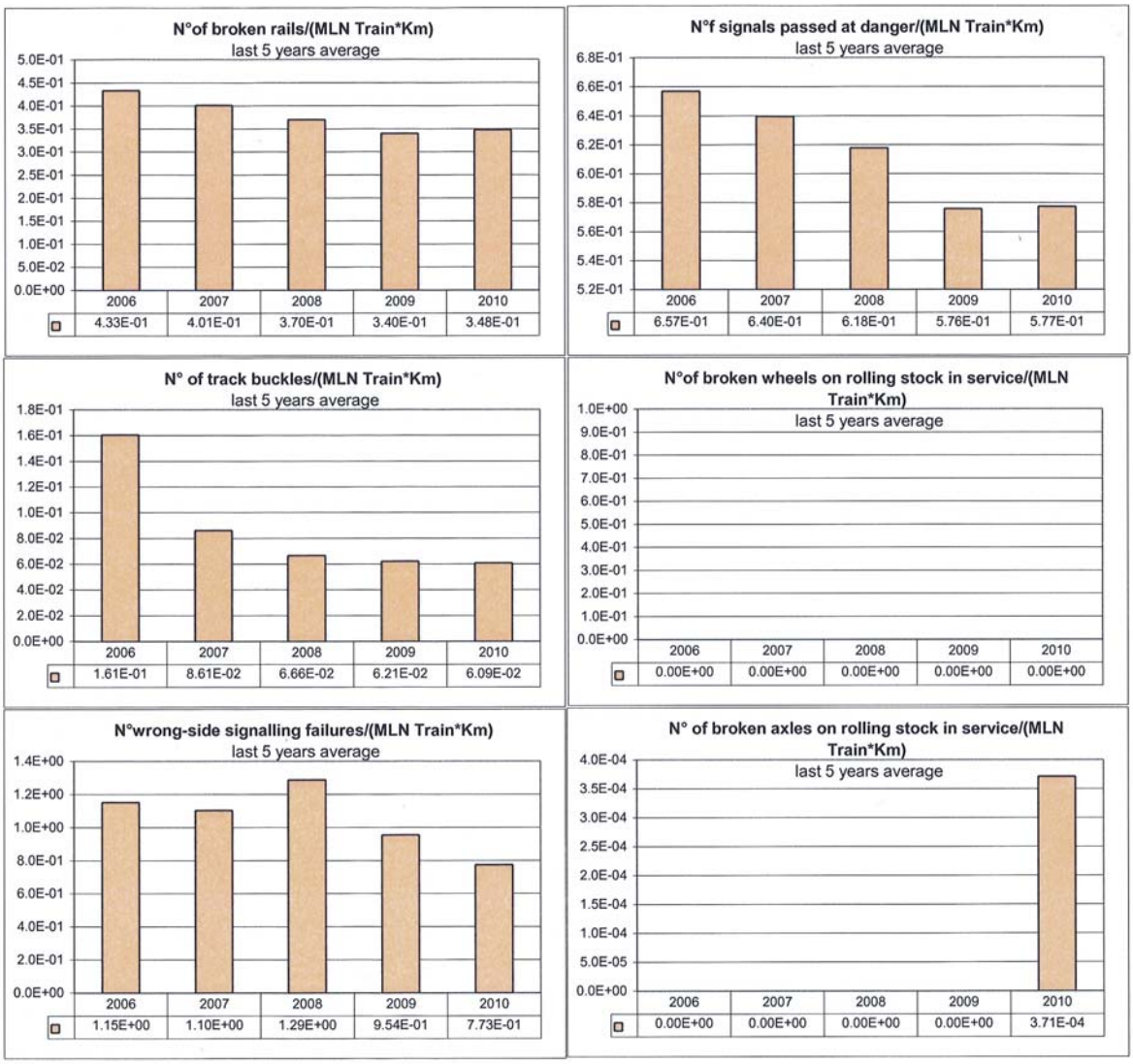
Precursors to accidents



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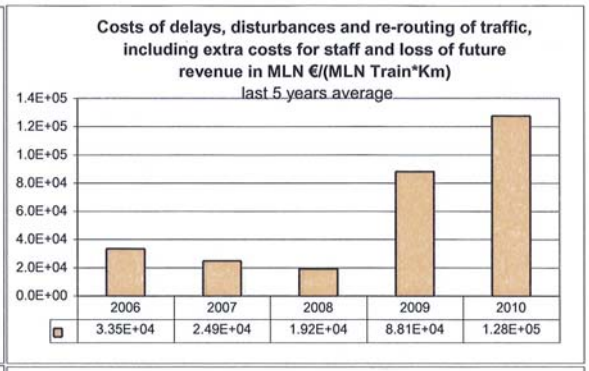
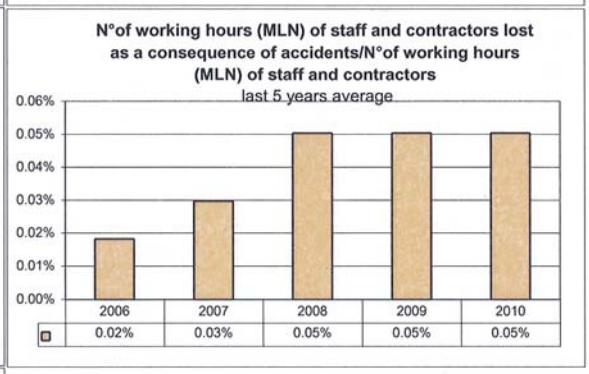
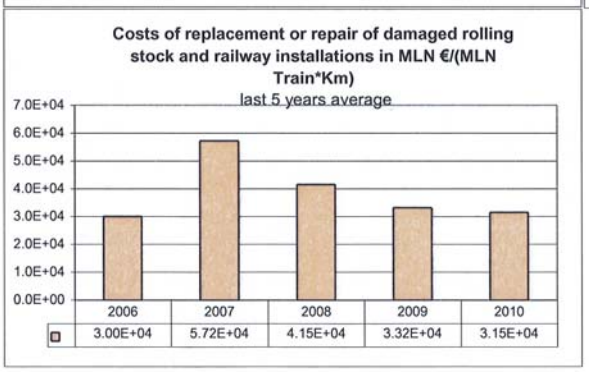
Cost of all accidents, number of working hours of staff and contractors lost as a consequence of accidents







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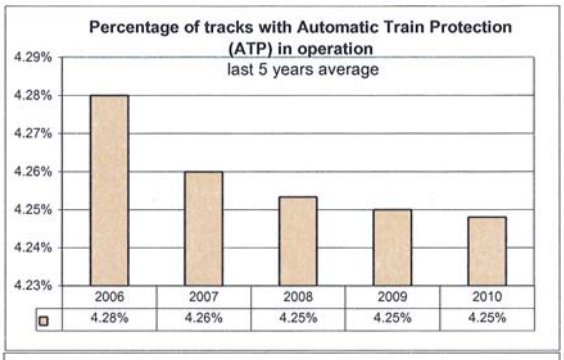
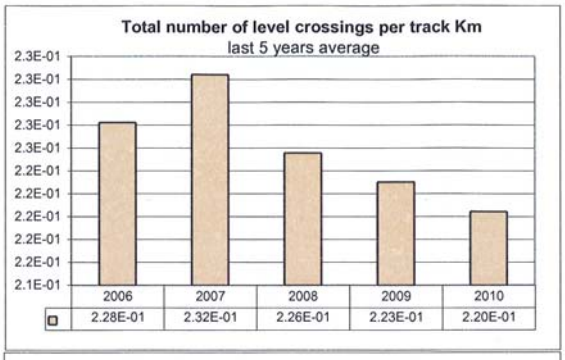
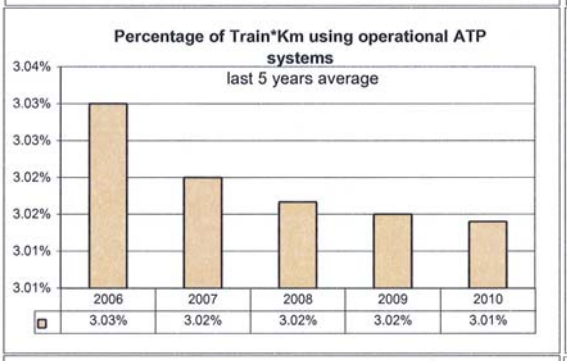
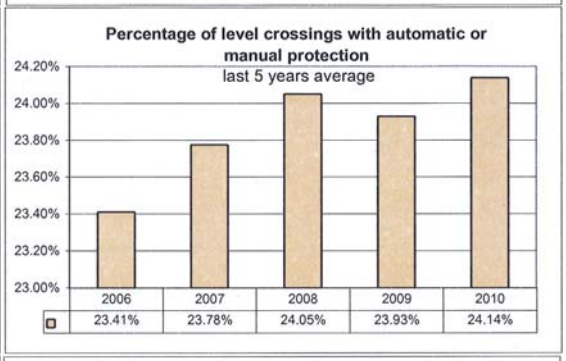
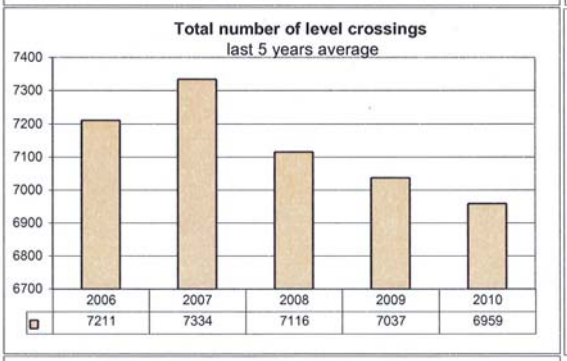
Technical safety infrastructure and its implementation, management of safety

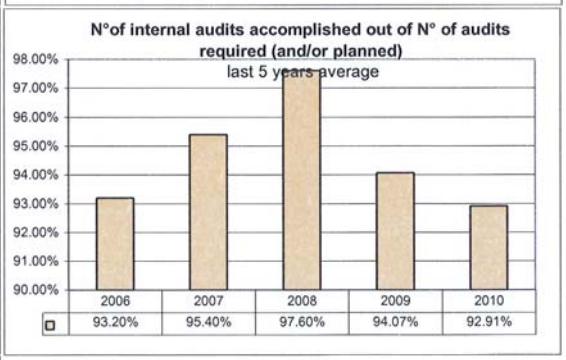


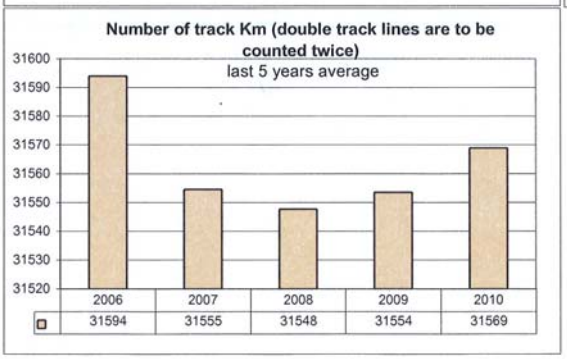












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2008 report: values related to the average among 2006, 2007 and 2008.
2009 report: values related to the average among 2006, 2007, 2008 and 2009.

Definitions used in the annual report

Definitions in Regulation 91/03 to be applied

Deaths (killed person)

means any person killed immediately, or dying within 30 days as a result of an injury accident, excluding suicides.

Injuries (seriously injured person)

means any person injured who was hospitalized for more than 24 hours as a result of an accident, excluding attempted suicides.

Passenger-km

means the unit of measure representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country shall be taken into account.

Suicide

means an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority.

Significant accident

means any accident involving at least one rail vehicle in motion, resulting in at least one killed or seriously injured person, or in significant damage to stock, track, other installations or environment, or extensive disruptions to traffic. Accidents in workshops, warehouses and depots are excluded.

Train

means one or more railway vehicles hauled by one or more locomotives or railcars, or one railcar travelling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A light engine, i.e. a locomotive travelling on its own, is not considered to be a train.

Train-km

means the unit of measure representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination shall be used. Only the distance on the national territory of the reporting country shall be taken into account.

National definitions

Directive 2004/49/EC lays down in Annex 1, point 6:

“Definitions

The reporting authorities may use nationally applied definitions of the indicators and methods for calculation of costs when data according to this Annex are submitted. All definitions and calculation methods in use shall be explained in an Annex to the annual report described in Article 18.”

National definitions

CSI	Common Safety Indicator
ERA	European Railway Agency
LC	Level Crossing
MLN	10^6
BLN	10^9
NSA	National Safety Authority
RS	Rolling Stock
RU	Railway Undertaking
IM	Infrastructure Manager

Annex D: Important changes in legislation and regulation

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
General national railway safety legislation				
Legislation concerning the national safety authority				
Legislation concerning notified bodies, assessors, third parties bodies for registration, examination, etc.				
National rules concerning railway safety				
Rules concerning national safety targets and methods				
Rules concerning requirements on safety management systems and safety certification of Railway Undertakings				
Rules concerning requirements on safety management systems and Safety Authorisation of Infrastructure Managers				
Rules concerning requirements for wagonkeepers				
Rules concerning requirements for maintenance workshops				
Rules concerning requirements for the autorisation of placing in service and maintenance of new and substantially altered rolling stock, including rules for exchange of rolling stock between Railway Undertakings, registration systems and requirements on testing procedures				
Common operating rules of the railway network, including rules relating to the signalling and traffic procedures				
Rules laying down requirements on additional internal operating rules (company rules) that must be established by the Infrastructure Managers and Railway Undertakings				
Rules concerning requirements on staff executing safety critical tasks, including selection criteria, medical fitness and vocational training and certification	The train driving licences and certificates regulations, 2010	6 April 2010	Transposition of Directive 2007/59/EC on the certification of train drivers operating locomotives and trains on the railway system in the Community into UK law.	Legislation introducing a licensing and certification system for some train drivers in Great Britain.

Rules concerning the investigation of the accident and incidents including recommendation				
Rules concerning requirements for national safety indicators including how to collect and analyse the indicators				
Rules concerning requirements for autorisation of placing in service the infrastructure (tracks, bridges, tunnels, energy, ATC, radio, signalling, interlocking, level crossing, platforms, etc.)				

Annex E: Development of safety certification and authorisation

Safety Certificates according to Directive 2001/14/EC

Number of Safety Certificates issued according to Directive 2001/14/EC, held by Railway Undertakings in year 2010	being licensed in your Member State	N/A
	being licensed in another Member State	N/A

Safety Certificates according to Directive 2004/49/EC

		New	Updated / amended	Renewed
Number of valid Safety Certificates **Part A** held by Railway Undertakings in the year 2010	being registered in your Member State	38	11	2
	being registered in another Member State			

		New	Updated / amended	Renewed
Number of valid Safety Certificates **Part B** held by Railway Undertakings in the year 2010	being registered in your Member State	38	10	2

			A	R	P
Number of applications for Safety Certificates **Part A** submitted by Railway Undertakings in year 2010	being registered in your Member State for	new certificates	1		
		updated / amended certificates	1		
		renewed certificates			
	being registered in another Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			

			A	R	P
Number of applications for Safety Certificates **Part B** submitted by Railway Undertakings in year 2010	being registered in your Member State for	new certificates	2		
		updated / amended certificates	2		
		renewed certificates			
	being registered in another Member State for	new certificates			
		updated / amended certificates			
		renewed certificates			

A = Accepted application, certificate is already issued

R = Rejected applications, no certificate was issued

P = Case is still pending, no certificate was issued so far

List of countries where RUs applying for their Safety Certificate part B in your Member State have obtained their Safety Certificate part A

A single part B certificate has been issued to a freight RU, whose part A certificate originates from another Member State.

Safety Authorisations according to Directive 2004/49/EC

	New	Updated / amended	Renewed
Number of valid Safety Authorisations held by Infrastructure Managers in the year 2010 being registered in your Member State	21	5	0

		A	R	P

Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2010 being registered in your Member State	new authorisations	1	0	0
	updated / amended authorisations	1	0	0
	renewed authorisations	0	0	0

Procedural aspects- Safety Certificates part A

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate **Part A** in year 2010 for Railway Undertakings	being registered in your Member State	119 days	8 days	-
	being registered in another Member State	-	-	-

Procedural aspects- Safety Certificates part B

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Certificate **Part B** in year 2010 for Railway Undertakings	being registered in your Member State	119 days	8 days	2 days
	being registered in another Member State	-	-	-

Procedural aspects- Safety Authorisations

		New	Updated / amended	Renewed
Mean time after having received all necessary information between the receipt of an application and the final delivery of a Safety Authorisation in year 2010 for Infrastructure Managers	being registered in your Member State	-	8 days	-
	being registered in another Member State	-	-	-

Office of Rail Regulation
One Kemble Street
London
WC2B 4AN

T: 020 7282 2000
F: 020 7282 2040

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