



Paul Carey
Office of Rail Regulation
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Dear Paul

ORR CONSULTATION ON REVISING RAILWAY SAFETY REGULATIONS

I attach the response of the Rail Safety Working Party of Parliamentary Advisory Council on Transport Safety (PACTS) to the ORR consultation on revising railway safety regulations.

Yours sincerely

David G Davies
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cc David Morris, Chair, PACTS Rail Safety Working Party

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Q1: Do you agree that we should revoke Regulations 3, 5, 6 and 7 of MPR 97? If you do not support the revocation, please tell us why.

YES, PACTS agrees with the proposed revocation.

Q2: Do you agree that Regulation 4 (Means of Communication) should be retained in its modified form? If you do not support the retention of this provision, please say why.

YES, we agree with the retention of this requirement. We feel it is important that both non-mainline and mainline railways continue to be subject to this legal requirement

Q3: Do you agree that we should retain a regulation to mandate the use of a train protection system? If not, why?

YES. Though interoperability regulations may appear to replicate this requirement in respect of the mainline railway, we consider that the proposed regulation will help ensure continued public confidence in railway safety. We note that a secondary benefit of the regulation is to ensure that the “train stop” devices on London Underground and other metro systems are effectively mandated – something not achieved by interoperability requirements.

Q4: What are your views on the proposed changes to the drafting of the regulation on train protection systems? Are there any further changes you feel we should make?

The draft regulation appears to be well drafted, and much clearer than the regulation it replaces.

Q5: In the proposed new definition of “relevant approach”, should 60mph be converted to 95km/h or 100km/h?

We note that RSSB’s suggested conversion is to 100km/h. We doubt there is much to choose in safety terms between 100km/h and 90km/h.

Q6: Do you agree that we should retain the regulation to prohibit the use of Mark 1 rolling stock, with the proposed changes to the exemption system? If you do not support the retention, please tell us why?

Yes

Q7: Do you agree that regulation 5 (prohibition of hinged doors) should be revoked? If you do not support revocation, why do you think it should be retained?

Yes

Q8: Do you agree with our approach to issuing exemptions under the new Regulations? If not, please tell us why?

Yes

Q 9: Do you agree that the remaining provision in force [definition of a railway] can be revoked? If not, please tell us why?

Yes

Q11: Do you have any views that would help inform our development of an enforcement flexibility proposal?

Clarity of enforcement responsibilities between the different agencies involved helps both regulators and those regulated. Swift resolution of ambiguities on enforcement responsibilities in cases of doubt can only be beneficial.