

Recommendation(s) Status: Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham, 22 November 2008

This report is based on information provided to the RAIB by the relevant safety authority or public body.

The status of implementation of the recommendations, as reported to us, has been divided into eight categories:

Key to Recommendation Status

Implemented:	All actions to deliver the recommendation have been completed.
Implemented by alternative means:	The intent of the recommendation has been satisfied in a way that was not identified by the RAIB during the investigation.
Implementation ongoing:	Work to deliver the intent of the recommendation has been agreed and is in the process of being delivered.
Insufficient response:	The end implementer has failed to provide a response; or has provided a response that does not adequately satisfy ORR that sufficient action is being taken to properly consider and address a recommendation.
Progressing:	The relevant safety authority has yet to be satisfied that an appropriate plan, with timescales, is in place to implement the recommendation; and work is in progress to provide this.
Non-implementation:	Regulation 12(2)(b)(iii) = recommendation considered and no implementation action to be taken.
Other Public Body or Authority	The recommendation is also addressed to another public body or authority.
Awaiting response:	Awaiting initial report from the relevant safety authority or public body on the status of the recommendation.

RAIB concerns on actions taken by organisations in response to recommendations are reflected in this report and are indicated by one of the following:

-  The red triangle shows recommendations where the RAIB has concerns that no actions have been taken in response to a recommendation.
-  The blue triangle shows recommendations where the RAIB has concerns that the actions taken, or proposed, are inappropriate or insufficient to address the risk identified during the investigation.
-  The white triangle shows recommendations where the RAIB notes substantive actions have been reported, but the RAIB still has concerns.

Note: The tables which follow, report the status of recommendations on 31 December 2015. In some other cases the end implementer has already sent information to the relevant safety authority about the actions it has taken, or proposes to take and the safety authority is considering whether it is satisfied that those actions and the associated timescales are accepted.

Number/ Date/ Report No/ Inv Title / Current Status	Safety Recommendation	Summary of current status (based on ORR's report to RAIB)
<p>1 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to address the unique risks of Bayles and Wylies crossing.</p> <p>Network Rail and NET should install signs at the outer extremes of the Bayles and Wylies level crossing, and at the exits from the central refuge, warning pedestrians who are about to cross the lines that trains and trams can approach in either direction at any time on both the railway and the tramway.</p>	<p>Network Rail has taken actions in response to this recommendation.</p> <p>ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
<p>2 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to improve the safety of Bayles and Wylies crossing by adjusting the illumination to optimise:</p> <ul style="list-style-type: none"> l the visibility of the crossing deck for pedestrians, including discerning the edges of the crossing surface; l the visibility of pedestrians for train drivers; l the visibility of train headlights for pedestrians; and l the minimisation of dazzle in the vision of train drivers. <p>Network Rail and Nottinghamshire County Council should jointly assess the lighting of Bayles and Wylies level crossing, and if necessary alter it so that it is adequate for pedestrians to clearly see where they are walking when crossing the line.</p>	<p>Network Rail and Nottinghamshire County Council have taken actions in response to this recommendation.</p> <p>ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
<p>3 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to reduce the unique risks of Bayles and Wylies crossing to as low as reasonably practicable:</p> <p>Network Rail, together with NET, should re-assess Bayles and Wylies crossing and establish if the installation of additional protective measures, such as a miniature warning light system, are required.</p>	<p>ORR report that this recommendation has been implemented on the basis of a risk assessment carried out by Network Rail.</p>
<p>4 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to allow for differing conditions at level crossings in hours of darkness.</p> <p>Network Rail should revise their procedures for assessing and inspecting level crossings so that they allow for differing conditions in hours of darkness, allowing for the variable levels of luminous intensity from train night-time headlights, the variable duration of train horns and their sound levels relative to ambient noise and for the period when drivers do not sound their horns.</p>	<p>Network Rail has taken actions in response to this recommendation.</p> <p>ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>

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<p>5 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to ensure crossings are reviewed to maintain their risk as low as is reasonably practicable.</p> <p>Network Rail should amend their processes to re-assess crossings when circumstances at the location have changed to include instances when lines have, or are planned to be, closed.</p>	<p>Network Rail has taken actions in response to this recommendation.</p> <p>ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
<p>6 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to prevent different sighting distances or other key dimensions being recorded for the same level crossing.</p> <p>Network Rail should revise its management processes for inspecting and assessing level crossings to compare previous inspections and assessments, and identify and resolve any substantial variations in the data presented.</p>	<p>Network Rail has reported that it has taken actions in response to this recommendation.</p> <p>ORR proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>
<p>7 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to establish consistent and adequate levels of luminous intensity from night-time headlights of trains using the Network Rail system.</p> <p>The Rail Safety and Standards Board (RSSB) should evaluate the risk from the operation of trains with less luminous intensity from night-time headlights than that required from current railway group standards. If the risk is considered unacceptable the RSSB should propose, in accordance with the group standards code, changes to railway group standards to require all trains operating on the Network Rail system to be brought up to, and maintained at, an acceptable standard of luminous intensity within a defined timescale.</p>	<p>The recommendation was about studying whether old stock should be brought up to date; this has not been addressed other than to say that it is not reasonably practicable to modify older rolling stock. The recommendation asked for the RSSB to assess the reasonable practicability of such modifications and propose changes to group standards if appropriate. Instead, RSSB considered the recommendation would be addressed by making it explicit in the standard the legal obligations of duty holders and by offering guidance on what to consider in any fleet-wide assessment. RAIB are concerned that this alternative implementation will not meet the intent of the recommendation.</p> <p>\$b</p>
<p>8 22/11/2008 32/2009</p> <p>Double fatality at Bayles & Wylies FPC, Bestwood, Nottingham</p> <p>Status: Implemented</p>	<p>The purpose of this recommendation is to apply the lessons of this accident to other similar crossings.</p> <p>Nexus and Network Rail should review the pedestrian level crossings at South Drive and Benton Square jointly and apply any relevant learning points from this investigation to them.</p>	<p>Network Rail has reported that it has taken actions in response to this recommendation.</p> <p>Office of Rail Regulation (ORR) proposes to take no further action unless they become aware that the information provided becomes inaccurate.</p>