



OFFICE OF RAIL REGULATION

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Gareth Llewellyn  
Director, Safety and Sustainable Development  
Network Rail  
Kings Place  
90 York Way  
London  
N1 9AG

Dear Gareth

**Formalising Network Rail's level crossing risk reduction strategy**

Thank you for your letter of 7<sup>th</sup> March.

I support on behalf of the ORR your proposed 5 point strategy that aims to ensure Network Rail meets its' statutory obligations to understand properly the risks at each and every level crossing, then to produce a risk-based prioritised programme that will reduce risks to as low as reasonably practicable across the whole level crossing population.

When Network Rail is ready, ORR would be very willing to sit down with you to understand the proposed work programmes and how it has been derived in detail, before agreeing if it is 'reasonably practicable' with respect to all the constraints that might exist on Network Rail, remembering that what is reasonable practicable is not based on affordability. I have one comment, which is that although ALCRM can provide a good overview of risk priorities, the routes will also know where the priorities lie, based on their local knowledge, and you should consider letting their knowledge feed into the prioritisation process.

ORR would not take enforcement against a dutyholder if they were doing all that the law required of them to reduce risks to a tolerable level. We will however act if we find issues with risk assessments or management controls at specific locations, or with the process in



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general, or if we find by inspection or post-incident that the controls/equipment had not been adequately maintained.

I hope this gives the clarification you require from the regulator.

Yours sincerely

A handwritten signature in black ink, which appears to read 'IAN PROSSER', is positioned below the text 'Yours sincerely'.

**Ian Prosser**