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20 December 2019

Dear Mr Wilson

**Information request**  
**Reference number:** FOI2019/01374

Thank you for your request of 21 November 2019, in which you requested the following information:

- ‘1. Please provide the safety case review which determined that the design is acceptable in such an event.*
- 2. Please provide the safety case review which determined that the design is acceptable without an interlock to inhibit the lowering sequence initialising before confirmation that the barriers are fully raised.*
- 3. Please provide the review and correction record of this failure and advise as to whether you consider this to be a safety issue.*
- 4. Please advise the reason for this and advise as to whether you consider this to be a safety issue.’*

I have processed your request under the Environmental Information Regulations 2004 (EIR) as this type of information is environmental according to the definition in regulation 2(a) of the EIRs; this is because the information concerns ‘elements of the environment’. <sup>1</sup>

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<sup>1</sup> Section 39 of the Freedom of Information Act 2000 (FOIA) exempts environmental information from the FOIA and requires us to consider it under the EIR.

I have consulted with my colleagues and can confirm that we do not hold the information you have requested. In the interest of clarity, I will address your questions in turn below. As part 1 and 2 of your request is based on the same subject matter and part 3 and 4 are also of a similar matter, I will respond to these together.

- 1. Please provide the safety case review which determined that the design is acceptable in such an event.**
- 2. Please provide the safety case review which determined that the design is acceptable without an interlock to inhibit the lowering sequence initialising before confirmation that the barriers are fully raised.**

I have liaised with the Route Level Crossing Manager, who has carried out searches and advised that we do not hold a specific 'safety case review' for this particular crossing or any of the level crossings on our network.

Level crossing safety is always a priority for Network Rail and it is extremely important to manage and mitigate risk at crossings. In order to do this, the level crossings are assessed at a frequency that is based on the level of risk a crossing poses. The results and outcomes are reported through Narrative Risk Assessments. We do not carry out 'safety case reviews' as the design, operation and management of Level Crossings are based on regulations that have been put in place through the Office of Rail and Road (ORR).

It may be useful for you to know that the barrier operation for this particular crossing is unlike usual practices but has been put in place for specific circumstances. Standard protection methods have not been effective at this crossing which meant that the train has not approached the crossing in a normal manner. The process of the barriers being activated at the same time as the light and audible warning activation has been put in place as another means of protection for the public, to ultimately keep the public clear from the train, so as to avoid any possibility of an accident. Whilst I understand that the barrier movements can be alarming and frightening for users, it is the most effective method of ensuring the crossing is activated as quickly as possible.

- 3. Please provide the review and correction record of this failure and advise as to whether you consider this to be a safety issue.**
- 4. Please advise the reason for this and advise as to whether you consider this to be a safety issue.**

I have also consulted with the signalling engineers who have advised that we do not hold this information. The details you refer to for July 2019, have been checked and it seems as though all relevant equipment operated correctly. However your observations and concerns have been passed on to the Signalling Engineer and Local Operations Manager to review and look into, which can take a few weeks. Where you have mentioned whether

we consider this to be a safety issue, I understand that this is requesting an opinion rather than recorded information. However, if you would like to discuss this in further detail, then I am able to put you in contact with an expert. I will provide the contact details in a separate email.

Whilst we do not hold the specific information you have requested, it may be useful to know that with the stop button pressed, there are potentially three separate paths preventing the barriers from lowering. Before any lowering can commence, all three of the below pathways will need to be removed.

1. Monitors off
2. Stop button pressed
3. Lower button NOT pressed

I am sorry that I could not provide the information you have requested but I hope this response is helpful. If you have any enquiries about this response, please contact me in the first instance at [FOI@networkrail.co.uk](mailto:FOI@networkrail.co.uk) or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

**Najea Begum**  
**Information Officer**

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### **Appeal rights**

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at [FOI@networkrail.co.uk](mailto:FOI@networkrail.co.uk). Your request must be submitted within 40 working days of receipt of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF