

## Railway level crossings on farms

**OC 380/5**

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## **Summary**

This OC provides links to Office of Rail Regulation (ORR) document RGD-2007-07 [PDF] 'Private level crossings on farms and private land' which replaces guidance previously issued by HSE. It is intended to ensure common understanding of issues and facilitate joint working between HSE and HM Railway Inspectorate where appropriate.

## **Introduction**

1 Level crossings currently present the largest source of train accident risk. An accident at a crossing can result in injury or death to the user of the crossing as well as to the train driver and passengers. Tackling level crossing misuse is a key workstream in HMRI's level crossing strategy.

2 Allocation of enforcing authority at level crossings is covered in paragraphs A63 to A66 of the Memorandum of Understanding between HSE and ORR. ORR inspectors have the necessary powers under HSWA to pursue level crossing issues with non-railway dutyholders.

3 ORR have produced a guidance document (RGD 2007-07) that provides more background and information on relevant safeguards. There is also an information document that can be given to dutyholders.

4 Level crossings giving access to fields can lie unused for much of the year but during the summer months and harvest time in particular, may need to be used intensively, sometimes by casual labour who may be unfamiliar with the crossing. This can result in failure to follow the instructions for the safe use of the crossing. The authorised user is responsible for ensuring that everyone who uses the crossing has been properly instructed in how to do this safely.

## **Action by inspectors**

5 Where visiting staff establish that level crossings are present they should remind the authorised user of the risks and the legal responsibility to ensure users follow the instructions for the safe use of the crossing. The farmer should prepare a safe system of work for the use of level crossings. People who need to use the crossing in connection with the employer's business should be instructed in how to do it safely. The system of work should include the provision of any additional safety measures required by any temporary increased use of a crossing and of any special requirements to take account of particular users; for example, casual workers who may have a limited knowledge of English and who may not be able to read and understand warning signs.

6 Visiting staff should remind the farmer of his responsibilities to people he allows to use the crossing. This may include employees, contractors, postal staff, drivers of delivery vehicles and visitors. If there has been a change in use of the crossing (even if this is only for short periods such as harvesting, fruit picking etc.) the farmer should discuss this with

Network Rail or the relevant railway operator. Useful general information is available from Network Rail.

7 Farmers should be advised to report any problems with the level crossing to Network Rail or the relevant railway operator. Authorised users are normally provided with a contact telephone number, and this is often on a sign at the level crossing. The local HMRI inspector can also provide contact details if necessary.

8 HMRI would lead any investigation into an accident involving a train at a private level crossing on a farm. HSE inspectors would be kept informed and may be asked for assistance.

9 Visiting staff should liaise with the local HMRI inspector if they have any concerns about the condition of the protective equipment at private level crossings on farms. HMRI will liaise with Network Rail or other railway operator to ensure that remedial action is taken.

### **Cancellation of instructions**

10 OC 380/2 Version 2: Railway level crossings on farms – cancel and destroy.