



Department for Transport

The Baroness McIntosh of Pickering
House of Lords
London
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Lord Davies of Gower
Minister for Maritime, International and Security

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Dear Baroness McIntosh,

Thank you for your informed contributions to the recent debate on the Private Crossings (Signs and Barriers) Regulations 2023 (S.I. 2023/1112) held on 17 January 2024. I am sorry that my response to the concerns you raised during the debate has been delayed, and I have sought to respond to these below in full.

During the debate you made the point that my department should take a measured and proportionate approach in the way that it implements the regulations. As you will appreciate, we are keen to see that the railway signage used across both the mainline and heritage networks is upgraded as soon as practicably possible to realise the safety benefits that they will bring. As part of achieving this aim, whilst recognising the need to be proportionate, we have set out our expectation that this should be completed by the end of Control Period 7 (CP7) in 2029. We have discussed this position with the industry.

Nonetheless, we are aware of the considerable financial pressures on the heritage rail sector, especially as it recovers from the COVID-19 pandemic. As you will be aware, all existing signage that complies with the 1996 regulations remains lawfully placed until it needs to be replaced, at which point only the new signs may be erected. There is currently no legal mechanism for the Department to require operators to replace these existing signs. These would remain lawfully placed until the end of their serviceable life, which in practice could be several decades. The Department has no intention of mandating the early phasing-out of these existing signs (which would require a significant change to the legislation) or of using other means to require the heritage sector to do this. We therefore do not consider this

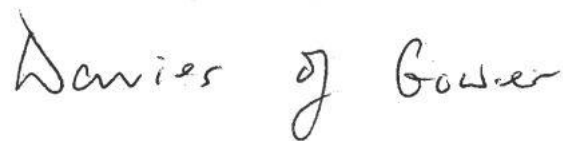
legislative change to impose an additional expense beyond the heritage rail sector's routine maintenance costs.

Nonetheless, we would hope that the heritage rail sector recognises the safety benefits the new signs bring and will make all reasonable efforts to adopt the new signage by the 2029 expected target date.

My officials wrote to the Heritage Railway Association on 18 December 2023 setting this position out and I hope this has been shared with its members.

Thank you, once again, for your contributions to this debate. I have copied this letter to all noble Lords who spoke during the debate and will be placing a copy in the Library of the House.

Yours sincerely,

A handwritten signature in black ink that reads "Davies of Gower". The signature is written in a cursive, slightly slanted style.

LORD DAVIES OF GOWER