



ANNUAL REPORT 2019



CRR

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REPORT OF THE COMMISSIONER

TO MINISTER SHANE ROSS,
MINISTER FOR TRANSPORT, TOURISM AND SPORT

Minister,

The Commission for Railway Regulation is pleased to submit its annual report for 2019.

The Commission had a full programme planned and resourced in 2019. Several additional challenges linked to our safety and regulatory functions also had to be addressed during the year.

In order to fulfil our safety functions, the Commission undertook a range of activities associated with conformity assessment, authorisation to place in service, licensing, monitoring, supervision and enforcement.

These actions are focused on the continued safe operation of the railway and tramway network in the State. In relation to conformity assessment and authorisation to place in service, the CRR issued nine safety certificates and twenty-three letters of authorisation. In 2018 the CRR commenced a review of its conformity assessment timelines so that the resource implication for this activity could be spread evenly year on year rather than all recertifications occurring in a narrow timeline. This process was continued with the safety certificates issued in 2019.

The Commission carries out its supervision and enforcement functions with an emphasis on support, advice, encouragement and when necessary direction. The supervision activity completed six audits relating to four regulated entities resulting in the identification of two major non-compliances, six minor non-compliances and a further thirty-one required actions. A total of eighty-nine inspections were also completed. Formal enforcement in the form of an Improvement Plan or an Improvement Notice after audit or inspection was required in seven instances. The CRR issued thirty-one required actions following audit and forty-seven following inspection in 2019.

In preparation for a potential no deal Brexit throughout 2019 the Commission maintained close contact with Translink NIR and Iarnród Éireann in relation to the continued operation of the Enterprise service. Extensive work was done with Translink NIR to ensure that they would be in a position to continue operating as a railway organisation complying with the necessary railway organisation licencing, certification and train driver licence requirements in the State.

Transport Infrastructure Ireland and the National Transport Authority awarded Transdev the operation and maintenance contract to operate Dublin's light rail network LUAS with effect from the 1st December 2019. The CRR were required to undertake the legal conformity assessment of Transdev in order to award the necessary safety certificate for operation under the contract. Following extensive engagement and review of the required documentation a safety certificate was issued to November 2019.

We continued to monitor railway organisations' implementation of CRR required actions and the safety recommendations of the Railway Accident Investigation Unit.

The CRR received four investigation reports from the Railway Accident Investigation Unit in 2019. These reports contained a total of 34 recommendations. Safety Recommendations made by the RAIU are typically directed at the railway organisation(s) concerned but are addressed to the CRR as the responsible authority for the oversight of their implementation.

REPORT OF THE COMMISSIONER

TO MINISTER SHANE ROSS, MINISTER FOR TRANSPORT, TOURISM AND SPORT

Delivery of the investment programme within the Infrastructure Manager Multi-Annual Contract is monitored by the CRR as the independent monitoring body, as set out in the European Union (Regulation of Railways) Regulations 2015. In relation to the contract in place in 2019 the CRR completed the review and reporting requirements in line with the contract criteria. The CRR contributed to the review of the contract in force between 2014-2018 initiated by DTTAS. This resulted in a number of recommendations applicable to the new contract. These included the broader range of key performance indicators recommended by the CRR. A new Infrastructure Manager Multi Annual Contract between the Minister for Transport Tourism and Sport and Iarnród Éireann Infrastructure Manager will be monitored by the CRR when it comes into effect.

The CRR as part of its ongoing review of resources to fulfil its mandate as the National Safety Authority and Regulator sought and received sanction for an additional two staff. This sanction brings the full complement of staff within the CRR to 17. The CRR experience is that in the current economic climate there is a high demand for engineers which make up the majority of the CRR staff and therefore retaining and recruiting staff is a significant challenge at this time.

Ireland along with a number of other member states opted for the June 2020 date for the transposition of the 4th Railway Package Interoperability and Safety Technical Pillar Directives. Work on supporting the DTTAS in this task commenced in 2019. One of the significant changes resulting from the transposition will be the use of the European Railway Agency one stop shop for safety certification and vehicle authorisation. In preparation for this the CRR commenced the training of its staff in the new systems in 2019.

The total funding for the functions of the Commission in 2019 was € 2.46m. The Commission continues to receive most of its funding through the annual levy that the CRR places on the entities that are subject to regulation (€2.02m) with the balance received as Grant in Aid from the Department of Transport Tourism and Sport (€0.44m). The levy is allocated based on the level of authorisation and/or supervision that each entity will be subject to in that levy year.

The CRR received fifty-one representations relating to a range of heavy and light rail infrastructure and operational issues up from thirty-one in the previous year but still lower than the other five preceding years. All representations received by the CRR were reviewed and actioned.

Railway organisations are required to submit an annual safety report to the CRR by the 30th June each year regarding the preceding year. While some of the data is provided within this annual report the CRR publishes its complete Railway Safety Performance Report towards the end of each year. The complete report for 2018 was published in December 2019 on the CRR website.

The Railway Safety Advisory Council was reconstituted with new membership nominated by the representative groups specified in the Railway Safety Act 2005 and by the Minister. The CRR looks forward to working with the council during its tenure and continuing to provide facilities and services to assist it in carrying out its functions.

There were some new/novel developments relating to the CRR functions in 2019. In early 2019 Cork County Council commenced initial engagement with the CRR in relation to the design and development of a new cableway at Dursey County Cork. As a new cableway it will be required to receive construction and entry into service authorisation from the CRR in line with the requirements of EU Regulation 2016/424. This would be the first such authorisation issued by the CRR in the State. In addition, in 2019 the Commission had an enquiry and a planning application submitted relating to velo-rail a recreational activity that uses small rail mounted vehicles that are propelled by pedal power to allow the vehicle to move along a disused railway line.

The Commission continues to ensure that it meets the requirement of the revised Code of Practice for Governance of State Bodies and in 2019.

Any organisation is totally dependent for its success and achievement on the quality and professionalism of its staff. I extend my thanks to each member of the CRR staff and acknowledge their continuing commitment, dedication and hard work throughout a year that had additional challenges over and above its planned work programme.

Brian Higginson

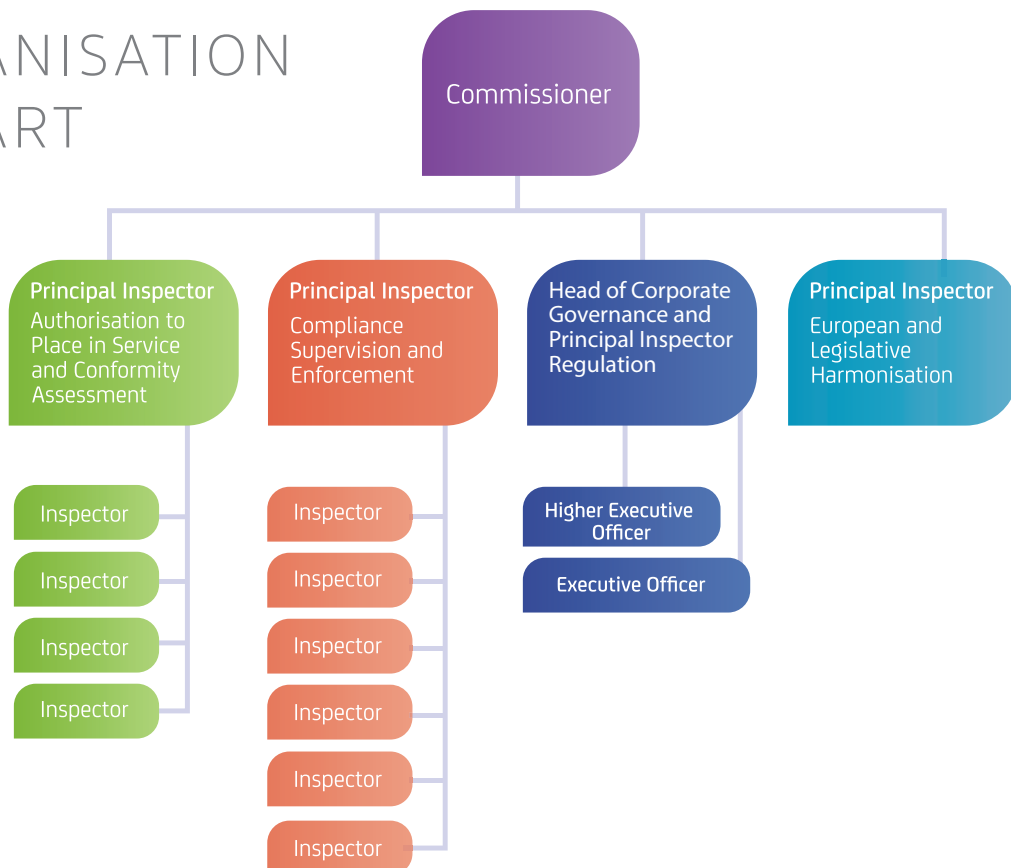
Commissioner

COMMISSION FOR RAILWAY REGULATION MANAGEMENT GROUP AND ORGANISATION STRUCTURE

MANAGEMENT TEAM



ORGANISATION CHART



ROLE OF THE COMMISSION FOR RAILWAY REGULATION

The Commission for Railway Regulation was established on 1st January 2006 under the provisions of the Railway Safety Act (RSA) 2005. It is the independent regulator of both the heavy and light rail organisations that provided close to 98 million passenger journeys in the State in 2019. Under the Railway Safety Directive (EU Directive 2004/49/EC), as reflected in S.I. No.444 of 2013, the CRR is the National Safety Authority for the railway sector in the Republic of Ireland.

The CRR is required to ensure that each railway organisation operating in the State understands and effectively manages the risk to safety associated with its activities. This is achieved in the following ways:

- Conformity Assessment – This involves assessing the Safety Management Systems (SMS) of railway organisations to ensure that they conform to all the EU based legal requirements prior to awarding safety authorisation or safety certification.
- Authorisation to Place in Service (APIS) – This involves assessing APIS applications for new or altered railway infrastructure, command control and signalling equipment, energy supply equipment and rolling stock in accordance with National and EU legal provisions.
- Compliance Supervision & Enforcement – This involves both audit and inspection for compliance with the procedures and standards prescribed in each SMS approved in conformity assessment, the inspection of railway assets to assess compliance with fitness for purpose criteria, as well as ensuring compliance with safety recommendations through the monitoring of implementation plans and by taking enforcement action where necessary.
- Entity in Charge of Maintenance – This involves providing certification and annual surveillance of entities in charge of maintenance in Ireland in accordance with Commission Regulation EU 445/2011.
- European & Legislative Harmonisation – This involves supporting the harmonisation of legislation with EU Directives and Regulations and ensuring that the consequent implementation of related technical and procedural measures conforms to mandatory EU requirements.

Under EU Directive 2012/34, as reflected in S.I. No.249 of 2015, the CRR is the Regulatory Body, Licensing Authority and Independent Monitoring Body for the heavy rail sector in the State. In this context it has the following additional regulatory functions:

- Licensing of Railway organisations seeking to access the network;
- Independent Monitoring of the Multi-Annual Contract between the Minister and the Infrastructure Manager
- Oversight of the Iarnród Éireann track access allocation and pricing regime and adjudication on appeals by Railway organisations

The CRR is also the Competent Authority designated for:

- The transport of dangerous goods by rail.
- Cableways relating to installations designed to carry persons.
- The oversight and regulation of train driver's certification.

RAIL ENTITIES SUBJECT TO REGULATION

The following entities were subject to regulation by the CRR in 2019.

Iarnród Éireann - Infrastructure Manager; Iarnród Éireann – Railway Organisation;

Transdev (LUAS operator); Rhomberg Sersa Ireland Limited;

Translink, Northern Ireland Railways; Transport Infrastructure Ireland; Balfour Beatty Rail Ireland;

Bord na Mona; Belmont Grand Hibernian; Railway Preservation Society of Ireland; Heritage Railways.

PASSENGER NUMBERS

Iarnród Éireann

2019 saw continued growth on the Iarnród Éireann rail network with over 50 million¹ passenger journeys made, representing an increase of 4.8% and the highest passenger journey figure in the company's history. Dart, Commuter and Inter City services all saw passenger journeys increase.

LUAS (Transdev)

2019 also saw continued growth on the LUAS light-rail network with 48 million¹ passenger journey made, representing an increase of approximately 15% on 2018. The figures reflect the first full year of the capacity enhancement of the Green Line, and a further addition of two newly extended trams brought into service in late 2019.

Trends in passenger journeys are provided in Appendix 2.

STRATEGY OF THE COMMISSION FOR RAILWAY REGULATION

The Commission for Railway Regulation is now in the second year of its current fifth Statement of Strategy (2019 – 2020) under the Railway Safety Act 2005. It was developed with the participation of staff and in consultation with stakeholders.

In developing this Strategy, the Commission recognised that the regulation of the rail sector continues to develop both at national and European level. This Strategy sits against a background that is challenging in the context of key legislative and policy developments. This includes but is not limited to the imminent transposition of the relevant Directives bringing the Fourth Railway Package into effect in June 2020, the Government's National Development Plan 2019 – 2027 and Brexit.

As expected, the time frame for this Strategy is a period of continued economic growth and recovery bringing with it increased demands for public transport and increased traffic on the national heavy and light rail systems. The Commission's main aim continues to be to ensure that the national rail infrastructure and the railway organisations in the country operate under effective safety management systems that deliver safe and sustainable rail transport.

¹ : National Transport Authority preliminary figures 2019.

Mission: The CRR is committed to advancing railway safety, the maintenance and further development of high performing and sustainable railway systems and ensuring fair access to the Irish conventional railway network in Ireland through regulation, monitoring, encouragement and promotion.

Vision: Railways that safely deliver.

Objectives:

Priority 1: Ensure continuous improvement in the safety performance of heavy and light railway systems.

Priority 2: Effective monitoring relating to rail infrastructure, access and licencing requirement of the single European network area.

Priority 3: To support government public transport policy initiatives directed at the needs of society and the economy through safe, sustainable and competitive railway transport networks and services.

Priority 4: Ensure industry awareness and understanding of changing national and European railway Regulatory environment.

Priority 5: Be a high performing organisation delivering quality and value in what we do.





REPORT OF PRINCIPAL INSPECTOR - AUTHORISATION TO PLACE IN SERVICE AND CONFORMITY ASSESSMENT

AUTHORISATION TO PLACE IN SERVICE (APIS)

The requirement for the CRR to perform Authorisation to Place in Service on railway systems is based on EU and National Legislation. The main EU legal requirements are, the Interoperability Directive 2008/57/EC (IOD), the Railway Safety Directive (RSD) 2004/49/EC and the common safety method for risk evaluation and assessment EU/402/2013. National requirements are governed by the Railway Safety Act 2005 amended by SI 444 of 2013. EU and national requirements apply to the heavy rail system while only national requirements apply to the LUAS light rail system.

Meeting the essential requirements as outlined in IOD Annex III is a pre-requisite for APIS. CRR requirements are underpinned by I.S. EN 50126 – railway applications – the specification and demonstration of reliability, availability, maintainability and safety. This is managed through the system life cycle known as the V-cycle. The V-cycle contains twelve cycles – i) Concept, ii) System Definition and Application Conditions, iii) Risk Analysis, iv) Safety Requirements, v) Apportionment of System Requirements, vi)

Design and Implementation, vii) Manufacture, viii) Installation, ix) System Validation, x) System Acceptance, xi) Operation and Maintenance and xii) De-commission. The CRR guidance RSC-G-009 and RSC-G-032 are designed around the V-cycle and have six Stages. These are:

Stage 1 – Concept (V-cycle i)

Stage 2 – Preliminary Design (V-cycle ii and iii)

Stage 3 – Detailed Design (V-cycle iv, v, vi and vii)

Stage 4 – Testing (V-cycle viii and ix)

Stage 5 – Interim Operation (V-cycle x, xi and xii)

Stage 6 – Service Operation (V-cycle x, xi and xii)

Stage 5 Interim Operation is a stage where the safety of a system has been proven for operation but not all evidence of the stipulated requirements and associated administrative paperwork is available.

APIS - Infrastructure

LUAS Cross City (LCC)

The LCC operated during 2019 under a stage 5 (interim operation) letter of acceptance. Seven conditions were placed on the letter of acceptance at the start of operations in December 2017. Six of these conditions were closed out in 2018. The remaining condition relates to the Midlands and Great Western Railway retaining walls at Phibsboro. During 2019 progress was made between Transport Infrastructure Ireland and the CRR to agree permanent measures for maintenance and ongoing monitoring of these walls because of their heritage status.

Bridges/Platforms/Stations/Level Crossings

In 2019 the CRR issued eleven letters of acceptance to IÉ-Infrastructure Manager in relation to new bridges, platforms and stations projects following review of their application.

These projects included:

Letters of acceptance for stage 3 (detailed design) as follows:

- New pedestrian overbridge with lifts at Carlow Station
- New pedestrian overbridge with lifts at Ennis Station
- New pedestrian overbridge on the Cork to Midleton Line as part of the Dunkettle Interchange Upgrade
- New station including pedestrian overbridge with lifts at Pelletstown on the line between Dublin and Maynooth.

Letters of acceptance for stage 5 (interim operation) as follows:

- New railway underbridge on the Dublin-Galway line at 77mls 1,370yds.
- New platform at Limerick Junction which included a pedestrian overbridge with lifts.

Letters of acceptance for stage 6 (service) as follows:

- New overbridge on the Dublin-Galway line at 114mls 250yds
- Two new overbridges on the Dublin-Rosslare line as part of the Enniscorthy Bypass
- A new overbridge on the Dublin-Belfast line as part of the Donabate Distributor Road

Decision Support System at User Worked Level Crossings – IÉ-Infrastructure Manager plans to introduce a decision support system at user worked

level crossings to assist the user in making a decision as to whether it is safe to cross the railway or not. The system is made up of a set of indicator lights which are connected to train detectors placed on the track to detect a train approaching the level crossing. A warning will be given to the user. Design of the system progressed during 2019 and a stage 3 (detailed design) letter of acceptance was issued in July.

APIS - Signalling and Telecommunications

Global System for Mobile Communications – Railway (GSM-R) Phase 1

This project comprises the replacement of the analogue radio system which is used to provide direct communications between train drivers and controlling signalmen/regulators with GSM-R. Phase 1 is the fitment of GSM-R compatible cab radios to the DART fleet, the construction of GSM-R base stations and antennas along the DART route and related works at the Central Traffic Control centre at Connolly. A stage 6 (service) letter of acceptance was issued in March 2019.

Iarnród Éireann Hybrid System (IEHS) train protection system

The IEHS train protection system is a replacement for the existing Continuous Automatic Warning System and Automatic Train Protection systems. The first stage of the project is the fitment of three train types with the prototype design and associated track equipment. A later stage will be the rollout over the entire network. The CRR continued to engage with the IÉ-IM during 2019. During 2019 a panel of experts from IÉ-IM and the CRR took part in progressing the drafting of a national rule for requirements for class B signalling systems in the State. This will allow the design of the product to be further developed. It is expected that the national rule will be published in the first half of 2020.

APIS - Rolling Stock

Iarnród Éireann

DART Expansion Programme

IÉ-RU proposes to extend its fleet as part of the DART expansion programme which aims to enhance the provision of fast, high-frequency electrified rail service in the Greater Dublin Area. In July a stage 1 (concept)

application for APIS was made to extend the DART fleet and a stage 1 (concept) letter of acceptance was issued in August. The new trains will consist of two vehicle type variants:

- i. A bi-mode Battery Electric Multiple Unit (BEMU) fleet that is capable of drawing the requisite tractive and auxiliary power supply from the overhead line equipment on the electrified sections of the DART network or from the vehicle mounted rechargeable batteries on the non-electrified sections of the proposed expanded DART network, and
- ii. An Electric Multiple Unit (EMU) fleet variant of the BEMU fleet that is capable of drawing the requisite tractive and auxiliary power supply from the overhead line equipment on the electrified sections of the DART network.

Additional Class 22000 Intercity Diesel Multiple Units (ICDMU)

Also, as part of the DART expansion programme IÉ-RU proposes to purchase 41 additional DMU units. These will be used to increase the current four and five car configurations for this fleet to five and six car configurations. An initial stage 1 (concept) application was made in December 2019. It is expected that a letter of acceptance will be issued in Q1 2020.

Multipurpose vehicle (MPV)

The IÉ-IM on track machine MPV which had been authorised to operate in flatbed, crane and sandite configuration received a stage 6 (service) letter of acceptance in April to operate in weed spray configuration following an application by the IÉ-IM.

Other On Track Machines

In addition to the MPV acceptance IÉ-IM made a stage 1 (concept) APIS application for four types of on-track machine,

- i) ballast plough wagons which will be used to plough the ballast discharged on to the track and to supply fresh water for the dust suppression system fitted to the machine that discharges the ballast,
- ii) ballast regulator which organises the ballast in the correct position on the track,
- iii) inspection cars which will be used by maintenance engineers to inspect the track, and

- iv) an on-track crane which will be used for track installations and bridge components.

Following review of applications letters of acceptance (four) for stage 1 (concept) were issued by the CRR in October.

LUAS

502 trams

The 502 tram is a 54.7m tram with a carrying capacity of 380 passengers compared to the 402 tram which is 43.6m long and can carry 320 passengers. Following the stage 5 (interim operation) letter of acceptance for the 502s which was issued in 2018, a stage 6 letter of acceptance was issued in February 2019 allowing service operation. Seven of these trams are now in service operation

Extended 402 trams

During 2019 TII applied for authorisation to extend the existing 402 tram length by adding an additional tram module and a stage 6 (service) letter of acceptance was issued in August allowing service operation. These modified 402 trams are now the same length as the 502 trams with a carrying capacity of 380 passengers.

HERITAGE RAILWAYS

Heritage Rolling Stock

The Diffin Lake Heritage Railway received a stage 5 (interim operation) letter of acceptance for a diesel locomotive in September following review of their application. The Lullymore Heritage & Discovery Park Ltd. at Rathangan Co Kildare received a stage 6 (service) letter of acceptance for a passenger carriage in August.

A table of all letters of acceptance issued by the CRR in 2019 can be seen at Appendix 1.

ENTITY IN CHARGE OF MAINTENANCE (ECM)

Entity in charge of maintenance requirements are mandated by the Railway Safety Directive. Each vehicle, before it is placed in service or used on the network, must have an entity in charge of maintenance assigned to it and in the case of freight wagons this entity must be certified. Freight wagons operating in Europe must be maintained by a certified ECM in accordance with Commission Regulation (EU) No 445/2011. In this context the CRR provide certification and annual surveillance.

The CRR was not required to undertake any ECM activity during 2019.

CABLEWAYS

The CRR is the Competent Authority for Cableways. In 2019 the CRR engaged with Cork County Council and their representatives on proposals for a new cableway to replace the existing cableway connecting Dursey Island to the mainland. This engagement was in the context of the CRR function relating to construction and entry into service of cableways. Additionally, the CRR observed an intensive inspection on the condition of the existing cableway during a shut down period in September.



CONFORMITY ASSESSMENT

Conformity Assessment of Safety Management Systems (SMS) are carried out in compliance with the Railway Safety Directive and the Railway Safety Act 2005 amended by SI 444 of 2013. Specific criteria for assessing conformity are detailed in EU Regulation 1158/2010 Safety Certification and EU Regulation 1169/2010 Safety Authorisation.

CRR issued a renewed Safety Certification to Balfour Beatty Rail Ireland in February in relation to their OTM operation and maintenance function for IÉIM.

A renewed Safety Certificate was also issued to the Railway Preservation Society of Ireland in December following assessment of their SMS.

Following its success in the tender process by IÉ in relation to the operation and maintenance of its OTM machinery Rhomberg Sersa Ireland Ltd. became a new applicant and received its first Safety Certificate to operate on-track machines on the network in May 2019.

The CRR engaged extensively with Translink Northern Ireland Railways with a view to issuing Safety Certification before the end of October should the United Kingdom leave the European Union with a no deal Brexit. Substantial progress was made such that a Safety Certificate could have been issued at the end of October if it had been necessary for Translink NIR to make the formal application.

In June Transdev were awarded a new contract to operate and manage the LUAS for the next six years. As the maintenance aspect of the contract was new to Transdev it was necessary for them to apply for an updated Safety Certificate in order to take up the contract in December. The CRR issued an updated safety certificate with conditions to Transdev Dublin Light Rail Ltd at the end of November.

The requirements in the conditions are to be implemented by Transdev before the end of January 2020.

In 2013 the CRR extended the safety management system (SMS) principles to the self-contained heritage railways with a view to improving supervision of safety for those railways.

Five heritage railways received Safety Certificates during 2019. These were:

- Lartigue Mono Railway
- Cumann Treanach na Gaeltachta Láir
- Diffin Lake Railway
- Irish Steam Preservation Society
- Cavan & Leitrim Railway

TRAIN DRIVER LICENSING

The CRR is the competent authority for the purposes of S.I. 399 of 2010 European Communities (Train Drivers Certification) Regulations 2010. All train drivers are required under EU legislation to hold a valid licence to operate a train on the network. Licences are issued subject to the drivers meeting requirements set down in European legislation namely: minimum age, basic education, medical examination, occupational psychological fitness, and general professional competence

Based on applications received the CRR issued 27 train driver licences in 2019.

In addition, the CRR assessed applications from Translink NIR relating to the licensing of their train drivers for the operation of the Enterprise and Class 3000 trains. This assessment was complete and the ability to issue the required train driver licences in the event of a no deal Brexit was in place.





REPORT OF PRINCIPAL INSPECTOR - COMPLIANCE SUPERVISION AND ENFORCEMENT

SUPERVISION & ENFORCEMENT

The supervision of Railway Organisations operating in the state is one of the CRR's principal functions. All Railway Organisations operating trains, both passenger and freight and infrastructure managers must have a certified Safety Management System (SMS) that documents how they effectively manage the risks to safety associated with its activities. The CRR supervise the continued application and effectiveness of these SMSs. This is achieved through interaction with the railway organisations, auditing their processes and procedures, inspecting their assets and meeting with staff.

The CRR continually review the safety performance of each railway organisation operating in the state. This includes reviewing the type and number of accidents, incidents they have suffered, audit and inspection findings, complaints and representations by, or on behalf of staff and passengers. Using this data, together with professional judgement, new supervision plans, one for each railway organisation, are developed for the forthcoming year.

These plans are risk based meaning those railway organisations that have greater exposure to risk, by virtue of the size and nature of the operation, can expect more supervision than those who have limited exposure to risk. The supervision plans we develop comprise several activities that include;

- Periodic safety performance review meeting with company senior managers.
- Auditing the railway organisations SMS and associated standards and procedures;
- Sample inspections of the railway organisations assets to ensure that they are fit for purpose.

Additional interaction takes place following accidents, incidents, dangerous occurrences, or public and other third-party representations.

The following presents an overview of the CRR's supervision activity for 2019.

COMPLIANCE AUDITING (PRO-ACTIVE SUPERVISION)

During 2019 the CRR initiated the audits listed in the following table:

Railway Organisation	Title of Audit	Conducted
IÉ-IM	New Works SMS Audit	May 2019
Transdev	Management of Risk - Risk Registers	June 2019
RPSI	Internal Auditing	September 2019

Table 2: Audits undertaken by the CRR in 2019

Two of the audits initiated in 2019 were also finalised in 2019. In addition, the CRR finalised three audits that were initiated late in 2018. Each of the audits conducted produced outcomes to address findings that arose from the facts ascertained during the audits. CRR inspectors categorise these outcomes depending on the risk they present.

CRR Inspectors use the following classification system for these outcomes.

Major Non-Compliance (MaNC): an area of non-compliance with an IÉ internal standard, an applicable external standard, or legislation that is evidence of a system failure.

Minor Non-Compliance (miNC): an area of non-compliance with IÉ internal standards, an applicable external standard, or legislation that is evidence of a sporadic lapse in implementation of a system or deviation from a system.

Action Required (AR): an area where potential exists for a non-compliance to occur unless remedial action is taken, or improvement is made, an isolated error that requires correction, or some other issue where, in the opinion of the auditor action is necessary.

Scope for improvement (SFI): an area highlighted where, in the opinion of the Auditor, system or business improvement can be achieved by the company. Typically, this is phrased as a recommendation, the merits and implementation of which should be decided by the audited organisation.

Good Practice (GP): an area highlighted which, in the opinion of the Auditor, is good practice within the industry.

Audit Trail (AT): an area that the auditor believes should have further attention, either by inclusion in the programme for future audits (but not necessarily an external audit item) or by some other means.

The tables provide further detail on audit outcomes -

Railway Organisation	Title of Audit	Major Non-Compliance	Minor Non-Compliance	Action Required
Iarnród Éireann-RU	Audit of Limerick Rolling Stock Maintenance Depot	0	1	0
Transdev	Accident Investigation & Internal Auditing / Monitoring	0	0	11
Translink NIR	Competence Management	0	0	0
Transdev	Management of Change, Target setting and Procedures to meet standards	1	3	12

Table 3: CRR Audits initiated in 2018 and finalised in 2019

Railway Organisation	Title of Audit	Major Non-Compliance	Minor Non-Compliance	Action Required
Transdev	Management of Risk - Risk Registers	1	0	4
RPSI	Internal Auditing	0	2	4

Table 4: CRR Audits initiated and finalised in 2019

Railway Organisation	Title of Audit	Audit initiated
Iarnród Éireann - IM	Audit of the New Works Department SMS	May 2019

Table 5: CRR Audits initiated but not finalised in 2019

In 2019, two instances of major non-compliance were identified. Both were identified against Transdev with the first being in relation to the absence of internal SMS auditing and the second being in relation to their management of risk. It should be noted that in Quarter 4 2019 Transdev went through a re-certification process with the CRR. The 2020 supervision programme will include checks on Transdev's implementation of its

new SMS with the expectation that the previous non-compliances have been rectified.

Across the railway organisations audited a small number of minor non-compliances with legislation and/or an approved SMS were identified and in every case the lead (auditor) Inspector considered if there was a risk to the safety of persons.

In instances where this was considered the case the railway organisations concerned was requested to submit an Improvement Plan, in accordance with the requirements of Section 76 of the Railway Safety Act.

In the vast majority of cases the railway organisations concerned have already implemented or are in the process of implementing the agreed corrective and preventative actions from these audits.

CRR Inspectors also report on identified areas of good practice within the industry. The CRR cited 11 such good practice items in 2019 across several railway organisations including:

- Transdev's improved trending and analysis of SPAD occurrences.
- Transdev's method of sharing safety information amongst its staff on a newly created internal IT platform.
- IÉ-RU's management of safety competencies in Limerick Depot
- The RPSI's pro-active approach to keep informed of industry developments and learning from accidents and incidents.
- Translink NIR's SMS standards were cited to be particularly clear with a succinct explanation of the purpose and methodology and reason for each standard.

POST INCIDENT INSPECTIONS (Reactive Supervision to Accidents or Incidents)

The CRR operates an on-call 24 hours/day, 364 days/year roster, to respond to accidents, incidents and dangerous occurrences. In 2019 the CRR received a total 59 notifications and mobilised to a number of these either immediately or in the days following the occurrence to inspect the site/rolling stock involved. A total of 24 related to the IÉ network, 32 occurred on the LUAS network, 2 involved rolling stock issues belonging to Translink NIR and 1 involved a Rhomberg Sersa Ireland Limited On-Track Machine.

Tragically, in 2019 there were seven fatal occurrences on the national heavy and light rail networks. On the Iarnród Éireann Infrastructure Manager network

the circumstances of two of these fatalities indicate potential self-harm. In the case of a further three fatal occurrences, one trespasser was fatally injured being struck by a train as they tried to cross the tracks, another trespasser was struck by a train as they crossed the tracks in a railway station and subsequently died in hospital and in the third of these the body of a male was found adjacent to the railway line where they had fallen from a height. There were two fatal occurrences on the LUAS network. In both incidents a member of the public was struck by a tram and suffered fatal injuries.

There were also a number of additional accidents and incidents that under slightly different conditions could have also resulted in serious consequences, these included:

- Person struck by train at/near Clara Station, Co. Offaly, March 2019
- Person struck by train at/near Newbridge Station, Co. Kildare, April 2019
- Person on a Quadbike struck by train near Athy, Co. Kildare, June 2019

Incidents notified to the CRR, other than those incidents which are apparent acts of self-harm, were further investigated. The purpose of the CRR's investigations is to check that the railway organisation complied with its safety management system, rather than trying to identify the cause of the accident/incident which is the role of the Railway Accident Investigation Unit. In any instance where safety was deemed to be at risk the CRR sought the necessary assurances that mitigation measures had been put in place by the relevant organisation.

INSPECTIONS

CRR Inspectors undertake a variety of inspections on the various railway organisations. These include inspecting assets against fitness for purpose criteria and observing railway staff undertaking duties. In 2019 the CRR undertook a total of 89 Inspections which focused on:

- Railway assets including rolling stock, stations, level crossings and other structures, e.g., bridges.
- Risk management associated with anti-social behaviour
- The management of change
- Train/tram operations and event management.

During 2019 the CRR also carried out inspections of all operational self-contained heritage railways, meeting with and discussing the implementation of their safety management systems with company directors/managers.

Outcomes arising from all these inspections are being progressed by the railway organisation concerned, and the CRR is monitoring remediation of all safety critical issues.

ENFORCEMENT

Section 7 of the RSA 2005 provides the CRR with powers of enforcement. These powers range from requesting an Improvement Plan, typically for more minor infringements, to serving an Improvement Notice or Prohibition Notice for more serious non-compliances. The CRR has the power in extreme cases to revoke a Safety Authorisation or Safety Certificate or make an application to the high court to seek an order for restriction or prohibition of operations.

A guiding principle of the CRR's Supervision function and specifically its use of enforcement is that of proportionality. Whenever possible the CRR works with railway organisations reacting to any failing or apparent failing of a railway organisation and seeks voluntary compliance rather than immediately instigating enforcement action. Nonetheless, should action be considered necessary the CRR takes action against the relevant railway organisation to ensure unsafe activities or operation ceases or that compliance is secured.

In 2019 the following enforcement measures were initiated by the CRR:

Section 76 of the RSA 2005 – Improvement Plan

1 Improvement Plan was requested following an audit:

- Of Transdev's Management of Risk

4 Improvement Plans were requested following Inspections:

- Of a selection of Iarnród Éireann CX type level crossings
- Of the Diffin Lake Railway (2)
- Of the Finntown & Glenties Heritage railway

1 Improvement Plan was requested following a notifiable occurrence:

- An uncontrolled train movement in an Iarnród Éireann Depot

Additionally, several documentary non-compliances were identified during CRR inspections which necessitated the relevant railway organisation to provide us with action plans.

Section 77 of the RSA 2005 – Improvement Notice.

1 extension to an existing Improvement Notice were served following:

- Extension of time granted to Improvement Notice served on Iarnród Éireann, in 2016, relating to their Drugs and Alcohol policy.

Section 78 of the RSA 2005 - Prohibition Notice

- No Prohibition Notices were served in 2019

IMPLEMENTATION OF AUDIT, INSPECTION AND POST-INCIDENT INSPECTION OUTCOMES

The implementation of preventative and corrective actions in respect of certain outcomes are monitored by the CRR. A three-tier status flagging system is applied to monitor the railway organisation progress to closure.

A detailed breakdown for audit outcomes, inspection outcomes and Post Incident Inspection outcomes for each of the principal railway organisations since 2014 is provided in Appendix 3.

RAIU SAFETY RECOMMENDATIONS

The Railway Accident Investigation Unit (RAIU) is concerned with the investigation of accidents and incidents on the heavy and light railways in Ireland and the making of safety recommendations for the avoidance of similar accidents/incidents in the future.

Safety Recommendations made by the RAIU are typically directed at the railway organisation(s) concerned but are addressed to the CRR as the responsible authority for the oversight of their implementation. The status of current safety recommendations issued by the RAIU is detailed in Appendix 3.

OTHER RAILWAY ORGANISATIONS

In addition to Iarnród Éireann and Transdev, the CRR also supervise the following railway organisations

Balfour Beatty Rail Ireland

Balfour Beatty Rail Ireland (BBRI), operated and maintained the On-Track-Machine fleet on behalf of Iarnród Éireann – Infrastructure up until July 2019 when the contact was taken over by Rhomberg Sersa Ireland (RSI).

BBRI were involved in one SPAD occurrence in 2019 wherein one of their machines had left an engineering possession and was making its way back to its storage depot. It was a low risk event and there were no injuries as a result. Other than the above BBRI's safety performance was considered positive.

Rhomberg Sersa Ireland

Rhomberg Sersa Ireland (RSI), operate and maintain the On-Track-Machine fleet on behalf of Iarnród Éireann – Infrastructure. Their principal activity is track maintenance using bespoke railway vehicles. They do not carry passengers with much of their work being undertaken at night.

RSI are a relatively new entrant to the Irish market commencing operation in July 2019. The CRR met with Company management in Quarter 4 of 2019 for their first safety performance review meeting.

Bord Na Móna

Bord Na Móna (BNM) own and operate a sizeable industrial railway used for the transport of peat. The CRR supervise BNM where their railway interfaces with public roads, i.e., at level crossings and bridges over/under the railway. BNM were not subject to any CRR supervision activity in 2019 other than an annual meeting with company executives to review their safety performance.

The CRR were notified of 1 occurrence in 2019 affecting the BNM network. This was in relation to a road vehicle crashing through a set of closed level crossing gates (Milkernagh, 05-36). Fortunately, no train was on the crossing at the time and nobody was injured.

Heritage Railways

The CRR monitors the operations of a small number of self-contained heritage railways and in 2019 the following heritage railways were subject to supervision.

- Diffin Lake railway, Oakfield, Raphoe, Co Donegal
- Finntown & Glenties Railway, Co Donegal
- Listowel Lartigue Monorail, Co Kerry
- Waterford & Suir Valley Railway (W&SVR)
- Irish Steam Preservation Society, Stradbally, Co Laois

All were inspected by the CRR with their infrastructure and rolling stock assets being subject to high level assessment. Their operation of services was also observed, and any identified issues relayed to railway managers.

Additionally, the Cavan & Leitrim Railway was visited in advance of them seeking approval to recommence operation. A listing of heritage railways in Ireland can be seen at Appendix 5.

The Railway Preservation Society of Ireland

The Railway Preservation Society of Ireland (RPSI) while also a heritage railway operator differs from the aforementioned heritage railways in that they operate services on the Iarnród Éireann rail network. This presents different and additional risks that must be carefully managed.

Given they operate on the mainline rail network and are classified as a Railway Organisation under the EU Railway Safety Directive they are subject to a supervision regime that is commensurate with the risks they import onto the Iarnród Éireann network.

The CRR undertook one audit and one inspection of the RPSI in 2019. The audit focused on checking the RPSI's commitment to continuous improvement (Element I), the setting and measuring of corporate safety targets (Element K) and their internal auditing (Element S). In the main the audit result was positive with no non-compliances identified and only a small number of actions being identified. The inspection focused on the RPSI's management of change specifically in relation to the overhaul of a historic steam locomotive.

INDUSTRY ALERTS

The CRR receives industry safety alerts from the European Union Agency for Railways (ERA) and the RAIU. In 2019 one safety alert was received from ERA relating to findings from the investigation undertaken by the Danish National Investigation Body following the Great Belt accident in Denmark on the 2nd of January 2019 in which 8 people died.

In October 2019 the RAIU issued the CRR with a Safety Advice Notice relating to the 'Suitability of Fixed Buffer Stops'.

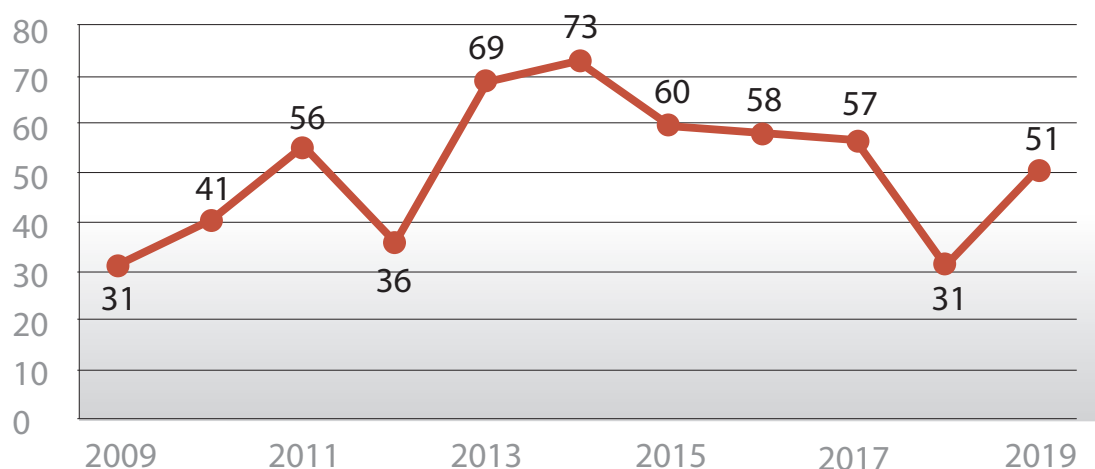
In both cases information and/or issuance of safety recommendations was furnished to all relevant railway organisations operating in the state for their review and action as necessary.

REPRESENTATIONS

In 2019, the CRR received 51 representations relating to a range of heavy and light rail infrastructure and operational matters. These ranged from safety concerns regarding the condition of railway infrastructure to overcrowding on trains. The figure was up on that received in 2018 and more in line with previous years. (See the graph below for representation trend details). Of the 51 representations received in 2019, 40 related to IÉ infrastructure or operations, 3 to the LUAS system, 4 relating to the heritage railway sector with the remainder being mainly of either a general legislative or network nature.

The CRR gives a high degree of attention to any representation concerning railway safety made by either railway staff, railway passengers, members of the public, or others. The CRR ensures that representations are addressed.

NUMBER OF PUBLIC/RAILWAY STAFF REPRESENTATIONS BY YEAR



Graph 1: Representations received by the CRR

SAFETY PERFORMANCE

In 2019, 4 safety performance review meetings were held with Iarnród Éireann-Infrastructure Manager and Iarnród Éireann-Railway Organisation. Three meetings were held with Transdev, two with Balfour Beatty Rail Ireland and one with Rhomberg Sersa Ireland. One meeting was held with Translink NIR the Railway Preservation Society of Ireland and Bord Na Móna. The CRR also initiated a similar type meeting with Transport Infrastructure Ireland (TII) given they own and oversee the delivery of the LUAS operation by Transdev.

At these meetings, the railway organisation's 'year-to-date' safety performance is reviewed and discussed. Company executives are required to clearly demonstrate how they are effectively managing safety and risk particularly if there are deteriorating trends. Other standing items discussed include reviewing the status of internal investigations together with plans and actions taken to prevent reoccurrences, change management and legal updates. This review process as indicated informs further and future aspects of the CRR's supervision plans.

The CRR publishes a separate report annually giving a detailed analysis of railway safety performance in Ireland. This report for 2019 as with the previous reports will be published later in the year to facilitate receipt of complete validated year data from all railway organisations.

Some of the safety performance data for railway organisations available at the time of publication of this annual report are presented in Appendix 4.

SAFETY CULTURE ASSESSMENT

In 2019 the CRR participated in trialling the European Railway Safety Culture Model on behalf of the European Union Agency for Railways (ERA). ERA as the developer of the model sought a small number of NSAs to trail the model. The CRR volunteered along with NSA Finland as assist in this regard. This involved CRR inspectors informally assessing Iarnród Éireann during all supervision interactions in terms of their safety culture.

The model comprises safety culture fundamentals and enablers and considers such factors as worker engagement, internal communication, cultivating a continuous learning environment etc. The views of its application and usefulness will be reported back to the ERA as part of its refinement before it is formally released as a tool to be used by NSAs.





REPORT OF PRINCIPAL INSPECTOR - EUROPEAN AND LEGISLATIVE HARMONISATION

RAILWAY INTEROPERABILITY AND SAFETY IN A SINGLE EU RAILWAY AREA

2019 marked a period of further activity in the development of EU law governing railways, particularly the instruments supporting the fourth railway package of EU railway law: this package aims for regulatory convergence combined with the further opening of the market for railway products and services.

The technical and market pillars of the fourth package are represented in three recast railway directives published in 2016 concerning railway safety, railway interoperability and the single railway area. The regulation for the EU Agency for Railways (ERA) was also recast, making it the central authority for the certification of railway organisations and authorisation of railway vehicles operating internationally (effective from mid-2019) and consolidating its role as the system authority for the European Rail Traffic Management System (ERTMS).

The revised system under the recast directives on railway safety and interoperability commenced on the implementation date 16th June 2019, even though many member states, including Ireland, have exercised the option to defer implementation by one year. The revised system is supported by reformed technical instruments that facilitate immediate implementation, including common safety methods and technical specifications for interoperability.

To ensure that the industry stakeholders, the Member States and the national safety authorities (NSAs) including the CRR are adequately consulted, an expert group comprised of Member State and industry representatives meets frequently in parallel with the Railway Interoperability and Safety Committee (RISC), to advise on the reformed technical instruments. Drafts proposed by the EU Commission in connection with the technical pillar of the fourth railway package, are examined and amended by the expert group before presentation to the RISC committee for its acceptance.

The CRR also engages with the national stakeholders when forming its submissions on practical matters, particularly regarding technical specifications for interoperability (TSIs). The resulting legal instruments will apply directly in the Member State once the new directives are transposed into national law.

In 2019, the CRR represented the State at two meetings of the expert group, and at the three meetings of the RISC committee.

The CRR actively contributed, both directly and in writing, to the detailed discussions at expert group and RISC leading to the formation of implementing acts addressing –

- TSI operations and traffic management (OPE);
- Entity charged with maintenance (ECM);
- Standardisation of the future railway mobile communication system (FRMCS);
- Change control management (CCM) for TSIs;
- Assessment of safety levels and safety performance (ASLP);
- Classification of national rules;
- Extension in area of use of authorised vehicles, and
- Reporting structure of investigation reports.

OTHER ASSISTANCE TO THE DEPARTMENT OF TRANSPORT, TOURISM AND SPORT


The CRR provided observations to the Department of Transport Tourism and Sport in regard to the draft transposition of the revised Single European Railway Area SERA directive into national law.

The CRR also commenced its preparations to assist the DTTAS in the transposition of the recast railway safety and railway interoperability Directives, with a view to meeting the deadline of 16th June 2020.

CARRIAGE OF DANGEROUS GOODS

The CRR continues to ensure provision of an examination and certification service for dangerous goods safety advisors (DGSA). This service is contracted to the Chartered Institute of Logistics and Transport (CILT), which is a body in the State competent to provide a scheme of approved examinations and to issue vocational training certificates or extended validity certificates. The current contract for the provision of this service is for renewal in 2020. The CILT devises the syllabus, and it sets, arranges and marks annual examinations for DGSAs in line with the individual international conventions on the inland transport of dangerous goods by road (ADR) and rail (RID). There is a common examination format for all papers, except in the case of the mode-specific papers for road and for rail.





REPORT OF HEAD OF CORPORATE GOVERNANCE

CORPORATE GOVERNANCE AND ADMINISTRATION

The CRR is compliant with the Code of Practice for the Governance of State bodies, as published by the Department of Public Expenditure and Reform. The Code of Practice was updated in September 2016. In 2019 the CRR conducted a review of its policies and practices in line with the Code of Practice for the Governance of State Bodies to ensure this compliance with the code requirements.

FINANCE

Funding for the CRR is provided in part by a Safety Levy on the various railway organisations and in part by an Exchequer Grant.

The Commission, with the consent of the Minister and the Minister for Finance, may make regulations imposing a levy on railway organisations. The Regulations for 2019 are contained in Statutory Instrument No.191 of 2019. The application of funds by the CRR is illustrated below. The CRR annual audited accounts are published on our website separately to this report.

	2018 (€ million)	2019 (€ million)
Budget	2.37	2.465
Exchequer Grant	0.483	0.433
Levy Requirement	1.69	2.025
Operating costs	1.63	*
Surplus	0.60	*

* Full Accounts for 2019 are subject to audit by the Comptroller and Auditor General.

TOTAL CRR STAFF REMUNERATION

Salary pay scale range		Number of employees	
From	To	2018	2019
€60,000	€69,999	8	2
€70,000	€79,999	-	5
€80,000	€89,999	0	0
€90,000	€99,999	2	0
€100,000	€109,999	2	4
€110,000	€119,999	-	-
€120,000	€129,999	-	-
€130,000	€139,999	1	-
€140,000	€149,000	-	1

A breakdown of total employee remuneration over €60,000, in increments of €10,000 is disclosed as required by DPER circular 13/2014.

In 2019 the CEO remuneration was €144,971.

IRISH LANGUAGE COMMITMENT

The CRR is committed to implementing the relevant parts of the Official Languages Act 2003. CRR signage and stationery are currently in both Irish and English.

CUSTOMER CHARTER

The Customer Service Charter is available on the CRR's website. This charter describes the level of service a customer can expect to receive from the CRR.

FREEDOM OF INFORMATION

The CRR was included among the organisations listed under The Freedom of Information Act 2014 and is committed to conforming to the principles of this Act. In 2019 there were two FOI requests received, both requests were refused as the records requested did not exist. Detail of information previously released by the CRR under FOI can be viewed on the FOI Disclosure Log on our website.

ANNUAL ENERGY EFFICIENCY REPORTING

In 2019 the CRR reported the organisations energy performance in 2018 to the Sustainable Energy Authority of Ireland as required under EU regulations. In 2018 no savings in energy consumption were recorded by the CRR. The CRR continues to work towards improving public sector energy efficiency and will be reporting its performance and fulfilling its legal obligation to report energy data.

CRR GOVERNANCE ARRANGEMENTS WITH DTTAS

In 2019 the CRR updated both the Performance Delivery Agreement and an Oversight Agreement with the Minister for Transport, Tourism and Sport. The CRR meets on a quarterly basis with officials from the DTTAS on governance issues, in line with the Agreements.

STATEMENT OF STRATEGY 2018 – 2020

This CRR is currently in the second year of its three-year Statement of Strategy. This sets out the Commission's mandate, mission, vision, and key priorities to the end of 2020. The strategy was developed in consultation with key stakeholders and the CRR's own staff. It will be the basis of the Commission's activity over this time period and is being implemented through the development of the CRR's annual work programme.

REPORT UNDER THE PROTECTED DISCLOSURES ACT 2014

Under the Protected Disclosures Act 2014 every public body is required to publish a report on the number of protected disclosures made to the public body in the preceding year and the action taken (if any) in response to the protected disclosures. In 2019 the Head of Administration, in the CRR as the prescribed person under the Protected Disclosures Act 2014, did not receive any protected disclosures from parties external to the Authority.

DATA PROTECTION

During 2019, the CRR continued to keep up to date its policies, systems and procedures, placing considerable emphasis on ensuring compliance with the requirements of data protection legislation. In 2019 the CRR did not receive any data protection requests.





REPORT OF PRINCIPAL INSPECTOR RAILWAY REGULATION

RAILWAY REGULATION

SI 249 European Union (Railway Regulation) Regulations 2015 give effect to Directive 2012/34/EU establishing a single European railway area and it allocates, licencing, independent monitor and regulator roles to the Commission for Railway Regulation. The activity in each of these areas for 2019 is outlined below.

LICENCING AUTHORITY OF RAILWAY ORGANISATIONS

The CRR is the licensing Authority responsible for assessing applications for and granting a licence to a railway organisation in the State. This is an authorisation which recognised the railway organisations ability to provide rail transport services. A railway organisation cannot operate a rail service without a licence. For the assessment the railway organisation applying for a licence must demonstrate to the Licensing Authority before the start of its activities that it will at any time be able to meet the requirements relating to good repute, financial fitness, professional competence and cover for its civil liability. The licence of itself does not entitle the railway organisation access to the railway infrastructure.

The CRR received one new application for a railway organisation licence in 2019. This was from Translink NIR and was submitted in line with our published application guidance. The application was assessed and the CRR confirmed that it met the application requirements and a license was issued.

INDEPENDENT MONITORING BODY

The CRR is the “independent monitoring body” appointed to monitor the contractual agreement (Infrastructure Manager Multi Annual Contract (IMMAC)) between the Minister for Transport Tourism and Sport and Iarnród Éireann Infrastructure Manager. The IMMAC covers all aspects of infrastructure management, including maintenance and renewal of the infrastructure already in operation and where appropriate, construction of new infrastructure may also be covered. It details the structure of payments or funds allocated to the infrastructure services, performance targets, in the form of indicators and quality criteria, minimum reporting obligations for the infrastructure manager in terms of content and frequency of reporting, the agreed duration of the agreement and remedial measures to be taken if either of the parties is in breach of its contractual obligations.

The functions of the CRR as the independent monitoring body are to act as the independent body to monitor the performance of the infrastructure manager in respect of its obligations under the IMMAC; to arbitrate where a dispute arises between the parties as to the requirements for compliance with the contract; to approve the performance monitoring system developed by the infrastructure manager; to advise the Minister of any persistent failure-to-perform trends of the infrastructure manager. The CRR provides the Minister with reports on its monitoring of the performance of the infrastructure manager in accordance with the timeframes set out in the contract in regard to the programme of works and an assessment of the performance of the Infrastructure Manager in delivering infrastructure services as measured against Performance Indicators including network condition, delay minutes and temporary speed restrictions.

On the 14th March 2019 the CRR issued its IÉ-IM MAC Annual Report for 2018 to the Minister.

Key findings of the report included the following:

- IÉ-IM's planned versus actual spending profile shows an overspend of in the order of €2.45M in Quarter 4.
- In relation to asset condition, as with previous reports the majority of defects were in SE&T however it should be noted that the inherent nature of SE&T equipment lends itself to a higher proportion of faults in comparison to CCE assets.
- CCE spending profile showed an overspend of €4.1M in 2018, mainly due to additional works being undertaken and some activities being rescope. SE&T recorded an underspend of €1.91M
- Delay minutes attributable to IÉ-IM were within the defined thresholds overall, however the Intercity services exceeded the threshold by 12,109 minutes
With regard to service cancellation, the total for 2018 was within the defined threshold,

Throughout 2019 quarterly reports on the contract were provided to the Minister.

The 2014-2018 contract was extended by one year pending completion of the 2014-2018 contract review by the DTTAS. The CRR participated in the contract review group which made a number of recommendations in relation to the next contract due to take effect in 2020.

REGULATORY BODY

The Commission for Railway Regulation is designated the regulatory body for the purpose of the European Union (Railway Regulation) Regulations and the Directive.

Its functions include ensuring non-discriminatory access to the railway market, including being the appeals or complaint body relating to market access and ensuring that the charges set by the infrastructure manager comply with these Regulations and are non-discriminatory.

The Commission received no appeals or complaints as the Regulatory Body in 2019.



COMMISSIONERS COMPREHENSIVE REPORT TO THE MINISTER

As Commissioner I acknowledge the Commission for Railway Regulation's responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016).

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded, and that material errors or irregularities are either prevented or detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform has been in place in the Commission for the year ended 31 December 2019 and up to the date of approval of the financial statements.

The Commission has a risk management policy which sets out its risk appetite, the risk management processes in place and details the roles and responsibilities of staff in relation to risk. The policy is available to all staff who may alert management on emerging risks and control weaknesses.

The Commission has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks. A risk register is in place which identifies the key risks facing the Commission. These have

been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Management Team on a quarterly basis.

I confirm that a control environment containing the following elements is in place:

- procedures for all key business processes have been documented,
- financial responsibilities have been assigned at management level with corresponding accountability,
- there is an appropriate budgeting system with an annual budget which is kept under review by senior management,
- there are systems aimed at ensuring the security of the information and communication technology systems,
- there are systems in place to safeguard the assets, and

I confirm that the following ongoing monitoring systems are in place:

- key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies,
- reporting arrangements have been established at all levels where responsibility for financial management has been assigned, and
- there are regular reviews by senior management of periodic and annual performance and financial reports which indicate performance against budgets/forecasts.

I confirm that the Commission has the appropriate procedures in place to ensure compliance with current procurement rules and guidelines. Matters arising regarding controls over procurement are highlighted under internal control issues below.

I confirm that the Commission has procedures to monitor the effectiveness of its risk management and control procedures. The Commission's monitoring and review of the effectiveness of the system of internal control is informed by the work of our internal audit, the external audit and the senior management within the Commission.

A Code of Conduct and Ethics is in place for employees.

Government policy on the pay of Chief Executives and all State Body employees is being complied with. Details of the salary of the Chief Executive Officer are published in the Annual Report and Financial Statements.

There have been no significant post balance sheet events.

The Commission is compliant with the Government travel policies in all respects. The Commission is compliant with the asset disposal procedures.

The Commission is in compliance with all relevant tax laws.

The Commission is adhering to the Public Spending Code.



APPENDIX

APPENDIX 1 - APIS STAGE LETTERS OF APPROVAL

	Concept	Preliminary Design	Detailed Design	T&C	Interim Operation	Service
APIS Stages	1	2	3	4	5	6
Infrastructure						
LUAS Cross City					√	
Overbridge Carlow Station			√			
Overbridge Ennis Station			√			
Overbridge – Cork/Midleton Line			√			
Underbridge – Dublin/Galway Line					√	
Overbridge – Dublin/Galway Line						√
Overbridge – Dublin/Belfast line						√
Overbridge (2) – Dublin/Rosslare Line						√
Decision support system at user worked level crossings			√			
Limerick Junction platform					√	
Pelletstown station			√			
GSM-R						√
Rolling Stock						
Citidas 502 tram						√
Extended 402 tram						√
New DART trains	√					
OTM-multipurpose vehicle						√
OTM-ballast plough	√					
OTM-ballast regulator	√					
OTM-inspection car	√					
OTM-on track crane	√					
Diffin Lake Locomotive					√	
Lullymore Heritage Park						√

TABLE 1 – AUTHORISATION TO PLACE IN SERVICE LETTERS ISSUED 2019.

APPENDIX 2 – PASSENGER NUMBER ON THE HEAVY AND LIGHT RAIL SYSTEMS 2019

PASSENGER JOURNEYS ON THE IARNRÓD ÉIREANN NETWORK



PASSENGER JOURNEYS ON THE LUAS NETWORK



APPENDIX 3

The following tables present the status year on year for outcomes made by the CRR during its supervision activities. The current status, in terms of the number of outcomes are in the 2019 rows.

CRR Audit Outcomes for IE-IM						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	100	40	0	0	127	23
31/12/2015	33	16	0	0	194	49
31/12/2016	6	3	5	5	216	57
31/12/2017	22	10	7	3	221	61
31/12/2018	32	14	3	3	232	64
31/12/2019	26	12	2	3	239	66

CRR Inspections Outcomes for IE-IM						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2016	10	2	0	0	0	0
31/12/2017	12	4	0	0	5	3
31/12/2018	28	5	0	0	5	3
31/12/2019	56	16	0	1	5	3

CRR Post Incident Inspection Outcomes for IE-IM						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	27	10	0	0	0	0
31/12/2015	14	3	0	0	13	7
31/12/2016	11	7	2	0	26	9
31/12/2017	11	3	1	0	28	13
31/12/2018	9	0	1	0	35	16
31/12/2019	54	5	1	0	41	16

CRR Audit Outcomes for IE-RU						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	78	28	1	0	12	2
31/12/2015	71	26	1	0	31	6
31/12/2016	18	6	48	16	46	13
31/12/2017	10	1	43	12	64	22
31/12/2018	13	6	37	12	78	23
31/12/2019	5	9	26	8	98	28

CRR Inspection Outcomes for IE-RU						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2016	2	1	0	0	0	0
31/12/2017	14	5	2	1	1	1
31/12/2018	21	4	4	2	8	5
31/12/2019	15	3	2	1	18	7

CRR Post Incident Inspection Outcomes for IE-RU						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	6	3	0	0	0	0
31/12/2015	9	4	0	0	2	0
31/12/2016	3	1	6	3	5	1
31/12/2017	0	0	8	4	7	1
31/12/2018	6	2	7	4	8	1
31/12/2019	8	2	6	1	13	4

CRR Audit Outcomes for LUAS						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	54	6	0	0	2	0
31/12/2015	50	4	0	0	22	3
31/12/2016	22	2	26	2	28	3
31/12/2017	27	5	25	1	29	4
31/12/2018	27	5	22	0	34	5
31/12/2019	43	10	22	0	34	5

CRR Inspection Outcomes for LUAS						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2018	1	0	1	0	1	0
31/12/2019	5	0	1	0	1	0

No PII Outcomes to date

CRR Audit Outcomes for BBRI						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	5	4	0	0	0	0
31/12/2015	0	0	0	3	5	1
31/12/2016	1	0	6	1	10	4
31/12/2017	8	4	3	0	15	5
31/12/2018	6	2	7	4	17	5
31/12/2019*	0	0	3	0	27	11

* - Note: On 07/07/2019 BBRI ceased operation as an RU Certificate holder

No Inspection outcomes to date

No PII Outcomes to date

CRR Audit Outcomes for RPSI						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	11	3	0	0	0	0
31/12/2015	11	2	0	0	0	1
31/12/2016	9	2	2	0	3	1
31/12/2017	9	2	2	0	3	1
31/12/2018	9	2	2	0	3	1
31/12/2019	16	2	2	0	3	1

CRR Post Incident Inspections Outcomes for RPSI						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2018	6	0	0	0	0	0
31/12/2019	7	0	0	0	0	0

No Inspection outcomes to date

CRR Audit Outcomes for NIR						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2014	2	1	0	0	0	0
31/12/2015	2	1	0	0	0	0
31/12/2016	8	4	0	0	0	0
31/12/2017	8	4	0	0	0	0
31/12/2018	8	4	0	0	0	0
31/12/2019	8	4	0	0	0	0

CRR Inspection Outcomes for NIR						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2018	0	0	0	0	1	0
31/12/2019	0	0	0	0	1	0

CRR Post Incident Inspection Outcomes for NIR						
Status at	OPEN		COMPLETE		CLOSED	
	AR's	NC's	AR's	NC's	AR's	NC's
31/12/2016	3	0	0	0	0	0
31/12/2017	0	0	3	0	0	0
31/12/2018	0	0	3	0	0	0
31/12/2019	0	0	3	0	0	0

RAIU Safety Recommendations

The status categories were updated in July 2019, splitting 'Complete' into two, 'Submitted' and 'FER' (Further evidence required) to high-light the fact that action has been taken.

The status categories are;

Open / In Progress: Feedback (Evidence) from Railway Organisation (or another party) is awaited or actions have not yet been completed.

Submitted: The Railway Organisation (or other party) has made a submission to the CRR, advising that it has taken measures to effect the recommendation and the CRR is considering whether to close the recommendation.

FER (Further Evidence Requested): The CRR has reviewed a submission (or further submission) but considers that further evidence is necessary to close the safety recommendation.

Closed: The CRR has reviewed a submission (or further submission) and is satisfied that the safety recommendation has been addressed.



Year	No. of Reports	No. Of RAIU Recommendations				Total
		Open	Submitted	FER	Closed	
2010	6	1	0	0	26	27
2011	6	0	0	2	15	17
2012	3	0	0	1	12	13
2013	3	0	0	1	9	10
2014	6	0	0	5	21	26
2015	2	0	0	2	2	4
2016	3	8	0	2	10	20
2017	1	3	0	1	5	9
2018	1	6	1	1	1	9
2019	3	29	4	2	1	36

Totals	41	47	5	17	136	205
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Total Recommendations made to date

205



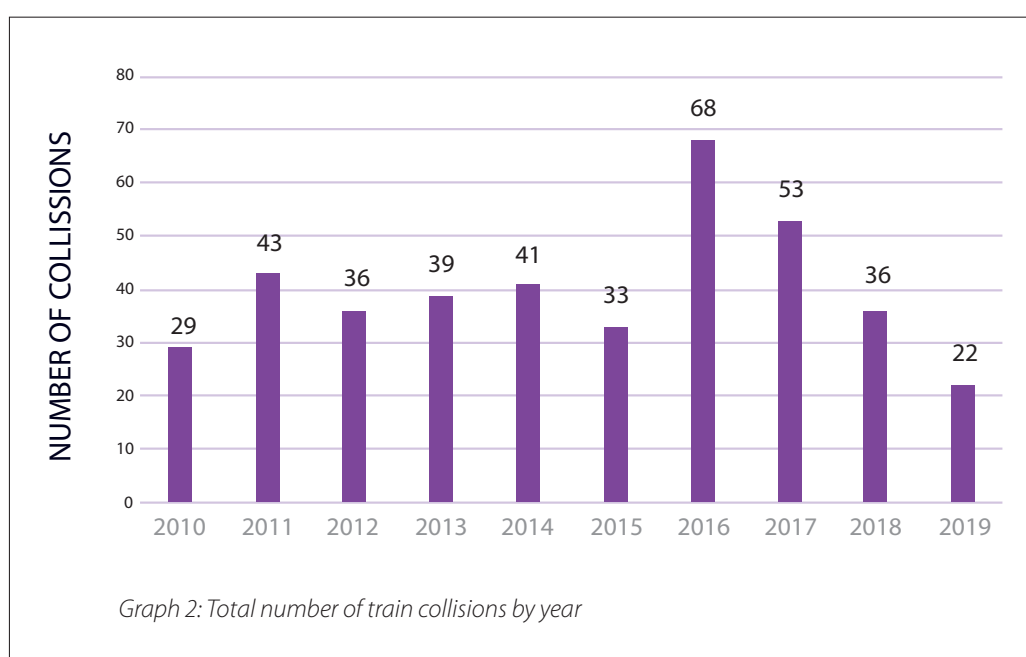
APPENDIX 4 – SAFETY INDICATOR STATISTICS

Category	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	Trend
Railway operations: passenger fatal injuries												
Fatal injury to passenger due to a train accident, not at level crossing	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to passenger due to a train accident at level crossing	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to passenger travelling on a train, other than in train accident	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to passenger attempting to board or alight from train	0	0	0	0	0	0	0	0	0	0	0	
Railway infrastructure: third party fatal injuries												
Fatal injury to third party at a level crossing involving a train	0	2	0	0	0	0	0	0	0	0	0	
Fatal injury to third party at a level crossing not involving a train	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to employee at a level crossing due to train in motion	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to employee due to train in motion (other than at a level crossing)	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to employee not due to train in motion	0	0	0	0	0	0	0	0	0	0	0	
Railway infrastructure: employee fatal injuries												
Fatal injury to employee at a level crossing due to train in motion	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to employee due to train in motion (other than at a level crossing)	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to employee not due to train in motion	0	0	0	0	0	0	0	0	0	0	0	
Railway operations: fatal injuries to other persons												
Fatal injury due to train in motion not at level crossing	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury to customer or visitor, no train involved	0	0	0	0	0	0	0	0	0	0	0	
Fatal injury involving train in motion on railway or level crossing where trespass or suspicious death was indicated	3	8	7	5	4	6	2	5	9	8	4	
Railway operations: non fatal injuries to passengers												
Injury to passenger travelling on train due to a railway accident not at level crossing	2	0	0	0	0	0	0	0	0	0	0	
Injury to passenger travelling on train due to railway accident at level crossing	0	0	0	0	0	0	0	0	0	0	0	
Injury to passenger attempting to board or alight from train	17	64	46	41	39	45	48	79	57	74	76	
Injury to passenger travelling on train, other than due to a railway accident	40	28	10	27	43	18	15	31	33	46	38	
Railway infrastructure: third party non fatal injuries												
Third party at level crossing injury involving a train	0	0	1	2	0	0	0	0	0	1	1	
Level crossing user injury not involving a train	1	0	2	5	1	0	0	0	0	1	1	
Railway infrastructure: non fatal injuries to other persons												
Injury to customer or visitor to premises	56	85	113	116	193	205	146	192	321	199	288	
Injuries to other persons including unauthorised persons	0	0	0	5	3	0	1	2	6	0	2	
Railway operations: non fatal employee injuries												
Employee lost time injury involving train movement or train accident	13	11	7	13	5	21	3	1	0	13	7	
Employee lost time injury while working on railway not due to train in motion	31	27	22	32	39	43	32	30	30	13	35	
Railway infrastructure: non fatal employee injuries												
Employee lost time injury involving train movement or train accident	0	1	2	1	0	0	0	0	0	0	0	
Employee lost time injury while working on railway not due to train in motion	34	30	23	32	41	25	6	23	22	26	26	
Employee lost time injury while working at level crossing not due to train in motion	0	0	0	1	1	2	0	3	1	1	1	
Entity in charge of maintenance and maintenance workshops: non fatal employee injuries												
Employee lost time injury involving tram movement or train accident	1	0	0	0	0	0	0	0	0	0	0	
Employee lost time injury while working on railway not due to train in motion	21	10	18	10	14	18	13	11	10	12	15	

Table 1: Iarnród Éireann Fatality & Injury statistics

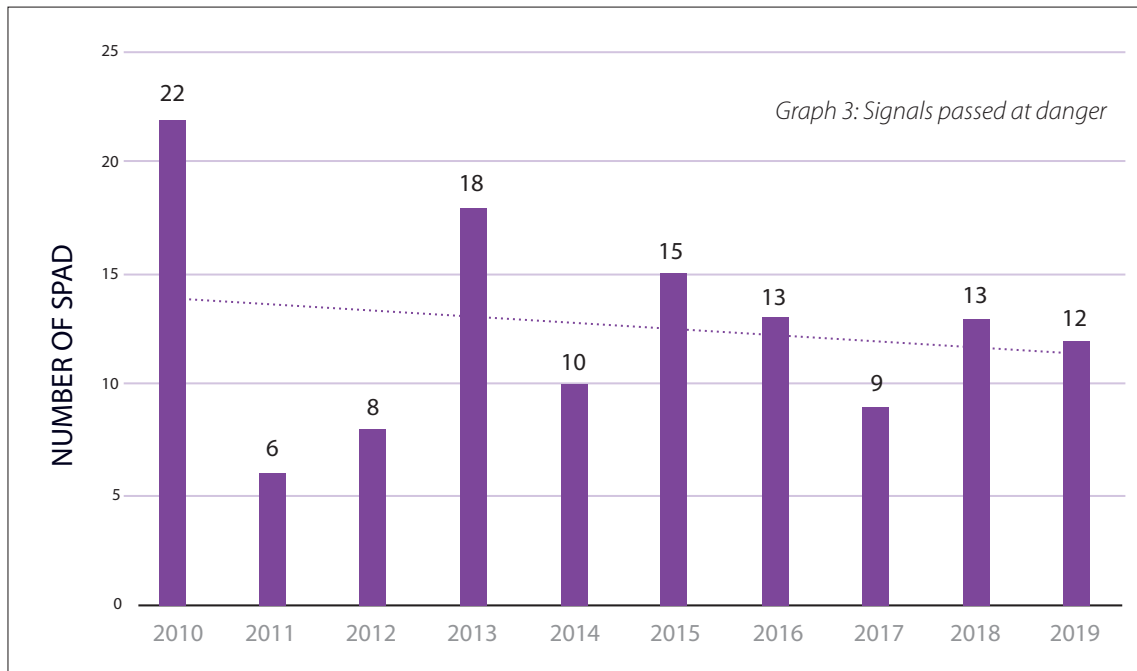
Category	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	Trend
Train collision with passenger or goods train on running line	0	0	0	0	0	0	0	0	0	0	0	
Train/railway vehicle collision in station or possession movement	1	0	0	1	1	1	1	1	2	1	1	
Train collision with a motor vehicle at a level crossing	0	2	1	2	1	2	0	0	3	1	2	
Train collision with pedestrian at a level crossing	0	1	0	0	0	0	0	0	0	0	0	
Train collision with attended gates at a level crossing	0	1	0	0	0	0	1	0	0	0	0	
Train collision with road vehicle obstructing the line (not at a level crossing)	0	0	0	1	1	0	1	1	0	0	0	
Train collision with other obstacle on the line	10	1	7	6	7	29	1	31	25	23	8	
Train collision with large animal(s) on the line	20	24	35	26	29	9	29	35	23	11	11	
TOTAL	31	29	43	36	39	41	33	68	53	36	22	

Table 2: Train collision statistics by year by category



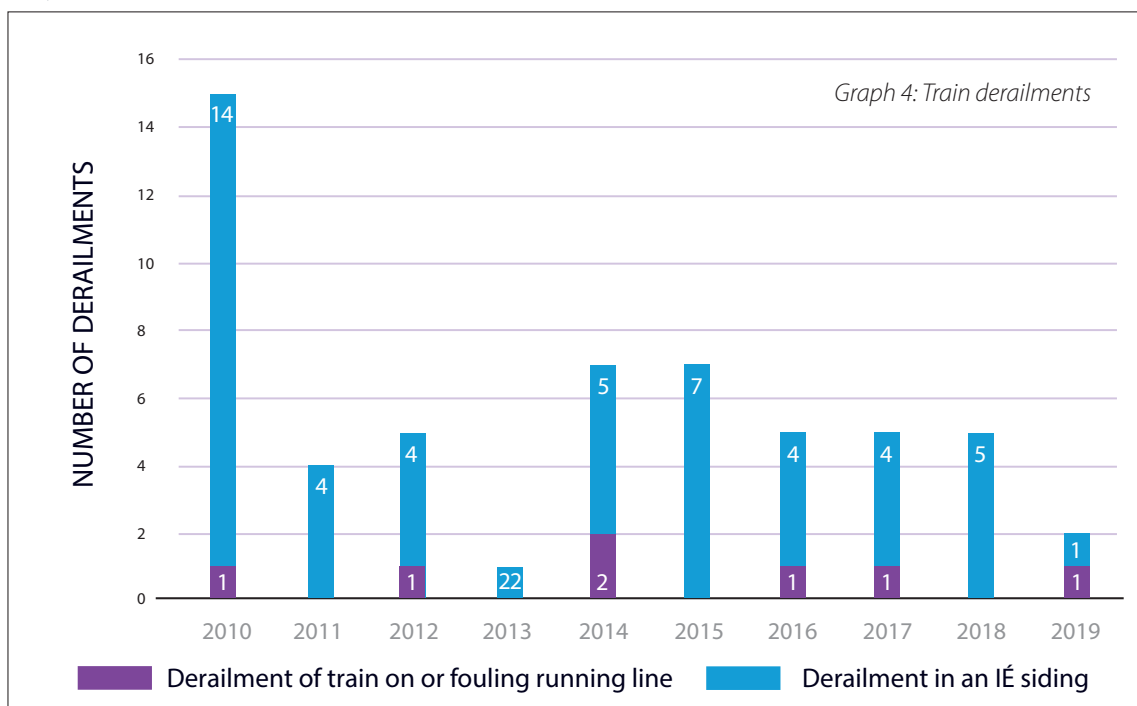
Signals Passed At Danger (SPADs)

A SPAD is defined as having occurred when a train passes a stop (red) signal without authority. SPADs are a particular precursor event that the CRR monitors at its supervisory meetings with IÉ. The trend in recent years has been a decline in these precursors.



Train Derailments

Train derailments remain at low levels.



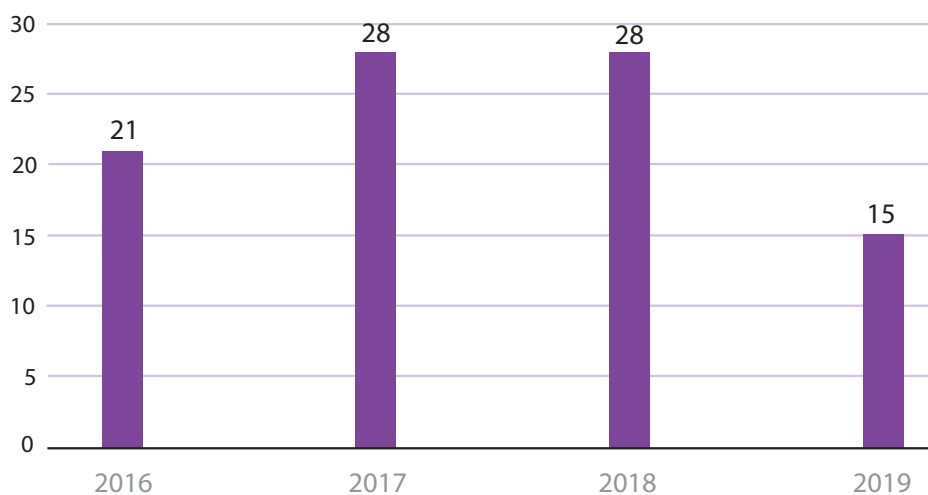
Road Traffic Accidents (Collisions) Involving Trams by Year



Graph 5: Road traffic Accidents (Collisions) involving trams by year

Signals Passed At Danger (SPADs) (LUAS)

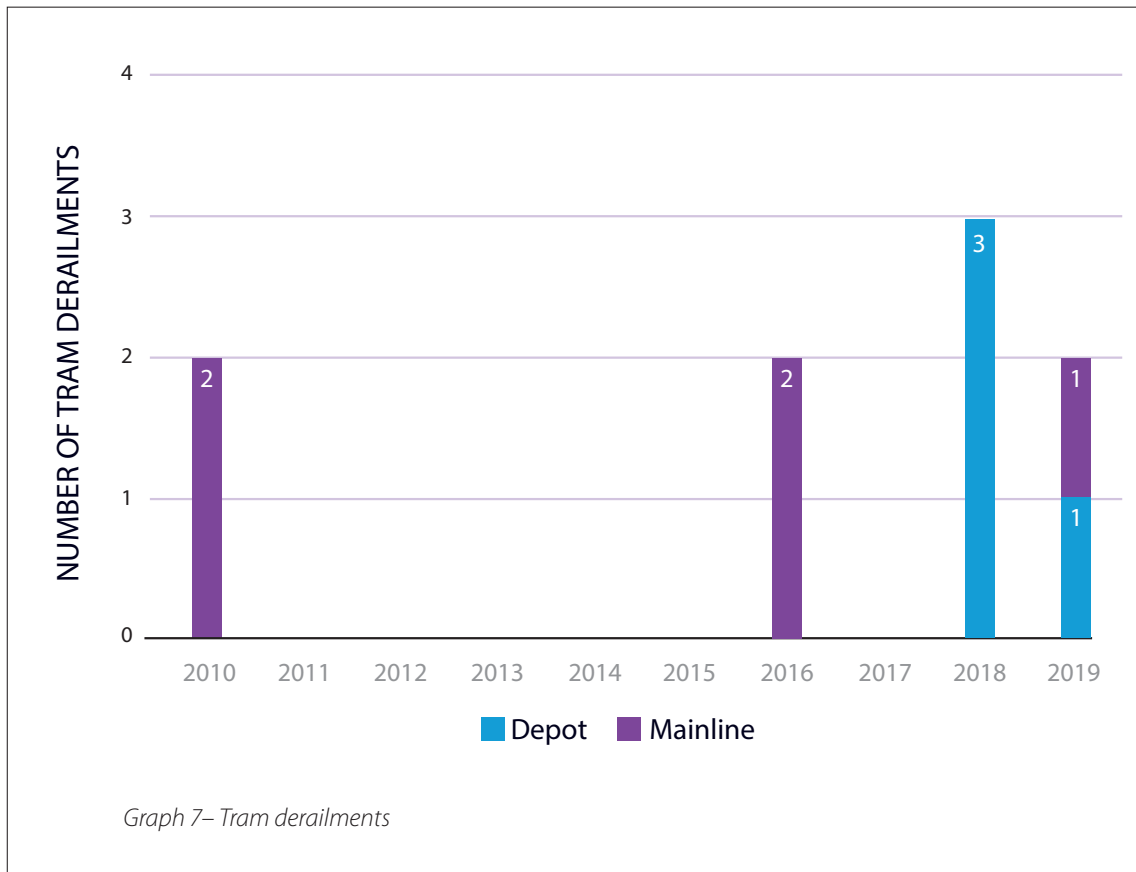
SPAD events also occur on the LUAS network, albeit the signalling system doesn't automatically identify these. Rather it relies on the driver to self-report that they passed a signal at danger. Limited statistics for the previous four years are available for this indicator, given it is a relatively new safety performance category.



Graph 6: Signals passed at danger/Stop

Tram Derailments

Tram derailments remain at low levels with one mainline derailment reported in 2019. It should be noted that this was due to a tram being struck by a bus rather than an operational infrastructure failure/defect.



Additional Statistics re safety performance

In 2019 BBRI had just one reportable occurrence which was an improvement on preceding years. This reportable occurrence was a SPAD event near Tipperary Station involving an On Track Machine. There were no injuries and no damage to either the machine or the infrastructure.

In 2019 BNM reported no occurrences to the CRR

There were no reported occurrences by the Railway Preservation Society of Ireland nor at any of the operational heritage railway in 2019. That said, CRR inspectors undertook to visit each of the open heritage railways in 2019 undertaking inspections of rolling stock and infrastructure assets and their respective safety management systems.

APPENDIX 5 – HERITAGE RAILWAYS

Heritage Railways with a current Safety Certificate

Difflin Light Railway Oakfield Park Raphoe Co Donegal	The Difflin Light railway is a private narrow-gauge railway, 4.5km long, in the grounds of Oakfield Park Demnse, Raphoe, Co Donegal. The line runs through a variety of landscaped gardens with features which include, lawns, lakes, woods, meadows and streams.
Cumann Traenach na Gaeltachta Láir Fintown Co Donegal	Cumann Traenach na Gaeltacht Lair is a narrow-gauge railway 4.8km long. The railway runs from Fintown to a point known as a 'Head of Lake'. The railway is a community owned project funded by Government and open to the public on specified dates.
Irish Steam Preservation Society Narrow Gauge Railway Stradbally Co Laoise	The Irish Steam Preservation Society Narrow Gauge Railway marketed as the Stradbally Woodland Express is located in the woodlands of Stradbally Hall Estate through a lease agreement with the landlord. It is a narrow gauge railway 800m long. The railway is operated for heritage and leisure purposes by volunteers.
Lartigue Mono Railway John B Keane Road Listowel Co Kerry	The Lartigue Mono Railway, LMR, is located on the John B. Keane Road, Listowel, Co. Kerry. Three distinct areas make up the railway, these are, the Main site, the Museum and the Original site. Within the main site is located the railway itself. The Museum section consists of the entrance to the site, the car park and the Museum building. To the rear of the car park is to be found the original site where the Lartigue of 1886 was located the remains of which have been unearthed.
Lullymore Heritage & Discovery Park Ltd, Lullymore Rathangan Co Kildare	Lullymore Heritage Railway is a 1km looped journey through rehabilitating cutaway peatlands in Lullymore Heritage & Discovery Park Ltd, Rathangan, Co Kildare.
Waterford and Suir Valley Railway Kilmeadan Station Kilmeadan Co Waterford	The Waterford and Suir Valley Railway is a narrow-gauge railway between Kilmeadan Station and Bilberry, Waterford city. It runs on a section of the abandoned Waterford to Mallow railway line. The length of the railway is 10km. The Company is overseen by a voluntary Board of Directors.
Cavan & Leitrim Railway Dromod Co Leitrim	The Cavan & Leitrim Railway is a narrow-gauge railway 0.8km long. The railway runs from Dromod station to a point approximately 90 meters from the Mohill-Dromod road on the original track of the Cavan & Leitrim Railway.

APPENDIX 5 – HERITAGE RAILWAYS

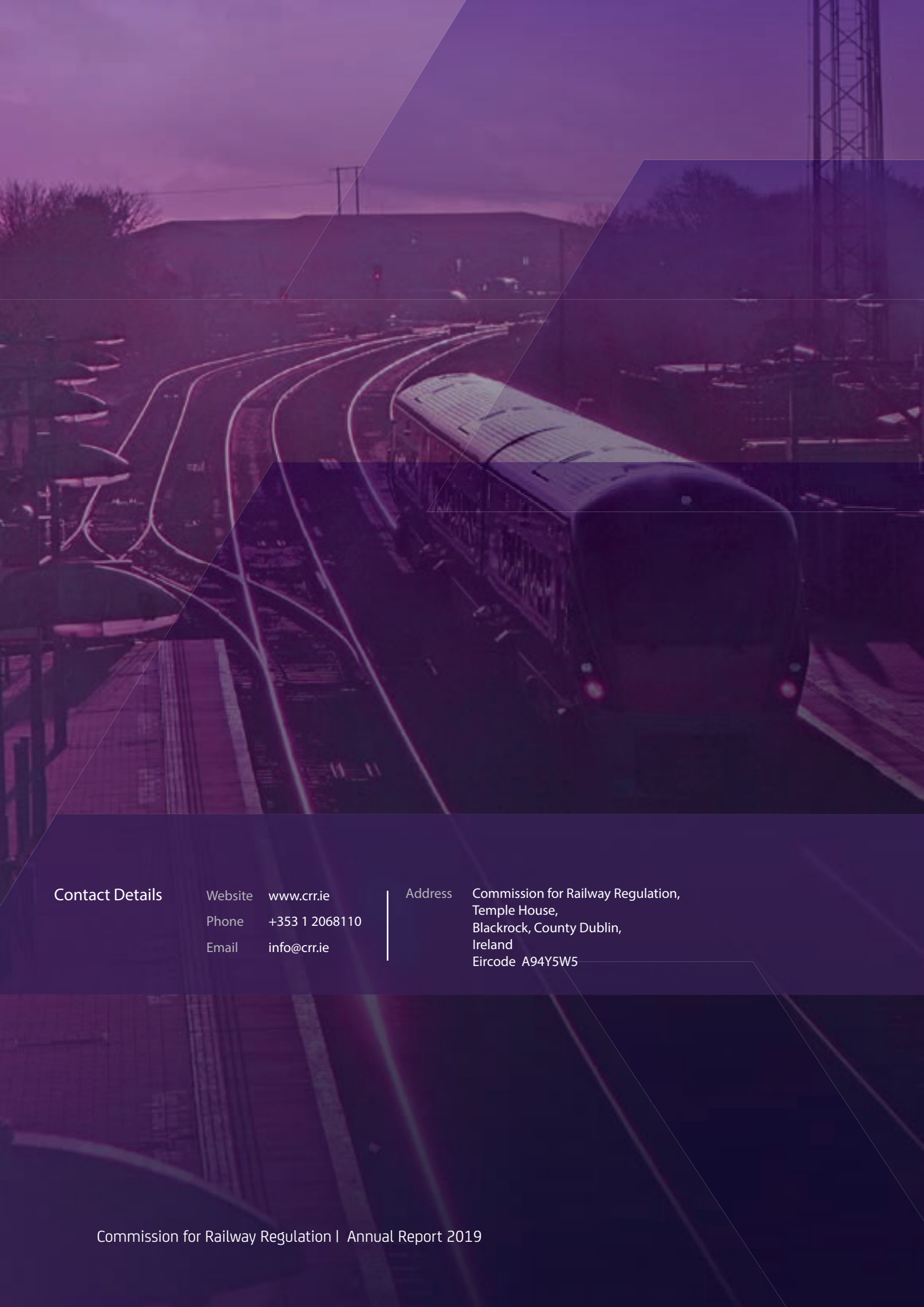
Heritage Railways that do not hold a current Safety Certificate

<p>Tralee-Dingle Steam Railway Co Ltd Town Hall Prince's Quay Tralee Co Kerry</p>	<p>The Tralee-Dingle Railway is a narrow-gauge railway of 3km in length and runs from Ballyard Station at Tralee to Blennerville Station. The railway runs along the line of the closed Tralee to Dingle railway line.</p>
<p>West Clare Railway Co Ltd Moyasta Junction Kilrush</p>	<p>The West Clare Railway is a narrow-gauge railway, operating over 4km of track. The railway is centred on the former station at Moyasta, near Kilrush Co Clare where the original station house has been restored to a museum. The line in use runs over the original track bed of the West Clare Railway.</p>



Notes

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