

AN COIMISIÚN UM RIALÁIL IARNRÓID
COMMISSION FOR RAILWAY REGULATION

STATEMENT OF STRATEGY 2021 – 2024



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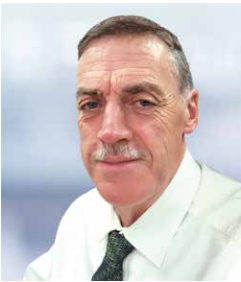


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COMMISSIONER'S STATEMENT





On behalf of the Commission for Railway Regulation (CRR) I am pleased to present our Statement of Strategy 2021 – 2024. This is the sixth statement of strategy prepared by the Commission under the Railway Safety Act 2005.

The Commission has developed this strategy against a background of significant plans by Government to transform the public transport sector as envisaged in the National Development Plan 2018-2027, key initiatives at European level including European Commission's European Green Deal, and continued uncertainty due to the COVID-19 pandemic and its ongoing economic and social impact. We have therefore, during the strategy development, been cognisant of a level of uncertainty not previously experienced, and the ambitious National and European rail initiatives.

The Commission's main aim is to ensure that the national railway system including the Dublin Light Railway and the railway organisations in the state operate under effective safety management systems that deliver safe and sustainable rail transport.

The Commission is also responsible for the economic regulation of the sector in respect of State compliance with the provisions of the European railway network.

During the lifetime of this Strategy, the Commission will have a significant role in ensuring that the new initiatives envisaged for public transport in the National Development Plan 2018 – 2027 are developed and delivered in accordance with national and European authorisation requirements to ensure safe design, implementation, and introduction into service. In addition, it will have a significant role in overseeing the continued safe operation of these developments into the future. We are a key member of the national stakeholders who must work together to achieve the intended outcomes in the National Development Plan.

In developing this Strategy, the Commission has actively sought the contribution of key stakeholders and we will continue to work with railway organisations, government departments and agencies, and other representative bodies to promote and achieve our mission.

We will continue our work to represent Irish interests at EU level and to contribute to the development of railway legislation and technical specifications for interoperability being undertaken by the European Commission and the European Railway Agency.

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 through regulation, monitoring, encouragement, and promotion.

This Statement of Strategy 2021 – 2024 sets out the Commission's mandate, mission, vision, and key priorities in this period. It will be the basis of the Commission's activity and will be implemented through the development of its' annual work programmes.

We look forward to working together to implement the objectives set out in this Statement of Strategy.

Brian Higginson

Commissioner



CONTEXT OF STRATEGY DEVELOPMENT



The CRR mandate

The CRR was established on 1st January 2006 under the provisions of the Railway Safety Act (RSA) 2005.

The CRR is a small independent State body comprising 17 staff. It has an organisational structure that is designed to facilitate the delivery of its mandates under legislation. It is primarily staffed with technical specialists possessing a very broad knowledge of the heavy and light railway sectors. Our strategy of growing our own expertise is central to the continuing development of the CRR. It also takes account of the need to develop added skills in the areas of railway economics, human factors, and risk assessment. This has provided the means of developing and increasing railway-specific technical knowledge to meet the business needs of the organisation, an approach that will be continued in the period of this strategy.

The responsibilities that the CRR has under legislation relate to three specific areas, heavy rail, light rail, and cableways. Heavy rail refers to the Iarnród Éireann Infrastructure Manager network and the Railway Undertakings that operate on it. Heavy rail is regulated both through the 2005 Act and EU legislation. Light rail refers to the Dublin light railway and is regulated through the 2005 Act, and cableways are regulated through EU legislation.

The following give a high-level overview of the various roles that the CRR has.

Conventional and light rail

Commission

The Railway Safety Act No 31 of 2005 (as amended) established the Railway Safety Commission (now the CRR). The Act gave three principal functions, (a) to foster and encourage railway safety, (b) to enforce the Act and any other legislation relating to railway safety, and (c) to investigate and report on railway accidents and incidents for the purposes of determining compliance with safety management systems and safety targets and the powers to fulfil these functions.

In relation to the enforcement of the Act for heavy rail, it should be noted that the issuing of safety certificates and authorisation to place in service fixed installations and vehicles is now covered by European legislation (see below). For light and heritage railways, the CRR assesses the safety management systems, issues safety certificates, and performs the assessment of, and acceptance of, new works and rolling stock based on the 2005 Act.

Conventional rail

National Safety Authority

SI 476 EU (Railway Safety) Regulations 2020 gives effect to Council Directive (EU) 2016/798 (Railway Safety Directive) and the CRR as the national safety authority ensures compliance with the Directive and these Regulations, including safety management certification and authorisation, vehicle maintenance, supervision, and enforcement.

SI 477 EU (Interoperability of the Rail System) Regulations 2020 gives effect to Council Directive (EU) 2016/797 (Interoperability Directive) and the CRR is the national safety authority in the State for the purposes of the Directive and these Regulations including correct implementation of Technical Specification for Interoperability (TSI), placing on the market interoperability constituents and mobile subsystems, authorisation for placing in service fixed installations, upkeep of the national vehicle register and enforcement.

Certification body for Entities in Charge of Maintenance (ECM)

SI 476 2020 gives effect to Council Directive (EU) 2016/798 (Railway Safety Directive) and under this the CRR is established as an ECM certification body.

Regulatory body

SI 249 EU (Regulation of Railways) Regulations 2015 (as amended by SI 398 2020) gives effect to Council Directive EU 2012/34 as amended by EU 2016/2370 on a single European railway area, established the CRR as the regulatory body for the purpose of appeals or complaints relating to infrastructure capacity, access charges, the network statement and monitoring competition.

Independent monitoring body

SI 249 2015 (as amended by SI 398 2020) gives effect to Council Directive EU 2012/34 as amended by EU 2016/2370 established the CRR as the Independent Monitoring Body for the purpose of monitoring the contractual agreement between Iarnród Éireann Infrastructure Manager and the Minister under the Infrastructure Manager Multi Annual Contract (IMMAC).

Licensing authority

SI 249 2015 (as amended by SI 398 2020) gives effect to Council Directive EU 2012/34 as amended by EU 2016/2370 established the CRR as the licencing authority for the purpose of assessment of licence applications and the issuing of licences to railway undertakings.

Competent authority

SI 399 EU (Train Driver Certification) Regulations 2010 gives effect to Council Directive 2007/59/EC on the certification of train drivers operating locomotives and trains, established the CRR as the competent authority for the purpose of assessment of licence applications and the issuing of licences to train drivers, and the recognition of training and examination centres.

SI 651 EC (Transport of Dangerous Goods by Rail) Regulations 2010 (as amended) gives effect to Council Directive 2008/68/EC (as amended) on the inland transport of dangerous goods established the CRR as the competent authority for the purposes of ensuring compliance with Regulations concerning the International Carriage of Dangerous Goods by Rail (RID).

Recognition of Designated Bodies (DeBo)

SI 477 2020 gives effect to Council Directive (EU) 2016/797 (Interoperability Directive) and under this the CRR is established as the organisation responsible for the recognition of DeBo's in the State.

Cableways**Authorising body**

SI 543 EU (Cableway Installations) Regulations 2020 gives effect to Regulation (EU) 2016/424 on cableway installations and established the CRR as the body in the State for authorising construction and entry into service of cableway installations or their modification.

Market surveillance authority

SI 543 of 2020 gives effect to Regulation (EU) 2016/424 of the European Parliament and established the CRR as the market surveillance authority for cableway subsystems and components.

Our approach to fulfilling our mandate

The CRR in meeting its mandate seeks to adopt a harmonised regulatory approach by providing guidance to, and engaging, with all regulated entities to assist them in meeting the responsibilities placed on them by legislation. The operation of the conventional railway network is governed by comprehensive and detailed EU legislation, designed to create an open market for sale of goods, provision of services and the movement of labour while maintaining a high level of safety. The operation of Dublin light railway and isolated railway networks is governed by national legislation, some of which reflect the EU approach.

The CRR are committed to working under the principles to be applied by national safety authorities as defined in Commission Regulations. These include being proportionate in applying legislation and securing compliance; consistent in terms of our approach; targeted to areas of risk; transparent about how we operate and what those regulated may expect; being accountable for our decisions or actions, and co-operating with equivalent competent authorities.

We are committed to open engagement and dialogue with sector organisations, clearly explaining our processes and governance and responding to current concerns.

Railway organisations that are currently subject to regulation by the CRR

- Infrastructure Manager – Iarnród Éireann.
- Railway Undertakings – Iarnród Éireann, NIR Translink, Rhomberg Sersa Ireland Limited, Railway Preservation Society of Ireland.
- Transdev and Transport Infrastructure Ireland in respect of the Dublin light railway.
- Operational isolated heritage railways.
- Bord na Móna.

Strategy context

COVID-19

The presence of a worldwide COVID-19 pandemic is having a profound global impact on societies, economies, workers, and the ways in which businesses operate. There are at present and will be for an uncertain time into the future, ongoing operational challenges as businesses adapt to ensure that they operate safely and that they provide a safe environment for the public and their employees.

As a regulator we have learned how to complete tasks remotely, enabled by digital communication and collaboration tools, yet many of our activities do not lend themselves to continued remote engagement. It is not yet possible to determine the full impact of COVID-19 on the areas that we regulate but support and encouragement for the restoration of a fully operational compliant rail sector will be an important focus. This will include compliance in areas where European or national derogations have been implemented to facilitate the continued operation of the rail sector during the pandemic.

NDP initiatives

The National Development Plan 2018 – 2027 is at the time of the development of this Strategy undergoing review. The Commission will have close regard to the outcome of this review and any potential impact for the new Statement of Strategy. The National Strategic Outcome 4 – Sustainable Mobility, identifies planned new rail assets during the life of this and future strategies.

The Governments current Climate Action Plan which includes making growth less transport intensive through better planning, remote and home-working and modal shift to public transport and setting targets for the conversion of public transport fleets to zero carbon alternatives is also noted.

It is also relevant in the context of the future development in rail transport in the State and aligns with the EU Green Deal.

Green Deal

The European Green Deal sets out how to make Europe the first climate-neutral continent by 2050, boosting the economy, improving people's health and quality of life, caring for nature, and leaving no one behind. Within the Green Deal the strategic element relevant to the railway sector is "accelerating the shift to sustainable and smart mobility".

The EU Commission strategy for sustainable and smart mobility developed in 2020 lays the foundation for how the EU transport system can achieve its green and digital transformation and become more resilient to future crises.

Also, the 2030 climate and energy framework include EU-wide targets and policy objectives for the period from 2021 to 2030. Member States are obliged to adopt integrated National Energy and Climate Plans (NECPs) for the period 2021-2030 and to develop national long-term strategies.

Railway transport is inherently more energy efficient than other modes of land transport, which in turn has the potential to reduce greenhouse gas emissions within the transportation sector and, as such, is seen as having the potential to substantially contribute to the objectives of the Green Deal.

The resulting action to bring these strategies and plans to fruition will have a significant impact on the rail transport sector in Ireland in the lifetime of this strategy and far beyond.

Department of Transport strategy and policy initiatives

The CRR notes the Department of Transport's Statement of Strategy 2021-2023, particularly the strategic approach detailed in relation to connectivity, climate and sustainability, safety, security and accessibility and effective regulation.

There are several policy and investment initiatives currently underway within the Department that will also impact on the future of rail transport in the State, and we are cognisant of these. These include the All-Island Strategic Rail Review and the National Recovery and Resilience Plan 2021.

Current legislation

As indicated the primary national legislation was enacted in 2005 with the Railway Safety Act and this applied to both heavy and light rail. While it has been amended in the interim, mostly because of recast European Directives, it would be timely that the Act should receive a more detailed review during the lifetime of this Strategy.

In relation to the regulation of heavy rail this is now for the most part directed by European legislation with the full implementation of the 4th Railway Package since October 2020.

As part of this the transposition of the Railway Safety Directive and the Interoperability Directive have introduced change and new requirements for the railway organisations and infrastructure manager as well as for the CRR. It will be important for the CRR to work with all the stakeholders in the sector to ensure that the new requirements are understood and introduced in a coherent way.

As can be seen in the CRR Mandate section of this document the range of legislation governing this sector is extensive and subject to ongoing review at European level. Communication with stakeholders on these developments will be structured to heighten awareness and allow for their input.

Cooperation with national and international bodies

The CRR is and will continue to be an active member of a range of national and international rail bodies. We fulfil this role in several ways from Member State representative to general membership. This engagement is promoted internally within the CRR as a means of shared learning and development of expertise, knowledge, and competence.

Central to European developments the CRR is involved in the National Safety Authority Network hosted by the European Railway Agency (ERA) as well as the Railway Safety and Interoperability Committee chaired by the European Commission. The safety-oriented International Liaison Group for Governmental Railway Inspectorates and the market-oriented Independent Regulatory Group for rail are also attended. These latter groups provide the opportunity for railway safety and market regulators from EU member States and the European economic area to liaise on points of common interest. This liaison is particularly important during the current period as the regulatory role of the CRR continues to evolve.

Nationally the CRR actively seeks to retain and develop its liaison with the relevant engineering, operating and safety professional bodies, such as Engineers Ireland and the Institutions for Mechanical Engineering, Civil Engineering, Engineering and Technology, Railway Signal Engineering, Railway Operators, and the Health and Safety Authority.

In a number of specific areas, we have sought close engagement through the development of Memorandum of Understanding with other State bodies, including the Health and Safety Authority and the Railway Accident Investigation Unit.

Railway system in Ireland

Operational profile

At the time of writing, the global COVID-19 pandemic remains a cause for concern for transport operators with passenger numbers on both Iarnród Éireann and Dublin light railway services being severely reduced, during much of 2020 and 2021. Nonetheless, it is expected that passenger capacity will start to increase as Ireland reopens for business. In 2020 the number of passenger journeys made on the Iarnród Éireann network was 18.45 million down from 50 million in 2019. Similarly, on the Dublin light railway, the number of passenger journeys fell from 48 million in 2019 to 19.2 million in 2020.

The data collected for 2019 and reported on by the CRR in its annual Safety Performance Report confirm an overall positive progress for railway safety at national and EU level. Significant accident and resulting casualties have decreased steadily since 2010, with the lowest values ever recorded in 2019. Nonetheless we must remain vigilant and strive for continuous improvement.

Asset profile

The Iarnród Éireann Network Statement 2021 reports that there are 372 platforms, 144 stations and 13 tunnels: approximately 2,400km of operational track, 4,440 bridges, 1,100 point ends and 970 level crossings, and more than 3,300 cuttings and embankments on the national railway network. The network includes main line, Dublin suburban and commuter passenger routes, together with freight-only routes. There are two freight-only lines: Drogheda to Tara Mines and Waterford to Belview Port, in addition to three terminal and freight terminals/depots. There is one cross-border connection to the railway system in Northern Ireland between Dundalk and Newry.

Mainline track configuration:

- Single extends to 1178 track-km.
- Double extends to 886 track-km.
- Multiple extends to 60 track-km.

The Dublin suburban rail system in the area bounded by Malahide, Howth and Greystones is electrified at 1,500V DC. About 53% of train kilometres are run with Train Protection Systems providing warning, with a further 11% providing warning and automatic stop and speed control.

The Dublin light railway is double tracked throughout. The Red Line consists of 20km of double track running from Tallaght/Saggart to The Point/Connolly. There are 32 stops on the Red line. The Green Line consists of 22km of track running from Brides Glen to Broombridge; approximately 20km of which is double track and 2km of which is single track. There are 35 stops on the Green Line.

There are three depots, at Red Cow, Sandyford and Broombridge. The rolling stock fleet, all Alstom Citadis trams consists of forty 40m trams, twenty-six 43.6m trams and seven 54.7m trams. There is a Central Control Room at the Red Cow Depot.

There are in addition nine heritage railways, of which 7 currently have safety certificates required for operation. It is of note that these heritage railways have had to significantly reduce or cease their operation due to COVID restrictions and the recommencement of their activity will be a challenge.

Planned asset development and maintenance

Railway asset development is on a much longer timeline than the current Statement of Strategy, but a range of development referenced in the previous statement have now progressed to the stage where Transport Infrastructure Ireland and Iarnród Éireann Railway Undertaking and Iarnród Éireann Infrastructure Manager are engaged with the CRR in relation to the following major railway asset developments: Metrolink, Dart Plus and the National Train Control Centre.

Maintenance of the existing rail network is also a significant requirement, and this is funded in the main through the Infrastructure Manager Multi Annual Contract (IMMAC). The CRR noted that the most recent five-year contract signed in 2021 has an increased funding allocation.

Safety performance indicators

Data and evidence-based information are key inputs to the CRR fulfilling its legal mandate. To that end we lead on the collection, validation, analysis, and dissemination of safety performance data which also influences our engagement and focus.

The CRR keeps safety performance indicators under review to monitor the safety of railway organisations in Ireland. These indicators which are published annually will continue to be kept under review and direct the engagement of the CRR with the railway sector during this Statement of Strategy.

Additionally, we provide data to ERA on an annual basis. ERA then publish statistics on railway safety performance of EU Member States. The data indicates Ireland compares favourably when measured against other European Union Member States.

In addition, ERA send an annual report to the Commission detailing a set of Common Safety Targets (CSTs) and National Reference Values (NRVs) for each member state. The assessment uses Eurostat and Agency data for the years 2015-2019 for the 26 EU Member States that have a railway system. The results of these assessments have not shown any deterioration of safety performance in Ireland.

The CRR also notes, and will advise the national railway organisations, of the current development of the Common Safety Method on Assessment of Safety Level and Safety Performance (CSM ASLP) of railway operators at National and Union level, which will in the coming years become the primary basis of safety performance assessment by ERA.

Over the life of this Statement of Strategy the CRR will, in addition to our routine auditing and inspection programmes, pay particular attention to risk areas based on our knowledge of trends in safety performance. These will include:

Track worker safety

Competency of safety critical workers and safety critical communication when performing work whilst on or near the line. The CRR's work program will feature a renewed emphasis on track worker safety and will include an inspection regime that includes planned and unplanned supervision activities.

The opportunities presented by new technologies, such as engineering solutions, will also be a focus of discussions with railway organisations.

Level crossing safety

The Infrastructure Manager continues to take a leading role in addressing safety risks at level crossings to which the CRR will continue to provide its full support. To further ensure improvements in level crossing safety the CRR will work with other stakeholders including the Road Safety Authority and local authorities.

Contractor management

Regulatory activities have identified several concerns in relation to those who carry out railway maintenance activities. Of particular relevance are the issues of contractor awareness of duties and requirements, safety critical communications, effective management and control (where multiple contractors are engaged) and the competency of labour hire workers.

Control assurance & risk management

The CRR will closely monitor Railway Organisation compliance with legal requirements under European Regulations and national law, for railway organisations to have satisfactory systems in place to effectively manage and control the risks associated with their operations.

New and emerging risks

Areas warranting attention include change management and railway organisation oversight of third party works that impact on safe operations. We will also be mindful of new human factor risks emerging relating to automation and the digital railway when deciding what supervision activities to undertake over the lifetime of this Statement of Strategy.

There are increasing instances and reports of antisocial behaviour on the heavy and light rail network. These can result in a direct effect on passenger and staff safety and have a broader effect on people's willingness to use public rail transport. The CRR will work with all stakeholders in the sector to develop appropriate initiatives to address this rising concern.

In the recent past the CRR has had engagement from parties interested in developing velo rail in Ireland. Velo rail involves the running of pedal powered carriages on a closed railway line and would be subject to regulation under the RSA 2005 and will be a new area of engagement.

Economic regulation analysis

2020 was the first year of the new IMMAC. Performance criteria within the new contract have changed and now include three separate categories, namely contract indicators, performance indicators and key performance indicators.

The reports to the Minister for Transport will continue to reflect these broader range of performance indicators contained within the new contract. The relevance and threshold levels of the indicators will also be subject to continued scrutiny.

In conjunction with the new contract the CRR has increased its resource focus in relation to the IMMAC and the IÉ-IM Network Statement and this will be continued in the three-year cycle of this Strategy.

Consultation

The CRR sees a clear need for continued engagement with stakeholders to promote and support a cohesive approach to the maintenance and future development of the railway system as a key contributor to a safe and sustainable land transport network.

As part of its Statement of Strategy development and in line with the Code of Practice for Corporate Governance of State Bodies, the CRR sought submissions from stakeholders in relation to its new Strategy. Three submissions were received from IÉ Infrastructure Manager, Transdev and the Railway Safety Advisory Council. The submissions received consideration as part of the strategy development process. The CRR would like to extend its thanks to the organisations that made these submissions.

VISION, MISSION AND VALUES



Vision

Safe and sustainable railways that provide efficient and convenient transport for society.

Mission

The CRR is committed to advancing railway safety, through effective regulation, and by fostering and encouraging the continuous improvement in safety management by railway organisations. It advocates the participation of all stakeholders in the further development of Ireland's rail sector so that it is a safe and efficient mode of transport that benefits our society.

Values

Integrity

We have moral courage, are honest and responsible in our approach.

Respect

We respect each other and our stakeholders.

Independence

Our decision making is transparent and free from bias and influence.

Excellence

We are diligent, professional and strive for continuous improvement.

STRATEGIC PRIORITIES



Priority: Rail safety

Regulate and promote the continuous improvement of safety performance by railway organisations.

Key objectives

- Effective and efficient Certification and Authorisation of new infrastructure, rolling stock and safety management systems to ensure compliance with relevant legislation and standards.
- Implement risk-based supervision of safety performance, including the management of risk, by railway organisations, directing required actions and where necessary enforcing compliance with relevant legislation and standards.
- The development of a supervision strategy and plans to continuously improve our risk-based supervision of stakeholders.
- Maintain effective working relationships to encourage and promote safety initiatives with stakeholders.
- Promote the use of all available expertise including new technologies in the assessment and management of risk by railway organisations.
- Maintain an awareness of new and emerging safety risks to determine their potential impact.

Priority: Railway regulation

Effective regulation and monitoring of the Infrastructure Manager in relation to its funding of and expenditure on asset management and network access.

Key objectives

- Monitoring adherence of the Infrastructure Manager to the key performance indicators within the Infrastructure Manager Multi Annual Contract (IMMAC).
- Enhance the oversight program relating to our role as Independent Monitor.
- Review the Network Statement to ensure it facilitates open and fair access to the rail network.
- Timely reporting to the Minister on the operation of the IMMAC.
- Review and update of key performance indicators within the contract so that they adequately reflect the benefit of network investment.

Priority: Support to government

To support government public transport policy initiatives directed at the needs of society by ensuring their safe implementation through effective and efficient regulation.

Key objectives

- To engage with, influence, and advise the DoT in relation to the safety aspects of the Irish railway transport system.
- Early engagement with those responsible for delivery of key new subsystems for light and heavy rail, so that they have a clear understanding of safety requirements.
- Safe network development based on Government policy decisions.
- Work with the DoT to support the transposition of the European Directives and engage on matters of legal clarification.

Priority: Communication with stakeholders

Promote awareness and understanding of current and emerging risks and developments in national and European railway legislation and guidance.

Key objectives

- Raise awareness of the current and new legislation making up the railway regulatory framework that affect them.
- Work with all key stakeholders to promote safety and best practice in the rail sector.
- Effective engagement with the stakeholders on new or updated guidance to ensure it is understood and applied correctly.
- Support the development and implementation of Irish railway standards and Irish National Rules.
- Participate in national and international forums to increase awareness of and represent Irish interests.

Priority: Our organisation

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

Key objectives

- Manage the Commission in line with corporate governance requirements and ensure that the Commission is adequately resourced.
- Ensure staff wellbeing and development through engagement and support.
- Perform Commission functions and tasks consistently to the highest standards.
- Deliver all services efficiently and effectively through the continuous improvement of our business processes and our use of technology, together with the implementation of a Quality Management System.



The CRR is grateful to Neil Dinnen and Micheal Owens
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