

Department for Transport

Great Minster House

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Our Ref: FOI - P0021984

1 March 2023

Mr Graham Garfoot

Address and email redacted

By email:

Dear Mr Garfoot,

Freedom of Information Act request – P0021984

Thank you for your information request dated 1st February 2023.

You requested details of:

* i) any restrictions that have been placed on the usage of the Cairn Gorm cableway system e.g. maximum capacity/ weight, train speed, wind speed etc;
* ii) the frequency of future reports into the structure considering the quantity of repair work that had been carried out, and,
* iii) if a physical inspection of the repairs was undertaken by a qualified rail inspector?

We can confirm the following:

1. The Department does not hold this information.

Cableway passenger transport is a reserved policy area in the United Kingdom, which means that the Secretary of State for Transport has powers to authorise, or refuse to authorise, the installation and commissioning of entering into passenger service of a cableway transport installation, such as the Cairn Gorm cableway.

Authorisation given by the Secretary of State is made with regard to the safety reports produced by technical consultants and a specialist engineer, which provide extensive, detailed information covering all the parameters of the cableway installation. The reports are commissioned by the cableway owner, operator or promoter, not the Department, as part of the application to the Secretary of State.

The authorisation does not specify any particular restrictions (weight, wind speed etc.), nor need it do, as this would be contained within the specification of the cableway being installed.

1. The frequency of any future inspections is not specified in The Cableway Installations Regulations 2018 ([SI 2018/816](https://www.legislation.gov.uk/uksi/2018/816/made)) and The Cableway Installations (Amendment) (EU Exit) Regulations 2019 ([SI 2019/1347](https://www.legislation.gov.uk/uksi/2019/1347/made)), which is part of UK law. This would be a matter for the Health and Safety Executive who are the enforcement body for Cableways. Therefore, we do not hold this information. The Department does not hold this information for any specific cableway installation. However, the 2018 Regulations, Part 4, Section 21, refer to enforcement provisions for cableway installations through the legislation applicable, the Health and Safety at Work etc. Act 1974.
2. His Majesty’s Railway Inspectorate (HMRI) is not named in the 2018 Regulations. As part of the application for the authorisation process, a specialist engineer carries out a physical inspection, along with the Health and Safety Executive who are responsible for enforcing standards on cableway installations for passenger transport, as set out by legislation at (ii) above. HMRI had been part of the Health and Safety Executive for many years but HMRI was transferred to the Office of Rail and Road in 2009.

**Appeals procedure**

If you are dissatisfied with the way we have responded to or handled your request, you have the right to ask for an internal review. These should be submitted within two calendar months of the date of this letter and addressed to the FOI Advice Team at FOI-Advice-Team-DFT@dft.gov.uk.

Please remember to quote the reference number above in any future communications.

If you ask for an internal review and are still not content with the outcome, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted via their online form: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>

Yours sincerely,