

Consultation comments and responses

Document number: OPE NTSN (Issue 2)

Consultation closing date: **26 January 2022**

1. Respondents to consultation

No	Name	Company
1	Laurence Gregory	Angel Trains (AT)
2	Karl King	Railway Industry Association (RIA)
3	Reuben McDonald	High Speed 2 Ltd (HS2)
4	Lauren Slater	Govia Thameslink Railway (GTR)
5	Sue Perry	Great Western Railway (GWR)

2. Summary of comments

Comment Code	Description	Total
-	Consulted	232
CE	Critical errors	1
ED	Editorial errors	1
TY	Typographical errors	0
OB	Observations	6
-	Total comments returned	8

Classification codes for a way forward:

- DC – Document change
- NC – No change

3. Collated consultation comments and responses

No	Page	Clause	Comment	Suggestion	By	CC	Way forward	Response
1	29	4.2.2.5.1 (b)	<p><i>'The infrastructure manager shall inform the railway undertaking of the changes on characteristics of the route whenever such information..... Incomplete sentence?</i></p> <p>Given that the text from the 2019 version of the OPE TSI, <i>'or through other means until RINF allows for such functionality'</i> has been dropped, does this imply the RINF will no longer be a requirement to register Infrastructure data?</p>	<i>'.....becomes available? As per the text in the BCfC (p.26) supporting this change?</i>	AT	ED	DC	<p>Thanks for noting the incomplete sentence. As you suggest, this should end with <i>'...becomes available'</i> as written in the BCfC.</p> <p>The 2019 OPE TSI wording you refer to is in clause 4.2.1.2.2.1 regarding preparation of the route book and clause 4.2.2.6.2 regarding braking performance and maximum speed allowed. The intention is not to specify the means by which information must be provided by the Infrastructure Manager (IM), particularly referring to the RINF application which is hosted by ERA and which GB no longer has access to. There remains a requirement for IMs to maintain a register of infrastructure with the information specified in the OPE NTSN in accordance with Commission Implementing Regulation (EU) 2019/777 (as amended by S.I. 2020/318).</p>
2		General comment	<p>Noting that references to the RNIF is being removed from the OPE NTSN, will all the requirements of compatibility (Appendix D) now fall under the contents of the 'Route Book'. Or will the alternative to the RINF be populated with the requirements of Appendix D and the Route Book data?</p> <p>Will all the information in the alternative to the RINF / Route Book be then made available on request to an RU?</p> <p>Further, should the term 'Route Book' be defined in the Glossary?</p>		AT	OB	NC	<p>There remains a requirement for IMs to maintain a register of infrastructure in accordance with Commission Implementing Regulation (EU) 2019/777 (as amended by S.I. 2020/318). For the majority of the network where Network Rail is the IM, Route Book information may be provided as it currently is via the National Electronic Sectional Appendix (NESA) and the information in Appendix D may be provided through the same process currently used, via an extract of a dataset.</p> <p>The information specified will be made available to an RU by the IM as required in the OPE NTSN. The OPE NTSN specifies the information that must be made available, but not the means by which it must be transferred (other than this must be free, given as soon as reasonably possible, and at least within 28 days).</p> <p>The Route Book is defined in 4.2.1.2.2, so propose this does not need to be added to the glossary.</p>
3		Appendix D	Any changes to this appendix that will affect rolling stock and infrastructure route compatibility would be of concern as this limits access for train owners	Nothing noted but please note for future iterations.	RIA	OB	NC	Noted. This appendix is being retained to ensure there are no adverse impacts on route compatibility that may be introduced by appendix D1 of the TSI.
4	59	App B1 - FOPs	It is surprising that none of the 9 FOPs include a requirement for the train not to exceed the allowed speed as it seems as an essential requirements to ensure safety.	Add a point 10 "trains must be prevented to exceed the safe speed over any portion of line."	HS2	OB	NC	The requirements for trains not to exceed the allowed speed is intended to be covered by FOP 2 (clear limits of movement authority) and FOP 5 (on conditions for safe movement).
5	59	App B1 - FOPs	FOP 9 is limited to electrified railways and it is unclear which FOP covers the hazard from non-electrified railways for the workforce.	Remove "electrified" from the wording of point 9	HS2	OB	NC	The requirements to keep the workforce safe from general hazards are covered by FOP 8 (people must be kept at a safe distance from moving trains) or other FOPs depending on the situation in which the workforce is accessing the track.
6	59	App A	The implementation of version 5 of the ERTMS rules and principles is welcomed and aligns with the solution already specified for the HS2 system.	-	HS2	OB	NC	Thanks, noted.
7	87	App D. 2.3.9	For 2.3.9 length of loops, it is unclear why this is judged to be an "unnecessary requirement". It seems to be a useful information which is usually provided and as it is already included in the NTSN, we propose to diverge from the TSI and keep the NTSN as is.	Keep 2.3.9 length of loops.	HS2	CE	DC	It was unclear in the assessment whether it was strictly necessary to retain this information as it is undesirable to require more than is necessary. If this information is useful for railway undertakings, it can be reinstated.
8	99	App I – open points	Whilst the additional information provided by the TSI appendix I might have limited benefits for GB mainline, it could still be beneficial to include it as it provides clarity on what should be covered that is helpful for new line/IM	Implement the appendix I of the TSI text	HS2	OB	NC	The purpose of this appendix in the TSI is to clarify the scope of possible national rules for the EU Member State. This is not necessary to include in the UK NTSNs as the Secretary of State has responsible for publishing both the NTSNs and NTRs.