



OFFICE OF RAIL REGULATION

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Case Ref 4209592

3 August 2010

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Dear Steve

RAILWAY SAFETY REGULATIONS 1999: EXEMPTION FROM THE FITMENT OF AN AUTOMATIC TRAIN PROTECTION SYSTEM FOR CERTAIN TYPES OF TRAIN.

UNDERSTANDING OF THE MEANING OF TEST TRAINS

In June of this year the Office of Rail Regulation granted an exemption from the requirements of regulation 3(1) of the Railway Safety Regulations 1999 to enable certain types of train to operate on Network Rail (CTRL) Ltd controlled infrastructure that do not have an automatic train protection system compatible with the infrastructure.

During our consideration of the application a question was raised about the meaning of the term 'test train' and it was decided this should be clarified to avoid any misunderstanding. I forwarded a draft document in June of this year and you replied in early July agreeing to this understanding.

I am now formally recording that our understanding is that, in respect of test trains, the exemption applies as set out in the document which we have agreed and which now forms an appendix to this letter. A copy of this letter and its appendix will be added to our file on the exemption.



INVESTOR IN PEOPLE

As holders of the certificate of exemption for train operators also, you should draw the understanding of the meaning of a test train to their attention should they approach you with a request to operate a test train.

Should there be a wish at any time to operate trains without a functioning train protection system for test purposes other than those specified we would expect a further specific application for exemption to be made. Such an exemption would be considered in accordance with our normal procedures.

As always, I am happy to discuss any matters relating to the application of the Regulations. Thank you for your assistance with this matter.

Yours sincerely


A handwritten signature in black ink, appearing to be 'AS', written in a cursive style.

Andrew Stretton
HM Inspector of Railways

RAILWAY SAFETY REGULATIONS 1999: EXEMPTION FROM THE FITMENT OF AN AUTOMATIC TRAIN PROTECTION SYSTEM FOR CERTAIN TYPES OF TRAIN ON NETWORK RAIL (CTRL) LTD CONTROLLED INFRASTRUCTURE

UNDERSTANDING OF THE MEANING OF TEST TRAINS

1. The Railway Safety Regulations 1999 require trains to be fitted with an automatic train protection system that is compatible with the infrastructure. The Regulations allow an exemption to issued in certain circumstances.
2. High Speed 1 infrastructure is controlled by Network Rail (CTRL) Ltd who, as infrastructure manager, hold an exemption for certain classes of train to be operated on their infrastructure without an operational automatic train protection system. A similar exemption is issued for those who operate such trains.
3. The classes of train are set out in the exemption and are, in the main, self explanatory. The exception is the term 'test train'.
4. This class was included at the time of a revision of the exemption in 2007. It was to take account of the need to carry out some tests of trains prior to the fitting or commissioning of the train protection system on board the trains.
5. A further exemption has been granted which includes the term test trains. During the process of assessing the application it was considered that there was a need to clarify the understanding of the term 'test train'. This document has been prepared for that purpose.
6. A test train, within the meaning of the exemption issued under the Railway Safety Regulations 1999 for such trains to operate on Network Rail (CTRL) Ltd infrastructure, is a train that is operated to test the vehicles and their interaction with the infrastructure.
7. The persons who may be on board a test train are the crew required to operate the train and other persons directly involved with the conduct of the tests that are being carried out.
8. Any test train should be operated in accordance with a safe system of work specific to the operation of the particular train.



A G W Stretton
HM Inspector of Railways
3rd August 2010