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Network licence exemption for Rail for London (Infrastructure) Limited for its operation of the Crossrail Central Operating Section (CCOS)

On 7 April 2017, we consulted on a proposal to exempt Rail for London (Infrastructure) Limited (RfL(I)) from the requirement to have a network licence in order to operate the Crossrail Central Operating Section (CCOS) when it opens to commercial train services¹. We received three responses, from Abellio East Anglia, Transport for London (TfL) and MTR Crossrail.

No objections were received. MTR Crossrail - the operator who will provide passenger train and station services on the Elizabeth line - confirmed its agreement in principle, noting that we will have an appeal role for access issues² should there be such a need, and that network licence-equivalent provisions will be incorporated in track access documentation.

Transport for London (TfL) and RfL(I) have continued to update us on the progress of the CCOS and RfL(I) has confirmed there have been no material changes to its proposed operations.

Having taken into account RfL(I)'s exemption application and the responses to our statutory consultation, which raised no issues, we have proceeded to progress the exemption. We have checked that the protective provisions, set out in Appendix 2 of RfL(I)'s application, are included in RfL(I)'s template agreements. Those provisions will need to be contained in the relevant documentation when submitted to us for approval so that we are satisfied that, overall, the protections that would otherwise be afforded by a network licence are in place.

In finalising the exemption we have reviewed the text and have taken the opportunity to make some changes. These are mainly for simplicity and Plain English. We have also future-proofed the text in paragraph 2 of the draft exemption so that other TfL assets and operating companies can be added to the exemption, if appropriate in future. We have informed the consultation respondents of our changes and no concerns were raised.

We have therefore issued RfL(I) with the network licence exemption as attached to this letter.



Les Waters

¹ <http://orr.gov.uk/rail/licensing/licensing-the-railway/licence-exemptions/l-s>

² Under *The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016*.