



OFFICE OF **RAIL REGULATION**

8 August 2006

Mr D Burton
Systems and Assurance Manager
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Dear Mr Burton

**RAILWAY SAFETY REGULATIONS 1999 – APPLICATION FOR EXEMPTION FROM
REGULATION 3(1) – OPERATION IN POSSESSIONS WITHOUT A WORKING TRAIN
PROTECTION SYSTEM**

Thank you for your response to HMRI's consultation on the exemption from Regulation 3(1) of the Railway Safety Regulations 1999 for trains operating in possessions on the LUL network without a working train protection system.

A new exemption has been granted, which applies to London Underground Limited, TransPlant and GB Railfreight. Please find enclosed a copy of LUL's certificate. A copy of all three certificates will be posted on the ORR website. The original certificates remain with HMRI.

Yours sincerely

Giles Turner
HM Inspector of Railways



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THE RAILWAY SAFETY REGULATIONS 1999 (S.I. 1999/2244)

Certificate of Exemption (Grant to infrastructure manager: London Underground Ltd)

Grant

1. The Office of Rail Regulation, in exercise of the power conferred on it by regulation 6(1) of the Railway Safety Regulations 1999 as amended¹ ("the Regulations"), having consulted those persons it considers appropriate in accordance with regulation 6(2) of the Regulations and having had regard to the matters specified in regulation 6(3) of the Regulations, grants the following exemption.

Definitions

2. In this certificate-

"London Underground" means London Underground Limited, the infrastructure manager (formerly the infrastructure controller) whose registered office is at 3rd Floor Albany House, 55 Broadway, London SW1H 0BD;

"LUL Reference Manual" means the document entitled, 'Reference Manual for the Operation and Maintenance of the Railway' prepared by London Underground.;

"relevant procedures" means the following sections of the LUL Reference Manual:

- a) Possessions - elements Am 100 issue 07; Am 101 issue 04; Am 109 issue 03; Am 110 issue 04,
 - b) Specified Areas - Ab 201 issue 02,
 - c) Engineer's Current Areas - Ab 202 issue 02,
- annexed to this certificate;

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1. amended by paragraph 8 of the Schedule to the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006



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Doc # 245389.04

“operational safety plans” means the documents ‘Introduction of GBRF Engineering Trains on London Underground Infrastructure’ ref. SSL/1530/06, and ‘Operation of a single engineer’s train on the Victoria Line’ dated 24th May 2005, annexed to this certificate;

“engineering train” means a non-passenger carrying train that operates for the purpose of engineering work.

Exemption


3. London Underground is exempt from the prohibition contained in regulation 3(1) of the Regulations (prohibition on permitting the operation of a train on a railway unless a train protection system is in service) in relation to engineering trains operating in

- (i) possessions,
- (ii) specified areas, and
- (iii) engineer’s current areas; and

engineering train operations covered by the operational safety plans.

Conditions

4. This exemption is granted subject to the requirements of the relevant procedures and the operational safety plans being met in full.
5. This exemption comes into effect at 0001 hours on 01st August 2006. In accordance with section 6(1) of the Regulations, it may be revoked by ORR at any time by a certificate in writing.

Signed by 
27 July 2006

[HM Deputy Chief Inspector of Railways]

On behalf of the Office of Rail Regulation