

Les Waters
Manager, Licensing
Railway Markets and Economics
E-mail les.waters@orr.gsi.gov.uk
Telephone 020 7282 2106

15 June 2017

JP Irvine
General Counsel & Company Secretary
Translink Group
22 Great Victoria Street
Belfast
BT2 7LX

Dear JP,

The Railways Infrastructure (Access, Management and Licensing of Railway Undertakings) Regulations (Northern Ireland) 2016 (“the Regulations”): Northern Ireland Railways Network Statement 2018

I am writing with our views on your network statement, which you published on 28 April 2017.

As you know, we were not able to engage with you substantially on ORR’s new regulatory role in Northern Ireland until the Regulations above were established on 23 January 2017.

Consequently, the timescales around the network statement have been short. You provided us with a draft copy of your 2018 edition on 3 March and we gave you our detailed comments on 17 March, highlighting areas where information was missing or where further information was needed.

We appreciate that your deadlines have meant that you have not been able to deal with all of our points or implement all the revisions we identified. You commented on this in your letter of 28 April to John Larkinson and we discussed some aspects of this on the telephone. ORR is, however, taking a pragmatic and proportionate approach to our role and we are content for you to implement the changes we detailed in your next publication.

Looking ahead to your draft 2019 network statement, we would draw your attention to the following points in particular:

- your previous network statement gave the infrastructure manager as NIR Networks Ltd (“NIRNL”) but your latest version gives this responsibility to its parent company, Northern Ireland Railways Company Ltd. You have told us that there are some organisational and resource changes that need to be completed in Translink before NIRNL becomes the infrastructure manager officially. Therefore, your next publication needs to be very clear on who has the infrastructure management responsibility in the event that an applicant wishes to lodge an appeal with us;
- the need to include information on how to apply for a European licence;
- the requirement to include details of charging principles and tariffs, including those charges for gaining access to the supply of service facilities. This could help mitigate against potential discrimination complaints;



- the need for 'signposting' to where further information can be found where it cannot reasonably be included in the network statement itself (for example making use of hyperlinks); and
- the publication of the network statement in two European languages.

Thank you for your positive engagement on this; I hope these comments are useful.

In line with our commitment to transparency, we will place a copy of this letter on our website.

Yours sincerely,

A handwritten signature in blue ink that reads "Les Waters".

Les Waters