



Department for
Business, Energy
& Industrial Strategy

BUSINESS IMPACT TARGET: SUMMARY TEMPLATE

Non-qualifying Regulatory Provisions
(NQRP) summary reporting template

Regulator: Office of Rail and Road (ORR)

Business Impact Target Reporting Period Covered: 17 December 2020 – 16 December 2021¹

Excluded Category*	Summary of measure(s), including any impact data where available
Measures certified as being below <i>de minimis</i> (measures with an EANDCB below +/- £5 million)	<ol style="list-style-type: none"> 1. We are monitoring compliance with the Government's Public Health Information Regulation. In particular, Eurostar's and Eurotunnel's obligations to provide information and ensure that passengers follow the legal requirements. Since January 2021 90 fixed penalty notices have been served. 2. Passenger impact review and lessons learned review into train operators affected by the cracks on a component on the Hitachi class 800 trains was published June 2021. 3. Monitoring compliance with Regulation (EC) No 1371/2007 (as amended) including compliance with Article 28, the publication of an annual service quality report. 4. New data collection includes Public Service Vehicle Accessibility Regulations data for rail replacement duties. 5. In August 2021 (following consultation) we published our intention to introduce a delay compensation code of practice. 6. Published new guidance on level crossing risk assessment - Principles for Managing Level Crossing Safety. 7. Published our policy and guidance on the process for renewing train driving upon expiry. 8. Published updated guidance on the application of the Railway Safety Regulations 1999 to Mark 1 type rolling stock and hinged door rolling stock. 9. Published a guide to health and safety law in relation to wholly volunteer run organisations.
EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU Withdrawal Bill and EU Withdrawal Agreement	<ol style="list-style-type: none"> 1. We published the following guidance documents: <ul style="list-style-type: none"> • EU passenger and freight licences and statements of national regulatory provisions • Train driving licences • Railway safety legislation • Entities in charge of maintenance 2. We updated guidance on The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016, as amended to reflect the latest changes.
Measures certified as concerning EU Withdrawal Bill operability measures	<ol style="list-style-type: none"> 3. We updated and published a Train Operator User Guide on ORR Train Driving Licences System. 4. We produced a cross-border train driving guidance in relation to cross-border driving from 1 February 2022. 5. We published an updated version of our guide to key railway safety regulations – The Railways and Other Guided Transport Systems (Safety) Regulations 2006 and a consolidated version of the regulations to explain the changes made following EU exit.

¹ The summary for case work is based on the period 1 October 2020 – 30 September 2021. Any other variations from the standard reporting period are noted accordingly.

Excluded Category*	Summary of measure(s), including any impact data where available
Pro-competition	Published the final report of our market study including recommendations to open up the railway signalling market and encourage suppliers to compete on cost, quality, and innovation.
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Casework	<ol style="list-style-type: none"> 1. Licensing operators of railway assets: <ul style="list-style-type: none"> • we issued licences to 4 operators; • we granted licence exemptions to 13 operators; and • we revoked 5 licences/exemptions. 2. Stations and depots: we gave our specific approval to 46 new agreements and 126 amended agreements. 3. Track Access: we approved new track access contracts and amendments to existing contracts: <ul style="list-style-type: none"> • Framework agreements with Network Rail: <ul style="list-style-type: none"> ○ Train Operating Companies – 63 approvals and 7 notices of consent ○ Freight Operating Companies – 13 approvals/directions and 5 notices of consent issued. • 5 approvals to connection contracts, where networks between different parties meet. • Facility access contracts between FOCs and freight facility owners: Parties were able to use the General Approvals for a number of contracts. 4. We made one appeal decision under Part M of the Network Code – concerning disputes between industry parties. 5. Between 23 October 2020 and end October 2021 we issued 1,187 train driving licences. 6. We issued 13 safety authorisations and 32 safety certificates². 7. With respect to level crossings, we³: <ul style="list-style-type: none"> • authorised 38 level crossing orders in accordance with the Level Crossing Act 1983, • made two authorisations for signs from the Private Crossings (Signs and Barriers) Regulations 1996, and

² Between 17 December 2020 and 16 December 2021

³ Between 17 December 2020 and 16 December 2021

Excluded Category*	Summary of measure(s), including any impact data where available
	<ul style="list-style-type: none"> • issued two Christmas Directions under the Road and Rail Traffic Act 1933.
Education, communications and promotion	<ol style="list-style-type: none"> 1. We refreshed our track access guidance to reflect legislative changes and to improve its relevance. We published decision letters for each specific approval, direction or rejection explaining the reasons for our decision. 2. Annual consumer report published July 2021. 3. We initiated our Know your rights campaign December 2020.
Activity related to policy development	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Changes to management of regulator	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion

* For detailed guidance on the exclusion categories, please see

<https://www.gov.uk/government/publications/better-regulation-framework>