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19 June 2015

Dear Julia,

TAP and TAF TSIs and a review of the UK RU-IM Implementation Plan

I understand that at the meeting between: ATOC; DfT; Network Rail; the ORR; National Contact Points (NCPs) and the RSSB on 6 May 2015, the implementation of the Technical Specifications for Interoperability for the Telematics Applications for Freight & Telematics Applications for Passenger (TAF/TAP TSIs) was discussed. This meeting was in part initiated by your recent appointment as Network Rail's Programme Manager for the TAP and TAF programme.

It was agreed by all attendees present at the meeting that it was necessary to review the TAF/TAP TSI requirements and the current UK Implementation Plan for Network Rail and consider if the proposed target date for compliance by December 2018 is still appropriate.

Further to my letter of 21 January 2014 to Jerry England and Paul Plummer, which requested NR to co-ordinate the preparation of a proposed set of UK Implementation Plans as regards the Railway Undertaking – Infrastructure Manager (*RU-IM*) regulatory obligations, I write to request that Network Rail co-ordinates the review and revision of the proposed Implementation Plans and that Network Rail engages with the relevant stakeholders in doing so. I should be grateful if Network Rail would confirm that it agrees to assume this role.

Following the meeting on 6 May 2015, and the previous meeting between: Network Rail; ATOC; DfT; the NCPs and ORR, on 20 April 2015, our initial assessment of the status of

the UK's compliance with both TSIs and the intention with regards to implementation is as follows:

TAP TSI: As regards the Railway Undertaking – Infrastructure Manager (*RU-IM*) regulatory obligations, Network Rail and the TOCs are already formally compliant with the TAP TSI. The IM and the relevant parties will, in accordance with the TAP TSI, rely on “*other existing systems*” for RU/IM messaging by specific agreement, as provided for in Regulation (EU) 454/2011 (as amended) at Annex I, paragraphs 4.2.14.1, 4.2.15.1 – 4.2.15.2, 4.2.16.2 and 4.2.17.1 – 4.2.17.8.

The DfT understands that NR may, in consultation with ATOC and the relevant stakeholders, explore and consider the operational and economic benefits of any changes to these existing systems for RU/IM messaging which would achieve compliance with the standards within the TSI. DfT also notes that Eurostar is not included in the agreement between NR and the TOCs and it has its own independent plan for regulatory compliance.

The Network Rail TAP Implementation Plan focuses on the RU-IM aspects of the TSIs. However, as regards the retail regulatory obligations in the TAP TSI, ATOC members in their own Implementation Plans (and the 2014 Compliance Statement) have confirmed that its members are on schedule to be compliant during 2016, well within the timescales expected by DG MOVE.

TAF TSI: DfT notes that NR and ATOC have highlighted the fact that the TAF TSI differs from the TAP TSI in respect of its implementation requirements. There are no provisions in the TAF TSI, equivalent to those cited above in relation to the TAP TSI, which provide for “*other existing systems*” to be used by special agreement. That said, the parties present at the meeting on 6 May 2015 agreed that any migration to new systems (FOC/IM messaging) that are compliant with the TSI need to be managed in such a way that all parties agree there are benefits in doing so. I understand that Network Rail, as part of the review of the Implementation Plan, will also consult with the Freight Operating Companies (FOCs) and brief ATOC on Network Rail's proposed approach.

Once a revised set of Implementation Plans has been proposed and is agreed with stakeholders as appropriate for either or both TSIs, I would also ask Network Rail to consider and advise DfT on an agreed way forward to address the following issues:

The extent to which the UK needs to update the Commission and the European Railway Agency about the UK's Implementation Plans for these TSIs, bearing in mind any requirements that may be placed on the Member State to provide and update plans. It would also be beneficial to point out why we may need RU-IM obligations to depart from previous UK plans, or a wider European Master Plan.

It has been agreed that Chris Queree will continue as the National Contact Point for TAP and that NR will identify an appropriate expert to become the new NCP for TAF as we agreed that DfT does not have the relevant expertise to continue in this role.

Finally, I understand that Network Rail are in touch with RSSB to consider if it would be beneficial to set up a TAP and TAF mirror group to help coordinate UK input into the development of the RU-IM elements of these TSIs, agree priorities and an effective EU engagement strategy.

I would be grateful if you could confirm that you are willing to undertake the review as outlined in this letter. I am copying this letter to Alan Price at the Office of Rail and Road and to Gary Cooper at ATOC.

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