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I am writing to ask Network Rail to act as the main UK entity for setting up and maintaining the register of infrastructure (RINF).

Annex 1.3 of Decision 2011/633/EU (specification for the infrastructure register under Directive 2008/57) has the following requirement:

*“Member States shall decide which entities are responsible for setting up and maintaining the Register of Infrastructure.”*

Under the Railways (Interoperability) Regulations (RIR 2011) owners of infrastructure must keep a register or procure that one is kept and it must be made available on a publicly accessible website.

Most infrastructure is owned by Network Rail but there will also be registers held by other owners, including (but not limited to) the following:

- Northern Ireland Railways
- HS1
- Crossrail
- Eurotunnel
- Railway Undertakings

The European Rail Agency (ERA) envisages there will be one central register of infrastructure (RINF) for each Member State which will feed into a pan European RINF managed by ERA. ERA would like each Member State to provide the name of a single entity with responsibility for setting up and maintaining their register.

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A consensus view has now been agreed through the UK RINF steering group that the DfT should ask Network Rail to act as the main entity for the UK.

If Network Rail agrees to carry out this role it would involve the following tasks:

- Network Rail, acting as the entity, would set up and maintain a UK RINF by feeding its own data to ERA.
- Other owners of infrastructure in the UK could ask NR to regularly upload their data into ERA's pan European system.
- Owners would provide their data to Network Rail in a format to be agreed between the two parties.

Our understanding is that ERA will publish this EU wide register on a website (this may have password access but we understand that these passwords will be given to anyone who requests one).

Under article 6 of the RINF Decision, Member States are required to send an implementation plan to the Commission. The Department intends to send the attached UK plan, which the steering committee supports. The plan explains that Network Rail will carry out the entity role referred to above for its infrastructure and to the extent that other infrastructure owners have made arrangements with Network Rail to carry out this role for their infrastructure.

There is not any regulatory requirement for an owner to provide data to Network Rail. If an owner decided not to use Network Rail they will need to find an alternative means to make their data publicly available on an accessible website. The Department would want to facilitate a way to feed this data to ERA, but there might not be any arrangement between that owner and Network Rail.

If Network Rail wish to charge for the services provided to owners as part of the entity role that is a matter for them to agree with the relevant owner. Any owner that has concerns over Network Rail's role as the entity, or has concerns about charges for services provided as part of this role is advised to contact the ORR.

If Network Rail agree to perform this role I would be grateful if you could respond in writing. On receipt of your confirmation we will inform stakeholders via our Newsflash service and through the DfT's interoperability web pages on the Gov UK website. Should there be a need to change the role that Network Rail is being asked to perform we will write again if necessary.

I am copying this letter to Paul Hooper at the Office of Rail Regulation

**Robin Groth**

## The UK's Implementation Plan for the Infrastructure Register

Article 6 of the Implementing Decision of 15 September 2011 on the common specifications of the register of railway infrastructure (2011/633/EU) requires that each Member State shall draft a national implementation plan for the implementation of the obligations resulting from this Decision, together with a timetable.

This document is the UK's implementation plan.

The Railways (Interoperability) Regulations 2011 (RIR 2011) implement in the UK the EU Directive 2008/57/EC concerning the Interoperability of the Rail System in the Community. This Directive requires that each Member State has a register of infrastructure, the scope of which is defined within Decision 2011/633/EU, Common Specifications of the Register of Railway Infrastructure (RINF). RIR 2011 requires owners of infrastructure to keep and maintain a register in accordance with the specification and the transitional arrangements of the Decision, or procure the keeping and maintenance of their register.

The timetable for the completion of the UK register is as follows:

- Category One: Infrastructure that is part of a freight corridor (Note: the UK has recently applied to join a corridor). The deadline for completion is 16 March 2015.
- Category Two: Infrastructure that is placed in service after 17 June 2008 (the date that the 2008 Interoperability Directive entered into force) and before 16 March 2012. The deadline for completion is 16 March 2015.
- Category Three: Infrastructure that is placed into service before 17 June 2008, except for freight corridors. The deadline for completion is 16 March 2017.
- Category Four: Private sidings infrastructure placed in service before 17 June 2008. The deadline for completion is 16 March 2019.
- Category Five: New infrastructure placed into service after 16 March 2012. The deadline for completion is 16 March 2015 or, if later, the date the infrastructure is placed into service.

The UK's implementation plan has been developed on the understanding that ERA intend that it will eventually be possible to view all the specified infrastructure parameters in any Member State via a central "virtual" RINF. In order for the UK to help facilitate this aim the Department for Transport has asked Network Rail to act as an Entity for Managing the RINF so that they may upload data from their register to a central RINF managed by ERA. Network Rail is expected to carry out the entity role for its infrastructure (which

forms the majority of UK infrastructure) and to the extent that other infrastructure owners have made arrangements with Network Rail to carry out this role for their infrastructure.