

Mr Graham Lawrence  
Network Rail Eastern Region  
EDCP Room 213, 2<sup>nd</sup> Floor,  
West Side Office Kings Cross Station  
London  
N1C 4AP

Your Ref: 156905-ECD-LTR-PDC-  
000002 v2.0

Case Ref: PRM-IOP-0431

IN Number: UK/63/2023/0001

27<sup>th</sup> October 2023

**Contact: Stephen Williams**

3<sup>rd</sup> Floor, Mallard House, Kings Pool  
1-2 Peasholme Green  
York  
YO1 7PX

Dear Mr Lawrence,

**THE RAILWAYS (INTEROPERABILITY) REGULATIONS 2011, AS AMENDED  
AUTHORISATION OF CONTROL, COMMAND AND SIGNALLING TRACKSIDE  
SUBSYSTEM RELATING TO THE INSTALLATION OF ETCS LEVEL 2 INCLUDING  
TRAIN DETECTION (BL2) AND UPGRADE OF THE GSM-R (BL1) FOR DATA USE  
ACTING AS A BEARER FOR ETCS.**

I refer to your application for authorisation, received on the 30<sup>th</sup> August 2023 and technical file report references 156905-SIR-REP-ESG-000030 (ETCS) v3.0 dated 20<sup>th</sup> October 2023 & 156905-SIR-REP-ETL-00008 v3.0 (GSMR) dated 25<sup>th</sup> September 2023.

Following review of your application, I can confirm that ORR grants authorisation under regulation 4(1)(a) of the Railways (Interoperability) Regulations 2011, as amended. This authorisation is for the placing into service of the Control, Command and Signalling trackside subsystem as identified in your submission as ETCS Level 2 (RBC system build E3.2 and system software 1.7) including train detection and GSM-R upgrade for data use acting as a bearer for ETCS. This is only valid to the following limits:

<b>Strategic Route:</b>	G – East Coast and North East G.02 – Moorgate Branch
<b>Route Number:</b>	LN105
<b>Operating Route:</b>	ECML, Kings Cross Station to York
<b>ETCS ELR and Mileage:</b>	MEB1 (UP) 0.00 – on/or around 4857m (3mi 1ch) MEB1 (DN) 0.00 – on/or around 4979m (3mi 8ch)
<b>GSM-R ELR and Mileage:</b>	MEB1 0.00 – on/or around 5572m (3mi 814 yards)
<b>Interlocking affected area:</b>	Moorgate
<b>Control Point:</b>	York ROC
<b>Stations on Route (all 2 platforms):</b>	Drayton Park Highbury and Islington Essex Road Old Street Moorgate



It is noted that the subsystem has been assessed against set of specifications #1 (ETCS Baseline 2 and GSM-R Baseline 1).

I refer to your UK Declaration of Verification 156905-SIR-CRF-ESG-000017 v4.0 dated 20<sup>th</sup> October 2023. The restrictions or limitations of use on the structural subsystem are those contained in section 5.2 of your ApBo/DeBo files. These are related to the Control, Command and Signalling structural subsystems.

It is noted that ETCS Level 2 will initially be used as an overlay onto the existing signalling system and there is a plan to implement a “Level 2 No Signals” system in future works. This should be undertaken in compliance with legislation in force at that time.

I also refer to your Declaration of Control of Risk according to Article 16 (EU) 402/2013 as amended, dated 23<sup>rd</sup> August 2023.

It is noted that two Safety Related Application Condition (SRAC) have yet to be closed:

Reference	Summary of Safety Justification Report (SJR) SRACs to be closed.
SRAC 5	The TIC shall ensure that the test and commissioning process is carried out in accordance with the T&C plan [EV003]. This mandates that at the TIC shall review any remaining open or deferred test logs to ensure they are sufficiently mitigated and documented in the TC1 prior to NR’s acceptance of the system into service
SRAC 22	The ergonomics assessment report shall be approved and accepted by NR prior to operation of ETCS functionality. NR acceptance of the application-specific ergonomic assessments requires Forms 6 to be signed prior to Entry in Service.

It is also noted that agreement to defer closure of the above SRACs into the Entry into Service (EiS) process has been agreed with the AsBo and with Network Rail Eastern System Review Panel (E-SRP). SRAC 5 can only be closed upon successful testing and sign-off of the TC1 certificate which is standard practice. SRAC 22 (Ergonomic Form 6) needs to either be closed or a TNC/Derogation issued in advance of the NCL03A commissioning.

I should remind you that our published guidance on the approach to authorisations is available on our website. It is our expectation that this is used, and processes managed by the applicant. Our guidance requires four weeks from receipt of the application to issue a letter of authorisation. Applications for authorisations should be made at the earliest possible opportunity and not within four weeks of when they are needed for successful completion of the project. We reserve the right to extend this time depending upon the completeness of the application. The four-week timer will effectively be paused until a compliant application is received. The applicant should consider this risk in planning project



milestones. We have been raising concerns about Network Rail not using this guidance and are now reviewing our policy and guidance to prevent further inappropriate use of the authorisation process. Failure to follow the guidance may delay the authorisation process outside the four-week period.

The Control, Command and Signalling subsystem(s) authorised by this letter must be operated and maintained in accordance with Regulation 20.

You should be aware that any future modifications to the authorised subsystem may constitute a 'renewal' or an 'upgrade' as defined in Regulation 2. If a project entity, in relation to the project, considers that the modification meets either of these definitions they may apply, in accordance with the provisions of Regulation 13, to the Department for Transport (DfT) for a decision on whether a new authorisation will be required. Should DfT decide that an authorisation is not required they must consult with ORR whether authorisation is required on safety grounds.

As the project entity you are responsible for retaining the technical file, keeping it up to date and making it available to the ORR in accordance with Regulations 18 and 19.

If you are not the owner of the authorised subsystem you shall within 60 days, in accordance with Regulation 19(3), transfer the technical file, certificate of verification and verification declaration to the owner of the subsystem and the owner shall then be regarded as the project entity. If the owner, in accordance with Regulation 19(4), disposes of his interest in the authorised subsystem, he shall within 60 days of the disposal transfer the technical file, certificate of verification and verification declaration to the person acquiring that interest and that person shall be regarded as the project entity.

Please note that the person who applied for the authorisation shall send particulars to the owner of the infrastructure to enable the owner of the infrastructure to enter the items on the Register of Infrastructure in accordance with Table 1 of Commission Implementing Decision 2019/777 as amended by The Railways (Interoperability) (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2020. This will include such further information as the registration entity may reasonably require set out in the relevant standard.

The person who applied for the authorisation to place in service may apply to the ORR for a determination of type. You will receive the type authorisation after providing the relevant data to the ORR.

If you are the operator, may I remind you of the need to have adequate arrangements within your Safety Management System to control the risks associated with this infrastructure subsystem.



This decision letter will be published on ORR's website.

Yours sincerely

**Steve Fletcher**  
**Deputy Director, Engineering & Asset Management**

Cc

James Le Grice

David Galloway

Giles Turner

ORR Interoperability

Laura Oliver

David Moore

Head of Interoperability, Safety and Standards DfT

Head of System Compatibility, Network Rail

ORR Head of Interoperability & Rail Vehicle Engineering

[interoperability@orr.gov.uk](mailto:interoperability@orr.gov.uk)

ORR HM Inspector of Railway

Project Manager, Network Rail