

To interested parties

August 2006

## **Consultation on ORR's code of practice for applications made under section 16A of the Railways Act 1993**

1. I am writing to consult you on a draft code of practice for applications made under section 16A of the Railways Act 1993.
2. The Railways Act 1993 was amended by the Transport Act 2000 to include sections 16A – I. These additional sections enabled the Secretary of State (or a third party with his consent) to apply to ORR to give directions to a railway facility owner to improve or construct a new railway facility. Section 16H also placed ORR under an obligation to develop a code of practice for handling any section 16A applications but sections 16A – I were not commenced at that time.
3. The investment framework document of October 2005 stated that we would develop a code of practice for section 16A applications upon commencement of these sections and the Secretary of State made the commencement order for sections 16A – I in the same month.

### **Consultation arrangements**

4. A draft code of practice is available on our website by following this link <http://www.rail-reg.gov.uk/upload/pdf/299.pdf> and we would welcome your views on it.
5. You will find details of how to respond to this consultation at the end of Chapter 4 of the document. Please send your response by **29 September 2006**. We intend to publish a final code of practice as soon as possible after the consultation period has closed.

### **Publication of consultation responses**

6. We will make all substantive responses available on the ORR website and may quote from them. If you wish all or part of your response to remain confidential to ORR you should set out clearly why this is the case. Where you make a response in confidence, please also send us a statement summarising the submission but excluding the confidential information so that the summary can be published instead.

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7. If you have any queries on this consultation relating to the code of practice document please contact Paul Carey on 020 7272 2067 or by email [paul.carey@orr.gsi.gov.uk](mailto:paul.carey@orr.gsi.gov.uk).

**Paul Carey**