

BUSINESS IMPACT TARGET - NON-QUALIFYING REGULATORY PROVISIONS (NQRPs) SUMMARY REPORT

Regulator: Office of Rail and Road

Business Impact Target reporting period covered 9 June 2017 – 20 June 2018

Excluded Category*	Summary of measure(s), including any impact data where available**
Measures certified as being below de minimis (measures with an EANDCB below +/- £5 million)	<p>Some of the following activities relate to policy development and therefore also fall into the policy development exemption:</p> <ol style="list-style-type: none"> 1. Transfer of responsibility for certification of Entities in Charge of Maintenance (ECMs) from ORR to accredited certification bodies (May 2018). 2. Review of ORR's guidance on Railways and other Guided Transport Systems (safety) Regulations (ROGs) (May 2018). 3. Review of ORR's published Railway Safety Regulations exemptions policy and process for handling requests for exemptions from the regulations (March 2019). 4. Review of ORR driver licensing processes and guidance, implementing Post Implementation Review (PIR) (December 2018). 5. Publication of revised strategic risk chapter on tramways (possibly encompassing all light rail) supported by reviewed supervision approach (December 2018). 6. Publication of revised strategic risk chapter on heritage and charter operations supported by reviewed supervision approach (end 2018). 7. Improvements to Level Crossing Order process including updated guidance document for ORR staff and industry on the process to be followed for compliance with Level Crossings Act 1983 applications for new or amended level crossing orders (end 2018). 8. ORR guidance: Investing in the railway network: securing access – a consolidation of the existing guidance and policy about the options available to those who want to invest in the network (January 2018). 9. Review of ORR's Freight Facility Access General Approval (February 2018). 10. A minor update of existing ORR guidance from 2011 on freight track access contracts, reflecting legal changes and wider policy changes which have already been consulted on and then implemented (March 2018). 11. A review of Complaints Handling Procedures (CHP) to facilitate the introduction of an ombudsman scheme in rail. This will include modification of the CHP licence condition to require membership (September 2017). 12. Research and consultation published to improve arrangements for passengers needing assistance to travel (November 2017). 13. Review of Disabled Persons Protection Policy (DPPP) guidance (November 2017). 14. Research on National Rail Conditions of Travel and publication of next steps (March 2018).
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"> 15. Update to ORR's Guidance on Fitness to take into account updated medical requirements from EU Directive on train drivers (December 2017). 16. Review of the industry's exemption from asbestos removal requirements under REACH regulations (December 2018). (REACH is a European regulation that deals with the registration, evaluation, authorisation and restrictions of chemicals).
Measures certified as concerning EU Withdrawal Bill operability measures	

Excluded Category*	Summary of measure(s), including any impact data where available**
Pro-competition	Nothing to report
Systemic Financial Risk	Nothing to report
Civil Emergencies	Nothing to report
Fines and Penalties	Nothing to report
Misuse of Drugs	Nothing to report
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Nothing to report
Casework	<p>(The following casework covers period 1 April 2017 – 20 June 2018):</p> <p>17. <u>Licensing</u>: we issued licences to 3 operators of railway assets; we granted licence exemptions to 12 operators of railway assets; and we revoked 8 licences/exemptions.</p> <p>18. <u>Stations and depots</u>: we gave our specific approval to the following – 40 new agreements, 78 amending agreements. We ratified the closure of one station.</p> <p>19. <u>Track Access</u>: we approved several new track access contracts and amendments to existing contracts, which facilitate access to the rail network:</p> <ul style="list-style-type: none"> • Framework agreements of Train Operating Companies (TOCs) and Freight Operating Companies (FOCs) with Network Rail: <ul style="list-style-type: none"> - Specific approvals: 111 and Notices of consent: 28 • Connection contracts, where networks between different parties meet: Specific: 7 cases • Facility access contracts between TOCs/FOCs and facility owners: Specific: 3 cases • Parties were also able to use General Approvals for a number of other contracts. <p>20. We made decisions on two appeals under Part M of the Network Code – concerning disputes between industry parties.</p>
Education, communications and promotion	Nothing to report
Activity related to policy development	See de minimis exemption entries (measures with an EANDCB below +/- £5 million)
Changes to management of regulator	Nothing to report

* For full, legal definitions of these exclusion categories, please see <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-06-20/HCWS776/>

** Complete the summary box as 'Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.' where this is appropriate.