

**Les Waters**  
**Senior Manager, Licensing**  
Email: les.waters@orr.gov.uk



23 June 2022

Jane Kerr  
Planning & Access Manager  
Infrastructure Systems & Performance  
25 Duncrue Street  
Belfast  
BT3 9AR

Dear Jane,

**Northern Ireland Railways Company Limited (NIR): Network Statement 2023**

I am writing to conclude ORR's review of NIR's 2023 network statement, as required of us under *The Railways Infrastructure (Access, Management and Licensing of Railway Undertakings) Regulations (Northern Ireland) 2016* ("the Regulations").

We gave our response to your 2022 provisional version on 22 December 2021, following which you published the final version at the end of January 2022. We can see continued improvement in the information you provide in your network statements each year.

Following our suggestion last year that certain information be added to your 2023 edition, we note your inclusion of the reason for not requiring a Framework Capacity Statement due to your access contracts not exceeding one timetable period; and, in terms of the performance regime, that cancelled trains are not penalised. These were welcome additions. To further improve capacity information, it would help if you could provide examples of ad-hoc requests for train paths (in section 4.4.1), and the measures considered for ad-hoc requests. For example, by providing assurances that these requests would be dealt with fairly and in the same way as other requests.

Something that we have discussed with you previously relates to the EU Exit and the arrangements for NIR data to be uploaded into the Register of Infrastructure ("RINF")<sup>1</sup>. We note that a reference to the RINF was included in the provisional version but removed prior to publication due to the complexity around this. Since EU Exit, Network Rail is no longer responsible for maintaining uploads of UK infrastructure managers' RINF data to the online portal and it is no longer able to provide support to Northern Ireland with maintaining and updating its RINF data. You have told us that NIR is not set up nor resourced to take over Network Rail's role in that respect, so there is currently a 'RINF gap' until new arrangements are established. Since the network statement needs to provide some information about the RINF and act as a signpost to it, we suggest that you refresh the published document to include the portal link below, mentioning that Northern Ireland is reviewing the resources required to ensure compliance with the RINF requirements. You could then add a short piece of text that gives the context to the situation.

We also suggest that you check where the Regulations require the network statement to contain specific information – such as information about procedures for dispute resolution and model contracts for track access agreements. Whilst the hyperlinks you provide lead directly to a corporate landing page containing that information, it would be helpful to provide the direct link to the information. We will look out for this minor tweak in your 2024 edition. Finally, in the interests

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<sup>1</sup> <https://rinf.era.europa.eu/RINF>



of promoting transparency, we suggest that you adopt the practice of uploading the provisional copies of the network statement for consultation until final publication is achieved and replaces it.

In line with our commitment to transparency, we will publish this letter on our website at: <https://www.orr.gov.uk/guidance-compliance/rail/network-statements>.

I am copying this letter to John Glass and Ciaran Moore.

Your continued positive engagement is appreciated.

Yours sincerely,

A handwritten signature in blue ink that reads 'Les Waters'.

**Les Waters**