

Dear Paul

Thank you for providing us with the opportunity to comment on this consultation. We support the objective of simplifying and modernising the regulatory framework for railways, but believe that an opportunity has been missed to further remove unnecessary regulation. DBTW supports the ATOC response. We can see no justification for the regulations to continue to exist for mainline railways in the context of TSIs, Interoperability and Safety Directives. This would then allow for a simpler set of regulations, should that be appropriate, for non-mainline operators such as DBTW.

Should any regulations be made in the form proposed, we would like to see further clarity introduced in respect of the exclusions relating to non-mainline operators. The draft regulations exclude Tyne and Wear Metro from the application of Regs 3 (Use of train protection and management systems) and 4 (Use of Mark I rolling stock). However, the exclusion is written in a different manner than that for London Underground. We can not understand why, since both LUL and Tyne and Wear Metro operate on mainline railway infrastructure as well as non-mainline infrastructure, in our case from Pelaw on the Sunderland extension, whereas DLR and Glasgow Subway do not. The Tyne and Wear Metro has a system fitted to both infrastructure and train, which is also fitted to the extension, which would seem to fit the definition of a train protection system, as would the LUL tripcock.

Yours sincerely

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Engineering Director

