

**From:** Francis How [mailto:fhow@riagb.org.uk]  
**Sent:** 04 June 2010 06:43  
**To:** Valentino, Stefano  
**Subject:** ROGS Consultation : Response by Railway Industry Association

Dear Sir

**ROGS (Miscellaneous Amendments) Regulations : Response by Railway Industry Association**

Thank you for the opportunity to comment on the draft Railways and Guided Transport (Miscellaneous Amendments) Regulations 2010.

We have no comments to make on the proposed amendments themselves, nor on the questions you have asked in relation to them. This is because, in our view, the amendments have very little impact upon the supply industry.

However, we wish to draw your attention to two issues that have been identified during the parallel consultation on the draft Interoperability Regulations 2010, which have relevance to the ROGS Regulations:

1. The draft Interoperability Regulations contain requirements applicable to infrastructure managers and railway undertakings during the operation and maintenance phase of interoperable sub-systems. This clearly overlaps with the scope of the ROGS Regulations, and we recommend that you discuss with the Department for Transport how the two sets of Regulations should address the area of operations and maintenance (in relation to interoperable sub-systems), with the aims of avoiding duplicated/conflicting requirements and of ensuring that the requirements are placed in the most relevant set of Regulations.
2. The introduction of the Common Safety Method on Risk Evaluation and Assessment raises questions as to whether Safety Verification (as used in the ROGS Regulations) is in fact the same as Safety Assessment (as used in the CSM). It seems to us that there is an opportunity here to achieve some rationalisation and clarification of requirements.

Whether you should address these in the current Miscellaneous Amendment Regulations or not is debatable. If not, then we urge you to give them due consideration as part of the planned second statutory instrument to which you refer in paragraph 1.12 of your consultation document.

Yours faithfully

Francis How

Technical Director, Railway Industry Association  
22 Headfort Place  
London  
SW1X 7RY