

January 2005

John Boon Esq  
Secretary  
Class Representative Committee  
Network Rail Infrastructure Limited  
40 Melton Street  
LONDON  
NW1 2EE

### **APPROVAL OF PROPOSAL FOR CHANGE 28 TO THE NETWORK CODE**

1. The Office of Rail Regulation has today approved the Proposal for Change to Part L of the Network Code, which was submitted to it on 18 November 2004.
2. In considering the Proposal for Change, ORR has reviewed the consultation responses received and considered by the Class Representative Committee (CRC), together with a supplementary statement from Network Rail giving further reasons for the proposed change. ORR has approved the proposed change because it will improve the effectiveness of the Network Code.
3. A copy of this letter, the approval notice and the proposal for change will be placed on the ORR website, and a copy of the approval notice will also go on the ORR's public register.

**SARAH STRAIGHT**

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**Director, Rail Market and Access**

Telephone 020 7282 2071 • Fax 020 7282 2040 • E-mail [sarah.straight@orr.gsi.gov.uk](mailto:sarah.straight@orr.gsi.gov.uk)

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**NOTICE OF APPROVAL OF CHANGE: NETWORK CODE**

1. This notice is given under Condition C7.1.3 of the Network Code. Terms defined in the Network Code have the same meaning in this notice. References in this notice to Conditions are references to Conditions of the Network Code.
2. Network Rail Infrastructure Limited (“Network Rail”) submitted a Proposal for Change under Condition C7.1.1 on 18 November 2004. Network Rail at the same time submitted a written memorandum explaining the reasons for the proposed change and details of the result of the consultation process as required by Condition C7.1.1.
3. Network Rail has informed me that the Class Representative Committee has approved the Proposal for Change.
4. ORR now gives notice to Network Rail that it approves Proposal for Change 28 for the purpose of Condition C7.1.3.
5. A copy of the Proposal for Change is attached to this notice.

**SARAH STRAIGHT  
DIRECTOR, RAIL MARKET & ACCESS**

The Network Code  
Proposal for Change

SPONSOR: Network Rail

Proposal

On page L7, existing Condition L 6.7 shall be renumbered 6.8; and there shall be inserted a new Condition L 6.7 as follows:

**6.7 *Non-provision of LOC at election of Train Operator***

Network Rail may give notice to any Train Operator requiring it to elect, by notice to Network Rail, if it wishes not to receive a LOC Statement relating to one or more Relevant Years. The Train Operator shall elect accordingly and such decision shall have effect in relation to the Relevant Years specified by the Train Operator.

*(As endorsed by Class Representative meeting on 8<sup>th</sup> October 2004)*