

## Draft Eurotunnel 2020 Network Statement

### Comments of the Intergovernmental Commission for the Channel Tunnel

Normal text: comments made on the draft 2018 and 2019 Network Statements not taken into account in the draft 2020 Network Statement.

Text in italics : comments on the draft 2019 Network Statement partially taken into account in the draft 2020 Network Statement.

Highlighted text in yellow: new comments

Paragraph	IGC comment	IGC explanation
Title	Title should be "Channel Tunnel Fixed Link Network Statement".	It remains confusing that Eurotunnel chooses to refer to its regulated Network Statement (a term well understood by operators and applicants across the EU) by another title.
General	Where relevant the Network Statement should clarify that Border Controls are a matter for the state but Border Security is a shared matter between the states and Eurotunnel.	
Glossary	References should be listed in alphabetical order.	For clarity.
Glossary	Railway Network Replace "... refers to the capacity of rail tunnels ..." with "... refers to the tunnels"	This is about the network, not about its capacity.
Glossary	RFN In the French version delete the words "state"	Better wording
<i>Glossary</i>	<i>RUC ... Replace "state railway administrations" with "railway companies of that time."</i>	Wording better reflects situation at the time.
Foreword	Delete penultimate <b>and final</b> sub-paragraph	It is not appropriate to include these statements in this document. The Governments will continue to work together to ensure the continued smooth operation of services through the Fixed Link but the detail of Eurotunnel's Network Statement will need to operate within the prevailing environment.
1.2	Second sub-paragraph: delete "under the control of the Department for Transport")	BRB is a separate legal entity taking its decisions separately to DfT.
1.2	Third sub-paragraph: amend to read "border control" rather than "border security."	Eurotunnel also has security responsibilities.
1.2	Third sub-paragraph last sentence should read "(BRB & SNCF)" rather than (BRB/DfT & SNCF)".	The signatory to the RUC is BRB not DfT.
1.2	Note at bottom of page 7: delete reference to Eurostar property.	Not relevant in this context.

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1.3.3	Delete last sentence.	Last sentence contradicts what is said earlier.
2.3	<p>Replace the paragraph with: "Specific security regulations are laid down by the British and French governments. These rules are intended to ensure the safety of persons, and goods in railway infrastructure (depots, embarkation areas) and on board trains.</p> <p>Any RU must respect and fully enforce the defined rules, details of which can be obtained from the UK Department for Transport and from the Secrétariat Général au Tunnel sous La Manche in France.</p> <p>Each RU must draw up a safety plan validated by the IGC.</p>	Additions and modifications are marked in yellow
2.7.1	<p>The IGC considers that the general conditions of use of the Channel Fixed Link should appear in the Network Statement or, at least, access to their content should be facilitated, say by link to a website.</p> <p>This article appears incomplete. It refers to footnote 12 which refers to Annex 6 of the document which does not contain what is indicated.</p>	This document is essential information for companies wishing to run trains through the tunnel.
2.7.2	Although we note that footnote 13 explains that a model framework agreement will be created and published if necessary, the IGC remains of the opinion that a form of master agreement should feature as an annexe to the Network Statement.	This is necessary to conform to the transposed Directive (see Directive, Annex 4).
3.3	In the second paragraph, the second sentence should be "these stations are equipped to tackle the fire on the train."	The idea that the SAFE stations allow a completely safe evacuation into the service tunnel does not conform to the SRT TSI, clause 4.2.1.7 e.
3.13	To ensure clarity, the last sentence of the paragraph beginning "Following efforts of rationalisation " should be deleted.	Note that this paragraph has not been deleted, but augmented by examples of actions to taken to simplify the requirements. However, as this relates to pre end of 2013 activity it is no longer considered relevant and should be deleted.
3.13	Footnote n° 15 should read: "Compliance with technical requirements is reflected by an authorisation from the IGC [...]." and not "The method for demonstrating..."	Wording has changed but demonstration of compliance can only be reflected through and IGC authorisation and not simply a request for authorisation which may not be approved.

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3.13.2	The words "compatible with the Channel Fixed Link and" are redundant and should be deleted.	
4.2.2	Response time to ad hoc requests for individual pathways must be no longer than five working days. The wording indicates that Eurotunnel is allowed a week to respond.	To conform to Article 48 of the Directive.
4.3.1	Add "in accordance with the principles decreed in Article 4.3.2" at the end of the first paragraph.	To conform to Directive.
4.3.3	Specify the date from which the period of 10 working days for a decision to settle disputes starts to run.	Meeting this deadline is an obligation deriving from the Directive, Article 46(6).
4.6	<p>The IGC welcomes the addition of information on Eurotunnel's participation in the European rail freight corridors.</p> <p>The presentation of these corridors should, however, be padded out with descriptions of the corridors and fuller information on how Eurotunnel works with the corridor and its neighbouring infrastructure operators.</p> <p>Replace "must contribute to the efforts for the resolution of the barriers to development of cross-Channel rail freight" with "must contribute to the development of cross-Channel rail freight."</p> <p>Elsewhere: the last two sub-paragraphs should be deleted.</p>	<p>Eurotunnel can contact the transport ministries (or the RFC2 corridor direct) for suggested wordings.</p> <p>The purpose of the European rail freight corridors is neither to contribute to the investment in removing barriers to interoperability, nor to deal with the problems of border checks.</p>
5	<p><i>This chapter needs re-reading and clarifying. It is unclear what services are available and who provides them.</i></p> <p><i>The IGC understands that organisational changes are in progress or planned at Fréthun. More clarity is required about the services offered at Fréthun.</i></p>	<p><i>The detailed information, especially on charges, which appeared in the 2017 Network Statement, has been withdrawn. This related to the services, essential to open access, provided by third parties. Likewise the information on services at Fréthun has been suppressed (security, additional services by SNCF Network), whereas this is vital to the operators.</i></p>
6.1.2	The fourth sub-paragraph of this paragraph (first indent) should mention the efficiency	Coherence and conformity to Directive 2012/34/UE.

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	and competitiveness of <i>European</i> , rather than "cross-Channel" railway services.	
6.1.2	<p>The sub-paragraph at the bottom of page 21 should be deleted as unclear. It might create confusion, by implying that the IGC and the EC have validated the whole Eurotunnel charging model.</p> <p>The reference to the Memorandum in the second sub-paragraph of p. 22 ('- For <b>Rail Freight Trains</b>,...') could also appear in paragraph 1.2.</p> <p>The penultimate paragraph (starting with "It should be noted...") is concerned with rail freight growth when section 6.1.2 relates to charging. This paragraph should perhaps be removed. If it is retained, the reference to border security should be deleted, as this cannot be equated to a "barrier to development."</p> <p>Last paragraph refers to an annexe 7 "Statistical Return on Open Access," which is not annexed to the Network Statement.</p>	This sentence goes beyond what the IGC actually concluded, which was that the principle of covering long-term costs applied to the project to build the Channel Tunnel.
Annexe 2 « Reminder »	The references to railway undertakings and safety certificates in the section on technical requirements for rolling stock makes the text confusing. Suggestion: delete this reminder.	
Annexe 2	<p>Sections 1 and 2 omit the rule on pantograph contact bow length. This document must specify this, because it is at the discretion of the infrastructure operator. Therefore refer to Loc &amp; Pas TSI, 4.2.8.2.9.2.1.</p> <p>Whilst mentioning conformity with TSIs, specific references to relevant TSI and the article should be included in section 2.</p>	This choice is sufficiently important to be mentioned in the Network Statement.
Annexe 2	All references to the 'Channel Tunnel National Reference Document for Cross-Acceptance' should be amended to read 'Channel Tunnel Reference Document for cross-acceptance of rail vehicles'.	Change required to reflect new title of document published on the IGC website.
Annexe 2 1.2	In the second paragraph, retain only the wording "RUs must also ensure integrity of wagons to prevent the spread of dusty	Rest of paragraph is pointless or redundant and should be deleted.

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	loads in the running tunnels, fire resistance of materials and compatibility with the hot axle box detectors."	
Annexe 2 2.9	<p>To make this complete, add the national notified rule as per 2.9 (an exception to the specific case of § 7.3.2.21 of the Loc &amp; Pas TSI):</p> <p>National rule for the Channel Tunnel For passenger trains of 15 minutes' running capacity, a further risk assessment will be required. This must demonstrate that their use maintains or improves the level of safety in the Channel tunnel. It must analyse the consequences for passengers of the lack of running capacity to exit the tunnel, and must be supplied by the applicant. The analysis must ensure evacuation of the train in less than 15 minutes from detection of the fire. It will take account of the operating rules defined in paragraph 4.4 of the SRT TSI (except clause 4.4.1.c), the features of the passenger train (layout, number of pax) and the criteria specified by the IGC in Annexe 2. The applicant must carry out this analysis using the information supplied by the infrastructure operator of the Channel Tunnel. It will undergo checking by a third-party accredited/designated assessment body as defined in the MOR for risk assessment and appraisal. The IGC will consider the safety assessment report during its authorisation process.</p> <p>Because of the specific risks relating to trains carrying both lorries and passengers, the present national rule does not apply to them.</p>	