



APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A FREIGHT TRACK ACCESS CONTRACT, OR AN AMENDMENT TO AN EXISTING CONTRACT

ORR ensures that train operating companies have fair access to the rail network and that best use is made of capacity.

Use this form to apply to the Office of Rail and Road (ORR) for:

- Directions under section 17 of *The Railways Act 1993* (the Act) for a new track access contract. This is for companies who want to use Network Rail's network where the parties are not able (for whatever reason) to reach agreement.
- Approval for a new track access contract under section 18 of the Act. This is for use where terms have been agreed by the parties.
- Approval of a proposed amendment to an existing track access contract, agreed by both parties, under section 22 of the Act.
- Directions under section 22A of the Act for an amendment to an existing track access contract. This is for someone seeking an amendment to an existing track access contract to permit more extensive use of the railway facility if the parties are not able, for whatever reason, to reach agreement.

The form sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) (and our [making an application](#) guidance in particular) explains the process, timescales and the issues we will consider. Please read the guidance before completing the contract and this form.

If the facility owner and beneficiary have agreed terms, the facility owner should fill in the form. If not, the beneficiary should fill in the form.

A pre-application industry consultation is usually required before submitting an application. Please see the industry [code of practice for track access application consultations](#) for more information.

Network Rail should normally take responsibility for the pre-application consultation, where the terms are agreed. Before a consultation is made, complete this form up to the end of section 8. You should fill in the rest of the form after the consultation and before applying to ORR.

If, in the case of section 17 and 22A applications, the beneficiary and Network Rail have been unable to agree terms, the beneficiary should:

- (a) ask Network Rail to conduct a pre-application consultation in line with the code of practice; or
- (b) conduct a pre-application consultation itself, in line with the code of practice; or
- (c) submit the application to ORR and ask ORR to conduct the consultation, in which case, please complete this form in full before submitting it to us.

We are happy to talk to you informally before you apply. Please contact us at Track.Access@orr.gov.uk. You should use our current [model freight track access contract](#) as your starting point. Please ensure that you are using the latest version of this form as published on our [website](#). We may ask for applications which have not used the latest templates to be resubmitted.

You may also use and adapt this form if necessary to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

1. Application Summary

1.1 Facility owner:

Network Rail Infrastructure Limited ("Network Rail")

1.2 Beneficiary Company:

DB Cargo (UK) Ltd ("DBC")

1.3 With which of the regions does this application interact?

Region:	Southern <input type="checkbox"/>	Eastern <input checked="" type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input checked="" type="checkbox"/>	Scotland's Railway <input type="checkbox"/>
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1.4 Application under the Railways Act 1993 section:

17	<input type="checkbox"/>	18	<input type="checkbox"/>	22	<input type="checkbox"/>	22A	<input checked="" type="checkbox"/>
Supplemental Number:						88A	
Current contract date:						11 December 2016	
Current contract expiry date:						PCD 2026	

1.5 Executive summary of the proposed contract or amendment: (Brief & High Level)

The Rights Table in Schedule 5 of the Track Access Contract (Freight Services) dated 11 December 2016 between the Parties ("the Contract") shall be amended by updating Service Groups 1210 (flow 6), 1217 (flows 1, 2 and 3), 1219 (flow 1), 3002 (flow 2), 4253 (flow 1) and 4269 (flows 9 and 13) with the details listed in Annex 1 of the Supplemental Agreement to be consistent with the December 2023 timetable.

Proposed commencement date:	Date of ORR's approval
Expiry date:	PCD 2026
Date Approved at SOAR	n/a
If rights currently running as TOVRs when did they commence?	n/a

1.6 Industry consultation:

Who carried out the consultation?	
Consultation start date:	Consultation end date:
Not carried out <input checked="" type="checkbox"/>	

1.7 Applicant details

<p>Network Rail Infrastructure Limited ("Network Rail")</p> <p>Contact individual: Ian Bartlett Job title: Customer Manager Telephone number: [REDACTED] E-mail address: [REDACTED]</p> <p>Address: Floor 3, Waterloo General Offices London SE1 8SW</p>	<p>DB Cargo (UK) Ltd ("DBC")</p> <p>Contact individual: Quentin Hedderly Job title: Regulatory Specialist Telephone number: [REDACTED] E-mail address: [REDACTED]</p> <p>Address: Lakeside Business Park Doncaster South Yorkshire DN4 5PN</p>
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1.8 Date of application to ORR:

20 May 2024

1.9 Checklist of documents attached to the application form:

- Proposed new contract or supplemental agreement
- Marked up Schedule 5 (where applicable)
- Marked up comparison to model contract (where applicable)
- All consultation correspondence
- Supporting evidence such as performance improvement plans or modelling exercises.
- Other supporting documents, side letters or collateral agreements (please list):

1.10 Confidential redactions: If there is any information you want us to exclude from publication please list it here and provide full reasons for the redactions. Please provide a redacted version of the document(s) that we can publish.

n/a

2. Licence and railway safety certificate

2.1 Please state whether:

- you intend to operate the services yourself; or
- have them operated on your behalf.
- if so, please name the proposed operating company:

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2.2 Does the proposed operator of the services:

- (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and**
- (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006.

If the answer to (a) **or** (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

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3. The proposed contract or amendment

3.1 Application overview: Please detail the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely, and fully highlight the changes from the previous version of the contract (in the case of an amendment).

Commercial Justification for Access Rights

Mendip Rail Ltd

This is a commercial justification for one-hour window rights on freight traffic hauled by DB Cargo (UK) Limited (DBC) on behalf of Mendip Rail Ltd (MRL) a joint venture between Heidelberg Materials and Aggregate Industries

- Westbury (Whatley) to Cricklewood
- Acton to Dagenham
- Dagenham to West Drayton

A stable train plan is seen as critical to improving performance. This is a Key Performance Indicator (KPI) for Mendip Rail Ltd and DBC which may be jeopardised if timings associated with these train slots are flexed significantly from one timetable to the next. Due to capacity constraints a variation to the train slots could impact MRL and other services bound for Cricklewood. Loading slots are inflexible and one hour "window" rights are vital to daily operations and DB Cargo's ability to meet contract deliverables.

CUSTOMER AND MARKET

MRL produces and distributes aggregates - crushed rock, sand and gravel - from a network of quarries, depots, and wharves.

MRL supply aggregates for a variety of construction uses including ready-mixed concrete production, pre-cast concrete, brick and block manufacture and asphalt production. They also produce specialist sands for glass making horticulture, agriculture, and leisure.

MRL are able to offer an extensive range of specialist aggregate products, including industrial sands, agricultural lime, SUDS (Sustainable Urban Drainage Systems) aggregates and sea defence aggregate.

CUSTOMER AND BUSINESS DEVELOPMENT

DBC has made a substantial investment in 22 JNA box wagons which are dedicated to the traffic flow from Dagenham. The wagons hauled from Westbury are owned by MRL.

The provision of resources for these flows, coupled with the one hour 'Windows' provides certainty to enable DBC and MRL to plan their resources as efficiently as possible and deliver reliability. Failure of DBC to meet its contractual obligations may result in DBC having to compensate MRL, i.e. pay for any movement of product by road and cancellation penalties.

LOCATIONAL DEVELOPMENT

Westbury to Cricklewood, Acton to Dagenham, Dagenham to West Drayton

Services are loaded at Whatley and conveyed to Westbury by a 3rd party. Whatley is Heidelberg Material's biggest quarry, producing around 6M tonnes of aggregate a year and supplies crushed limestone aggregate to local markets by road and terminals in London and Southeast England by rail. Acton is of strategic importance to DBC. It is a hub for traincrew, ground staff and wagon maintenance making it a business critical location for DBC to operate this traffic efficiently.

Sea-dredged sand and gravel are the main products sourced from Heidelberg Materials plant in Dagenham.

Operations and Constraints

The Cricklewood flow works in conjunction with a 3rd Party conveying the loaded material to DBC's Westbury yard and delays or significant flexing of train slots could result in congestion; Due to environmental constraints at Cricklewood the site operates between 07:00 and 19:00 Monday to Friday and 07:00 and 14:00 Saturdays.

The loading slots at Dagenham are constrained by a number of factors. The terminal can only accommodate one service at a time. West Drayton terminal is one of the key locations supplying HS2 and any significant flex to train slots may result in services not being fully discharged owing to environmental restrictions as operations are restricted between 07:00 – 21:00.

SUMMARY

One hour 'Windows' are requested so that future timetable changes do not diverge excessively from the current WTT train slots being offered by Network Rail. While significant retiming to an arrival or departure may result in the need to also retime the inbound or return workings to maintain terminal times. Significant increases in overall journey times could potentially result in non-workable terminal plans and consequently lead to an increase in Driver costs, which could impact on the profitability of the existing DBC contracts.

One hour "window" rights are essential to the rostering of Drivers and Ground Staff including 'balancing' drivers with other traffic to ensure DBC can deliver a cost-efficient plan.

British Steel traffic

This is a commercial justification for one-hour window rights on freight traffic hauled by DB Cargo UK Limited (DBC) via all key routes for British Steel traffic.

Customer and Market

British Steel is the second largest steel company in the UK with more than 3000 employees. It provides a vital foundation for many of the country's key strategic supply chains, including the automotive and construction industries.

- £16m revenue to DBC utilising over 350 rail wagons
- Sales of over 2 million tonnes and £1.4bn turnover
- Over 3,000 UK employees
- 78% of sales are domestic, looking to grow 22% export

Over 96% of all steel produced is transported by rail. Road transport is not viable due to the cost and significant volumes moved.

Key Markets

- Construction Steel – Structural sections for the construction industry. Supplied in as-rolled condition from mills in Scunthorpe and Teesside

- Special Profiles - machining capability to create the rolls and tooling necessary to manufacture special profiles
- Wire Rod - a comprehensive range of wire products for market sectors including Automotive, Construction, Engineering & Consumer Goods
- Railway - providing quality and consistency in long, straight, flat and ultra-flat rail profiles for High-Speed Railways, Heavy Haul, Tramway & Metro

Customer and Business Development

British Steel has invested more than £330 million in its UK business since 2020 to upgrade plant and technology. Investments are ongoing to improve manufacturing capability, enabling the production of advanced steels in various UK locations. British Steel is frequently a key driver for regional economic growth in the areas where it is based and a source of prosperity and opportunity for local communities.

British Steel is committed to their long-term future and the drive to become a clean, green and sustainable company.

LOCATIONAL DEVELOPMENT

Skinningrove

- £26 million Special Profiles Mast Service Centre

All UK sites

- £14.6 million investment to enhance sustainability including the recycling of works arising gases to generate electricity

Operations and Constraints

British Steel are contracted to present all trains one hour ahead of departure time to deliver high performance and ensure delays to other users of the network are kept to a minimum.

Tees to Skinningrove train slots are vital to supply the plant with semi-finished product and provide ability to increase volumes at short notice.

Also dependant on the train slots:

- Empty wagons are collected and planned to return to Scunthorpe for re-loading.
- Driver, loco & ground staff resources interwork with other services.

DBC traincrew and other staff are rostered around existing train slots and should these change significantly it would require an overhaul of rosters which might make some services uneconomical.

For DBC, the loss or change to these train slots may impact the supply chain resulting in adjustments to ensure the plan is operationally and financially viable. Stability is fundamental in preventing the loss of jobs and customers - something DBC works hard to protect.

SUMMARY

In summary, one hour 'window' rights are required to support this traffic to ensure it is delivered efficiently by DBC for its customers. Local and wider economies are reliant on this traffic and any changes may have far reaching implications; any cessation would result in job losses and disrupt steel supplies across the UK.

Both British Steel and DBC fully expect demand for steel movements to continue and to grow.

Progressing access rights will provide certainty and protection not just for DBC business, but also other UK and worldwide businesses.

Hatfield Energy Ltd

This is a commercial justification for one-hour window rights on freight traffic hauled by DB Cargo UK Limited (DBC) on behalf of Hatfield Energy Limited;

- Immingham HIT to Earles Sidings
- Immingham HIT – Scunthorpe Trent Yard
- Scunthorpe Trent Yard – Immingham HIT
- Earles Sidings – Scunthorpe Trent Yard
- Scunthorpe Trent Yard – Earles Sidings

A stable train plan is seen as critical to improving performance. This is a Key Performance Indicator (KPI) for Hatfield Energy Limited and DBC which may be jeopardised if timings associated with these train slots are flexed significantly from one timetable to the next. Loading slots at the Port of Immingham and discharge slots at Earles Sidings are inflexible due to other traffic movements and environmental restrictions at the terminals. Loading and discharge slots are inflexible and one hour “window” rights are vital to daily operations and DBC’s ability to meet contract deliverables.

CUSTOMER AND MARKET

A family owned business, established in 1972 by the current CEO Roy Hatfield, Hatfield Energy is the UK’s leading supplier of essential energy products supporting UK industry.

Hatfield Energy prides itself on an unparalleled level of experience, based on more than 50 years of successful trading in the industry sectors it supports.

This enables us to tailor solutions that ensure continuity of supply and optimised pricing, even during the recent turbulence in the commodity markets.

Concrete and steel are essential materials for our economy, our way of life and our transition towards a net zero future. These industries depend on energy products as part of their manufacturing processes.

The UK Cement industry has led the world in decarbonising and has successfully reduced carbon emissions by 50% since 1990. Hatfield Energy is researching and developing alternative lower carbon fuels to support a greener future.

CUSTOMER AND BUSINESS DEVELOPMENT

Hatfield Energy work on behalf of Breedon Group who contract with DBC for the movement of aggregate.

The supply of coal from Cwmbargoed ceased in 2023 and the supply of coal now comes through Immingham. Breedon Group awarded a contract to Hatfield Energy to convey 75kt - 100kt per annum to supply the cement works at Hope (Derbys).

Provision of wagons and resources for this flow coupled with one hour 'Windows' will provide certainty to enable DBC and Hatfield Energy to plan their resources as efficiently as possible and deliver reliability, DBC currently run 2 round trips per week and any changes to the train slots would have a knock on effect to the next planned service.

Failure of DBC to meet its contracted obligations may result in DBC having to compensate Hatfield Energy, i.e. pay cancellation penalties.

SUMMARY

One hour 'Windows' are requested so that future timetable changes do not diverge excessively from the current WTT train slots being offered by Network Rail. While significant retiming to an arrival or departure may result in the need to also retime the inbound or return workings to maintain terminal times. Significant increases in overall journey times could potentially result in non-workable terminal plans and consequently lead to an increase in Driver costs, which could impact on the profitability of the existing DBC contracts.

One hour "window" rights are essential to the rostering of Drivers and Ground Staff including 'balancing' drivers with other traffic to ensure DBC can deliver a cost-efficient plan.

3.2 Capacity considerations: Please detail the steps taken by the parties to satisfy themselves that there is sufficient network capacity for the services in the proposal. Include details on all relevant capacity considerations, including but not limited to track and power supply traction. Will the proposed Rights operate over an area subject to a **Declaration of Congested Infrastructure**, or will the capacity requirement result in a Declaration of Congested Infrastructure by Network Rail (under the Network Code)

n/a

3.3 Safety risks: Please explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

n/a

3.4 Contract duration: For new agreements or extensions to existing agreements, please provide justification for the proposed duration and, if more than 5 years, with reference to the [Railways \(Access, Management and Licensing\) Regulations 2016](#).

n/a

3.5 Performance: Are there any implications for overall network performance? Please outline your assurance process that shows that any performance risk is tolerable in comparison to the benefits of

the application. Please explain any risk mitigations. Please attach any associated evidence to support your case.

n/a

3.6 Maintenance and renewals: Are there any implications for the facility owner's maintenance and renewal activities?

n/a

3.7 Terms not agreed with the facility owner (for applications under sections 17 or 22A only): Please explain any areas of the application which have ***not*** been agreed, the reasons for the failure to agree and the reasons for seeking these provisions.

All aspects of this application are not yet agreed with Network Rail. This application was due to progress through NR internal consultation but insufficient time is available to complete this ahead of the ORR deadline to receive applications of 20th May 2024.

3.8 Bespoke provisions (departures from ORR's model access contracts)

Does the proposed contract include any departures from ORR's model access contract:

Yes

No

If yes, please set out and explain any:

- areas where the drafting of the application changes ORR's published template access contracts (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made.

n/a

- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model access contracts, including the financial implications (e.g. establishment of an access charge supplement or rebate).

n/a

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete.

n/a

3.9 Consolidated contract

For amendments to existing contracts, is the version of the consolidated contract on our [website](#) fully up to date? If not, please explain why not.

Up-to-date version is on the ORR website

4. The expression of access rights

4.1 Changes to rights: please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please attach a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

Please see attached marked up **Schedule 5 table** indicating requested changes. These are summarised below:

New rights

		Origin	Destination
SG 1210			
NOT USED 6A41	MTFO - Y	ACTON T.C.	WEST DRAYTON T.C.
SG 1217 (1)			
6A73	SX - Y	WEST DRAYTON T.C.	ACTON T.C.
SG 1217 (2)			
NOT USED 4C95	SX	WESTBURY DOWN T.C.	TYTHERINGTON
6A34	SX - Y	ACTON T.C.	WEST DRAYTON T.C.
6A75	SX	WEST DRAYTON T.C.	ACTON T.C.
6L72	SX	ACTON T.C.	DAGENHAM DOCK A.R.C.
6M50	SO	ACTON T.C.	CRICKLEWOOD AGGREGATES DBC
6V12	MSX	DAGENHAM DOCK A.R.C.	ACTON T.C.
6V12	SO	DAGENHAM DOCK A.R.C.	ACTON T.C.
6M47	MO	WESTBURY UP T.C.	CRICKLEWOOD AGGREGATES DBC
6M47	WO	WESTBURY UP T.C.	CRICKLEWOOD AGGREGATES DBC
6M47	ThO	WESTBURY UP T.C.	CRICKLEWOOD AGGREGATES DBC
6M47	ThO	WESTBURY UP T.C.	CRICKLEWOOD AGGREGATES DBC
6V10	sxX	CRICKLEWOOD AGGREGATES DBC	WESTBURY DOWN T.C.
SG 1219			
NOT USED 6M94	TSX	ACTON T.C.	NEASDEN ENGINEERS SDGS
6M94	TO	ACTON T.C.	NEASDEN ENGINEERS SDGS

SG 3002			
4E31	MO	HOPE (EARLES SIDINGS) DBS	IMMINGHAM HUMBER IMPORT TERML
6D39	MO	IMMINGHAM HUMBER IMPORT TERML	SCUNTHORPE TRENT T.C.
6M63	MO	SCUNTHORPE TRENT T.C.	HOPE (EARLES SIDINGS) DBS
4E33	WO	HOPE (EARLES SIDINGS) DBS	SCUNTHORPE TRENT T.C.
4D39	FO	SCUNTHORPE TRENT T.C.	IMMINGHAM HUMBER IMPORT TERML
6D39	FO	IMMINGHAM HUMBER IMPORT TERML	SCUNTHORPE TRENT T.C.
6M39	SO	SCUNTHORPE TRENT T.C.	HOPE (EARLES SIDINGS) DBS
SG 4253			
NOT USED 6N40	SX	TEES N.Y.	SKINNINGROVE B.S.C.
6N40	SO	TEES N.Y.	SKINNINGROVE B.S.C.
6N53	SX	SKINNINGROVE B.S.C.	TEES N.Y.
6N53	SO	SKINNINGROVE B.S.C.	TEES N.Y.
SG 4269			
NOT USED 6N31	SX	SCUNTHORPE B.S.C.(ENT.C.)	LACKENBY B.S.C.
6N31	SO	SCUNTHORPE B.S.C.(ENT.C.)	LACKENBY B.S.C.
6N80	SO - Y	SCUNTHORPE B.S.C.(ENT.C.)	LACKENBY B.S.C.
6N80	SO - Y	SCUNTHORPE B.S.C.(ENT.C.)	TEES N.Y.
6N83	MX - Y	TEES N.Y.	LACKENBY B.S.C.
6N90	SO - Y	TEES N.Y.	LACKENBY B.S.C.

Amended rights

SG 4269		Origin	Destination
6N73	SX SX - Y	SCUNTHORPE B.S.C.(ENT.C.)	LACKENBY B.S.C

4.2 Firm rights: Do the Firm Rights in the proposal contract relate to service freight haulage contracts which you hold or will hold? If so, how? How does the duration of these haulage contracts compare with the duration of the proposed track access contract?

DBC holds freight haulage contracts for traffic moving in the Train Slots for which it is seeking Firm Rights. One of the contracts does not extend beyond DBC's existing Track Access contract (expiry

PCD 2026), DBC will enter into discussions with regard to new contracts prior to expiry of the existing terms.

4.3 Contingent Rights: Please set out the extent to which you expect to use the Contingent Rights in the application. In particular, please state whether the proposed rights are seasonal (eg 3 months each year) or occasional (eg MO, SX, etc)..

n/a

4.4 Window size: Please set out the reasons for the origin and destination window sizes used in the Rights Table in Schedule 5.

Please see the Commercial Justifications set out in 3.1 above

4.5 Long Term Planning Process: Is the Long Term Planning Process (or similar devolved authority or regional service delivery project) relevant to this application? If so, please explain how the proposed rights are consistent or inconsistent with this.

n/a

6. Incentives

6.1 Train operator performance: please describe any planned projects associated with the operation of the proposed services aimed at improving your performance.

n/a

6.2 Facility owner performance: please describe any planned projects associated with the operation of the proposed services aimed at improving the facility owner's own performance.

n/a

6.3 Restrictions of use: set out and explain the reasons for any changes from the Restrictions of Use regime in the model freight track access contract (Schedule 4)

n/a

7. Enhancement

7.1 Enhancement details: Please provide details of any relevant enhancement schemes. Where the proposal delivers part of, or the associated services are subject to, a network enhancement, please summarise the outputs and timescales of the scheme and explain the extent to which the Part G Network Change procedure has been completed.

n/a

7.2 Enhancement charges: please confirm that the arrangements for the funding of any network enhancements are consistent with the [investment framework](#), and summarise the level and duration of payments, and the assumed rate of return.

n/a

8. Associated access contracts

8.1 Associated applications to ORR: please state whether this application is being made in parallel with, or relates to, any other previous, current or forthcoming applications to ORR (e.g. in respect of track access, station or light maintenance depot access contracts). Where the application is being made in parallel with any other application from the same operator, please ensure the applications are consistent with one another. Where the application relies on another operator relinquishing access rights, please provide details.

This application is made under Section 22a of the Railway Act in accordance with the ORR's letter of 24 April 2024 advising on the process for managing competing and/or complex track access applications until the Dec 2025 timetable change.

Other supplementary applications are being made as part of this process by DB Cargo and include the following:

72a, 73a, 79a, 81a, 83a, 84a, 85a, 86a, 87a, 88a, 91a, 92a

8.2 Unregulated access: please comment on whether any contracts are being negotiated for access to a facility adjoining Network Rail's network (e.g. to a freight light maintenance depot), including where ORR's approval is not required. For more information, see [The Railways \(Class and Miscellaneous Exemptions\) Order 1994](#). (This is relevant in the context of clause 6.4 of the model contract.)

n/a

9. Pre-application consultation

9.1 The consultation:

If consultation has not been carried out, explain why not.

This application is made under Section 22a of the Railway Act in accordance with the ORR's letter of 24 April 2024 advising on the process for managing competing and/or complex track access applications until the Dec 2025 timetable change.

If a consultation has been carried out please:

- state who conducted the consultation;
- list all train operators and any other parties that were consulted, stating which parties responded and attach their responses and any associated documentation to this form; and
- state the period allowed for the consultation. If this was less than one calendar month, please explain the reasons for this.
- If the consultation was concluded some time ago, please explain why you consider it is still valid.
- have there been any material changes since consultation that could affect the validity of the responses received?

- please list any information that you have redacted from any documentation sent to consultees and the reasons for the redactions.

n/a

9.2 Resolved issues: please explain any issues raised by consultees which have been resolved.

n/a

9.3 Unresolved issues: Please explain any issues raised by consultees which have **not** been satisfactorily resolved and why you think these issues should not stop ORR approving the application. Include details of steps taken to resolve the dispute such as meetings or counter offers and provide copies of correspondence where available.

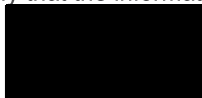
n/a

10 Certification

Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution.

In the case of agreed applications under section 18 or 22, the facility owner should fill in the information in the box below. For disputed applications under section 17 or 22A, the applicant should fill in the required information.

I certify that the information provided in this form is true and complete to the best of my knowledge



Signed Date 20 MAY 2024
 Name (in caps) ANDREA ROSSI Job title CHIEF EXECUTIVE OFFICER
 For (company) DB CARGO (UK) LIMITED

For section 18/22 applications, please provide a letter of support from the beneficiary or ask them to sign here:
 Signed Date.....
 Name (in caps) Job title
 For (company)

11. Submission

11.1 What to send: please supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form by e-mail, **in plain Microsoft Word or Open Document Text format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting).

11.2 Where to send it:

Freight Track Access Manager Email: track.access@orr.gov.uk