



APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER 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. If a train operator wants to access the national railway network, it will need a track access agreement with Network Rail which requires ORR's approval under the Railways Act 1993. When determining access to the network, we must have regard to our [statutory duties](#), most of which are set out in section 4 of the Act. We must exercise our functions (which include the approval of access contracts) in a way that we consider best achieves those duties.

Use this form to apply to the Office of Rail and Road (ORR) for a passenger track access contract, or an amendment to an existing contract by a supplemental agreement, under sections 17-22A or the Railways Act 1993.

It 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.

This form should be completed up to section 10 and sent to consultees along with a copy of the proposed contract or supplemental agreement. Sections 10 and 11 should be filled in after the consultation and before applying to ORR.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#). 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 version 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 Beneficiary company name:

ScotRail Trains Limited

1.2 Facility owner details:

Network Rail:	<input checked="" type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input type="checkbox"/>	Wales & Western <input type="checkbox"/>	Scotland's Railway <input checked="" type="checkbox"/>
Other Facility Owner:	<input type="checkbox"/>	Please state:			

1.3 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:			49 th
Current contract date:			03 March 2016
Current contract expiry date:			31 March 2027

1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	01 April 2022
	Public service contract end date:	31 March 2027
	Name of funder (e.g. DfT, Local Authority):	Transport Scotland
	Does the funder support this application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Open Access <input type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

1.5 Executive summary of the proposed contract or amendment:

In response to the ORR letter to industry dated 24th April 2024, please see below table outlining the changes in services already presented within industry timescales from ScotRail to Network Rail with respect to the Dec '24 timetable. These services cover the geography outlined in the above letter referred to;

- ECML London Kings Cross to Edinburgh and Leeds

To note, these services are contained within Scotrail's access proposal bid as required at D40 to NR System Operator and have also been considered through the TCRAG process on Scotland Route with no significant risks arising. These are targeted to support an increase in passenger demand within the leisure market experienced on Scotland's railway in recent years.

Again to note, ScotRail's access proposals and subsequent bids are resource led and they have a high level of confidence in their ability to resource and run these services in terms of both train crew and rolling stock availability.

December 2024 TT

From	To	Via	Total weekday	Existing Rights			Dec 2024 Timetable		
				Saturday	Sunday	Type	Weekday Count	Sat Count	Sun Count
Edinburgh Waverley	Glenrothes with Thornton	Dunfermline	20	17	11	Firm	20	18	12
Edinburgh Waverley	Inverkeithing	South Gyle	0	0	1	Firm	1	0	0
Glenrothes with Thornton	Edinburgh Waverley	Burntisland	1	0	1	Firm	1	0	2
Glenrothes with Thornton	Edinburgh Waverley	Dunfermline	22	19	11	Firm	22	20	11

In addition, Scotrail hold 1 contingent right in table 2.2 of schedule 5 from Edinburgh Waverley to Dunbar which is currently set to expire in Dec '24. This should be made a firm right with no expiry date associated.

Specific criteria as set out in the letter from System Operator dated 8th May '24:

- *The dates on which the Train Slots are intended to be used:*
 - From Dec '24 PCD start date on the days specified in the above table.
- *Start and end points of the train movement:*
 - Please see table above.
- *The intermediate calling points are as follows:*
 - **Edinburgh Waverley to Glenrothes with Thornton via Dunfermline** with Firm Rights to call at South Gyle, Dalmeny, North Queensferry, Inverkeithing, Rosyth, Dunfermline City, Dunfermline Queen Margaret, Cowdenbeath, Lochgelly, Cardenden and additionally (Contingent Right) at Edinburgh Gateway.
 - **Edinburgh Waverley to Inverkeithing via South Gyle** with Firm Rights to call at Haymarket, South Gyle, Dalmeny, North Queensferry and additionally (Contingent Right) at Edinburgh Gateway.
 - **Glenrothes with Thornton to Edinburgh Waverley via Burntisland** with Firm Rights to call at Kirkcaldy, Kinghorn, Burntisland, Aberdour, Dalgety Bay, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket and additionally (Contingent Right) at Edinburgh Gateway.
 - **Glenrothes with Thornton to Edinburgh Waverley via Dunfermline** with Firm Rights to call Cardenden, Lochgelly, Cowdenbeath, Dunfermline Queen Margaret, Dunfermline City, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket and additionally (Contingent Right) at Edinburgh Gateway.
- *The times of arrival and departure from, and routing between, any point specified above:*
 - This detail is within the D-40 PDNS and associated Access Proposal, compliant to Train Planning Rules.
- *The railway vehicles or Timing Load to be used:*
 - Class 158 and/or Class 170 diesel units
- *Any required train connections with other railway passenger services*
 - None known.
- *Any required Ancillary Movements:*
 - Empty stock moves will be to/from Haymarket and have been bid as part of the Dec '24 PDNS and Access Proposal.
- *Any required platform arrangements at the start, end and all intermediate calling points:*
 - ScotRail provide all such detail required as part of their PDNS and Access Proposal. When planning docking operations at Waverley, Scotrail work around other operators as far as they are aware of their operations. Scotrail have discussions with other operators prior to bid, but this does vary from one timetable period to another.
- *The proposed maximum train speed and length:*
 - As per the rolling stock capabilities and characteristics of Class 158 and Class 170 diesel units.
- *The proposed previous and next working of the railway passenger vehicles of the proposed trains slot provided that the vehicles are not left on the network:*
 - These will be specified in the Unit Diagrams as per the Access Proposal already bid to System Operator at D-40.

Proposed commencement date:	15 th Dec 2024
End date:	Expiry of contract
Date approval or directions wanted by:	15 th Dec 2024

1.6 Industry consultation:

Who carried out the consultation?	Network Rail		
Consultation start date:	21 st May 2024	Consultation end date:	25 th June 2024
Not carried out <input type="checkbox"/>			

1.7 Applicant details

<p><u>Facility Owner</u> Company: Network Rail Infrastructure Limited Contact name: Suzanne Murray Job title: Customer Manager Address: 151 St Vincent Street, Glasgow, G2 5NW Phone: [REDACTED] E-mail: [REDACTED]</p>	<p><u>Beneficiary</u> Company: ScotRail Trains <u>Limited</u> Contact name: John Kerr Job title: Regulated Contracts Manager Address: Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ Phone: [REDACTED] E-mail: [REDACTED]</p>
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1.7 Date of application to ORR:

20th May 2024

1.8 Checklist of documents attached to the application form:

- Proposed new contract (S17 or S18) or supplemental agreement (S22 or S22A)
- Marked up Schedule 5 (where applicable)
- Marked up comparison to model contract (where applicable)
- All consultation correspondence
- Supporting documentation required for competing services (see section 6.2)
- Other supporting documents, side letters or collateral agreements (please list):

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:

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).

- +1 firm right from Edinburgh Waverley to Glenrothes via Dunfermline Sat & Sun.
- +1 firm right from Edinburgh Waverley to Inverkeithing Mon – Fri.
- +1 firm right Glenrothes to Edinburgh Waverley via Burntisland Sunday only.
- +1 firm right Glenrothes to Edinburgh Waverley via Dunfermline Saturday only.

December 2024 TT

From	To	Via	Existing Rights				Dec 2024 Timetable		
			Total weekday	Saturday	Sunday	Type	Weekday Count	Sat Count	Sun Count
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Glenrothes with Thornton	Edinburgh Waverley	Dunfermline	22	19	11	Firm	22	20	11

The communities served by these services are part of the Scottish Government’s plans to support economic growth, social mobility and modal shift in the east of Scotland with connectivity to the wider network through Edinburgh Waverley, a major transport hub for rail and integrated transport options.

In addition, the following right, which is currently set to expire in Dec '24 should be made a firm right with no expiry date associated.

Table 2.2: Additional Passenger Train Slots

1						2		
Service Group HA02: East Coast Suburban								
Service 584: North Berwick – Edinburgh						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Edinburgh Waverley ¹	Dunbar	Musselburgh	2.20	23584003	380-4	1	0	0

¹ From the Principle Change Date 2024 this right will revert to “Not used”.

3.2 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).

No risks which fall outwith NR’s risk appetite have been identified as part of the Timetable Risk Assessment process (TCRAG) carried out for December '24 TT change.

Areas considered with Route subject matter experts are listed below:

SECTION	
A1	Signaller workload: significant increase in workload
A2	Signaller workload: increase in peaks and troughs leading to a significant additional workload for signaller
A3	Signaller workload: signaller affected by service pattern changes - incorrectly routes trains
A4	Signaller workload: service unreliability increases peaks and troughs of traffic
A5	Signaller workload: headways and turnaround times
A6	Signaller workload: increase in freight services
B	SPADs
C1	Train regulation: route of each train needing regulation
C2	Train regulation: maximum speed of each service on the Route
C3	Train regulation: stopping pattern of each service on the Route
C4	Train regulation: potential for overcrowding on trains or
D	Train dispatch and potential for errors
E	Permissive working
F	Platform-train interface issues
G	Station dwell times
H1	Infrastructure maintenance
H2	Incident response
H3	Power Capacity (OLE)
I	Level crossing
J	Station foot crossings and Barrow Crossings
K	Vehicle incursions (from overbridges or neighbouring roads)
L	Degraded operation
M	Driver issues
N	ECROs
O	Network Rail and Operating Company controls
P	Diesel emissions
Q	Operational security
R	Areas of bi-directional operation
S	Signal design headway
T	Train Plan Performance Factors
U	Other
V	Investment Projects Update
W	Access Rights granted

3.3 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](#).

This is not a contract extension or a new agreement of more than 5 years in duration.

3.4 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.

We have no reason to believe that an agreement on these specific Train Slots is not possible however ORR have directed this application by 20th May '24.

The access rights detailed in 1.5 of this form P have been considered and scrutinised as part of a BAU on the wider Access Rights required by ScotRail to deliver the entirety of the Dec '24 timetable consultation on Scotland Route which concluded on 7th May '24

None of these services as specified in part 1.5 of this form have been highlighted as an issue to NR as part of this consultation and therefore, we have a high degree of confidence that NR will be able to support these rights in due course.

3.5 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.

Not applicable to this instance.

- 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).

Not applicable to this instance

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

Not applicable to this instance

3.6 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.

Yes.

4. The impacts of the proposal

4.1 Benefits: please set out what specific benefits the proposal will achieve. Please describe the benefits to passengers and any impact on other operators, including freight operators.

These are targeted to support an increase in passenger demand within the leisure market experienced on Scotland's railway in recent years. This will optimise train crew and unit utilisation and drive an increase in the projected revenue and thus best use of the taxpayer funded subsidy from Transport Scotland.

As detailed in 3.1, The Scottish Government’s plans to support economic growth, social mobility and modal shift in the east of Scotland’s communities will be well served by these services as they form part of the connectivity to the wider network through Edinburgh Waverley, a major transport hub for rail and integrated transport options.

LNER, Cross Country (XC) and Caledonian Sleeper share use of this part of the network. ScotRail services associated with the specified train slots will be planned to run in the later part of the day and will not conflict with LNER or XC paths. Caledonian Sleeper run overnight after the ScotRail services will have completed their passenger journeys and stabling moves to Haymarket and so will not conflict with that either.

We have a response from NR System Operator (Timetable Production) as part of the BAU internal NR consultation and no conflicts in Service Group HA02 (of which these train slots will form a part) were noted with either passenger or freight known at this time.

We understand that freight operators will be participating in this 22A process, and we do not have visibility at this time of what they will declare.

4.2 Capacity: How have you satisfied yourself that there is enough network capacity for the services in the proposal? Please include details on all relevant capacity considerations, including but not limited to track, platform availability, and power supply traction.

ScotRail are running significantly fewer services into and out of the west of Edinburgh that pre-covid. This capacity remains as no operator has taken it up.

As part of NR’s internal consultation, we have received a response from NR System Operator (timetable production) there are no conflicts with other operator’s access proposals which we are aware of at PDNS D40 for Dec '24 and they have supported these changes.

These services will all be operated by diesel rolling stock therefore power supply will not be a concern.

4.3 Performance: What is the impact on 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.

NR’s Route performance team were consulted as part of the business-as-usual process for the 47th Supplementary Agreement. No concerns were raised with respect these particular Train Slots.

Please see below a summary position of the Service Group associated with these Train Slots:

Scotrail Service Group										
Scotrail Service Group	PPM	PPM MAA	Train Count	RTAD%	RTAD MAA%	PPM Failures	PIPI Minutes	Cancellations %	Incident Count	On Time
Suburban East	93.6%	89.02%	7,117	65.9%	56.5%	431	5,482	1.3%	768	73.2%

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

These services were considered as part of the TCRA process where relevant route subject matter experts in each of these disciplines were consulted for their expert opinion. No adverse observations or concerns were raised linked to these specific train slots or this geography in general.

No section 4 access has been impacted by this application. The renewals plan was also shared by the access Engineering Access Planning Manager during the TCRAG evaluation meeting and similarly no concerns were raised.
The rolling stock used will be Class 158 and 170 which are known to Scotland Route and are not known to cause any specific issues to NR assets.

5. The expression of access rights

5.1 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.

+1 firm right from Edinburgh Waverley to Glenrothes via Dunfermline Sat & Sun.
+1 firm right from Edinburgh Waverley to Inverkeithing Mon – Fri.
+1 firm right Glenrothes to Edinburgh Waverley via Burntisland Sunday only.
+1 firm right Glenrothes to Edinburgh Waverley via Dunfermline Saturday only.

1x contingent right from Edinburgh Waverley to Dunbar Monday to Friday converted to firm and the expiry note removed.

5.2 Flexing rights: Please explain any limitations on the facility owner's flexing rights in the proposal and the rationale for such limitations.

None, no limitations apply.

5.3 Specified equipment: Please explain any changes to specified equipment (rolling stock). Has the vehicle and route acceptance procedure in the Network Code (Part F) has been completed? Please explain whether you have, or will have, the rolling stock necessary to exercise the rights.

No changes to rolling stock are required to facilitate the services which will be supported by these rights. ScotRail have a high level of confidence that these services can be fully resourced in terms of available rolling stock (and train crew.) The rolling stock used will be Class 158 and 170.

5.4 Contractual obligations: Are the proposed services necessary to fulfil obligations under a public service contract? For publicly contracted operators seeking additional access rights, we will expect to see evidence of funder support for the specific rights and of operators' intent and ability to operate the new services.

Scotrail Trains Limited operate under a Grant Agreement from the Scottish Government through Scottish Rail Holdings and ultimately Transport Scotland and it is expected that these services will be added to the Service Level Commitment within the Grant Agreement.

5.5 Public funding: Other than the DfT, Welsh Government or Transport Scotland, are the proposed services subject to financial support from central or local government including PTEs. If so, please give details.

ScotRail are fully funded by Transport Scotland through Scottish Rail Holdings.

5.6 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.

It is not part of the Long Term Planning Process.

6. Competing passenger services:

We would expect to apply the 'not primarily abstractive' test to:

- (i) a new open access service which would compete with franchised services and so impact on the public sector funder's budget;
- (ii) a new franchised service which would compete with an existing franchised service, where we would expect to focus the test on areas where the competing franchised services are operated on behalf of different funders or where for some other reason there are particular concerns over the impact on a funder's budget; and
- (iii) a new service, which might be open access or franchised, which would compete with an existing open access service and which, if it caused the existing open access operator to withdraw from the market, could reduce overall competition on the network.

6.1 Please state if your application is for a competing passenger service, and if so please describe the nature of the competition:

This is not an application for competing passenger services.

- (i) This is not a new open access service.
- (ii) These are new passenger train slots under an existing track access contract supported by a grant agreement by Transport Scotland. The majority operator on the geography is ScotRail however we note that the other operators using this geography (LNER, TPT, XC and Avanti) and call at Kirkcaldy, Inverkeithing and Haymarket. We do not consider that these services are competing as they serve late evening passengers and therefore will not have an impact on another funder's budget.
- (iii) This application will not cause an existing open access operator to withdraw from the market.

6.2 For competing services, please also confirm that you have attached as part of your submission to ORR the following:

- Business plan, including details of:
 - forecasts of passenger traffic and revenues, including forecast methodology;
 - pricing strategies;
 - ticketing arrangements;
 - rolling stock specifications (e.g. load factor, number of seats, wagon configuration);
 - marketing strategy;
 - estimated elasticities of the services (e.g. price elasticity, elasticity with respect to quality characteristics of the services).
- Demand forecasting (including associated spreadsheet models) demonstrating modelled generation : abstraction ratio.
- Indicative timetables, including associated .spg files

7. Incentives

7.1 Train operator performance: please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving operator performance.

Scotrail will be continuing with their BAU performance monitoring and improvement programmes. This includes daily performance calls between Network Rail and Scotrail sited in the Scotland's

Railway Integrated Control covering live incidents, possessions, weather and special events, traincrew availability and stations.

To note, there has been recent collaborative work between NR Scotland Route and ScotRail over this geography (Fife Springboard Campaign) addressing a number of areas including short formations, cancellation and late running.

Also, Scotland's Railway has a Regional Scorecard that incorporates the "Scottish Performance Measure" which relates to ScotRail Trains Ltd.

7.2 Facility owner performance: please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

Similar to the above, Network Rail will continue to work closely with Scotrail to improve the performance of any services or Service Groups contributing to a dip in performance.

The Fife Springboard Campaign is an example of this collaborative working.

7.3 Monitoring of services: Will all proposed services be monitored for performance throughout their journey? If not, please explain.

Yes, as outlined above in 7.1 above.

7.4 Performance regime changes (for applications under sections 17 or 22A only): where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed.

No changes to Schedule 8 are required as part of this application.

8. Enhancement

8.1 Enhancement details: where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

No network enhancements are required to facilitate the services supported by these rights.

8.2 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.

No further funding related to Network Enhancement is required.

9. Other

9.1 Associated applications to ORR: please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, 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 evidence that this process has been completed.

Yes. The 47th Supplemental Agreement, which supports the majority of the changes required for Dec '24, is also passing through the BAU SoAR Process and we expect that this will also be passing through industry consultation and submission to ORR for approval under Section 22 in the coming months.

We have a very high degree of confidence that no other operator will require to surrender rights to facilitate this application's approval.

9.2 Side letters and collateral agreements: please confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

There are no side letters or collateral agreements associated with this application.

9.3 Confidential redactions: please list any information that you have redacted from any documentation sent to consultees. If there has been no pre-application consultation, please list any information you want us to exclude from publication. Please provide full reasons for any redactions.

Nothing has been redacted from the consultation.

10. Pre-application consultation

10.1 The consultation:

If consultation has not been carried out, explain why not. If it has, please list the consultees.

Industry Consultation has not started as this was not anticipated to be an unsupported application under 22A. However, these Train Slots have been internally consulted as part of a suite of changes to support the Dec '24 timetable change as the 47th Supplementary Agreement. No negative comments have been received as part of this Internal Consultation specific to the Train Slots in this application.

Industry Consultation will commence on submission to ORR.

Who conducted the consultation?

Network Rail will conduct the Industry Consultation.

List all consultees who responded and include their responses and any associated documentation or correspondence between the parties.

Not applicable, Industry Consultation not started.

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

Not applicable, Industry Consultation not started

10.3 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.

Not applicable, Industry Consultation not started

10.4 Subsequent Changes: Have any changes been made to the proposal following consultation?

Not applicable, Industry Consultation not started

11. 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.

For agreed applications under section 18 or 22, Network Rail should complete the information below. For disputed applications under section 17 or 22A, the beneficiary should complete it.

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

Signed Date

Name (in caps) Job title

For (company)

12. Submission

12.1 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).

12.2 Where to send it:

Email: track.access@orr.gov.uk