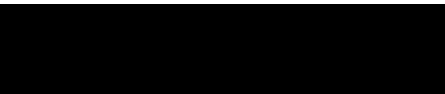


David Reed
Senior Executive
Access and Licensing
ORR
25 Cabot Square
LONDON
E14 4QZ



19 July 2024

Dear David,

Network Rail Representations for the proposed Section 17 application for proposed the Track Access Contract between Network Rail Infrastructure Limited and Alliance Rail

I write in relation to the representations received by the ORR in respect of the Alliance application.

While the initial application was made in good time to enable operation to begin in December 2025 if the application was successful, the situation currently is unprecedented, and we are grateful to Network Rail for being able to submit a response that is reasonable in respect of what has been achievable while there is such a myriad of considerations to be taken into account.

As a result, it is clear that applications cannot be determined within the hoped for timescales. However, there are some further delays in new Hitachi deliveries for the MML which may also impact on the timing of the availability of the 222 fleet. We are also aware of course that the capacity situation on the ECML (and elsewhere) may add further complexity and delay to the position.

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As we have commented previously, the timing of decisions is something we are happy to be patient on and is a position that we have faced many times previously. With the expected fresh start of new builds in the coming months, the opportunity to wait for process to follow its course is critical, and we will be happy to work alongside the ORR and Network Rail while the picture becomes clearer.

In its review of the Application, Network Rail has made a number of comments:

In relation to the Form P, Alliance will be pleased to be involved in the power modelling for the ECML.

In respect of the proposed Track Access Contract, Network Rail is correct that we have not indicated the date for commencement to allow a period of testing and training. We would expect this matter to be developed as part of the contract negotiations if the application is approved. That would also be the position in respect of the expiry and longstop date, but we would be happy to include those at this early stage if the ORR believes it would be valuable.

Alliance will address the items in Schedule 5 as requested by Network Rail.

The inclusion of a 'Schedule11' has been valuable in respect of both Carmarthen and Stirling contracts and is a pragmatic position. Under the current circumstances, the inclusion of a start date and backstop date might be difficult from an accuracy point of view, but we are prepared to discuss this further with Network Rail and the ORR.

We are happy to work with Network Rail regarding the specified equipment and will discuss the situation with Eversholt who own the Class 222 fleet. A full D Gauge report was produced for the Stirling application, and we would expect the same to be undertaken for Cardiff-Edinburgh. The Cardiff-Edinburgh route however is fully route cleared for Class 220/221 so we would expect only minor outputs.

From an investment perspective we are planning significant interior changes along with a number of planned upgrades and modifications to the Class 222 fleet. We would be happy to share and discuss that information with Network Rail.

While it is clear that there has been significant collaboration in moving forward the planned timetable In respect of the work undertaken by the parties, as advised

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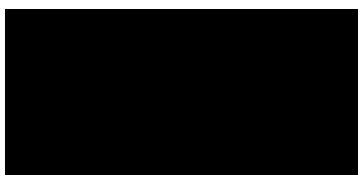
previously, Alliance has been pleased with the level of co-operation between its planner and the planners within the Advanced Timetabling Team at Network Rail, although disappointed at Network Rail closing out that work when it appeared that the remaining conflicts might well have been addressed.

However, the further competing submissions created an unprecedented number of applications, many of which would compete with some of our own ambitions over parts of the network. As is also pointed out by Network Rail, a number of base timetables were not integrated, creating mismatched schedules and further issues in developing a compliant timetable at this time.

While there is the possibility that parts of the route may yet be declared as Congested Infrastructure, Alliance notes that a positive outcome was achieved on the WCML from a similar position, and would hope that, if necessary, the industry would once again work collaboratively to provide a solution.

Alliance understands that a pragmatic situation needs to be adopted to ensure the necessary work can be completed to enable the ORR to make an informed decision. As was the position on the WCML then delays in process are something that will likely prove inevitable, and Alliance is content to be part of the on-going process.

Yours sincerely,



Ian Yeowart