

Mark Garner
Customer Manager
Network Rail
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Copies to: [REDACTED]

24th July 2024

Dear Mark

Network Rail's Response to LNER's 35th Supplemental Agreement

Thank you for the response to LNER's section 22A track access application.

We note the comments made in connection with the proposed amendment and welcome the continued collaboration on delivering the proposed changes to LNER's Track Access Contract (TAC).

While we note that this supplemental does not cover the timetable changes as defined in the ORR letter of 24th April, we would request that this application is factored into the decision making for all other applications.

The rights for an additional 0.5TPH in addition to the 6TPH delivered by the East Coast Mainline (ECML) event steering group (ESG) timetable). These additional rights remain within the envelope of rights for 6.5TPH granted by the ORR in May 2016. We believe it would be unsafe for rights to be granted to other operators until the commitments to LNER, as directed by the ORR have been fulfilled.

This application is aligned to phase 1 of Network Rail's Integrated Rail Plan to deliver an additional 0.5 TPH between London and Leeds.

We have also seen the significant issues caused by the granting of temporary/ contingent rights in advance of the delivery of firm rights and would recommend that this is not repeated.

We would request that decision of track access rights consider, and remain aligned to, LNER's direction of rights from the ORR and the industry investment being made.

Yours sincerely,

[REDACTED]

Malcolm Knight
Head of Operational Planning