



Gordon Herbert
Track Access
Office of Rail Regulation
One Kernble Street
London
WC2B 4AN

31 January 2014

Dear Mr Herbert

Connection Contracts Consultation

I refer to the ORR's consultation on the above matter.

Associated British Ports (ABP) owns and operates 21 ports in the UK, the majority of which are rail connected which feed significant tonnages of freight onto the national rail network. ASP's Port of Immingham is a prime example of this - the Port's rail infrastructure handles more than 250 rail freight movements a week and approximately 25% of the UK's rail freight originates from the Port.

ABP owns extensive dock rail systems at many of its ports and also owns an inland distribution centre near Birmingham (Hams Hall), which handles rail borne traffic for onwards distribution. ASP's rail assets are therefore vital in "feeding" the national rail network – additionally they are subject to Connection Contracts with Network Rail.

It is therefore of concern to learn that, in spite of the pivotal role in feeding rail freight onto the national rail network, ASP has no automatic right to be consulted on proposed changes to the national rail network under Network Rail's Network Change process.

To illustrate ASP's concern, it is quite feasible that network change proposals that are remote from an ASP port, could have a profound impact on the ability to feed freight traffic onto the national rail network. Under Part G of the Network Code, however, it is far from clear that ABP would automatically have the right to participate in the Network Change process and have its views taken into account.

Whilst ABP fully acknowledges the role that Freight Operating Companies and others have in the Network Change process, we remain of the view that the consultation process needs to be widened so as to include organisations such as ABP, so as to ensure that those parties instrumental in the continued development of rail freight actually have a say in how the network is developed and modified.

I hope that you'll find ASP's consultation comments of use.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Stacey". The signature is fluid and cursive, with a large initial 'M' and 'S'.

Michael Stacey
Head of Projects, ABP