Rob Plaskitt
Head of Licensing and Network Regulation
Telephone 020 7282 2072
Fax 020 7282 2042
E-mail rob.plaskitt@orr.gsi.gov.uk

27 February 2013

Group Company Secretary
Network Rail Infrastructure Limited
Kings Place
90 York Way
London
N1 9AG

Network licence condition 5: consent of the Office of Rail Regulation

1.   On 13 February 2013, Network Rail Infrastructure Limited (Network Rail) applied to the Office of Rail Regulation for consent under paragraph 1 of condition 5 of its network licence to an arrangement under which Network Rail would provide the use of a Rail Delivery Train (RDT) to Manchester Metrolink and its contractor Stobart Rail to undertake track renewals on the Manchester Metrolink network. The RDT will be hired on normal commercial terms to DB Schenker Rail (UK) Limited who will collect it from and return it to Bescot sidings in time to support Network Rail's core delivery programme. This loan commence from 27 February 2013 and at further times throughout the duration of the Metrolink renewal project when the vehicle is not required for Network Rail's core business activities.

2.   The arrangement would entail the licence holder having an interest in the ownership of a railway vehicle that it is not operating for the purposes of network operation, in contravention of condition 5 of its network licence.

3.   On the basis of the application dated 13 February 2013, and having had regard to our duties under section 4 of the Railways Act 1993, to the information supplied by Network Rail and in particular to your assurance that hiring the vehicle will not affect your core business, we consent for the purposes of paragraph 1 of condition 5 of the network licence to the licence holder entering into the proposed arrangement. The consent applies from 27 February 2013.

4.   We may at any time modify or revoke this consent after consulting you if it appears to us to be requisite or expedient to do so, having regard to the duties imposed on us by section 4 of the Railways Act.

Robert M Plaskitt

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