

Ian Williams
Office of Rail and Road
1 Kemble Street
London
WC2B 4AN

7 June 2019

Dear Ian,

Application for Directions: Track Access Contract between Network Rail Infrastructure Limited and East Midlands Trains Limited

I acknowledge receipt of your letter dated 16th May 2019 requesting Network Rail representations with regards to the East Midlands Trains application for directions under section 17 of the Railways Act 1993.

Network Rail notes that since negotiations for the rights sought in this application originally commenced it has been confirmed that Abellio will operate the East Midlands Franchise from the end of the current Stagecoach Direct Award Period in August 2019 until 2027. As the existing track access contract is effective from August 2019 until PCD 2020, the new franchisee, once the existing contract is novated to it, will already have a good opportunity to negotiate its new track access contract prior to the expiry of the existing contract. In this context, the extension of the existing contract to PCD in 2021 as sought in the application appears excessive and is not supported by Network Rail. Network Rail is, however, supportive of agreeing to a six-month extension of the current expiry date until SCD 2021.

With regard to the specific detail of the rights sought, Network Rail, whilst noting that no changes are sought, does not support firm rights for any train services which involve the use of the section of route between Castlefield Junction and Manchester Piccadilly East Junction. Network Rail notes the declaration of congested infrastructure between Castlefield Junction and Manchester Piccadilly East Junction inclusive as notified to ORR in its letter of 16th April 2019. In view of this declaration, Network Rail is currently unable to support the extension of firm rights for train slots that operate across this section but does support the extension of these rights on a contingent basis until SCD in 2021.

Yours sincerely,

Tim Wright

Route Commercial Manager