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15<sup>th</sup> April 2019

**Network Rail response to Arriva Rail North (ARN) response to East Midlands Trains (EMT) Section 17 – Extension of the current Track Access Agreement by one year until December 2021**

Thank you for your response of 11<sup>th</sup> March 2019 in connection with EMT's consultation which was issued on 11<sup>th</sup> February 2019.

In your response ARN acknowledge that the EMT Section 17 is to extend the current track access agreement by a period of one year from December 2020 until December 2021 to allow the successor franchisee the ability to plan their businesses with a reasonable degree of certainty.

ARN are concerned that any extension of rights could impact on their ability to obtain rights in the future and are keen to understand how Network Rail plans to manage this.

ARN notes that they have been part of a wider industry discussion regarding the Castlefield Corridor and would like Network Rail to explain how it intends to deliver a fair and consistent approach to all operators in selling any access rights through that corridor.

ARN also notes that EMT are seeking to extend firm rights on services which interface with the East Coast Main Line and which may impact on any future directed rights. ARN are keen to understand how Network Rail intends to treat EMT to ensure that other operators are not disadvantaged.

ARN note that they have been unable to secure firm rights for some services which interface with Leeds and are seeking information from Network Rail as to how Network Rail intends to maintain a fair and consistent approach to all operators.

In response to the questions which ARN have raised it should be noted that as this is a Section 17 application it is currently unsupported by Network Rail.

Regarding the Castlefield Corridor query Network Rail will treat all applications for any rights through the corridor in line with our emerging policy, as has been applied to ARN in their recent May 2019 access rights application.

Regarding the East Coast Main Line and any applications for additional new rights which interact with any future already directed rights Network Rail will only support these on a

contingent basis until May 2020 as has been applied to ARN in their recent May 2019 access rights application.

In respect of ARN's query regarding the Leeds Station area it is appreciated that Network Rail have been unable to support the sale of firm rights for some new applications in some instances because of either interaction with future directed rights or performance concerns. As has been applied to ARN, Network Rail will look at these on a case by case basis.

Please do not hesitate to contact me if you require further information.

Yours sincerely

**LNE&EM Route Commercial Manager**