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Steve Peggs  
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Network Rail  
1 Eversholt Steet  
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1 November 2022

Dear Steve,

**ORR audit of land disposals under the general consent of Condition 17: transactions  
1 June 2021 to 31 May 2022**

I am writing to conclude our findings of this year's audit for the above period, based on our review of the documents provided to us by your property team, following our initial contact on 13 July. As ever, our review was to check that the authorisations for property transactions via the general consent were appropriate, consistent and based on clear evidence.

From the cases we reviewed, we have no major issues with Network Rail's use of the general consent mechanism; there is no sign of it being used inappropriately. We welcome the use of a single template for submission and sign-off throughout the regions, which helps with consistency in decision making.

We note, however, there were a couple of occasions where some information was incomplete (Eastleigh: initial objections and comments missing from Freightliner and GWR) or unclear (Uddington: the significance of 19<sup>th</sup> century rights over the land in question). Information gaps or queries such as these should be apparent at sign-off and rectified by appending notes or annotations to the submission, so the case is complete and accurate.

We also note there is inconsistency around the term "System Operator", with some references to "Strategic Planning" or a variation of that name. It needs to be very clear at sign-off, for the avoidance of doubt, that it is the System Operator function that has been consulted.

Finally, in my letter of 23 December 2021, we raised the need for Network Rail to review its provision of a way in which third parties can register their interests in Network Rail-owned land for their own rail-related use. There has been some delay with this due to key personnel being absent for a period of time, but you are to present us with your proposals shortly and we will deal with this separately.

I am copying this letter to Michael Chu and Tom Higginson, and with thanks to Sandra Palmer for her assistance. A copy of this letter will be placed on our website.

Yours sincerely

A handwritten signature in blue ink that reads 'Les Waters'.

**Les Waters**