

APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A FREIGHT TRACK ACCESS CONTRACT, OR AN AMENDMENT, UNDER SECTIONS 17-22A OF THE RAILWAYS ACT 1993

1. Introduction

Please use this form to apply to the Office of Rail and Road (ORR) for:

- Directions under section 17 of *The Railways Act 1993* (the Act) for a new track access contract. This is for companies who want to use Network Rail's network where the parties are not able (for whatever reason) to reach agreement.
- Approval for a new track access contract under section 18 of the Act. This is for use where terms have been agreed by the parties.
- Approval of a proposed amendment to an existing track access contract, agreed by both parties, under section 22 of the Act.
- Directions under section 22A of the Act for an amendment to an existing track access contract. This is for someone seeking an amendment to an existing track access contract to permit more extensive use of the railway facility if the parties are not able, for whatever reason, to reach agreement.

Network Rail should normally take responsibility for the pre-application consultation, where the terms are agreed. Before a consultation is made, complete this form up to the end of section 7. You should fill in the rest of the form after the consultation and before applying to ORR.

If, in the case of section 17 and 22A applications, the beneficiary and Network Rail have been unable to agree terms, the beneficiary should:

- (a) ask Network Rail to conduct a pre-application consultation in line with the code of practice; or
- (b) conduct a pre-application consultation itself, in line with the code of practice; or
- (c) submit the application to ORR and ask ORR to conduct the consultation, in which case, please complete this form in full before submitting it to us.

The form sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) explains the process, timings and the issues we will consider. You should use our current [model freight track access contract](#) as your starting point. Please read the guidance before completing the contract and this form.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#).

You may also use and adapt this form to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

2. The application

2.1 Title of contract or supplemental agreement (please also include the section of the Act under which you are applying):

GB Railfreight Limited 21st Supplemental Agreement
to the December 2016 Track Access Contract – Section 22 Application.

2.2 Contact details (Company and named individual for queries):

| <u>Facility Owner</u> | <u>Beneficiary</u> |
|--|---|
| Company: Network Rail Infrastructure Limited. | Company: GB Railfreight Limited. |
| Contact individual: Sarah McCarthy. | Contact individual: Ian Kapur. |
| Job title: Customer Relationship Executive. | Job title: Head of Strategic Access Planning. |
| Telephone number: [REDACTED] | Telephone number: [REDACTED] |
| E-mail address: [REDACTED] | E-mail address: [REDACTED] |
| Address: Waterloo General Offices, London, SW1 8SW. | Address: 3 rd Floor, 55 Old Broad Street, London, EC2M 1RX. |

2.3 Licence and railway safety certificate: please state whether you intend to operate the services yourself or have them operated on your behalf.

GB Railfreight (GBRf) intends to operate the services itself.

Does the proposed operator of the services (a) hold a valid train operating licence under section 8 of the Act or an exemption under section 7, or a European licence with a GB Statement of National Regulatory Provisions issued under the *The Railway (Licensing of Railway Undertakings) Regulations 2005* **and** (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006?

If the answer to either (a) or (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate (as relevant).

GB Railfreight (GBRf) holds a valid operating licence under Section 8 of the Railways Acts 1993. GBRf also holds safety certificates, Part A and Part B, under Regulation 7 of the Railways and Other Guided Transport Systems (Safety) Regulations 2006.

3. The proposed contract or amendment

3.1 Executive summary: please provide an executive summary of the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely; and, in the case of an amendment, fully highlight the changes from the previous version of the contract.

Please also explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

Please also state the commencement and expiry dates for the proposal, and, for new contracts or extensions to existing contracts, provide justification for the proposed duration of the contract where the total exceeds five years.

Date of commencement: As soon as this supplemental is approved.

Expiry date: Principal Timetable Change Date 2026 (December 2026).

Fine quality Silica containing approximately 75% of Silicon Dioxide (SiO₂) is required for use in the UK glassmaking industry, with the best source being Silica sand. Great Britain has an annual output of over 5 million tonnes of silica sand and the East of England, in turn, is a major supplier of this high-quality product.

Sibelco (UK) Ltd. is the largest of the UK sand producers, with almost 50% of the market and its Leziat Quarry, close to Middleton in Norfolk, is the only UK operation with a dedicated rail link.

To support this major industrial rail flow, GB Railfreight has invested heavily in 41 new modern high-capacity IIA wagons for its sand traffic from Middleton Towers, replacing 71 of the historic two-axle wagons. As well as operating on track-friendly bogies, each wagon can carry almost double the payload and can also run empty at 75mph, thus potentially using less network capacity. Very recently, GB Railfreight has also invested in 11 additional Class 66 locomotives and 10 re-engined Class 69 locomotives to cater for traffic growth across all its flows.

Also integral to this important rail freight traffic and the updated operation, GB Railfreight has heavily invested in leasing then reactivating the whole of March Up Yard to a fully operational standard. March Down Yard has also had more GBRf investment to support this operation, also with more lines re-opened.

This supplemental fundamentally changes the stabling and maintenance base for the sand operation, with March Up Yard becoming the main stabling location instead of Doncaster and/or Peterborough. Indeed, GBRf's investment in the properties at March has been based on decongesting the Doncaster and Peterborough areas and releasing some Network capacity on the East Coast Main Line.

GB Railfreight is seeking to amend 6 firm access rights and add 4 new access rights for local movements to/from March Yards and delete 2 firm access rights which are on the Peterborough to Doncaster ECML axis. All firm rights all have associated train slots in the May 2023 Timetable.

The loaded services out of Middleton Towers have been increased from 1600 tonnes to 1800 tonnes (trailing load) and have been running as such since 2020. This is in line with the updated Freight Market Study forecasts and other Long-Term Planning documents that predict continued growth in the aggregates and building materials sector.

The changes, as shown in the attached Schedule 5 Rights Table, are being proposed to facilitate and protect GB Railfreight’s long-term legitimate business and investments, described above, whilst maintaining a reasonable balance of flex for operational practicability on the whole of the network.

No material safety risks have been identified as arising from this application.

With which of the Regions does this application interact?

| | | | | |
|----------|---------|----------------------|-----------------|--------------------|
| Southern | Eastern | North West & Central | Wales & Western | Scotland’s Railway |
|----------|---------|----------------------|-----------------|--------------------|

3.2 Terms not agreed with the facility owner (for applications under sections 17 or 22A only): please set out here any areas of the application which have *not* been agreed, the reasons for the failure to agree and the reasons for seeking these provisions. Please state the efforts you are making to resolve any disputes.

Not applicable.

3.3 Departures from ORR's current model freight track access contract: please set out and explain here any:

- Areas where the drafting is different to ORR’s published template freight track access contract. Please explain why these departures have been made.
- Instances where the proposal departs from the charging and/or performance regimes established by ORR’s latest periodic review (or subsequent interim reviews) as reflected in ORR's model freight track access contract, including the financial implications (e.g. establishment of an access charge supplement or rebate).
- New processes (e.g. self-modification provisions) which have been added. Please demonstrate how these new processes are robust and complete.

No departures from the model freight track access contract.

4. The expression of access rights and the use of capacity

4.1 Benefits: Please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Why do you need these new rights (if any)? Please describe any significant changes in the pattern of services and any impact on other operators, including other freight operators. Please provide a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

GB Railfreight is proposing to apply for 6 amended firm rights, 4 new firm rights and 2 deleted firm rights as per the detail set out in ORR's track access guidance modules which support having a clear and transparent rights application process.

The five new rights being sought are all with 60 minute windows and a full description of them can be found in Appendix A, a rights table purely showing all changes that are being sought.

For running off the Network on to private infrastructure, there are defined requirements in Section 6.4.1 of the model Track Access Contract (Freight Services). As the amended terminals are all GB Railfreight-leased locations, GBRf is content that these required slots fit with the Network-wide capacity.

In the Schedule 5 Rights Table (Appendix A), the 60 minutes of requested flex, for each of the arrival and departure windows, initially gives Network Rail two hours-worth of available flexing. This, immediately, is a generous flex and gives a reasonable balance between giving Network Rail flexibility to create new timetables and not destroying GBRf's service patterns and its asset base.

On top of the proposed two 60 minute flexing windows, and despite optimisation work, the vast majority of GB Railfreight's schedules still contain an amount of pathing time, as they follow other slower stopping services and also time spent in loops for other passenger trains to pass.

These pathing and looping times are already built into the schedules and offer yet more flexibility if everyone's current flexing rights are used as necessary. In addition to all the above, yet more flexing is currently available to capacity planners.

Under Condition 10 of Part J of the Network Code, Network Rail is able to give notice of a proposed Access Right Change if it reasonably believes this will achieve better use of the Network and also that the positive impact of the change was not reasonably foreseeable when the relevant Firm Right took effect.

This condition is already in place and gives Network Rail its flexibility, were the current Part D and J conditions not to be suitable for Network Rail to create a "better" timetable. It is for these reasons that GB Railfreight believes that 60 minute windows is the right balance and that it doesn't believe there is any effect on other freight operators.

4.2 Adequacy: please set out how you have satisfied yourself that there is enough network capacity for the proposed and/or amended services (or will be at the time of service operation). Please also set out whether there are any implications for overall network performance and the facility owner's maintenance and renewal activities. Please confirm whether the proposed Rights will involve operation over an area subject to a Declaration of Congested Infrastructure, or whether the capacity requirement will result in a Declaration of Congested Infrastructure by Network Rail (under the Network Code).

All the rights sought for extension in this supplemental agreement have WTT paths offered in the May 2023 timetable. They take into account the Operating Constraints, consisting of the Engineering Access Statement detailing possession opportunities for the Infrastructure Maintainer, the Timetable Planning Rules, also the Working Timetable and associated Sectional Appendices to ensure trains run within the capability of the Network.

In offering validated paths, Network Rail will have satisfied itself that the slots are fully Timetable Planning Rules compliant and that appropriate use has been made of available capacity taking into account the Decision Criteria.

The slots are in currently recognised freight pathways (as the timetable is currently constructed) and therefore capacity does exist for these services. Sufficient network capacity, and also pre-agreed off-network capacity, has been found without any infrastructure enhancements currently being required.

GB Railfreight believes that to approve these firm rights at these specific time windows would be the appropriate balance for ORR in discharging its statutory duties under Section 4 of the Act.

The following duties are very relevant to the granting of firm access rights:

- Section 4(1)(a) – to protect the interests of users of railway services
- Section 4(1)(b) – to promote the use of the railway network in Great Britain for the carriage of goods
- Section 4(1)(ba) – to contribute to the development of an integrated system of transport of goods
- Section 4(1)(c) – to promote efficiency and economy on the part of persons providing railway services
- Section 4(1)(g) – to enable persons providing railway services to plan their businesses with a reasonable degree of assurance
- This application for these rights has been made as per the ORR's track access guidance modules.

Combined with Network Rail's Network Licence conditions, GB Railfreight believes all is in place for ORR to approve these proposed new rights so that GB Railfreight can continue to plan its legitimate business in a timely, efficient and economical matter so as to satisfy its reasonable requirements in providing services with a reasonable degree of certainty.

4.3 Firm Rights: Do these Firm Rights in the proposal contract relate to service freight haulage contracts which you hold or will hold? If so, how? How does the duration of these haulage contracts compare with the duration of the proposed track access contract?

The proposed access rights, with 60 minute windows at each end, are to support improvements to the long-established bulk sand services from Middleton Towers that serve the various glassworks in Yorkshire.

These services require clearly defined arrival and departure times to tie into the quarry and glassworks slots at each end of the route. Tightly defined train slots (60 minute windows) also help to ensure that the very large investment in infrastructure and newly-built locomotives and wagons are used to their maximum and that there are no stranded investments over the course of their 30 year life for either GBRf or 3rd party investments. This is also paramount to both delivery of product and on-going network performance.

The contract involved with this flow falls wholly within GBRf's current Track Access Contract term. Approving these rights for the full period of GBRf's track access contract, however, gives GBRf and its customers the confidence to service the current contract and also to confidently renegotiate it, when due, on an equal basis with other freight operators.

It is also worth noting that the long-term need for these traffics extends beyond any existing freight haulier track access contract expiry date. When any of the Freight Access Rights are no longer required during the course of this contract, there are two processes that currently cater for changes to be made to GBRf's track access contract and, therefore, the removal of rights and train slots on a regular basis:

Condition J9 – The Rights Review Meeting: This states that Network Rail shall hold Rights Review Meetings with operators as frequently as necessary in order for it to ensure that capacity on the network is shared in the most efficient and economical manner in the overall interests of users, providers, potential providers and funders of railway services. This condition exists now and should be the main driver of always ensuring maximum capacity. In essence, this application is exactly the result of such a review.

Capacity Management Review Group: This is the joint Freight Operating Companies & Network Rail capacity working group, having started on 9th April 2014 as a result of the CP5 Freight Access Charges determination. Its purpose is to review and amend current and future rail freight paths based on a “usefulness” and “reasonableness” test. After discussion, GB Railfreight train slots are either removed from the timetable or turned into strategic capacity.

From 9th April 2014 up to the current date, 7856 freight paths have been assessed, with 6085 paths completely removed from the Working Timetable and 1771 paths kept (and sometimes adjusted) for strategic capacity.

This system is the correct way forward and strikes the right balance between removal of unused rights & paths and keeping relevant and useful paths for strategic capacity and future freight use.

The Capacity Management Review Group convenes every three months to ensure correct industry decisions are made. These two mechanisms are how any rights that are not being exercised are removed from GB Railfreight’s long-term track access contract.

4.4 Contingent Rights: please set out the extent to which you expect to use the Contingent Rights in the application. In particular, please state whether the proposed rights are seasonal (e.g. 3 months each year) or occasional (eg MO, SX, etc).

There are no contingent rights in this application.

4.5 Window size: Please set out the reasons for the origin and destination window sizes used in the Rights Table in Schedule 5.

As stated in paragraph 76 of ORR’s *“Directions in respect of a track access contract between Network Rail Infrastructure Limited and GB Railfreight Limited”* document, dated 29th February 2016, ORR expects the default position for window size of freight Firm Rights, backed by commercial contracts with end users, to effectively be one-hour windows.

One-hour windows will preserve each of GBRf’s end-users’ confidence in its ability to provide the train services and timings they need and also enables GBRf to plan the future of its business with a reasonable degree of assurance.

In addition, GBRf believes that the detailed explanations given in Sections 4.1 – 4.3 articulate the reasoning why a 60-minutes window is fair and reasonable for GBRf in managing its business with a reasonable degree of certainty.

4.6 Long term planning process: please state which Route Studies are relevant and whether the proposed rights are consistent with them. If they are not consistent please give the reasons. See Network Rail's [website](#). What consideration has been given to any issues emerging from relevant Events Steering Group concerning capacity on the routes covered by the application (if Network Rail network).

This application is consistent with all established Route Studies on the UK Rail network. Additionally, the *Long-Term Planning Process: Freight Market Study*, established in December 2013, and its updated scenario forecast figures to 2033/34 & 2043/44, published by MDS Transmodal in 2019, have stated that, overall, rail freight is expected to continue to strongly grow, particularly with aggregate and building sector commodities.

5. Incentives

5.1 Train operator performance: please describe any planned projects or initiatives associated with the operation of the proposed services aimed at improving your performance (including faster or longer trains).

Contained in the agreements between GB Railfreight and its customers are new and altered performance regimes which include right time arrivals and departures as KPIs with financial penalty. GBRf's twelve Operations Managers are now responsible, and directly accountable, for right-time departures (and arrivals) for the terminals served by GBRf services.

GB Railfreight has recently invested in eleven additional Class 66 locomotives and 41 new track-friendly wagons to improve the viability and operation of the sand flows. The wider availability of locomotives will assist in attaining even greater levels of good performance across our traffics, UK-wide.

Other incentives in which GBRf has invested a large amount of money are the leases of land at March (Cambs.), in the form of six sidings in March Up Yard and a number of sidings, shed and inspection pit at March Down Yard. These facilities permit spare sand wagons to be kept at March (which improve the reliability of the wagon sets), allow for wagon inspections and general maintenance and also provide a facility for wheel-set changes – all away from the busy Peterborough and Doncaster areas.

The use of i-Pad is being used for remote condition monitoring, mainly for levels of fuel, sand, brake blocks and coolant with a view to reducing main line failures and delays. This is a novel way to anticipate faults before they occur and using technology to help improvement performance over all routes. Additionally, in recent months, more "intelligent" remote data downloading has come into use of GBRf's Class 66 locomotives.

All of GBRf's train lists are now produced using mobile-consisting technology, leading to fewer delays due to paperwork issues. The aim of all of these is to realise a better operational plan and to deliver more robust freight performance throughout the network. They also help to provide more accurate Sectional Running Times and offer an increased level of clarity for unexplained delays.

In addition to the above, performance regime briefs are regularly given to all GBRf staff, including drivers, ground staff and controllers and all new performance incentives have been introduced with GB Railfreight's locomotive and wagon maintenance suppliers.

All of these will help improve network performance for a large percentage of trains that GB Railfreight runs.

5.2 Facility owner performance: please describe any planned projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

No planned projects for services in this application.

5.3 Restrictions of Use: set out and explain the reasons for any changes from the Restrictions of Use regime in the model freight track access contract (Schedule 4).

There are no changes to the Restrictions of Use regime.

6. Enhancement

6.1 Enhancement details: where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the Network Change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

There are no network enhancements associated with this application nor are any of the proposed services subject to network enhancements.

6.2 Enhancement charges: please confirm that the arrangements for the funding of any network enhancements are consistent with ORR's [Policy Framework for Investments](#), and summarise the level and duration of payments, and the assumed rate of return (see chapter 3 of the Conclusions document).

Not relevant to this application.

7. Other

7.1 Associated applications to ORR: please state whether this proposal is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). Where the application relies on another operator relinquishing access rights, please provide details.

No other applications are applicable.

7.2 Unregulated access: please comment on whether any contracts are being negotiated for access to a facility adjoining Network Rail's network (e.g. to a freight light maintenance depot), including where ORR's approval is not required. For more information, see [The Railways \(Class and Miscellaneous Exemptions\) Order 1994](#). (This is relevant in the context of clause 6.4 of the model contract.)

Not relevant to this application.

7.3 Supporting information, side letters and collateral agreements: please:

- state here any relevant information in support of the proposal, including a list and explanation of any other material being submitted (and supply copies with the application).
- confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

Appendix A – A marked up version of only the new access rights in this supplemental agreement.

Appendix B – External consultation responses from DB Cargo, Cross-Country Trains and West Yorkshire Combined Authority.

I confirm that the whole of the proposal has been submitted with this application.

7.4 Confidentiality exclusions: please list any parts of your application which you have excluded on the grounds of confidentiality, from the version of the application sent to consultees for any pre- application consultation process, and provide reasons. If there has been no pre-application consultation, you should state any parts of the application you want us to exclude from publication.

No confidentiality exclusions necessary.

8. Pre-application consultation

Note: Where a pre-application consultation is to be undertaken in line with the Code of practice for industry consultations, the remainder of this application should not be completed until after that consultation has been completed.

8.1 The consultation: has a pre-application consultation been carried out in line with the [Industry code of practice for consultations](#)? If yes, please:

- state who conducted the consultation;
- list all train operators and any other parties that were consulted, stating which parties responded and attach their responses and any associated documentation to this form; and
- state the period allowed for the consultation. If this was less than one calendar month, please explain the reasons for this.
- If the consultation was concluded some time ago, please explain why you consider it is still valid.
- Have there been any recent significant changes since consultation that could affect the validity of the responses received?

If a pre-application consultation has not been carried out, please explain the reasons and whether any informal discussions have been held with any third parties who might be affected by this application and the nature of any concerns which they raised.

The following consultees have had a full consultation, conducted by Network Rail, which has taken place from 15th June 2023 through to 19th July 2023:

Greater Anglia; ScotRail; Transport Scotland; Arriva Rail London; Arriva Rail North; East Midlands Trains; Great Western Railway; South Western Railway; First Trans-Pennine Express; Govia Thameslink Railway; Transport for Wales Rail; South Eastern Railway; LNER; Merseyrail; Transport for London; MTR Crossrail; Serco; Chiltern Railways; c2c Rail; Virgin Trains; West Midlands Trains; Cross-Country Trains; Chinnor Railway; First Group Rail; Eurostar; Ffestiniog & Welsh Highland Railway; Grand Central; Heathrow; Heathrow Express; Hull Trains; Nexus; North Yorkshire Moors Railway; Peak Rail; Supertram; West Coast Railway Co.; Alliance Rail; Go-Op; Pre-Metro; First Class Partnerships; Direct Rail Services; Locomotive Services Ltd.; DB Cargo; Rail Operations Group; Vintage Trains; Colas Rail; Devon & Cornwall Railways; Freightliner Ltd; Freightliner Heavy Haul; Harsco Rail; Loram; Victa Railfreight; High Speed One Ltd; Hutchison Ports (UK) Ltd.; Maritime Transport; MDS Transmodal; London Travelwatch; Transport for Greater Manchester; Merseytravel; Liverpool City Region Combined Authority; South Yorkshire PTE; Centro; West Yorkshire Combined Authority; Department for Transport; Office of Rail & Road; Rail Freight Group; Network Rail; Transport Focus; Welsh Government.

8.2 Resolved issues: please set out any issues raised by consultees which have been satisfactorily resolved. You may wish to refer to responses attached to this form. Please explain any changes as a result of the consultation.

DB Cargo: DB Cargo had raised a point on one of the firm access rights that was originally proposed in this supplemental, pointing out that the current May '23 Timetable slot did not fit with the proposed arrival and departure windows. In order to speed us the process, that particular firm access right has been removed from this current application. DB Cargo is happy that the query is now resolved.

8.3 Unresolved issues: please set out any issues raised by consultees which have ***not*** been resolved to the consultee's satisfaction, including any correspondence with that consultee. You may wish to refer to responses attached to this form. Please explain why you think these issues should not stop ORR approving the application.

Cross-Country Trains: Cross-Country Trains has raised a query about whether or not the firm rights being sought are included in the ECML ESG Timetable. Network Rail has stated that they are compliant to the ECML ESG and do not negatively impact it. This was originally verified with Ed Dunn's team prior to the supplemental being consulted internally and then for SoAR approval.

Cross-Country Trains responded that it still has concerns regarding this SoAR-approved application, objecting to any application for firm rights on the ECML until it is in a position to understand that capacity will be available for its own aspirations, as stated in Lee Tuttle's e-mail response of 27th July 2023.

GB Railfreight's is applying for firm rights for freight services it has been running for more than three years, now, it having taken this long for Network Rail to satisfy itself that these can be accommodated into the latest version of an ECML ESG Timetable.

It is GBRf's understanding that Cross-Country Trains may be wishing to have capacity for trains it isn't currently running. These are diametrically opposed viewpoints and the issue remains unresolved. Full information can be found in Appendix B.

9. Certification

Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution

In the case of agreed applications under section 18 or 22, the facility owner should fill in the information in the box below. For disputed applications under section 17 or 22A, the applicant should fill in the required information.

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed 

Date: 04/08/2023

Name: Bruce Giles

Job title: Customer Manager

For: Network Rail

For section 18/22 applications, please provide a letter of support from the beneficiary or ask them to sign here:

Signed

Date.....

Name (in caps): IAN KAPUR

Job title: Head of Strategic Access
Planning

For (company): GB Railfreight Limited.

10. Submission

10.1 What to send: please supply, in hard copy or electronic format, the signed application form, one copy of the proposed contract or amendment, with copies of any documents incorporated by reference (other than established standard industry codes or other documents) and any other attachments, supporting documents or information.

10.2. Checklist of documents attached to the application form:

- Proposed new contract or supplemental agreement
- Marked up Schedule 5 (including key)
- Marked up comparison to model contract (where applicable)
- Consultation responses
- Replies to consultation responses
- Other supporting documents, side letters or collateral agreements (please list):

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| |
| |
| |

10.2 Where to send it:

Freight Track Access Manager Email: track.access@orr.gov.uk

Access, Licensing and International Team
Directorate of Economics Markets and Strategy
Office of Rail and Road
25 Cabot Square
London E14 4QZ