



Tony Skilton
Secretary, Access Disputes Committee
Floor 8
1 Eversholt Street
London
NW1 2DN

DB Schenker Rail (UK) Limited
Access Team
Wembley Depot
Pendolino Way
London NW10 0RP

Stewart Smith

Date : 3 February 2010
Ref. : SALUL10006 - Wembley C Disp.doc

Dear Sir

Notification of Dispute under Condition H5 of the National Station Access Conditions 1996 (England and Wales) – Refusal of Access to Wembley Central Station

In accordance with the provisions of Condition H5 of the National Station Access Conditions 1996 (England and Wales) ("the SACs"), Rail Express Systems Limited ("RES") wishes to refer for resolution, by the relevant Panel of the Access Disputes Committee, a dispute with London Underground Limited ("LUL") relating to a refusal to grant access to Wembley Central Station.

RES is party to a multi-station Charter Station Access Agreement dated 8 November 2007, ORR reference SAA/59/28/M/07/01, for stations where LUL is the Station Facility Owner. Wembley Central Station is one such station.

Background

Wembley Central Station is one of two main line stations which are convenient for rail passengers attending events at Wembley Stadium. Wembley Stadium Station, operated by Chiltern, is the other station, which, although much closer to the stadium, is difficult to serve by rail from other than London Marylebone or via Banbury/High Wycombe (or intermediate stations). Wembley Park station is operated by LUL (Metropolitan and Jubilee lines) but is not accessible for main line services. All three stations are designated as rail transport hubs for stadium events, including the 2012 Olympics.

Wembley Central Station is currently part of a wider redevelopment in conjunction with the developer St. Modwen, which involves the provision of shops, offices and a public open space in front of and around the station entrance. The necessary Station Change Proposals have been issued and subsequently withdrawn, due, it is understood, to funding and other issues. However, the public open space area is complete and accessible to both the general public and passengers accessing the station.

DB Schenker Rail (UK) Limited
Registered Office:
Lakeside Business Park
Carolina Way
Doncaster DN4 5PN
Registered in England and Wales
Registered No: 2938988

Access Application

RES has applied to LUL for Station Access in accordance with its Charter Station Access Agreement, for a single train on 28 February 2010. Maximum passenger loading would not exceed 220 for the projected 10 coach train. LUL has indicated that it is content with RES' arrangements for dealing with operational aspects of the train, including "short platform" arrangements and train dispatch, but has nevertheless declined to accept the application.

Dispute

LUL's stated reason for declining the application is that it is dis-satisfied with the arrangements which RES has proposed for managing its passengers outside the station. RES' view is that as LUL has consistently emphasised that it has no jurisdiction over the area outside the station, then the refusal to grant access to the station is unreasonable in so far as any such arrangements are a matter for RES to determine.

Contact

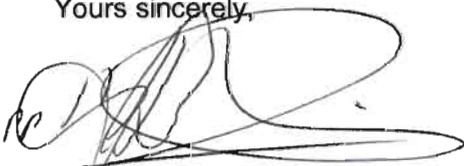
During negotiations with LUL, RES' principal contact has been:

Stacey McManus
Group Station Manager, Wembley Central Group
London Underground Ltd
3rd Floor, Madison House
24-28 London Road
London HA9 7EX

Tel.: [REDACTED]

e-mail: [REDACTED]

Yours sincerely,



Stewart Smith
Industry Contracts Manager
DB Schenker Rail (UK) Ltd
For **Rail Express Systems Ltd**