



Chris Matthews
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13 June 2024

Dear Chris,

Network Code Condition D8.5 – Failure to Use Notice – 4M75 FSX & FO 4E70 SX

Network Rail is in receipt of a Third Party Application from Direct Rail Services "DRS" under Part D8.5 of the Network Code in respect of six unused Train Slots held by Freightliner Limited "FLIM". The Train Slots (listed below) have been validated by Network Rail and included in the June 2024 working timetable. Network Rail believes that the below Train Slots are not underpinned by Access Rights, have not been utilised in the thirteen weeks preceding the "DRS" letter to us on 05 June 2024, and that this non-use is continuing.

December 2024 Working Timetable Train Slots:

- 4M75 FSX 19:51 York Yard South - Trafford Park F.L.T. 01:10 03/06/24 to 12/12/24
- 4M75 FSX 19:51 York Yard South - Trafford Park F.L.T. 01:10 03/06/24 to 12/12/24
- 4M75 FO 19:51 York Yard South - Trafford Park F.L.T. 00:58 07/06/24 to 13/12/24
- 4M75 FO 19:51 York Yard South - Trafford Park F.L.T. 00:58 07/06/24 to 13/12/24
- 4E70 SX 04:28 Trafford Park F.L.T. - Tees Dock (FLT) 09:08 03/06/24 to 13/12/24
- 4E70 SX 04:28 Trafford Park F.L.T. - Tees Dock (FLT) 09:08 11/12/23 to 31/05/24

As such, Network Rail would be grateful for your confirmation that the Train Slots will be relinquished by Freightliner at the earliest opportunity.

Network Rail will make arrangements for the removal of these Train Slots from the current Working Timetable and any subsequent working timetables they may be included in from 11 July 2024. Should you wish to appeal this Failure to Use Notice, please could I ask that Network Rail receive your objection no later than 27 June 2024.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R. Saegert", written over a horizontal line.

Rhiannon Saegert

Customer Support Manager, Network Rail

CC:

Rob Neep, Network Rail

Megan Holman, Network Rail

Sarah McCarthy, Network Rail

Ella Cameron, Network Rail

Barnaby Nash, Freightliner