
ACCESS DISPUTES COMMITTEE

Freightliner Ltd ("FL")
Freightliner Heavy Haul Ltd ("FLHH")

Network Rail Infrastructure Ltd ("Network Rail")

From: Hearing Chair
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Ref: ADC/TTP625/685/733/872
Date: 26 February 2016

Dear Sirs

Directions relating to Timetabling Disputes TTP625, TTP685, TTP733 and TTP872

I have read the Sole Reference documentation served jointly by FL and FLHH. Towards clarifying matters, I have decided that it is appropriate to issue the Directions set out below.

1. To FL and FLHH

These points are to be answered by 15 00 on Wednesday 2 March 2016 to assist Network Rail in preparing its Sole Reference document.

- 1.1 In relation to Part 2a (re Stratford SRTs and margins): Has FL or FLHH suffered any losses because (in FL/FLHH's view) NR has failed to comply with the Determination of disputes TTP371/513/514/570/571? If so, please provide an estimate of such losses and explain whether these losses have arisen through the operation of the Delay Attribution process.
- 1.2 In relation to Part 3a (re Craigo Signal Box): Have any operational problems arisen to date as a result of the decision not to man this signal box on a routine basis? If none, then in what way does FL/FLHH submit that any capacity problems would arise in future in view of Network Rail's statement that the signal box will be manned at Network Rail's expense if this should become necessary?
- 1.3 In relation to Part 4 (re Sussex): Please explain more fully how FL/FLHH argues (in para 5.6) that unnecessarily long platform re-occupation timings at Victoria and Brighton would constrain capacity on those parts of the Brighton Main Line over which FL/FLHH does operate.
- 1.4 Further, in relation to Part 4: For the avoidance of doubt, will FL/FLHH please itemise what it regards as "the disputed parts of the Sussex TPRs" referred to in para 6.1.

2. Points which Network Rail is invited to address in its Sole Reference document

- 2.1 In relation to Part 2a (re Stratford SRTs and margins): Does Network Rail accept the statement by FL/FLHH (at para 5.45) that Network Rail has not complied with the Determination in Timetabling Disputes TTP371/513/514/570/571? If so, as that

Determination was not appealed, will Network Rail please explain why it regards itself as entitled not to comply with a Determination of a Timetabling Panel.

- 2.2 In relation to Part 3b (re Headways Hamilton and R&C): Does Network Rail accept that an agreement was reached as submitted by FL/FLHH in para 5.1? If so, will Network Rail please explain why it is not observing the terms of the agreement. If not, will Network Rail please explain its understanding of the position.

3. Action required

- 3.1 Your responses should use the following addresses: [redacted]

Yours faithfully

Clive Fletcher-Wood
Hearing Chair