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East Coast Main Line train operators

Decision on applications for track access rights on the East Coast Main Line

In our decision of 23 March 2006 on track access applications from Grand Central, GNER and Hull Trains, we required Network Rail to carry out a timetabling exercise by 30 June 2006. This would establish whether it was possible to accommodate the additional services requested by GNER in addition to the paths required for Grand Central and Hull Trains. In our decision we said that, subject to the outcome of that exercise, and having regard to the existing requirements of freight and passenger operators on the route, we would be minded to approve contingent rights for GNER to operate up to five additional weekday Leeds to King's Cross services each way (in addition to existing unused contingent rights for one return service).

Last Friday, Network Rail sent us a report of the work it has carried out so far. We have placed the report on our website at <http://www.rail-reg.gov.uk/server/show/nav.205> and you may wish to examine it. We understand that Network Rail intends to incorporate this timetabling information into the draft timetable for December 2006 which it will issue to bidders within the next few days.

In addition to the timetable development process, as set out in part D of the Network Code, there are some other processes which will need to take place in parallel. The report makes clear that Network Rail has some further work to do on its detailed assessment. It will then be for Network Rail to issue notices to those train operators with modification provisions in their track access contracts, informing them of changes which will be necessary to their contracts in order to enable Grand Central to operate the services which we have decided to approve. Those operators will then have the opportunity to respond to Network Rail, and if necessary, object to the proposal, before the matter is submitted to us for consent. As soon as any necessary modifications have been made, we shall be able to issue directions under section 17 of the Railways Act 1993 to Network Rail to enter into a track access contract with Grand Central, and approve an appropriate amendment to Hull Trains access

contract. Subsequently, we shall also be able, if we have judged it appropriate, to approve access rights for GNER to operate additional Leeds services.

In our decision, we said that we would have regard to the existing requirements of freight and passenger operators on the route when deciding whether, and the extent to which, we would approve contingent rights for GNER's Leeds services. We published that decision in March, and we have not so far received any comments from affected train operators regarding it. Now that the likely effect of the proposed additional services should be clear to you, if you have any final representations you would like us to take into account before we decide whether to approve GNER's additional services please send your comments to Brian Hopkinson at this office by 21 July 2006.

Yours sincerely

Brian Kogan