

# GB Railfreight

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55 Old Broad Street,  
London, EC2M 1RX.

**Telephone:** 020 7983 5174

**Facsimile:** 020 7983 5171

**Mobile:** [REDACTED]

**E-mail:** [REDACTED]

Stephen Murfitt,  
Hearing Chair,  
Access Dispute Committee,  
8<sup>th</sup> Floor,  
1 Eversholt Street,  
London

14th November 2017

Dear Mr. Murfitt,

## **Directions relating to Timetabling Dispute TTP 1172:**

Thank you for your letter, dated 14<sup>th</sup> November 2017, regarding Directions relating to this dispute. In answer to the first two points, for GB Railfreight, please note the following information:

1) Very initial consultation on the proposed new train path has occurred by telephone and, therefore, unfortunately is not available in writing. However, Page A shows details of an e-mail between Julie Garn (GBRf Business Manager, Intermodal) and Hutchison Ports stating that GBRf has identified paths on the Felixstowe branch and is kick-starting the process for the tendering of a new slot at the dock. This can only occur once train paths have been identified and confirmed.

2) For a previous, 33<sup>rd</sup> slot at Felixstowe, Page B gives an example where GBRf has stated to Hutchison Ports that it has found robust capacity on the Network, which was then confirmed by Network Rail as being true. This confirmation is shown in GBRf's Sole Reference Document Appendix E (Page 33).

On page C of this document, correspondence from Martin Woor (Hutchison Ports), on 9<sup>th</sup> May 2016, states that *"With reference to GBRf's proposal in respect of the 33<sup>rd</sup> train slot from Felixstowe, I would ask if you could obtain confirmation of path ownership/ validity from Network Rail"*. This, clearly, is requesting confirmation, first, before any further action on the port slot, to GBRf or other freight operating companies, takes place.

On page D of this document, correspondence from Martin Woor (Hutchison Ports), on 1<sup>st</sup> July 2015, regarding the 31<sup>st</sup> slot, states that *"Specifically, but not limited to, we would request that you obtain written confirmation from Network Rail of ownership of track access rights for the proposed rail service and firm up your plans in respect of pre-nomination of import containers prior to vessel discharge"*. This, also clearly implies that for pre-nomination for all slots at the port, Working Timetable Paths, and with them at least Spot Bid Freight Rights, are needed before any port slots are awarded.

In support of my Sole Reference Document, this does beg the question why it is acceptable or right for Network Rail's engagement with the 34<sup>th</sup> slot to be so different to that with the 33<sup>rd</sup> and 31<sup>st</sup> slot which GBRf was successful in winning. There has been no change, as far as the port or GBRf are concerned and it was, clearly, acceptable to Network Rail for these and previously awarded slots at Felixstowe otherwise those train paths would not have been offered.

Please let me know if you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'I. Kapur', with a large, sweeping flourish extending from the end of the signature.

**Ian Kapur.**  
**National Access Manager.**

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## ACCESS DISPUTES COMMITTEE

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To: GB Railfreight Limited ("GBRf")  
Network Rail Infrastructure Ltd ("NR")

From: Hearing Chair  
Floor 8  
1 Eversholt Street  
London NW1 2DN

Tel: 0207 554 0601  
Fax: 0207 554 0603  
e-mail: sec.adc@btconnect.com

Ref: ADC/TTP1172  
Date: 14 November 2017

Dear Sirs

### Directions relating to Timetabling Dispute TTP1172

I am issuing the following Directions in order to obtain clarification regarding a number of points in the Sole Reference Document received from GBRf and to identify points which I will expect NR to address when submitting its Sole Reference Document (scheduled for 17 00 on 16 November).

1. Will GBRf please provide copies of any correspondence or the detail of any meetings with Hutchinson Ports as to the possibility of a proposed 34<sup>th</sup> path into the Port of Felixstowe. This documentation, which is to be copied to NR, is to be provided by close of business on Wednesday 15 November 2017.
2. Will GBRf please provide further details of "past applications for additional capacity at Port of Felixstowe" relied upon in paragraph 5.7 of its Sole Reference Document. This documentation, which is to be copied to NR, is also to be provided by close of business on Wednesday 15 November 2017.
3. When submitting in its Sole Reference Document, will NR please:-
  - (a) Annex copies of any correspondence or the detail of any meetings with Hutchinson Ports as to the possibility of a proposed 34<sup>th</sup> path into the Port of Felixstowe.
  - (b) Annex a copy of the e-mail referred to in the e-mail dated 12 September 2017 from Oliver Thompson when referring to rejected schedules 4L18HA and 4R18EA.
  - (c) Annex a copy of the table summarising its application of the Decision Criteria which was attached to the e-mail dated 25 October 2017 from Andrew Robinson.
  - (d) Confirm the date when the Decision Criteria were first considered in relation to the application from GBRf for this particular Train Operator Variation Request.

Yours faithfully

Stephen Murfitt  
Hearing Chair

Jan Kapur

Subject:

Re:

Importance:

High

34<sup>th</sup> Slot Correspondence

From: Julie Garn

Sent: 18 October 2017 13:46

To: 'Woor, Martin' <[REDACTED]>

Cc: Phillips, Justin <[REDACTED]>; Julie Garn <[REDACTED]>

Subject: In Confidence

Importance: High

[REDACTED]

[REDACTED]

[REDACTED]

34<sup>th</sup> Slot

We have secured and identified paths on the branch line, and would like to commence a new rail service no later than 1<sup>st</sup> March 2018. I appreciate the process that we have to follow but need to instigate the initial request. The slot identified is 2247hrs to 0439hrs Monday to Friday. The service would be an additional service to Hamshall.

I look forward to hearing from you soon.

Kind regards

J

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55 Old Broad Street  
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EC2M 1RX  
Tel: 020 7904 3393  
www.gbailfreight.com

[REDACTED]  
Hutchinson Ports (UK) Limited  
Tomline House,  
The Dock,  
Felixstowe,  
Suffolk  
IP11 3SY

33rd Slot Correspondence

3<sup>rd</sup> February 2016

Dear [REDACTED]

**Commercial and in Confidence – Request for Additional Rail Terminal Capacity**

GBRf finds itself in a fortunate position and have been approached by two key supporters of Felixstowe Port, who have a strong ambition to transfer significant volumes from road to rail. We believe the geography of their enquiry provides Hutchinson's with even further strategic national coverage.

Our planning experts have again spent considerable time to identify branch line opportunities and robust paths through to destination. We have secured rail infrastructure paths as detailed below to and from the New North Rail Terminal:

0712hrs arrival Monday  
0753hrs arrival Tuesday to Friday  
1334hrs departure Monday  
1312hrs departure Tuesday to Friday

Therefore we would respectfully request your consideration in respect of the proposed operational window, with a view to capacity allocation to GBRf as per your notice dated 28<sup>th</sup> May 2015.

I look forward to hearing from you.

Yours sincerely

Julie Garn  
Business Manager Intermodal  
GB Railfreight

B

John Neill

Subject: FW: 33rd Train Proposal - Felixstowe

From: Garn Julie [REDACTED]  
Sent: 09 May 2016 15:48  
To: 'Woor, Martin' [REDACTED]  
Subject: RE: 33rd Train Proposal - Felixstowe

Hi Martin. I have forwarded you on the official offer notifications from Network Rail. Can you confirm that this is sufficient please? Additionally can you advise what happens now in respect of the process and timescales.

Many thanks

j

From: Woor, Martin [REDACTED]  
Sent: 09 May 2016 14:53  
To: Garn Julie  
Subject: 33rd Train Proposal - Felixstowe

Dear Julie

With reference to GBRf's proposal in respect of the 33rd train slot from Felixstowe I would ask if you could obtain confirmation of path ownership/validity from Network Rail.

This detail is requested by 1730hrs Monday 16th May.

Best Regards

Martin Woor  
Senior Manager - Strategic Rail Network Development  
Hutchison Ports (UK) Limited  
Tel: +44 (0)1394 604874 Mob: [REDACTED]  
Fax: +44 (0)1394 604874  
Email: [REDACTED]  
Website: [www.hpuk.co.uk](http://www.hpuk.co.uk)

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Jan Kapur

**Subject:** FW: Rail Terminal Allocation Felixstowe

**From:** Woor, Martin [REDACTED]

**Sent:** 01 July 2015 17:50

**To:** Garn Julie [REDACTED]

**Subject:** Rail Terminal Allocation Felixstowe

Dear Julie

Thank you for submitting your business case in respect of the 31st train path to/from Felixstowe.

[REDACTED]

Specifically, but not limited to, we would request that you obtain written confirmation from Network Rail of ownership of track access rights for the proposed rail service and firm up your plans in respect of achieving pre-nomination of import containers prior to vessel discharge.

Please acknowledge receipt of this message.

Best Regards

Martin

Martin Woor

Senior Manager - Strategic Rail Network Development

**Hutchison Ports (UK) Limited**

Tel: +44 [REDACTED] Mob: [REDACTED]

Fax: +44 (0)1394 604874

Email: [REDACTED]

Website: [www.hpuk.co.uk](http://www.hpuk.co.uk)

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