

**TTP2687****Rule H18(c) Note**

I am required by Rule H18(c) to identify and to itemise in written form all relevant issues of law raised by the dispute.

I have read the Sole Reference Documents, and appendices, of Grand Central Railway Company Limited ("GC") and Network Rail Infrastructure Limited ("NR").

The issues are ones of mixed fact and law which constitute the substance of the dispute to be determined.

Whether NR acted in accordance with Part D of the Network Code when rejecting GC's bids for additional paths between Bradford and London, and York and London, in each direction every day of the week.

In particular, whether NR correctly interpreted Conditions 4.2.2, 4.6.1, 4.6.2, 4.6.3 and 4.6.4 of Part D of the Network Code.

Whether Condition D4.6.2(c), maintaining and improving and improving train service performance, should be given greater weighting than other relevant factors when making a decision to reject additional paths, or whether NR should show whether any of the bids could be accommodated based solely on conformance with the Timetable Planning Rules or, if competition for a slot, priority of rights should be applied.

Whether as a matter of principle, unless otherwise required by the Timetable Planning Rules, a valid path should not be rejected purely on the grounds of performance, however that is assessed.

In arriving at my conclusions, regard must be taken of any relevant published TTP determinations and I am bound by any relevant decisions of the ORR on a Regulatory Issue and any relevant decision of the courts (ADR Rule A7(a) and (b)).

***J Findlay***

**Hearing Chair**

**21 August 2025**