

From: Mark.Leving@hulltrains.co.uk
Sent: 12 March 2008 19:39
To: Eyles, Andrew
Subject: Re: Network Code Part J - Review of Use Quota and Use Period (Conditions J4 and J5)
Attachments: ORR-#303795-v1-Use_Quota_Use_period_consultation_120308.PDF

Dear Andrew,

Since your original consultation, we now find ourselves in the position where the future development of our business is potentially being constrained because of the presence of unused freight paths within the working timetable. In undertaking timetable development work with Network Rail, we find paths being rejected for this issue, yet when we seek to confirm that the paths are genuinely being utilised (which we can only do on a manual basis, day by day), we find they are not. Network Capacity and genuine passenger growth is therefore being unnecessarily constrained in the current circumstances, which are unsatisfactory.

Network Rail staff have also drawn our attention to the practice of running light locomotives or other "ancillary" workings by some operators in order to circumvent the system, though we have yet to come across any such instances in our own (limited) checking thus far.

We therefore strongly support your original proposals to tighten the structure to ensure that the working timetable is not blocked up with unused paths.

Yours sincerely,

Mark Leving
Managing Director.

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