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JM/rc

1 February 2006

Richard Gusanie  
Executive, Track Access  
Office of Rail Regulation  
1 Water House Square  
138-142 Holborn  
London  
EC1N 2TQ

Dear Richard,

**Consultation on ORR's Criteria and Procedures for the Approval of Track Access Contracts**

This response is written on behalf of First Group which currently operates the First ScotRail, First Keolis TransPennine, First Great Western and First Great Western Link franchises, Hull Trains open access operation and GB Railfreight.

First Group welcomes the revision to these documents, to take into account the Railways Act 2005, the Railways Infrastructure (Access & Management) Regulations 2005 and other recent policy changes.

We feel that these documents are an invaluable source of reference for all applicants and welcome your proposal to provide future updates by electronic means.

Your procedures for dealing with applications are generally regarded as effective but, given the joint nature of some of the work involved, it is sometimes hard to bring negotiations with infrastructure and other facility owners to a timely conclusion. This does tend to concertina applications around timetable change date and leads to errors in drafting.

We would welcome a review of the industry's own processes to meet your deadlines and would further welcome a review of what could be covered by general approvals. For example, continuation of timed rights within a franchise period could be examined.

We also note your wish to examine access options in greater detail and await your consultation document with interest.

Yours sincerely

Jim Morgan  
Director Passenger Development, Rail