

FORM A - Priority Date Notification of Contractual Rights to be Exercised In the Development of the 2009 Timetable

Priority Date – Friday 1st February 2008

Train Operator	First/Keolis Transpennine Limited (“TransPennine Express”)
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The documents attached, fulfil the obligation on the part of the above named Train Operating Company to provide a statement to Network Rail in accordance with Access Condition D3.2.1 (extract below):

“Notification of rights to be exercised”

Bidders shall, on or before the Priority Date, notify Network Rail in respect of the Timetable Periods commencing on the next following Principal Change Date and the next following Subsidiary Change Date:

- (a) *those Firm Rights which they intend to exercise together with (to the extent such Firm Rights are being exercised to obtain the Train Slots which are different to those in the Base Timetable), an explanation of why they wish to exercise such Firm Rights in a manner different to the Base Timetable ;*
 - (b) *those Firm Rights which they have previously exercised to obtain the Train Slots in the Base Timetable but which they do not intend to exercise;*
 - (c) *any other rights which they intend to exercise or wish to negotiate;*
 - (d) *an indication of any amendments, additions or deletions they wish to make in respect of the Train Slots in the Base Timetable (pursuant to the notifications under paragraph (a), (b) or (c) above), which indication shall include the extent of their requirements (if any) as to the matters set out in Condition D3.3 in respect of each amended or additional Train Slot requested; and*
- (i) in the case of paragraph (b) above, shall identify any Train Slots in the Base Timetable to which such Firm Rights relate and which they do not wish to operate; and
 - (ii) in the case of paragraph (c) above, shall distinguish between
 - (A) *Train Slots (whether or not included within the Base Timetable) for which they would be seeking priority in the Draft Timetable in accordance with Condition D3.2.3 (b);*
 - (B) *Train Slots (whether or not included within the Base Timetable) for which they would be seeking priority in the Draft Timetable in accordance with Condition D3.2.3(c); and*
 - (C) *other Train Slots (whether or not included within the Base Timetable); and*
 - (iii) in the case of paragraph (d) above, shall identify the rights, if any, applicable to each of the amended or additional Train Slots requested

Summary Of Documents Attached

Form 1A	Appendix 1A	Form 1B	Appendix 1B	Form 1C	Appendix 1C
Pages 2 - 4	Pages 5 - 6	Page 7	Page 8	Pages 9 - 10	Page 11

Received from :		Received by :	
Name	George Thomas	Name	
Signature	Adopt as my signature	Signature	
Date	1 February 2008	Date	

PDNS – FORM 1A

TRAIN OPERATOR	TransPennine Express
Declaration of Firm Rights and Quantum to be exercised in accordance with the Network Code D3.2.1(a)	

Pursuant to Condition D3.2.1(a), TransPennine Express intends to exercise all its Firm Rights for Passenger Train Slots; Interval Services; Clockface Departures; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling in support of its Bid for Train Slots in the 2009 Timetable, with the exception of those listed in Appendix 1B. For the Firm Rights listed below TransPennine Express will seek priority under Condition D3.2.3(a).

A summary of the amendments to TransPennine Express' quantum is shown in Tables 1A.1, 1A.2, 1B.1, 1B.2, 1C.1 and 1C.2 below: -

Table 1A.1 Northbound Passenger Train Slots – North West and Anglo Scottish

From	To	Weekday		Saturday		Sunday	
		2009	Base	2009	Base	2009	Base
Manchester Airport	Barrow	8	9	8	9	5	4
Manchester Airport	Windermere	1	2	1	2	2	0
Manchester Airport	Glasgow Central	3	3	4	2	0	1
Manchester Airport	Edinburgh	5	4	5	4	4	3
Manchester Airport	Preston	0	0	0	1	0	0
Manchester Airport	Blackpool	19	16	19	16	18	19
Preston	Barrow	1	0	2	0	1	1
Preston	Windermere	4	1	3	1	0	0
Preston	Blackpool	1	4	1	4	0	0
Preston	Glasgow	0	0	0	0	1	0
Lancaster	Barrow	1	1	0	0	1	5
Lancaster	Windermere	0	1	1	1	0	4
Lancaster	Windermere (via Morcambe)	1	0	0	0	0	0
Oxenholme Lake District	Windermere	10	12	11	10	9	8
Barrow	Windermere	1	1	0	1	0	0
Manchester Piccadilly	Edinburgh	1	0	0	0	0	0

Table 1A.2 Southbound Passenger Train Slots – North West and Anglo Scottish

From	To	Weekday		Saturday		Sunday	
		2009	Base	2009	Base	2009	Base
Barrow	Manchester Airport	4	8	5	9	5	3
Windermere	Manchester Airport	5	2	3	2	1	1
Glasgow Central	Manchester Airport	3	2	4	2	1	1
Edinburgh	Manchester Airport	4	4	5	4	4	3
Preston	Manchester Airport	0	1	0	1	0	0
Blackpool North	Manchester Airport	19	20	18	20	19	19
Glasgow Central	Carlisle	0	1	0	1	0	0
Edinburgh	Carlisle	1	0	0	0	0	0
Barrow	Preston	3	0	4	0	2	1
Windermere	Preston	2	1	2	1	0	0
Blackpool North	Preston	2	1	1	1	0	0
Barrow	Lancaster	1	1	1	1	0	5
Windermere	Lancaster	0	1	0	1	0	4
Windermere	Oxenholme Lake District	10	12	11	10	9	8
Windermere	Barrow	0	0	0	1	0	0
Windermere	Barrow (via Morcambe)	0	1	0	0	0	0
Edinburgh	Manchester Piccadilly	1	0	0	0	0	0
Windermere	Manchester Piccadilly	0	0	0	0	1	0
Barrow	Manchester Piccadilly	1	0	0	0	0	0

Table 1B.1 Westbound Passenger Train Slots – North TransPennine

From	To	Sunday	
		2008	Base
York	Manchester Airport	6	7
York	Manchester Piccadilly	2	0
York	Liverpool	0	2
Scarborough	Manchester Airport	1	1
Scarborough	Manchester Piccadilly	1	2
Scarborough	Liverpool	6	5
Scarborough	York	0	4
Middlesbrough	Manchester Airport	2	4
Middlesbrough	Manchester Piccadilly	1	0
Middlesbrough	Liverpool	4	3
Newcastle	Manchester Airport	9	7
Newcastle	Manchester Piccadilly	1	0
Newcastle	Liverpool	2	2
Hull	Manchester Piccadilly	5	6
Hull	Leeds	1	2
Hull	Liverpool	0	1
Leeds	Liverpool	1	0

Table 1B.2 Eastbound Passenger Train Slots – North TransPennine

From	To	Sunday	
		2008	Base
Manchester Airport	York	4	5
Manchester Airport	Middlesbrough	2	6
Manchester Airport	Newcastle	12	8
Manchester Airport	Scarborough	1	1
Liverpool	Middlesbrough	4	0
Liverpool	Scarborough	6	6
Liverpool	York	2	3
Liverpool	Newcastle	1	2
Liverpool	Hull	0	1
Manchester Piccadilly	Hull	6	6
Manchester Piccadilly	Middlesbrough	1	1
Manchester Piccadilly	York	5	0
Leeds	Scarborough	1	1
Leeds	Hull	0	1
York	Scarborough	1	1

Table 1C.1 Eastbound Passenger Train Slots – South TransPennine

From	To	Sunday	
		2008	Base
Manchester Airport	Cleethorpes	10	10
Manchester Airport	Doncaster	1	0
Manchester Airport	Sheffield	4	3
Sheffield	Cleethorpes	2	1
Sheffield	Doncaster	0	1

Table 1C.2 Eastbound Passenger Train Slots – South TransPennine

From	To	Sunday	
		2008	Base
Cleethorpes	Manchester Airport	10	9
Doncaster	Manchester Airport	1	2
Sheffield	Manchester Airport	2	1
Meadowhall	Manchester Airport	1	1
Cleethorpes	Sheffield	1	2

I confirm that TransPennine Express holds Firm Rights for all services contained in the Base Timetable, with the exception of the Oxenholme Lake District to Glasgow Central or Edinburgh (for which TransPennine Express holds Contingent Rights) portion of the Train Slots between Manchester Airport and Glasgow Central or Edinburgh. For the 2009 Principal and Subsidiary Timetables TransPennine Express requires to vary how its Firm Rights are exercised in preference to paths, stopping patterns etc, or to quantum in the manner indicated on Appendix 1A.

The Contingent Rights to the Passenger Train Slots relevant to TransPennine Express' Anglo-Scottish services have been included here for information only, TransPennine Express' requirements in respect of these Contingent Rights are detailed in Form 1C.

PDNS – APPENDIX 1A

TRAIN OPERATOR	TransPennine Express
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Details of how the exercise of TransPennine Express Firm Contractual Rights and/or Quantum are to be changed between the way they are currently set out in the Base Timetable and the 2009 Principal / Subsidiary Timetable (s) together with a concise explanation of why these changes are being made.

Guide to Annexes for 2009 PDNS

TT	EWD	Su
North Trans-Pennine	Annex 1A	Annex 1B
South Trans-Pennine	Annex 2A	Annex 2B
North West	Annex 3A.1	Annex 3A.2
Anglo-Scottish	Annex 3A.3	Annex 3A.4
Anglo-Scottish	Annex 3B.1	Annex 3B.1

Annexes 1A, 1B, 2A, 2B, 3A.1, 3A.2, 3A.3 and 3A.4 have also been attached as VPT files for Network Rails reference.

Service Group 1: North Trans-Pennine

TransPennine Express requires its Firm Rights to be exercised in a way which creates the following:

1. A timetable for Weekdays and Saturdays only that is identical to that shown in Annex 1A. The principle amendments required in this timetable are as follows:
 - a. The introduction of a single Train Slot on Weekdays and Saturdays between Hull and Manchester Piccadilly to a single Train Slot between Hull and Huddersfield; and
 - b. The introduction of one Train Slot on Weekdays and Saturdays between Leeds and Manchester Piccadilly.
2. A timetable for Sundays only that reflects exactly the timetable shown in Annex 1B. A summary of the required change in quantum between TransPennine Express' Firm Rights as currently exercised in the Base Timetable and the 2009 Principal Timetable is set out in Tables 1B.1 and 1B.2 in Form 1A above.

Further information as to the Timetable required are contained in the attached Commentary.

The changes described in Annex 1A above will allow TransPennine Express to offer additional capacity to its customers on Weekdays and Saturdays by introducing services more appropriate to the growing demand for commuter travel between Leeds and Huddersfield. The alterations proposed by Annex 1B, increase the availability of capacity on Sundays and thereby promote the growing market for leisure travel by Train and reduce crowding.

Service Group 2: South Trans-Pennine

TransPennine Express requires its Firm Rights to be exercised in a way which creates the following:

3. A timetable for Weekdays and Saturdays only that is identical to that shown in Annex 2A. The principle amendments required in this timetable are as follows:
 - a. Reduce the number of Train Slots on Weekdays and Saturdays between Sheffield and Manchester Airport by 1 from 2 to 1;
 - b. Reduce the number the Train Slot on Weekdays and Saturdays between Manchester Airport and Doncaster by 1 from 1 to 0; and
4. A timetable for Sundays only that reflects exactly the timetable shown in Annex 2B. A summary of the required change in quantum between TransPennine Express' Firm Rights as currently exercised in the Base Timetable and the 2009 Principal Timetable is set out in Tables 1B.1 and 1B.2 in Form 1A above.

Further information as to the Timetable required are contained in the attached Commentary.

The changes described Annex 2A above will allow TransPennine Express to offer a more appealing proposition to its Weekday and Saturday customers by removing sparsely used Trains and redeploying the available rolling stock in a more efficient and effective manner offering wider and more competitive options for travel. The alterations proposed in Annex 2B will increase the number of trains operating on a Sunday and thereby promote the growing market for leisure travel by Train and reduce crowding.

Service Group 3: North West and Anglo-Scottish

In respect of its North West and Anglo-Scottish Train Slots TransPennine Express requires its Firm Rights to be exercised in a way which creates a timetable that is identical to that shown in Annex 3A.1,2,3&4.

The timetable in Annex 3A.1,2,3&4 shows how TransPennine Express wishes to develop its North West and Anglo-Scottish service group to provide a greater number of journeys between Manchester and Edinburgh and Glasgow. A summary of the change in quantum from the current Base Timetable and the 2009 Principal / Subsidiary Timetable(s) is set out in Tables 1A.1 and 1A.2 in Form 1A above.

Further information as to the Timetable required is contained in Annex 3B.1 and the attached Commentary.

The change to the North West Trans-Pennine and Anglo-Scottish allows TransPennine Express to introduce a greater number and frequency of services between the North West of England and Edinburgh and Glasgow. This will address gaps in the present service and offer business travelers an alternative to air travel.

TransPennine Express also intends to seek Stabling Rights at Blackpool North for the Stabling of 3 vehicles on Weekdays and 6 vehicles on Saturdays and Sundays.

PDNS – FORM 1B

TRAIN OPERATOR

TransPennine Express

Declaration of Firm Contractual Rights which TransPennine Express hold but are NOT to be exercised in the 2009 Timetable as described in the Network Code D3.2.1(b)

Pursuant to Condition D3.2.1(b), TransPennine Express does not intend to exercise the following Firm Rights, subject to the fulfillment of the timetable requirements described in Form 1A:

1. The difference in quantum of Manchester Airport to Barrow and Windermere Train Slots north of Lancaster only, on Weekdays, Saturdays and Sundays, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1A.1 and 1A.2 in Form A above;
2. The difference in quantum of North Trans-Pennine Train Slots on Sundays only, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1B.1 and 1B.2 in Form A above;
3. The difference in quantum of South Trans-Pennine Train Slots on Sundays only, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1C.1 and 1C.2 in Form A above;
4. One South Trans-Pennine Train Slot on Weekdays and Saturdays between Sheffield and Manchester Airport.
5. One South Trans-Pennine Train Slot on Weekdays and Saturdays between Manchester Airport and Doncaster.
6. The part of one North Trans-Pennine Train Slot on Weekdays and Saturdays between Huddersfield and Manchester Piccadilly rendered redundant by the amendment of a single Train Slot on Weekdays and Saturdays between Hull and Manchester Piccadilly to a single Train Slot between Hull and Huddersfield, as described in Form A.

I confirm that TransPennine Express holds Firm Contractual Rights for services set out in Appendix 1B and which are contained in the Base Timetable, but which it does not wish to be carried forward into the 2009 Timetable.

PDNS – APPENDIX 1B

TRAIN OPERATOR	TransPennine Express
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Details of Firm Contractual Rights held (and contained in the Base Timetable) which TransPennine Express does not intend to exercise in the 2009 Timetable

TransPennine Express intends not to exercise its rights to the difference in quantum of Manchester Airport to Barrow and Windermere Train Slots north of Lancaster only, for Weekdays, Saturdays and Sundays, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1A.1 and 1A.2 in Form A above;

TransPennine Express, therefore, expects to retain all existing rights between Manchester Airport and Lancaster and Manchester Airport and Preston and will only relinquish its Firm Rights between Preston and Blackpool North and Lancaster and Barrow / Windermere when such rights are not required to be exercised in a way which creates a timetable that is identical to that shown in Annex 3A.1,2,3&4, as required by Form 1A.

TransPennine Express intends not to exercise its rights to the difference in quantum in respect of the North Trans-Pennine timetable, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1B.1 and 1B.2 in Form A above.

As a consequence of TransPennine Express relinquishing such Firm Rights it expects a timetable to be developed, as described in Forms A above, for improved timetables as described in Annex 1A & 1B. This will provide the benefits to passengers and TransPennine Express business described in Appendix A.

TransPennine Express intends not to exercise its rights to the difference in quantum in respect of the South Trans-Pennine timetable, where it is less, between that required in the 2009 Principal / Subsidiary Timetable(s) and that set out in the Base Timetable as shown in the Tables 1C.1 and 1C.2 in Form A above.

As a consequence of TransPennine Express relinquishing such Firm Rights it expects a timetable to be developed, as described in Forms A above, for the improved timetable as described in Annex 2A & 2B. This will provide the benefits to passengers and TransPennine Express business described in Appendix A.

As a consequence of the relinquishing of the rights described in points 4, 5 and 6 above, TransPennine Express will be able to deliver the benefits to its business and its customers detailed in Form A above.

PDNS – FORM 1C

TRAIN OPERATOR	TransPennine Express
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Details of Contractual Rights and Quantum to be exercised and/or negotiated with Network Rail and exercised in accordance with the Network Code D3.2.1(c)

Pursuant to Condition D3.2.1(c) of the Network Code, TransPennine Express wishes to exercise the following Rights to support its Bid for Train Slots in the 2009 Timetable: -

In respect of the North West and Anglo-Scottish Train Slots TransPennine Express requires its Contingent Rights to Train Slots between Oxenholme Lake District and Glasgow Central and Edinburgh to be exercised along with the Firm Rights already described in Form A in a way which creates a timetable that is identical to that shown in Annex 3A.1,2,3&4.

Further, to support the integrated North West and Anglo-Scottish timetable shown in Annex 3A.1,2,3&4, the Passenger Train Slots, where they are greater, between that set out in the Base Timetable (comprising Firm and Contingent Rights) and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1A.1 and 1A.2 in Form A above. TransPennine Express would wish to have these Passenger Train Slots supported by Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling rights.

To support the North Trans-Pennine Sunday timetable shown in Annex 1A & 1B, the Passenger Train Slots, where they are greater, between that set out in the Base Timetable and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1B.1 and 1B.2 in Form A above. TransPennine Express would wish to have these Passenger Train Slots supported by Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling rights.

In respect of North Trans-Pennine Train Slots, TransPennine Express also wishes to negotiate Firm Rights to 1 Train Slot on Weekdays and Saturdays between Leeds and Manchester Piccadilly.

To support the South Trans-Pennine Sunday timetable shown in Annex 2A & 2B, the Passenger Train Slots, where they are greater, between that set out in the Base Timetable and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1C.1 and 1C.2 in Form A above. TransPennine Express would wish to have these Passenger Train Slots supported by Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling rights.

I confirm that TransPennine Express currently holds Firm or Contingent Rights for all services contained in the Base Timetable and requires the same quantum of services to

be contained in the 2009 Timetable. I also confirm that TransPennine Express intends to negotiate with Network Rail (or failing this, to apply to the Office of Rail Regulation for a direction for such right to be granted) for additional Firm Rights in the manner indicated on Appendix 1C – Part B.

PDNS – APPENDIX 1C

TRAIN OPERATOR	TransPennine Express
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PART A - Details of how we would wish existing Firm Contractual Rights (which will only rank as Priority 2 Rights) to be varied from the Base Timetable when exercised in the 2009 Timetable

Pursuant to Condition D3.2.3(c) of the Network Code, TransPennine Express wishes to negotiate Firm Rights to replace those Contingent Rights currently in place for the portion of the Manchester Airport to Glasgow Central or Edinburgh Train Slots between Oxenholme Lake District and Glasgow Central or Edinburgh to support its Bid for Train Slots in the 2009 Timetable.

PART B - Details of Firm Contractual Rights which TransPennine Express wish to negotiate with Network Rail, which will only rank as Priority 3 Rights as set out in Condition D3.2.3(c), to be exercised in the 2009 Timetable

Pursuant to Condition D3.2.3(c) of the Network Code, TransPennine Express wishes to negotiate the following Rights to support its Bid for Train Slots in the 2009 Timetable: -

To support the integrated North West and Anglo-Scottish timetable shown in Annex 3,A,B,C&D the Passenger Train Slots, where they are greater, between that set out in the Base Timetable and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1A.1 and 1A.2 in Form A above. TransPennine Express would wish to negotiate Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling to support to quantum of Passenger Train Slots.

To support the improved North Trans-Pennine Sunday timetable shown in Annex 1A & 1B, the Passenger Train Slots, where they are greater, between that set out in the Base Timetable and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1B.1 and 1B.2 in Form A above. TransPennine Express would wish to negotiate Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling to support to quantum of Passenger Train Slots.

To support the improved South Trans-Pennine Sunday timetable shown in Annex 2A & 2B, the Passenger Train Slots, where they are greater, between that set out in the Base Timetable and that required in the 2009 Principal / Subsidiary Timetable(s) as shown in the Tables 1B.1 and 1B.2 in Form A above. TransPennine Express would wish to negotiate Firm Rights to Clockface Departures; Intervals; Earliest and Latest Passenger Train Slots; Calling Patterns; Specified Equipment; Maximum and Key Journey Times; and Stabling to support to quantum of Passenger Train Slots.