

**Dispute Party: MTR Corporation (Crossrail) Limited
Respondent's Notice to Heathrow Airport Limited's
notice of appeal to ORR in the Timetable Dispute,
HAL/TTP003**

Respondent Submission

19 November 2021

To:

- (1) Office of Rail and Road (the **ORR**);
- (2) Heathrow Airport Limited (**HAL**) as the Appellant; and
- (3) Heathrow Expressing Operating Company Limited (**HEOC**), Network Rail Infrastructure Limited (**NR**) and First Greater Western Limited as Interested Parties.

1 Response to Appellant's Notice of Appeal

- 1.1 This Response is issued in relation to HAL's Notice of Appeal dated 5 November 2021 included in Appendix 1 (the **Appeal**), concerning the determination of the Timetabling Panel (**TTP**) of the Access Disputes Committee dated 27 October 2021 in respect of HAL/TTP003, as set out in Appendix 2 (the **Determination**).
- 1.2 This Response and the attached Appendices constitute MTR's notice in accordance with Condition M5.1.1 of Part M of the HAL Network Code included in Appendix 3 (the **Network Code**) that MTR opposes the Appeal, together with MTR's supporting evidence.
- 1.3 Unless otherwise stated or defined herein, defined terms used in this Response have the meaning given to them in the Determination and references to paragraphs are references to paragraphs in this Response.
- 1.4 The facts are as stated in Section F of the Determination. MTR rejects HAL's objection to these facts as stated in paragraph 5.11 of its Appeal, for the reasons given in paragraph 5.1 of this Response.
- 1.5 MTR has responded to each of HAL's grounds of appeal in paragraphs 4 and 5 of this Response.

2 Right to Appeal and Request to Expedite

- 2.1 MTR has already questioned in its letter to ORR dated 12 November 2021 (see Appendix 4) whether ORR has sufficient vires to hear the Appeal. MTR had expected ORR to take this decision prior to any Response being submitted. Submission of this Response is therefore without prejudice to MTR's contention that ORR does not have vires to take jurisdiction in respect of the Appeal. It is also without prejudice to MTR's view that failing to grant an extension of time to consider any such decision is unreasonable and inconsistent with the approach taken to a similar request from HAL. MTR reserves all of its rights in respect of these decisions, including those not yet taken.
- 2.2 MTR has responded to the Appellant's proposed expedited process in its letter to ORR dated 12 November 2021 (see Appendix 4). In addition, MTR notes the lack of progress made in executing the TTP's decision as set out in the Determination. MTR has written to HAL to express its concerns in this respect (see Appendix 5). Notwithstanding MTR seeking to progress the Determination, MTR remains concerned that the expected date of any ORR determination being 17 December 2021 and the date for conclusion of any timetable changes being 3 January 2022, means that it is very likely to be impracticable for third parties to accommodate any

changes as against the Determination solution in time (taking into account the festive window).

3 HAL's Grounds of Appeal

3.1 HAL's Appeal sets out six grounds of appeal as follows:

- (a) the TTP has based the Determination on the wrong timetable bids, which has misdirected the TTP's conclusions about HAL's responsibilities under the Network Code;
- (b) the TTP has come to the wrong conclusion as to the extent and quality of information HAL possessed or was required to obtain in order to make its decision, which has materially influenced its assessment;
- (c) the TTP has failed to appreciate that HAL is required to apply the Decision Criteria to every decision made under Part D of the Network Code, and so wrongly concluded that HAL failed to ask itself the correct question when making its decision;
- (d) the TTP has wrongly concluded that HAL did not give consideration to alternative timetabling solutions that may have allowed both MTR's and HEOC's requested services to operate to Terminal 5 in the December 2021 timetable;
- (e) the TTP has wrongly concluded that HAL did not apply the Decision Criteria and that its application was materially flawed; and
- (f) the TTP has failed to provide any reasons for its own substituted decision and has failed to apply the Decision Criteria.

4 Summary of MTR's Response

As set out in more detail in paragraph 5 below, MTR:

- (a) disagrees with HAL's view that the July Proposals are Train Operator Variation Requests (TOVRs) and agrees with the TTP's assessment on this issue;
- (b) believes that HAL failed to procure sufficient data to enable it to make a reasonably informed decision despite having sufficient opportunity to do so;
- (c) believes HAL has misinterpreted the TTP's views as to whether HAL asked itself the correct question and, in any event and by its own admission, failed to properly apply the Decision Criteria to every decision made under Part D of the Network Code;
- (d) agrees with the TTP's view that there is no evidence that HAL obtained or evaluated any information as to what alternative options might be available whether with the exercise of its Flexing Rights or otherwise in order to try to accommodate both parties' exercised Firm Rights;
- (e) agrees with the TTP's assessment of whether HAL correctly applied the Decision Criteria; and

- (f) disagrees with HAL's view that the TTP failed to provide reasoning for its own substituted decision.

5 MTR's Detailed Response to each of the Grounds of Appeal

5.1 *The TTP has based the Determination on the wrong timetable bids, which has misdirected the TTP's conclusions about HAL's responsibilities under the Network Code.*

- 5.1.1 HAL bases this appeal ground on its continued assertion that the July Proposals (as defined in the Appeal) were TOVRs and that the TTP should have treated them as such. HAL argues that the TTP wrongly asserts that the July Proposals have no contractual status and that this misdirects the TTP's conclusions.
- 5.1.2 MTR agrees with the TTP's conclusions that the July Proposals cannot be TOVRs. Part D of the HAL Network Code sets out a clear process for timetable submissions and envisages that the Parties will submit Access Proposals prior to D-26 for incorporation in the New Working Timetable. HAL is then required to publish the New Working Timetable at D-26 in accordance with Condition D2.7.1. Condition D3 naturally flows from this obligation and sets out the process by which Timetable Participants can apply to vary the New Working Timetable "from D-26". Condition D3.1.1 is clearly drafted on the basis that HAL is required to publish the New Working Timetable at D-26 and assumes it has done so.
- 5.1.3 HAL's argument is largely based on the earlier provisions of Condition D3 not specifically referencing the New Working Timetable as published at D-26. However, D3 is clearly predicated on the New Working Timetable having been published at D-26, as stipulated in Condition D2.7.1, and this construction is consistent with Condition D3.3.7. This provides that where HAL has not responded to a TOVR, it is to be deemed accepted, provided it does not conflict with the New Working Timetable after it is published at D-26 i.e. D3 pre-supposes that the New Working Timetable has been published at D-26. As HAL acknowledged in paragraph 4.13 of its TTP appeal response (as set out in Appendix 6) (the **TTP Response**), Condition D3.3.7 cannot operate unless the New Working Timetable has been published.
- 5.1.4 MTR does not believe either MTR or HEOC had any intention for their July Proposals to be TOVRs. Given that HAL's argument is based on the Change Strategy not having the effect of amending the Network Code timings, MTR does not believe HAL's Appeal should benefit from an argument which is rooted in the late publication of the New Working Timetable and its failure to comply with the Network Code.
- 5.1.5 Finally, whilst MTR initially argued in its original TTP appeal (see Appendix 7) that the July Proposals should be treated as Revised Access Proposals based on the timings in the Change Strategy, MTR accepts the TTP's conclusion that the Network Code was not formally amended by the Change Strategy and that, as a consequence, the July Proposals are effectively "late" Revised Access Proposals which have no contractual status.

5.2 *The TTP has come to the wrong conclusion as to the extent and quality of information HAL possessed or was required to obtain in order to make its decision, which has materially influenced its assessment.*

- 5.2.1 HAL bases this ground of appeal on its assertion that "*it is only by disregarding the July Proposals, that the TTP can get itself to a position where it can determine that HAL had enough time to gather adequate data (by the TTP's measure) before making a decision.*"
- 5.2.2 MTR disagrees with this view for a number of reasons. Firstly, HAL is required under D4.2.2 of the Network Code to endeavour wherever possible to comply with all Access Proposals submitted to it in accordance with Conditions D2.4 and D2.5 and accommodate all Rolled Over Access Proposals (subject to the principles set out in D4.2.2). Whatever status the July Proposals are given, in March 2021 HAL was in receipt of an Access Proposal from MTR and effectively on notice of a Rolled Over Access Proposal from HEOC. MTR contends that HAL should have been considering the March Proposals (as defined in the Appeal) from the time of their receipt and assessing whether or not they could both be accommodated.
- 5.2.3 Secondly, based on HAL's assessment of the changes made by the July Proposals (conducted on its behalf by NR and summarised in paragraphs 6.2 and 6.3 of HAL's assessment criteria document included at Appendix 8 (the **HAL Assessment**)), the July Proposals only made limited amendments to the original March Proposals. MTR does not believe these alterations were significant enough to materially increase the evidential burden on HAL in terms of data gathering.
- 5.2.4 Thirdly, whilst HAL argues at length that there are limits on what a reasonable infrastructure manager can be expected to do in terms of procuring data, MTR shares the TTP's view that HAL "*...did not have sufficient data on passenger numbers or the spread or balance of passenger demand and no data had been sought from MTR.*" MTR was not invited to submit data in support of its application. HAL could have asked MTR for actual and predicted passenger data at any time, but did not do so. MTR provided some data, at short notice, to the Access Disputes Panel (to be helpful), but HEOC did not. Furthermore, the late provision of the HAL Assessment, which was only provided following requests from MTR after the form of New Working Timetable had been intimated to Timetabling Parties, gave MTR no opportunity to provide data to support its original timetable bid.
- 5.2.5 Fourthly, HAL was already well aware long before July 2021 of the potential conflict between MTR's and HEOC's Firm Access Rights due to the dispute between the Parties in respect of the December 2020 Timetable (as contained in TTP Determination HAL/TTP002 – see Appendix 9). The MTR position regarding 2tph to Terminal 5 has remained consistent from the point that Terminal 4 closed. HAL cited the fact that these issues were well understood by HAL in its TTP Response, as justification for not making further enquiry of MTR (see paragraph 4.33 of the TTP Response). As these issues had been known for some time, MTR does not consider a reasonable infrastructure manager would wait until receipt of the July Proposals to consider options for accommodating all of the Firm Access Rights, which it already knew had been sold and were being Exercised.
- 5.2.6 Finally, HAL argues that it would be unreasonable and disproportionate to require an infrastructure manager to procure the volume of data the TTP expects before making a decision. MTR considers this expectation wholly consistent with HAL's contractual duty under MTR's track access agreement to act with due efficiency and economy and in a timely manner with that degree of skill, diligence, prudence and foresight which should be exercised by a skilled and experienced network owner and operator (see Clause 4.1 of Appendix 10). NR also has obligations as System Operator to

make informed decisions about capacity and performance and obtain relevant information in order to do so (in this case acting as a client for HAL). In addition, HAL seems to have compiled additional performance data for its Appeal. It is not clear why this could not have been sourced much earlier, to support the timetable offer and the TTP Hearing.

5.3 *The TTP has failed to appreciate that HAL is required to apply the Decision Criteria to every decision made under Part D of the Network Code, and so wrongly concluded that HAL failed to ask itself the correct question when making its decision*

5.3.1 HAL argues that it was not ultimately required to ask itself whether it could comply with the March Proposals, since both of those submissions were overtaken by the July Proposals. HAL then argues that by wrongly concluding that only the March Proposals are material, the TTP wrongly applies Condition D4.2.2 of the Network Code to HAL's decision. HAL asserts that because, in its view, the July Proposals are TOVRs, they cannot be Access Proposals or Rolled Over Access Proposals and so the duty in Condition 4.2.2 does not apply to the July Proposals.

5.3.2 We do not agree with HAL's view that it did not have to comply with D4.2.2 on the basis that the July Proposals overtook the March Proposals. Condition D4.2.2 of the Network Code requires HAL to endeavour, wherever possible, to comply with all Access Proposals submitted to it in accordance with Conditions D2.4 and D2.5 and accommodate all Rolled Over Access Proposals. Whatever status the July Proposals are given, MTR believes Condition D4.2.2 applies:

- (a) ***The July Proposals have no legal effect:*** If, as concluded by the TTP, the July Proposals have no legal effect, then HAL was in receipt of an Access Proposal from MTR and effectively on notice of a Rolled Over Access Proposal from HEOC, both of which were subject to Condition D4.2.2.
- (b) ***The July Proposals are Revised Access Proposals:*** If the July Proposals are Revised Access Proposals (as originally contended by MTR but rejected by the TTP) then those Revised Access Proposals are subject to consideration under Condition D4.2.2.
- (c) ***The July Proposals are TOVRs:*** Even if the July Proposals were TOVRs (and for the reasons given in paragraph 5.1 above MTR does not believe that they are), Condition D4.2.2 is an obligation which HAL must comply with when compiling the New Working Timetable in accordance with Condition D2.6. As the New Working Timetable must be compiled in order for it to be published at D-26, it follows that HAL was required to comply with D4.2.2, taking into account the Access Proposals and Revised Access Proposals which were available to it at that time.

5.3.3 HAL also argues that it is required to apply the Decision Criteria to every decision made under Part D of the Network Code and that it did so. MTR finds this surprising, as HAL only provided the HAL Assessment (setting out its application of the Decision Criteria) on 9 September 2021. None of this information was provided to MTR during the timetable development process and HAL took 24 days to provide MTR with this document following a request from MTR on 16 August 2021 (see Appendix 11). Furthermore, HAL clearly did not apply the Decision Criteria in considering whether or

not both MTR's proposals and HEOC's proposals could be accommodated via alternative timetable solutions. This is considered more fully in paragraph 5.4 below.

- 5.4 *The TTP has wrongly concluded that HAL did not give consideration to alternative timetabling solutions that may have allowed both MTR's and HEOC's requested services to operate to Terminal 5 in the December 2021 timetable.***
- 5.4.1 HAL states that the PMO Solution and the Terminal 4 Solution (as defined in its Appeal) have been considered by HAL a number of times before in relation to previous Timetable Bids and the one in question. HAL also goes on to suggest that the PMO Solution was discussed in relation to this Timetable Period with Network Rail, MTR and HEOC but not actively progressed further because of the perceived performance risks.
- 5.4.2 MTR submits that, had HAL properly considered these solutions, they should have been referenced within the HAL Assessment. HAL stresses in its Appeal that the obligation to apply the Decision Criteria applies to all decisions it takes under the Network Code and that it complied with that obligation. If that is the case, the Decision Criteria must logically have been applied to the alternative timetable solutions when considering how to comply with Condition D4.2.2 in order to accommodate all access proposals. HAL make it very clear in the HAL Response that it did not do so – stating in respect of Consideration (g) of the Decision Criteria that "*...it was deciding between two things – MTR's proposal and HEOC's...*". See paragraph 5.5.7 below, which covers this issue in more detail. The HAL Assessment document makes only brief reference to alternative timetable solutions at the outset and there is no suggestion that the Decision Criteria were applied in making any assessment of them. It is difficult therefore to see how the TTP could have come to any other conclusion.
- 5.4.3 As highlighted in the Determination, HAL treat the protection of HEOC's services as an overriding consideration, acting "*...with the fixed goal in mind of wanting to prioritise a regular, express service from London Paddington which is why its assessment universally favours one TOC...*". MTR also questions why, if HAL was concerned about performance, it did not consider other options, such as reducing the HEOC service to 2tph to Terminal 5 or diverting 2tph to Terminal 4. As far as MTR is aware, HAL did not consider these options or discuss them with HEOC. HAL could have arranged a meeting with all parties to discuss any performance concerns at any point but only did so shortly before the TTP Hearing.
- 5.4.4 MTR agrees with the TTP's conclusion in the Determination that "*There is no evidence that HAL obtained or evaluated any information as to what alternative options might be available whether with the exercise of its Flexing Rights or otherwise in order to try to accommodate both parties' exercised Firm Rights. The first consideration of what might be possible appears to have been at the PMO meeting.*"
- 5.4.5 MTR also notes that it has seen no evidence that HAL is looking to explore alternative timetable solutions in order to comply with the TTP's decision in the Determination and is not aware that Network Rail is in receipt of any such evidence either. MTR considers the PMO Solution, in particular, to be viable if all parties demonstrate the necessary willingness to put it in place.

5.5 *The TTP has wrongly concluded that HAL did not apply the Decision Criteria and that its application was materially flawed*

5.5.1 In arguing the TTP was wrong to conclude that its application of the Decision Criteria was materially flawed, HAL provides a series of counter-arguments.

5.5.2 Firstly, HAL argues that it was reasonably properly informed in the circumstances in which its decision was required to be made. For the reasons given in paragraphs 5.2 and 5.3 above, MTR believes that HAL is mistaken as to both the circumstances in which the decision was to be taken, and its belief that it was reasonably informed.

5.5.3 In relation to Consideration (d), HAL argues the TTP failed to take into account additional wait times which are likely to arise for HEOC passengers at London Paddington and Terminal 5 because of a less frequent HEOC service or one affected by increased perturbation risk. MTR believes the TTP did not fail to take this into account but rather took the view that the application of this Decision Criterion should not focus solely on existing HEOC passengers. For the reasons given in paragraph 5.6.3 below, MTR believes the perturbation risk is overstated.

5.5.4 HAL once again stresses that it did not have a fixed goal in mind when applying the Decision Criteria. As noted in MTR's original appeal to the TTP, the HAL Assessment does not represent the view of an infrastructure manager acting in a non-discriminatory manner. The issues highlighted in the HAL Assessment focus almost exclusively on arguments that support HEOC being granted priority in the allocation of capacity and fail to properly consider alternative solutions to accommodate all Firm Access Rights. There is no attempt to meet the Objective by sharing capacity at Terminal 5. Regardless of whether or not the Decision Criteria were correctly applied, MTR expected to see at least some recognition of the arguments in favour of both Parties when taking into account the Considerations and the HAL Assessment fails to weigh up the Parties' competing positions in a balanced and non-discriminatory manner. The TTP clearly agreed with this view in concluding that HAL had a fixed goal in mind when applying the Decision Criteria.

5.5.5 HAL argues that the TTP "*seems to have decided that safety should not have formed a meaningful part in HAL's analysis*" and goes on to suggest that the TTP misses the point by highlighting the increased safety risk presented by the MTR proposal. HAL's perceived increase in safety risk is based on little more than a suggestion that an increase in MTR services will cause passenger confusion. HAL once again ignore the fact that running a timetable which changes at a given time on weekdays (if MTR is not provided with 2tph seven days a week at all times) in itself will cause passenger confusion. In addition, MTR is of the view that any potential for confusion is easily mitigated through appropriate communications and signage (which HAL invested significant amounts in to support the introduction of TfL Rail and Elizabeth line services in 2017), and that passenger choice should not be restricted by HAL's apparent lack of faith in their ability to board the correct train.

5.5.6 HAL also argues that it correctly considered relevant commercial interests and goes so far as to suggest that once the TTP decided that all requested Train Slots to Terminal 5 can be theoretically accommodated, that means its assessment of the commercial interest Consideration is fatally skewed. This is a misrepresentation of the TTP's position. The TTP simply asserted that HAL's approach was too narrow and was focussed on potential losses for HEOC by failing to consider the PMO Solution. If HAL had considered the PMO Solution and the wider commercial benefits

it would afford, this should have at least been detailed in the HAL Assessment (even if HAL ultimately concluded that the PMO Solution was not viable for other reasons). The fact that it was not suggests that HAL failed to properly apply this Consideration to all available solutions.

5.5.7 MTR also notes that in defending its failure to apply Consideration (g) – environmental impact – HAL states that "...it was *deciding between two things – MTR's proposal and HEOC's*". This clearly demonstrates that HAL did not apply the Decision Criteria to alternative timetable solutions. In any event, for the reasons given by the TTP Determination, we do not believe HAL properly applied this Consideration in assessing either MTR's proposal or HEOC's proposal. HAL again seeks to defend its approach by arguing the criterion was not relevant to its decision because it was deemed to be neutral. HAL failed to articulate the basis on which it reached this conclusion. In the Appeal HAL also suggests that the Consideration, if properly applied, would favour HEOC in terms of modal shift benefits. Whilst both MTR and the TTP (in paragraph 180(f) of the Determination) disagree with this view, the fact that HAL reaches this conclusion demonstrates that it cannot have properly applied the Consideration in the first place.

5.5.8 Finally, HAL cites safety and performance considerations as having been the basis for it previously discounting alternative timetable solutions before concluding it then had a binary choice between MTR's proposal and HEOC's. There is no evidence within the HAL Assessment that this was the case. In paragraph 1.3.6 of the HAL Assessment, HAL simply state: "*The only way to accommodate both MTR and HEOC services calling at T5 during weekdays in the present circumstances, would be to require the reduction in HEOC's weekday request of 4tph to 2tph. The alternative would be to permit HEOC to continue providing its existing service into T5 and so deny MTR's weekday request for 2tph.*" HAL seem to have simply concluded that there was insufficient capacity to accommodate all firm rights, without properly considering whether this was the case or the extent to which safety and performance considerations would negate the potential for such accommodation. As the TTP concluded in paragraph 180(g) of the Determination, "*HAL would have been required to decide whether Consideration (c) and its concerns around safety and performance should have been accorded such substantial weight that they outweighed all other factors.*"

5.6 *The TTP has failed to provide any reasons for its own substituted decision and has failed to apply the Decision Criteria.*

5.6.1 In its closing submission at the TTP Hearing, MTR was invited by the TTP to identify any exceptional circumstances, which it believed would justify the TTP in substituting a decision in place of HAL's challenged decision in accordance with Condition D5.3.1 of the Network Code. MTR duly did so, highlighting in particular the limited time available to undertake the necessary planning and amendments for the December 2021 timetable should the challenge be successful. MTR also highlighted that these time constraints had themselves arisen due to the exceptional circumstances caused by the COVID-19 pandemic, in particular the closure of Terminal 4 and the Change Strategy. The TTP clearly took these views into account and also gave further reasons for concluding that exceptional circumstances existed in paragraph 189 of the Determination.

5.6.2 Having satisfied itself that exceptional circumstances existed, MTR is not aware that the TTP is required by the Network Code to go any further in giving reasons for its

own substituted decision. HAL cites the TTP's view in cases TTP 1706 and 1708 as the basis on which the TTP should have explained its reasoning. MTR does not believe that this view is necessarily binding but, even if it is, MTR is of the view that the TTP has taken an equal, if not more detailed, approach to explaining its own application of the Decision Criteria. The TTP hearing itself devoted the vast majority of its time to discussing the application of the Decision Criteria. The TTP's views and approach to the Decision Criteria is described across some 15 pages of the Determination. Indeed, in MTR's view, the TTP has complied with Condition D4.6 of the Network Code in the very way HAL failed to do so in the first place.

5.6.3 MTR also notes the alleged unfairness of the decision as highlighted in paragraph 7.5 of the Appeal. MTR rejects HAL's claims here. The HAL infrastructure will need to support 10tph once that the full Elizabeth line timetable is introduced (4tph HEOC and 6tph MTR, with 4tph to Terminal 4 and 6tph to Terminal 5). The December 2021 will consist of 8tph (4tph HEOC and 4tph MTR, with 2tph to Terminal 4 and 6tph to Terminal 5). MTR has suggested that stabling a HEOC standby unit at Terminal 4 is a potential mitigation measure should HEOC experience perturbation and MTR does not believe that this would cause a 'route blockage'. MTR has offered to work with HAL, HEOC (and Network Rail) to develop suitable mitigation measures and contingency plans. There seems to be a lack of willingness from HEOC to make the amended timetable work. The MTR trains are not "additional", as suggested in the HAL comments. They are trains that are diverted from Terminal 4 to Terminal 5 (due to the closure of Terminal 4) and have Firm Access Rights in MTR's Track Access Contract.

6 Network Rail's submission to the ORR

6.1 MTR notes the letter issued to the ORR by NR on 5 November 2021. MTR's objections to the contents of that letter are set out in its response to NR on 11 November 2021 (included at Appendix 12).

7 Directions sought from the ORR

7.1 MTR requests that the ORR upholds the decision of the TTP in the Determination and directs all Parties to continue with the implementation of that decision.

8 Signature

For and on behalf of *MTR Corporation (Crossrail) Limited*

Signed



Print Name

Jonathan James

Position

Head of Contract Management

APPENDICES

Appendix 1 – HAL appeal to ORR dated 5 November 2021

Appendix 2 – HAL/TTP003 Determination of 27 October 2021

Appendix 3 – HAL Network Code

Appendix 4 - MTR letter to ORR dated 12 November 2021

Appendix 5 – MTR letter to HAL dated 16 November 2021

Appendix 6 – HAL's response to MTR's Sole reference to the TTP dated 6 October 2021

Appendix 7 – MTR Sole reference to the TTP dated 29 September 2021

Appendix 8 – HAL New Working Timetable assessment criteria received 9 September 2021

Appendix 9 - TTP Determination HAL/TTP002 of 26 November 2020

Appendix 10 – Track access agreement between MTR and HAL

Appendix 11 – Email from Shaun Hurst of MTR to HAL dated 16 August 2021

Appendix 12 – MTR letter to Network Rail dated 11 November 2021