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(By email only)

08<sup>th</sup> August 2025

Dear Louise,

**Northern Trains Limited response to Network Rail representations – 60<sup>th</sup> Supplemental Agreement**

Thank you for inviting Northern Trains Limited (NTL) to comment on the written representations submitted by Network Rail (NR) regarding NTL's 60<sup>th</sup> Supplemental Agreement (SA). NTL's 60<sup>th</sup> SA is an access rights application for the required rights to operate NTL's December 2025 timetable, specifically changes which pertain to the ECML ESG. The application was originally submitted in May 2024 as part of the request for competing access rights applications and has since been updated via further Supplemental Agreements to reflect the actual December 2025 timetable bid. The below constitutes NTL's response to the representations letter.

It is positive that NR is supportive of the majority of the access rights being sought in this application and NTL welcomes this stance. Please can NR confirm that the rights that they are supportive of are supported as firm rights until the end of NTL's Track Access Contract at PCD 2027, as it is not explicitly stated in NR's representations?

**General observations**

In response to paragraph 2.7, NTL wishes to formally document that this approach has resulted in a significant increase in workload and ultimately a further delay in securing the necessary access rights.

With regards to the table in the representations letter titled 'Table 1', NTL does not agree that the proposed changes within ED07 South and East Yorkshire Local fits within the ECML Kings Cross to Edinburgh and Leeds location and instead should read Sheffield.

**NR's comments on the original Form P and draft SA**

NTL acknowledges the several comments made by NR regarding the contents of the Form P and draft SA submitted in May 2024. NTL does not consider it necessary to address each comment made by NR regarding information which has since been superseded by other SA's in the intervening period, or by other events since the 60<sup>th</sup> SA was first submitted. It should be

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expected that upon any directions made by the ORR, that any required housekeeping that is non-material to the access rights being sought in this application, will be made to ensure that the consolidated Track Access Contract is correct.

Specific comments pertaining to paragraph 10.2.6 – request for an additional EWD right between Sheffield and Huddersfield via Barnsley

NTL does not agree with NR's position with regards to the additional EWD right being sought between Sheffield and Huddersfield. NTL has requested +1 Off Peak firm right on weekdays and +1 firm right on Saturdays between Sheffield and Huddersfield via Barnsley. Owing to Transpennine Route Upgrade (TRU) works taking place, NTL have amended their LTP base to accommodate these possessions. This has resulted in 1 service, which already runs in the timetable today and therefore NTL already holds access rights for to operate on Weekdays and Saturdays, being amended to operate on Fridays and Saturdays only. This is separate to the request of +1 firm right being sought in the 60<sup>th</sup> SA, which is for a new service to operate from Dec 25. For additional context, NTL previously relinquished 2 firm access rights in this same service group in line with the letter to industry received on unused rights on 24<sup>th</sup> April 2023. The request for +1 firm right in December 25 relates to 1 of the 2 rights previously relinquished by NTL.

NTL disagrees with NR's position that NTL should only be granted access rights for Friday and Saturday only as in effect NR are stating that the rights already held by NTL cover the uplift requested in the 60<sup>th</sup> SA and that the additional quantum should be on Fridays and Saturdays only, which is less than what NTL has requested. NTL's base timetable position (no engineering works taking place) would be the quantum and days run requested in the 60<sup>th</sup> SA. NTL is unable to exercise the quantum sought due to engineering works which NTL are amending their timetable to facilitate. Upon completion of these works, NTL would then not have the required quantum of rights required to operate the base timetable. By only supporting 1 additional right on a Friday and a Saturday gives NTL no long term operational certainty and also provides no certainty that NR would support an application to 'infill' the rights Monday to Thursday, should the ORR direct as per NR's position.

Comments against Annex C – rights not supported by NR

NTL would like to address specific points highlighted in annex C which contains the rights not supported by NR.

Where NR has stated that the quantum sought and quantum bid discrepancy is addressed in a later supplemental agreement, NTL agrees with NR's statement and therefore NTL has no further comments on these items as the issue has been superseded by an updated SA.

There are however some entries where NR have stated that the quantum sought and quantum bid discrepancy hasn't been addressed in a later SA, where NTL has found that they have been addressed and updated. These are:

- Newcastle to Whitby Off Peak SX – this has been corrected as part of the 67<sup>th</sup> SA which now matches what NTL bid for at D-40
- Newcastle to Whitby SO – this has been corrected as part of the 67<sup>th</sup> SA which now matches what NTL bid for at D-40
- Carlisle to Newcastle Off Peak SX – this has been corrected as part of the 67<sup>th</sup> SA which now matches what NTL bid for at D-40

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- Whitby to Newcastle AM Peak and Off Peak SX – this has been corrected as part of the 67<sup>th</sup> SA which now matches what NTL bid for at D-40

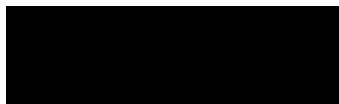
NTL acknowledges that the below will need addressing and NTL will work with NR on the best way to do this:

- Discrepancy between the Peak and Off Peak distribution between Carlisle and Middlesbrough. It should be highlighted that NTL has applied for the correct overall total weekday quantum of rights but that the values between Peak and Off Peak need redistributing.
- Rights between Newcastle and Metro Centre need reducing in line with the D-40 bid.
- Hull to Doncaster Sunday – this needs reducing by 1 right to be in line with D-40 bid.

To summarise, NTL welcomes the supportive position of NR against the majority of the rights sought in the 60<sup>th</sup> SA but does not agree with the position taken by NR with respect to the additional uplift of +1 firm right in the Sheffield to Huddersfield service group. NTL have identified further discrepancies between the 60<sup>th</sup> SA and the D-40 timetable bid which have been resolved in further supplementals, contrary to what is stated in Appendix C. There are a couple of items which need addressing and NTL will work with NR on the best way to resolve these.

If you require any further information, please do not hesitate to contact me.

Yours Sincerely,



Kate Oldroyd  
**Track Access Manager**