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25th May 2026

Dear Margret,

GB RAILFREIGHT PROPOSED 45th SUPPLEMENTAL AGREEMENT APPLICATION – SECTION 22A

Thank you for your letter of 13th May 2026 regarding Network Rail's initial representations to GB Railfreight's (GBRf) 45th Supplemental Agreement, under the Section 22A process.

GENERAL COMMENT:

It is worth stating that GB Railfreight is applying for firm access rights for existing train slots that have been incorporated into both the May 2025 and December 2025 timetables. GB Railfreight is merely following the correct formal process in seeking to obtain firm access rights for these services – this is “business as usual” and should not be being hindered, timescale-wise, by Network Rail which seems to have been the case here.

Network Rail appears to have been “second guessing” the ORR's views on this access rights application, stating that the ORR would not want to have sight or opine on it, given other Open Access applications have already been submitted and are awaiting decision. GB Railfreight cannot see why the ORR would not, at the very least, want sight of normal FOC rights applications at any point in time. GB Railfreight is keen to hear the ORR's thoughts on this very specific point and believes the ORR should want to have sight of GBRf's applications, whenever they might need to appear.

As a matter of concern, GB Railfreight finds that a possible rights application outcome, described in the 2nd paragraph of Page 2 of Network Rail's attached response, to be bizarre and absolutely counter to the prescribed ORR guidance of applying for firm access rights for Train Slots.

To not apply for firm access rights would put some of GBRf's services and commercial business in jeopardy of not being included in future New Working Timetables. This, and other thought processes at play, is one of the reasons that GBRf is applying to the ORR under the Section 22A process. GBRf would very much like to hear the ORR's view on the contents of this 2nd paragraph of Page 2.

GB Railfreight is disappointed that Network Rail can only fully support 37 of the new 81 firm access rights while happily supporting all the 56 relinquishments. There appears to be “plenty of take and no give” in this application for network capacity.

RIGHTS SUPPORTED AS CONTINGENT OR TIMEBOUND:

GB Railfreight has real concerns with the reasoning given by Network Rail for not supporting several firm access rights in this application and believes that many are not appropriate reasons for non-support:

- **6B92 [SX] 16:49 Portbury Auto Terminal - Margam T.C. and 6C92 [MO] & [MSX] 07:41 Margam T.C. - Portbury Automotive Terminal**

These daily running GBRf steel services are vital traffic for Port Talbot Steelworks, as are the running times for them. GBRf refutes Network Rail’s reasoning for not supporting these firm rights and, instead, proposing contingent rights up to PCD 2028. The services should be treated as already being in any “base plan”, as they are running right now and have been for some time. These steel trains are, currently, one of the only regular flows on the Portbury branch and do not need to be put in jeopardy for the future.

On-going advanced timetabling work takes place all over the UK, almost on a continuous basis, and cannot be a valid reason for the non-support of FOCs’ firm access rights otherwise there would never be any firm access rights decisions granted for FOCs.

For this reason, GBRf believes the ORR ought to be approving firm access rights, with 1-hour departure and arrival windows, from asap up to the end of GBRf’s current track access contract.

- **6M30 [ThO] Newhaven Day’s Aggregates GBRf – Acton Lane Reception Lines**

The suggested Heavy Axle Weight wording is no different to other examples of firm rights in GBRf’s track access contract when a heavy axle weight exemption is required therefore GBRf agrees to this wording being put in the Special Terms column of its Schedule 5 Table.

GBRf, however, strongly refutes Network Rail’s proposal of only granting contingent rights until PCD 2026 “due to operational issues at Mitre Bridge”. This service is timed at only 1,800 tonnes (trailing load), which is below the current maximum load limit between Kensington Olympia and Mitre Bridge Junction. From GBRf’s records, it often runs between 1,727 tonnes and 1,788 tonnes and has never had any “operational issue” in the Mitre Bridge area. There is no valid reason for not granting firm access rights for this service.

If Network Rail has a concern with heavier trains than this running up to Mitre Bridge Junction, it is for Network Rail to provide robust evidence for discussion on a train-by-train basis, with an eventual Network Change proposal to any change to network capability. Until such time as a change of network capability is formally established, the agreed, published capabilities are what we all work and plan to.

For this reason, GBRf believes the ORR ought to be approving this firm access right, with 1-hour departure and arrival windows at the specified timing load, from asap up to the end of GBRf’s current track access contract.

- **Sizewell Impact - 4A70 [SO]; 4L10 [SO]; 4M78[MO]; 4R02 [MO;Y]; 4R20 [MO]**

There are 12 roads available in Parkeston Sorting Sidings (Parkeston S.S.) and also 6 roads available in the adjacent Parkeston Carriage Sidings (Parkeston C.S.), which are often used interchangeably, as necessary. Therefore, GBRf believes there is more room in the Parkeston area than just 12 roads of Sorting Sidings.

Network Rail's comments on the granting of firm access rights at Parkeston (and on Sizewell traffic) is of concern. The wording states that "*granting non-Sizewell operators firm access rights to these roads would not be advisable*". Firstly, there are currently no "Sizewell operators", as such, although GBRf does regularly takes bulk traffic (e.g. ballast) onto the Sizewell branch. Secondly, the inference is that "Sizewell operators", whomever they might be, will get priority for firm access rights in the Parkeston area.

In GB Railfreight's view, that position is not appropriate, as it does not take into account the relevant merits of each application that is made – it is almost discriminatory "for Sizewell" in its approach, even though it is not clear what capacity might be needed in the Parkeston area in a few years' time. GBRf's application for stabling at Parkeston, purely over weekends, is a "here and now" requirement as part of a revised 2026 plan for GBRf's major Intermodal market.

These services, several of which are loaded container trains, form part of an integral 6½ days/week Intermodal service to our customers and the non-support of these particular legs will bring the complete weekly flows into jeopardy. Were this point to be assessed appropriately against other services that are not yet known when they are running in this area, GBRf feels that the importance of this part of its application would be clear for all to see.

When it becomes clearer what other required uses there are for the whole Parkeston area, GBRf will, of course, be involved in more detailed conversations on capacity usage, line by line. If a granted firm access right does, in fact, need to be altered in the future, GBRf would amend its Schedule 5 rights table, as it currently often does.

For all the above reasons, especially lack of certainty of dates of any Sizewell traffic requiring use of Parkeston Yards, GBRf believes the ORR ought to grant firm rights for GBRf's current Intermodal services, from asap up to the end of GBRf's current track access contract.

- **ECML Rights**

As is very well known amongst TOCs, FOCs and the ORR, the recent ECML December 2025 Timetable has had much work put into it, over the last 10 years or so, with various schedules "squeezed in" after some Timetable Planning Rules proposed changes were not implemented. In GBRf's view, it is totally unacceptable for Network Rail to now state that it needs to performance model the timetable, something that should have been carried out, in full, long before the start of the new timetable. It is also a highly inappropriate reason for Network Rail to not support firm access rights, with 1-hour arrival and departure windows for freight services, on the basis that some known ECML TPR deficiencies, deliberately incorporated into the timetable by Network Rail, might be found to affect performance on the route.

Given these are critical freight services on the ECML, and that all TOC services have "24-hours windows" as part of their firm access rights, GBRf believes there is enough capacity flexibility for all GBRf's ECML rights to be granted as firm, from now until the end of GBRf's current track access contract.

- **6L95 [TO] Peterborough North Yard GBRf – Ipswich Up & Down Goods Line**

This feeder service of Intermodal wagons has been running since October 2025, and this is the first time that GBRf has heard of any potential issue with the service. The Train Slot already has a contingent access right up to PCD 2026 and GBRf is looking to have it approved as firm from this point onwards. It already has circa 50 minutes of pathing time in its schedule, between March Station and Haughley Junction, therefore I'd like to think that a mix of services (with this one) could be adjusted to ensure an earlier arrival time for shunting at Ipswich etc.

Alternatively, GBRf would be content for the train to leave Peterborough North Yard earlier. However, if the currently requested firm access right is granted and does, in fact, need to be altered in the future, GBRf would amend its Schedule 5 rights table, as it currently often does.

RIGHTS PARTIALLY SUPPORTED WITH AMENDMENTS:

- i) **4E21 [SX]:** GBRf notes Network Rail's points and is happy for an amended 4E21 [MO] Felixstowe South–Tinsley and the 4E21 [MSX] Felixstowe North–Tinsley services to be taken forward and supported.
- ii) **0D20 [SO]:** This is a service from Doncaster -Port to Doncaster Roberts Road Depot (not Parkeston Yard, as shown) and GBRf is happy for this service to be amended and supported.
- iii) **6D09 [SX]:** With the altered arrival window in place, GBRf is happy for this service to be amended and supported.
- iv) **4M13 [FSX]:** GBRf is happy for this service to be amended and supported.
- v) **4M66 [SX]:** GBRf is happy for this service to be amended and supported.
- vi) **4G77 [SX]:** GBRf is happy for this service to be amended and supported.
- vii) **6L95 [FSX]:** Given the new time is close to the limit of the departure time, GBRf would want the departure window to be quoted as **15:05-16:05**, giving more scope for an earlier departure if need be. The ECML contingent right position is being contested (see above) so GBRf cannot agree to that particular part.
- viii) **0M72 [MSX]:** The [MSX] was applicable to the December 2025 Timetable and the [SX] version is for the May 2026 Timetable. GBRf is happy for this service to be amended and supported.
- ix) **4H99 [MFO]:** Given the new departure time, GBRf would want the departure window to be quoted as **13:20-14:20**, giving more scope for an earlier departure if need be. The ECML contingent right position is being contested (see above) so GBRf cannot agree to that particular part.
- x) **6C03 [SX]:** GBRf is happy for this service to be amended and supported.
- xi) **6G88 [FO]:** GBRf does not agree with this statement. The service from Tunstead Quarry is a 22:17 departure, therefore the proposed departure window is fine.
- xii) **6J98 [TThO]:** GBRf is happy for this service to be amended and supported.

RIGHTS NOT SUPPORTED:

There are various comments on the list of other firm access rights that Network Rail is not supporting, as follows:

- i) **4M23 [SX]:** Much of the delay, at the original time of this application has been caused by issues awaiting acceptance into Hams Hall terminal, due to the poor departure performance of GBRf's 4032 Hams Hall-Southampton Western Docks service, which prevented 4M23 from arriving.

However, this issue has now been solved with a re-plan of the Intermodal services from 20th April 2026, for which many rights are being applied for in this supplemental. Performance of both 4032 and 4M23 have been dramatically better since that date and, GBRf believes, passes the performance criteria used for assessment by Network Rail. Therefore, GBRf believes Network Rail should now support this firm right application.

- ii) **0E15 [FSX]; 0001 [SX]; 0031 [SX]; 0041 [SX]; 0V31 [SX]:** GBRf has many records of these light locomotives running, with locomotive numbers attached to certain dates. This was also the case when the application was first made. GBRf firmly believes that Network Rail's data integrity is faulty, which is worrying if it is a major factor in supporting firm access rights or not.
- iii) **4E08 [MSX] & [SO]:** Originally, late starts from London Gateway have been the main cause of delay from these services. There has since been an extensive joint GBRf & Network Rail exercise to address the performance of all services into and out of London Gateway terminal which has resulted in some exceptional "right time departure running" from this terminal. That is now regularly in the high 90% and has even hit 100% on several days in recent weeks. GB Railfreight believes the reasons for non-support, as stated, are no longer valid and believe Network Rail should now support these firm rights.
- iv) **5N11 [MSX]:** GBRf has data showing these running on 8/1, 14/1, 12/2, 13/2, 27/2/26 and also the path part-used on a STP basis.
- v) **6C05 [MWFO]:** This should have been consulted, though, as it had run at the time of submission to Network Rail.
- vi) **6F69 [SX]:** Noted by GBRf. This service is now a regular running train.
- vii) **6F84 [SX]:** GBRf disagrees with Network Rail's assessment of this firm right. The service has been running since November 2025 and, in any case, this is a Section 22A Supplemental consultation that was submitted by GBRf to all parties on 15th April 2026. It has been regularly running between the origin and destination since before April 2026. Network Rail's reason for non-support is totally invalid as GBRf has made the consultation to all parties. No new supplemental is needed and GBRf would like the ORR to approve this firm access right, given Network Rail has offered no valid reason for its non-support.
- viii) **6H44 [MO]:** This train has run infrequently and GBRf is happy for this proposed firm right to be removed from this application.
- ix) **4M29 [SX]:** Given the time-lag from the initial application, the destination for this train is no longer Hams Hall so no change is needed. The currently approved firm access right, to Birch Coppice, remains in place and used.

I hope this addresses all the points raised in Network Rail's Section 22A response letter of 12th May 2026.

Yours sincerely,

Head of Strategic Access Planning