

APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER TRACK ACCESS AGREEMENT, OR AMENDMENT TO A PASSENGER TRACK ACCESS AGREEMENT UNDER SECTIONS 17-22A OF THE RAILWAYS ACT 1993

1. Introduction

Please use this form to apply to the Office of Rail and Road (ORR) for:

- directions under section 17 of the Railways Act 1993 for a new track access contract. Section 17 allows companies who want the right to use a railway facility (including Network Rail's network) to apply to ORR for access if they are not able (for whatever reason) to reach agreement with the facility owner.
- approval under section 18 of the Railways Act 1993 for a new track access contract. Section 18 allows companies to apply for approval if they have agreed terms with the facility owner.
- approval of a proposed amendment (agreed by both parties) under section 22 of the Railways Act 1993 to an existing track access contract.
- directions under section 22A of the Railways Act 1993 for an amendment to an existing track access contract. Section 22A allows anyone seeking an amendment to an existing track access contract which allows the operation of more extensive services to apply for a compulsory amendment if they are not able (for whatever reason) to reach agreement with the facility owner.

If it is the facility owner, Network Rail will carry out a pre-application consultation. In this case fill in this form up to section 7.3. You should fill in the rest of the form after the consultation and before applying to ORR. If you are unhappy with the facility owner carrying out the consultation, you should ask ORR to do so. If this is the case, you should complete this form in full before submitting it to us.

The form sets out ORR's standard information requirements for considering applications. It cross-refers throughout to our [criteria and procedures](#) (C&Ps). The C&Ps explain the process, timings and the issues we will expect to consider. You should use the published [model passenger track access contract](#) as your starting point when drafting the contract or amendments you want. Please read the C&Ps and the Code of Practice before applying.

We are happy to talk to you before you apply. Please contact us [here](#).

You can download a copy of this form, and of ORR's model track access contract, from the ORR website: www.orr.gov.uk

2. The application

2.1 Title of proposed contract or supplemental agreement (please also include the section of the Railways Act 1993 under which you are applying):

Grand Union Trains (WCML)

2.2 Contact details (Company and named individual for queries):

<u>Facility Owner</u>	<u>Beneficiary</u>
Company: Network Rail	Company: Grand Union Trains
Contact individual:	Contact individual:
Job title:	Job title:
Address:	Address:
Telephone number:	Telephone number:
Fax number:	Fax number:
E-mail address:	E-mail address:

2.3 Licence and railway safety certificate: please state whether you intend to operate the services yourself or have them operated on your behalf.

Does the proposed operator of the services (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and** (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006. If the answer to (a) **or** (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

C&Ps paras 3.9-3.15

Grand Union does not currently hold a valid train operating licence or safety certificate but will be working towards both during the application process.

3. The proposed contract or amendment

3.1 Executive summary: please provide an executive summary of the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely, and fully highlight the changes from the previous version of the contract (in the case of an amendment). **C&Ps para 3.22-3.28**

Please also explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate). **C&Ps paras 4.9-4.11**

Please also state the commencement and end dates for the proposal, and for new agreements or extensions to existing agreements, provide justification for the proposed length of the application, with

reference to the [Railways Infrastructure \(Access and Management\) Regulations 2005](#). If you are a franchised operator, please state the expiry date of your franchise. **C&Ps paras 4.72-4.79**

Grand Union is proposing a 'classic' open access service linking towns which have no, or limited, long distance services into the wider rail network as far as London. It provides greatly improved connectivity as well as competitive services for some station pairs on the West Coast Main Line

Four trains per day are planned to operate between Stirling and London Euston via the Scottish Central route which avoids both Edinburgh and Glasgow with intermediate calls at Larbert, Greenfaulds, Whifflet, Motherwell, Lockerbie in Scotland and Carlisle, Preston, Crewe, Nuneaton and Milton Keynes in England.

Grand Union intend to work with the appropriate local authorities and ScotRail to discuss investment at Larbert, Greenfaulds, Whifflet and Lockerbie to upgrade the stations and improve passenger and staff facilities to a standard appropriate for use by Intercity trains, but which will also benefit local passengers. We are also in discussions with Transport Scotland, ScotRail and local authorities regarding potential further investment.

Grand Union is initially seeking a 10 year track access contract to reflect the remaining life of the train fleet and infrastructure investment. Significant announced delays to HS2 means longer contracts can now be considered. We will reappraise the operation once Transport Scotland has more fully revealed its future electrification plans and the timescale for network upgrades has become clearer

Date of commencement: December 2021

End date: December 2031

3.2 Terms not agreed with the facility owner (for applications under sections 17 or 22A only): please set out here any areas of the application which have **not** been agreed, the reasons for the failure to agree and the reasons for seeking these provisions. **C&Ps para 3.102**

Grand Union has engaged at the earliest opportunity with the Freight and National Operators (FNPO) team who manage the relationship with aspirant Open Access Operators on behalf of Network Rail. FNPO is fully supportive of the principle of this application and is working closely with us to develop our proposition and identify where specific analysis or modelling may be necessary.

Due to the requirements of the Economic Equilibrium Test for a Track Access Contract (TAC) submission to be made when new rights are sought and no TAC is in place, this section 17 application reflects the fact that other than 'in principle', agreement on specific areas of this application have not been able to be sought due to the limited time timescales.

3.3 Departures from ORR's model passenger track access contract: please set out and explain here any:

- areas where the drafting of the application changes ORR's published template passenger track access contract (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made. **C&Ps paras 2.34-2.37**
- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model

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passenger track access contract, including the financial implications (e.g. establishment of an access charge supplement or rebate). **C&Ps paras 5.1-5.44**

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete. **C&Ps paras 6.2-6.3**

Grand Union is an open access passenger operator and is not expecting to change the model passenger (open access) contract.

4. The expression of access rights and the use of capacity

4.1 Benefits: please set out what specific benefits the proposal will achieve, including a justification for requiring the rights and their characteristics. Please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please also describe any significant changes in the pattern of services, their benefits to passengers and any impact on other operators, including freight operators. Where appropriate, please provide a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application. **C&Ps paras 4.26-4.35**

Since the privatisation of the West Coast Main Line (WCML) in March 1997, there has been no on-track competition over the full length of the route, nor indeed any concluded competition 'for the market' until this summer (2019). Following the award of the West Coast Partnership, the CMA has instigated a Phase 1 investigation due to the lack of competition on a number of routes from Preston northwards, as First Group companies will have a monopoly on a number of flows. This proposal addresses some (but not all) of those issues.

The Scottish services were initially the poor relation of the Virgin operation and for some time Glasgow, with a two hourly frequency service was less frequent than Chester or Liverpool. This has changed with Glasgow now receiving an hourly service, but the one-time headline 4 hours 9 minutes timing of the 16 30 from Euston has been down-graded to the standard times of around 4 hours 30 minutes, with 5 or 6 calls in the Northwest of England.

Virgin has failed to serve Motherwell and it is only with the advent of the TPE calls that services from this important station have started to return to their previous status – although it is noted that the West Coast Partnership intends to call at Motherwell from December 2022.

On the East Coast Main Line there has been a steady increase in services between London and Edinburgh but apart from one token additional service to and from Stirling at the start and end of the day, no attempt has been made to provide more direct services beyond Edinburgh – apparently relying on interchange at the increasingly crowded Waverley station which can include the need to negotiate two sets of ticket barriers.

Grand Union is therefore proposing a new service between Stirling and London Euston making use of the Scottish Central line which avoids both Glasgow and Edinburgh. Cascaded Class 91 and Mk4 sets

from the East Coast Main Line will be used. Services are planned to operate every 3 to 4 hours with the first up train leaving at about 0530 and the first down train leaving around 0835. Last up train would be around 1635 and last down train around 16 38. Services would operate 7 days a week with a slightly reduced service on Sunday mornings.

These trains will offer a high quality specification travelling environment with excellent legroom and sufficient luggage space for the long distance journeys that will be made, appropriate on-board catering facilities for the long distance and high value journeys, including a fixed buffet and a kitchen and will also have space for a number of bicycles and for light freight.

As has been proved on the ECML - where open access services will soon operate at more than one an hour - when new and additional services are introduced there is a significant increase in passenger numbers and satisfaction, as competitive pressures, which bring improved connectivity, varying passenger offers and price competition, start to take effect.

The Grand Union proposal is designed to offer the considerable population of over 1 million people in Scotland directly served by the new service a whole new dimension in their travel option with extra trains and greatly improved connectivity. The provision of through services to and from the Scottish stations which will be served will transform the connectivity of a whole range of significant towns and enable direct journeys, as opposed to enforced travel through the congested hubs of Edinburgh and Glasgow. The elimination of the need to make connections through Edinburgh or Glasgow will result in shorter journey times and avoid the need to change trains, possibly between the two stations in Glasgow. This, and a comfortable seat are a key part of our offer to encourage passengers to make use of the direct trains

It will reflect the changing nature of the post-industrial towns in Lanarkshire with their new populations of mobile people at the heart of the developing central belt economy based around Edinburgh and Glasgow.

The call at Lockerbie, which compliments the call at Carlisle, opens up direct travel from a massive south of Scotland hinterland. In England the connectivity and journey time improvements that arise from the interlinking of critical connectional points with each other and with Scotland provide for a wide range of new journeys, with Nuneaton offering new travel opportunities especially from Leicester and Peterborough as well as more locally in the West Midlands, building on upgrades to local and Inter-Regional services. The call at Milton Keynes will be ready for the connectional benefits of East-West Rail as well as offering fast long-distance travel opportunities to the fast growing South Midlands region.

Grand Union will offer significant further passenger benefits. These will include high quality seating, excellent leg room, more luggage space, a fixed buffet with kitchen providing a range of catering, and flexible ticket options for passengers, (e.g. no need to purchase before boarding, and passengers can use railcards when purchasing tickets on the train).

Grand Union will also make a seat part of the price for the ticket, so for journeys in excess of 30 minutes, any passenger who is unable to be provided with a seat will receive a 50% refund on their ticket, or, if paying on the train, will pay 50% of the advertised fare.

The new service will provide significant space for carrying bicycles, which is particularly critical for the Scottish tourist market and will compensate for the loss of cycle space on the new LNER operated Azuma services.

Grand Union will also use the space within the DVT to carry freight items and is working alongside partners at Intercity Railfreight on the logistics of this important initiative. This service will link the major logistics areas around Daventry with those in the Scottish Central Belt. This will also include refrigerated space for movement of urgent NHS biological materials.

Each station has been chosen because of the benefits and opportunities that it brings. This calling pattern has been designed to provide a major increase in connectivity for the rapidly changing towns between Edinburgh and Glasgow that are on and around the Scottish Central corridor

Starting at Stirling we offer a step change in the link to Scotland's smallest city, which is a growing administrative and academic centre and now the subject of the City Deal. The new ScotRail services developing post electrification provide excellent connectivity to the main lines to Aberdeen and Inverness. Stirling also offers excellent road links across the whole of the north of Scotland and the Highlands. It is our intention to work with smaller tour operators to build the Scottish tourism market outside Edinburgh.

The calls at Greenfaulds, Whifflet and Motherwell will improve connectivity for these communities and the whole of the surrounding area which represents the eastern extent of "Greater Glasgow". This area is the furthest from the two central Scottish airports of Edinburgh and Glasgow and the proposed service will greatly enhance rail connectivity and improve rail competitiveness against air for these communities, with corresponding CO2 benefits.

These calls have been designed to link into the developing road networks, provide car parking options and also to connect into the very considerable local ScotRail electric network which has developed between Edinburgh and Glasgow in the past two years.

They also follow the busy line of the M80, M73 and then M74 to the Border. A new direct service should prove attractive to car users along this corridor so also make a further significant reduction in CO2 emissions.

The Lockerbie call provides a stronger link for a massive rural area stretching to the west coast some 80 miles away to the west and into the southern Borders to the east, with the call at Carlisle complimenting this as well as serving the north of Cumbria. These two stations are in the area covered by the Borderlands Growth Deal.

Preston and Crewe are critical interchange points offering a wide range of links to Manchester, Liverpool, Birmingham, Wales and the East Midlands. Preston and/or Crewe are potentially the operational base at the south end of the route.

Nuneaton offers new links to the northwest and Scotland from Leicester, Peterborough and Cambridge as well as Coventry and Leamington, with Milton Keynes serving the growing South Midlands region as well as offering new connectional links when East-West Rail opens

Grand Union will base its operation in Scotland but will need a central base, possibly at Preston/Crewe from which the English part of the route will be managed. We are proposing to have our trains maintained in Scotland. As there will be a significant surplus of class 91s and Mk4 coaches it is planned to operate initial services with more trains than would normally be the case – in effect keeping the trains in lighter use (rather than store) to keep them operational so that they are available for other potential uses. The current expectation is that 5 train sets will be available to cover 3 diagrams.

As a consequence of this spare capacity, Grand Union is hoping to utilise downtime on depots by having its trains maintained during the day, rather than at night. This offers significant work for the chosen train maintainer at times of otherwise low use and makes more efficient use of depot capital equipment.

This will also enable Grand Union to have significant quantity of high quality, high speed rolling stock to support the many major events that occur in Scotland, for example rugby internationals and the Edinburgh Festival. Franchise operators will then be able to concentrate on core services without the need to reduce services elsewhere to provide passenger carrying capacity during major events.

Over 100 new and permanent full-time posts are expected to be created by the operation of this new service, which will bring further benefits to the local supply chains, in terms of maintenance, servicing and provision of catering supplies and support.

4.2 Adequacy: please set out how you have satisfied yourself that there is enough network capacity for the services in the proposal. Please also set out whether there are any implications for overall network performance and the facility owner's maintenance and renewal activities. **C&Ps paras 4.12-4.45**

Grand Union is confident that any Train Service Specification issued for future franchises would be defined in terms of known capacity, incorporate relevant enhancement schemes and capability of the route and without any expectation of firm rights being granted.

We do not envisage operating at times that will impinge on the facility owner's time for maintenance and renewal activity.

s4.3 Flexing rights: please provide a general description of the extent of any limitations on the facility owner's flexing rights in the proposal. Please provide the rationale for the extent of any limitation on the flex provided, including any changes to pre-existing services, and the extent to which the provisions have been agreed with the facility owner. **C&Ps paras 2.27-2.33**

Grand Union is not expecting a perfect 'clockface' timetable, as is attempted by other train operators on the West Coast Main Line but is willing to fit into the pattern of services and sit alongside the clockface timetable being developed for others. By operating a limited stop service it is anticipated that the paths will be able to be integrated with other non-tilt paths, so Grand Union will provide Network Rail with new options in relation to 'flighting' of trains - a process which has been demonstrated to be an efficient and effective use of capacity and regulation for many years for High Speed Eurostar services on HS1.

4.4 Journey time protection: please describe whether the proposed contract gives journey time protection to any services (by establishing maximum journey times, fastest key journey times or maximum key journey times), and explain the reasons for this, with reference to ORR's criteria. **C&Ps paras 8.90-8.103**

Grand Union intends to provide a competitive, direct, high quality Intercity train service for a number of relatively poorly served (or not served at all by cross Border trains) stations in Scotland. The key markets are going to be air over the longer distances (London and the Midlands) and car for travel to the Northwest from Scotland, so as short as possible journey times are an important part of securing modal shift.

Competitive journey times have proved an important factor in persuading people out of higher carbon emitting aircraft and out of their cars. The latter is a significant travel mode to Northwest England from this area. Shorter journey times will also encourage new discretionary travel to build the Scottish tourist business, especially short stay, but sustainably. This is in line with the UK & Scottish net zero targets and Scottish Government's Climate Emergency

However along the length of the West Coast Main Line there will be a need to maintain journey times as far as is possible in line with the existing Virgin/WCP trains to make best use of the capacity as well as secure the required competitive journey times to attract passengers from the dominant mode - air - so we will be seeking to minimise unnecessary pathing time from the timetable.

Grand Union will be requesting that Network Rail assess the opportunities to raise non-tilt speeds along the length of the south end of the route as has happened at the north end for TPE's new Nova 2 class 397 trains for their Manchester Airport/Liverpool to/from Edinburgh/Glasgow services. As well as reducing journey times this would also ease pathing constraints at the south end of the route, effectively providing more useable capacity for all operators.

This will also be required for the new West Coast Partnership trains which will be non-tilt and will have to be delivered for the timetable change in December 2022, only 18 months after the proposed start of operations of the Grand Union Trains service to Stirling.

So Grand Union will look to discuss with Network Rail rights that may offer a degree of journey time protection. We are aware of Network Rail's view that additional characteristics beyond quantum may restrict the flexibility available to them in constructing the timetable and fully intend to work closely with them on this matter and provide the justification for these additional characteristics where necessary, and support the request by a demonstrable need.

4.5 Specified equipment: please give full details of any changes to specified equipment (rolling stock), including timescales, and how much of the vehicle and route acceptance procedure in the Network Code (Part F) has been completed. Please explain whether you have, or will have, the rolling stock necessary to exercise the rights being sought. **C&Ps paras 8.87-8.90**

Grand Union will be using Class 91 locomotives, up to 9 Mark 4 coaches and a Driving Van Trailer on each of its trains. These trains are currently operating on the East Coast Main Line.

The trains will be available for crew and route training, ramping up from the autumn of 2020 to a service start in May 2021. The first sets are already being released from the ECML. It is highly desirable for maintaining quality and reliability that trains are kept in operation, rather than stored out of use. As a result, starting to use the trains in autumn 2020 for a December 2021 service start is vital to ensure reliable operation.

Colleagues at Eversholt Rail are currently working through the route availability for their operation on the WCML.

4.6 Franchise obligations: please explain whether the proposed services are necessary to fulfil obligations under a franchise or concession agreement. **C&Ps paras 4.3-4.4**

N/A

4.7 Public funding: please state whether (and if so to what extent) the proposed services are subject to financial support from central or local government (other than the Department for Transport or Transport Scotland), including Passenger Transport Executives. Please also provide a point of contact at that body. **C&Ps paras 3.52, 4.25, 4.35-4.39**

N/A

4.8 Passenger Focus and, where applicable, London TravelWatch: please state whether (and if so to what extent) the proposed services have been discussed with these bodies. Please also provide copies of any relevant correspondence. **C&Ps para 4.39**

Early positive discussions have taken place with Passenger Focus, which we will expand on as we further develop.

4.9 Route utilisation strategies (RUSs): if applicable, please state which RUSs (including the Freight RUS) are considered relevant to this application and whether the proposed rights are consistent with that RUS. If the proposed rights are not consistent, please explain the reasons for this. **C&Ps paras 4.5-4.8**

The Scotland Route study of 2015/16 is most relevant. This includes a conditional output (GC029) for a Stirling to Carlisle inter-urban hourly frequency service suggested for the long term (2043), which is partly provided by this Grand Union service and exceeded in the context of greater connectivity

The rights proposed are consistent with the contents of the RUS and also with the output from the Long Distance Market Study.

5. Incentives

5.1 Train operator performance: please describe any planned projects associated with the operation of the proposed services aimed at improving your performance. **C&Ps paras 4.26-4.36**

The Class 91 is a reliable electric train and has seen significant investment in reliability modifications during its time in operation on the ECML. Grand Union is also discussing with Eversholt Rail further improvements, e.g. on-train condition monitoring.

Grand Union will have a significant fleet for its initial operation, so enabling step up/step down of sets in the event of perturbation or failure (See 4.1).

5.2 Facility owner performance: please describe any planned projects associated with the operation of the proposed services aimed at improving the facility owner's own performance. **C&Ps paras 4.26-4.36, 5.1**

N/A

5.3 Monitoring of services: would all proposed services be monitored for performance throughout their journeys, consistent with our policy in paragraph 5.50 of the criteria and procedures? If not, please state the reasons for this is in line with the permissible circumstances described in paragraph 5.51 of the criteria and procedures. **C&Ps paras 5.50-5.56**

All services will be monitored. We will be aiming for high performance in line with our wider Intercity service values so we plan to monitor performance of both our trains and the wider route, which should help deliver better performance for all operators. As a small operator, we intend to create a complete team that links between drivers, on train staff and the controller/performance managers as we look to develop a good understanding of any delays and manage the appropriate actions. We believe that this will benefit not just our train services, but the wider network.

5.4 Performance regime changes (for applications under sections 17 or 22A only): where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed. **C&Ps para 5.38-5.40**

N/A

6. Enhancement

6.1 Enhancement details: where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework). **C&Ps paras 4.80**

The electrification of the route through to Stirling was completed in 2018 which then enables Grand Union's trains to make use of the improved infrastructure, which will be an addition to the original Business Case for its investment.

Planned enhancement schemes (mostly around stations and depots/stabling) are at an early stage of discussion with Transport Scotland, ScotRail, Regional Transport Partnerships and local authorities, and details will be provided to the ORR as they become available.

6.2 Enhancement charges: please confirm that the arrangements for the funding of any network enhancements are consistent with ORR's [Policy Framework for Investments](#), and summarise the level and duration of payments, and the assumed rate of return (see chapter 3 of the Conclusions document). **C&Ps paras 5.6, 5.12-5.14**

Any funding for enhancements will be in line with the ORR's Policy Framework.

7. Other

7.1 Associated applications to ORR: please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). **C&Ps paras 3.18-3.19**

Grand Union will be making further applications in relation to station and depot access.

7.2 Supporting information, side letters and collateral agreements: please:

- state here any relevant information in support of the proposal, including a list and explanation of any other material being submitted (and supply copies with the application). **C&Ps para 4.33**
- confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it. **C&Ps paras 6.12-6.16, 6.21**

The Scottish Government through Transport Scotland is supportive of this application
Local authorities along the route in Scotland are also fully supportive of the new connectivity opportunities that result from this new service.

7.3 Confidentiality exclusions: please list any parts of your application which you have excluded on the grounds of confidentiality, from the version of the proposed contract sent to consultees for any pre-application consultation process, and provide reasons. If there has been no pre-application consultation, you should state any parts of the application and proposed contract you want us to exclude from publication. **C&Ps paras 3.29-3.34**

Nothing in this Form P. Any supplied documents will indicate areas of confidentiality.

Note: Where a pre-application consultation is to be undertaken in line with the Code of Practice, the remainder of this application should not be completed until after that consultation has been completed

8. Pre-application consultation

8.1 The consultation: has a pre-application consultation been carried out in line with the Code of Practice? If yes, please:

- state who conducted the consultation;
- list all train operators, franchising authorities and any other parties that were consulted, stating which parties responded and attach their responses and any associated documentation to this form; and
- state the period allowed for the consultation. If this was less than 28 days, please explain the reasons for this.

If a pre-application consultation has not been carried out, please explain the reasons and whether any informal discussions have been held with any third parties who might be affected by this application and the nature of any concerns which they raised. **C&Ps paras 3.62**

Network Rail will undertake the pre-application consultation.

8.2 Resolved issues: please set out any issues raised by consultees which have been satisfactorily resolved. You may wish to refer to responses attached to this form. Please explain any changes as a result of the consultation.

8.3 Unresolved issues: please set out any issues raised by consultees which have ***not*** been satisfactorily resolved, including any correspondence with that consultee. You may wish to refer to responses attached to this form. Please explain why you think these issues should not stop ORR approving the application.

9. Certification

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*Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution **C&Ps para 3.40***

In the case of agreed applications under section 18 or 22, Network Rail should fill in the required information in the box below. For disputed applications under section 17 or 22A, the applicant should fill in the required information.

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed Date

Name (in caps) Job title

For (company)

10. Submission

10.1 What to send: please supply, in hard copy, the signed application form, one copy of the proposed contract or amendment, with copies of any documents incorporated by reference (other than established standard industry codes or other documents) and any other attachments, supporting documents or information. **C&Ps para 3.39**

Please also supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form, by e-mail or on disc, **in plain Microsoft Word format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting). **C&Ps para 3.37-3.38**

10.2 Where to send it:

Manager, Track Access Team
Directorate of Railway Markets and Economics
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