

Annette, many thanks for this short consultation.

As you note, there has been some considerable progress and change since your work first commenced, and there are still some areas outstanding. I recognise the desire for completion or closure of the outstanding actions, and the ORR's ongoing role as an appeals body is noted.

However, we are presently in rather a fluid situation.

- The implications of Mountfield 13 are untested, and, whilst we expect they will be positive, will change the nature of relationships for some parties. Also, the final Mountfield deal was for a smaller number of sites than originally anticipated, so some of the sites remain under FOC freehold.
- Network Rail are proposing during 2015 to undertake a freight reform review of land sites, both those acquired under Mountfield and those held under the SFS list. This should be positive but again may lead to change.
- The implications of the Recast are not presently wholly clear absent any consultation from DfT and, in due course, any guidance note from ORR.

Given these uncertainties, it is difficult to conclude that the remaining actions are unnecessary, yet it is also difficult to see how some of them can be successfully achieved without at least sight of the Recast. I therefore wonder whether it is possible for you to place the outstanding actions on hold for a further period until some of this becomes rather clearer during 2015?

With thanks and regards,

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