

APPENDIX 1 - TIMELINE AND COPY OF CORRESPONDENCE

TIMELINE

- 26/2/14 Freightliner received an email request from X of DBS requesting a discussion with X of FL.
- 20/3/14 Following phone discussion between X and X, X emailed X stating that "by moving the short train to Millbrook potentially that might create the space we need over here for a longer train" and requesting an indicative price.
- 3/4/14 X emailed a quotation for access at Millbrook terminal. This email also advised that if FL could obtain access at Eastleigh yard, which had been previously denied, further slots at Millbrook could be freed up.
- 6/6/14 X of DBS rang X of FL regarding access at Southampton
- 9/6/14 Email from X to X requesting access at Southampton Maritime
- 9/7/14 Email from X to X copying correspondence and quotation for access to Southampton Millbrook of 3/4/14
- 11/7/14 Email from X to X requesting information regarding access to Maritime specifically.
- 14/7/14 Email from X to X explaining that various options with regard to both sites had been discussed between X and X and the quotation of 3/4/14 was the outcome of this discussion. Also requesting clarification of who in DBS is responsible for access requests to avoid confusion and duplication going forward.

No further dialogue or correspondence until appeal received via the ORR on 14/1/15

From: ✂
Sent: 14 July 2014 16:54
To: ✂
Subject: RE: Access Request - Southampton Maritime

Good afternoon ✂,
The documented offer of access at Millbrook was made following a request made by ✂ to ✂ for access at Southampton rather than for one specific site. ✂ visited ✂ at Southampton Millbrook and discussed numerous options with regarding accommodating DB Schenker services at both sites. ✂ written response confirms outcome of this discussion for both sites.
Can you confirm who within DBS is responsible for these requests so we avoid similar confusion / duplication going forward?
Thanks and regards
✂

From: ✂
Sent: 11 July 2014 11:45
To: ✂
Subject: RE: Access Request - Southampton Maritime

Dear ✂

Thank you for your response to DB Schenker's enquiry regarding access to Southampton Maritime FLT. I note the previous exchange between ✂ and ✂ related to an offer of an access slot at Millbrook. I should be grateful if you could confirm the availability of access slots at Maritime.

Kind regards

✂ ✂

Industry Contracts Manager

DB Schenker Rail (UK) Ltd
c/o Westbury Down Yard Offices
Station Approach
Westbury
BA13 4HP

(t): ✂
(m): ✂
(e): ✂
(w): www.rail.dbschenker.co.uk

 **DB SCHENKER**

From: ✂
Sent: 09 July 2014 15:53
To: ✂
Subject: RE: Access Request - Southampton Maritime

Good afternoon ✂,
I attach copy of correspondence dated 3rd April between ✂ and ✂ regarding this matter.
Regards

✂



General Manager Commercial - South East Ports
Freightliner Limited

Tel: ✂

Fax: ✂

Mobile: ✂

Email: ✂

Web: www.freightliner.co.uk

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From: ✂

Sent: 01 July 2014 12:17

To: ✂

Subject: Access Request - Southampton Maritime

Dear ✂

You may recall our conversation on Friday 6th June which I followed up by e-mail on Monday 9th, attaching a formal request for access to Southampton Maritime (appended hereto). Are you yet in a position to respond to this request?



Industry Contracts Manager

DB Schenker Rail (UK) Ltd
c/o Westbury Down Yard Offices
Station Approach
Westbury
BA13 4HP

(t): ✂

(m): ✂

(e): ✂

(w): www.rail.dbschenker.co.uk



✂

Freightliner Limited
Rail Container Terminal
Tilbury Docks
Tilbury
Essex RM18 7EH

DB Schenker Rail (UK) Limited

Commercial Access Planning
c/o Traincrew Offices
Station Approach
Westbury
BA13 4HP

✂

Industry Contracts Manager

Tel.: ✂

Mobile: ✂

✂

Date : 9th June 2014
Ref. : FA Soton 14001 - a.doc

Dear ✂

RAIL ACCESS REQUEST – SOUTHAMPTON MARITIME TERMINAL

Confirming our telephone conversation of Friday morning, DB Schenker Rail (UK) Limited ("DB Schenker") hereby formally requests rail access to and container handling services at, the Southampton Maritime Freightliner terminal. This request is made pursuant to the Railways Infrastructure (Access and Management) Regulations 2005 and in accordance with the Rail Freight Industry Code of Practice for rail access.

The details of the access and services requested by DB Schenker are as follows:

1. Train Service Details

- **Wakefield:** Desired terminal times:12:43 to 16:40 SX (Headcodes: Inward 4B53 MO / 4O52 MSX, Outward 4E70)
- **Trafford Park:** Desired terminal times:17:13 to 21:30 SX (Headcodes: Inward 4O21, Outward 4M78)
- **B.I.F.T.:** Desired terminal times:22:28 SX to 02:39 MSX, 02:52 SO (Headcodes: Inward 4O76, Outward 4M69)

The above trains currently have validated Train Slots agreed with Network Rail to or from (as appropriate) the boundary with Associated British Ports Western Docks rail entrance at Millbrook.

All trains will convey intermodal wagons of types FKA, FXA and KFA, although other types may be used occasionally, up to a maximum of 31 platforms. Assumed length would be 613 metres trailing, with a trailing weight of 1600 tonnes. The services will be operated in each case by a single Class 66 locomotive.

2. Operational Services

- Train arrival and departure examinations (in accordance with Rule Book requirements).
- Groundstaff to detach locomotive from inward services and attach locomotive to outward services.

- Shunting out crippled wagons and attaching repaired / replacement vehicles if necessary. No further shunting is required unless to comply with terminal operation requirements.
- Stabling of crippled wagons and corresponding good-order wagons if necessary.

3. Terminal Services

- Offloading and loading of ISO containers between train and road trailers, and vice versa.
- Short-term storage of containers as required by unavoidable disruption.
- Unit inspection, including examination of seals.
- Submission of train release documentation to DB Schenker, plus arrival / departure times and train loading details for TOPS purposes.

Please note that DB Schenker is willing to consider alternative terminal slots or other solutions which would enable these services to fit around existing commitments at the Terminal. Subject to any necessary staff familiarisation with the Terminal operation, DB Schenker would like to commence operation of these train services as soon as is reasonably practicable.

Please let me know if you require any further information at this stage, otherwise I look forward to receiving your reply within the 10 Working Day timescale specified in section E2 of the Rail Freight Industry Code of Practice for rail access.

Yours sincerely,

✂

✂

Industry Contract Manager

From: ✂
Sent: 03 April 2014 10:09
To: ✂
Subject: Millbrook

Sorry ✂, now with attachment

✂,

Please find attached summary of what we can provide in terms of access at Southampton. You will notice that I have only offered one time slot. As discussed with you when you last visited, we actually have 3 time slots at Millbrook. However, since that meeting I understand that D.B.S. have denied us access at Eastleigh for one of our departing trains. This will mean us having to use the spare capacity at Millbrook to stable wagons. If however, you could convince your colleagues to grant our access, this would free up the other slots advised earlier, if of course, they provide a better solution to you.

Look forward to hearing from you

✂

Facility Access Request

Site: Freightliner Terminal, Millbrook Point Road, Millbrook, Southampton SO15 0AB

Access request by: D.B. Schenker Rail Logistics Ltd

Following your request for access received on the 20th March 2014, I am pleased to confirm that access can be granted at the above mentioned site.

Timings

Option 1: 0300 - 0600 Tuesday to Saturday
Access can only be provided between these times.

Maximum Train length

16 x 60ft wagons or equivalent

Price

Fixed price per round trip train to include access and lifts between rail wagon and road trailer and vice versa.

£740 per train per day based on 5 days per week.

Train management to be performed by the applicant.

Operational Requirements

Services cannot arrive at the site prior to their booked arrival time and must depart on time

Containers to be lifted to/from rail wagons must be done direct to/from road trailers as no storage can be provided

Freightliner will provide crane lifts of up to 10 per hour

Next Steps

Please confirm acceptance of the above and preferred date of commencement

Please confirm the period of time for which access is required.

Additional Options

Train management (arrival and pre-departure exam, shunting, TOPS reporting and brake test) £375

Prices for shunts to/from the Port are available on request

Commercial Director
Freightliner Limited

-----Original Message-----

From: ✂
Sent: 20 March 2014 15:59
To: ✂
Cc: ✂
Subject: RE: Millbrook

Afternoon ✂

Thanks your time the other day and for assistance on Millbrook.

As we discussed the single available road is not really of a 'commercial' length but as you know we do three short trains each week at berth 109.

By moving the short train to Millbrook potentially that might create the space we need over here for a longer train

Therefore if you could please indicate an indicative price for receiving and loading to train and the reverse for exports we would be pleased to consider this and any other points you feel we should be aware of , plus a validity .

MANY THANKS

✂

✂
Head of Customer Service
DB Schenker Rail Logistics
Mobile ✂

-----Original Message-----
From: ✂
Sent: 26 February 2014 19:35
To: ✂
Subject: Re: Millbrook

✂

Just free from meetings. Ok for a call anytime tomorrow on my mobile or send me some dial up details if you want to do conference

✂

=====
Sent using Freightliner Mobile Services
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----- Original Message -----

From: ✂
Sent: Wednesday, February 26, 2014 03:56 PM GMT Standard Time
To: ✂
Subject: RE: Millbrook

✂in old money a ✂or more recently ✂his title is head of intermodal services and if we could call you id I send you a number say 0830 tomorrow would that be ok please, Rgds ✂

✂
Head of Customer Service
DB Schenker Rail Logistics
Mobile ✂

-----Original Message-----

From: ✂
Sent: 26 February 2014 09:44
To: ✂
Subject: RE: Millbrook

✂, What is ✂role?

✂
-----Original Message-----

From: ✂
Sent: 26 February 2014 08:49
To: ✂
Subject: Re: Millbrook

Ok no worries I will try to get a time tmrw early morning thanks

----- Original Message -----

From: ✂
Sent: Wednesday, February 26, 2014 08:40 AM GMT Standard Time
To: ✂
Subject: RE: Millbrook

✂,

I'm in meetings all day today with clients. Can do tomorrow.

✂

-----Original Message-----

From: ✂
Sent: 26 February 2014 08:38
To: ✂
Subject: Millbrook

Morning ✂I'm ok for Tuesday but my colleague , ✂, would like to have a 5 mins call today with you if at all poss.as I'm with him later we could call you at a convenient time for you,please let me knoe Thanks ✂