**Standard Form M**

DATE

REF

To: see distribution list

Email: cvltrackaccess@amey.co.uk

Dear colleague,

**Seilwaith Amey Cymru /Amey Infrastructure Wales Ltd (AIW) rejection of proposed G3 CVL Network Change:**

**[Location]**

**[Nature of Change]**

With reference to the CVL Network Change notice issued by AIW on behalf of [insert Sponsor name] on [insert date] in relation to the proposed scheme to [insert nature of change and location], this letter constitutes AIW ’s formal response under Condition G4 of the CVL Network Code.

In light of AIW’s own assessment of the proposed CVL Network Change and the feedback received from those operators of railway assets consulted during the formal consultation, AIW considers that the proposed CVL Network Change satisfies the condition outlined in [delete those options not applicable and retain the applicable response(s)]

* Condition G4.1.1(a)(i) in that it would necessarily result in AIW breaching an access contract with another train operator. As such AIW objects formally to the change being made;
* Condition G4.1.1(a)(ii) in that [insert Sponsor name] has failed in a material respect to comply with its obligations under G3.1 (despite being given a reasonable opportunity to remedy that failure). As such AIW objects formally to the change being made;
* Condition G4.1.1(a)(iii) in that, if implemented, it would result in a material adverse effect on the maintenance or operation of the Network or of any train on the Network which cannot adequately be compensated for under Condition G4. As such AIW objects formally to the change being made;
* Condition G4.1.1(a)(iv) in that the proposed change does not adequately take account of the reasonable expectations of AIW [and/or] [insert name of Train Operator(s)] as to the future use of this part of the Network. As such AIW objects formally to the change being made.

The reasons for the above response are as follows:

[insert reasons for the response from both AIW and other affected operators as appropriate]

[insert any additional comments relevant to taking this proposal forward e.g. probability of AIW / other Train Operators accepting the scheme if certain changes are made etc.]

[If AIW has, by way of completing this form, rejected the CVL Network Change either on its own behalf and/or on behalf of a Train Operator, and a rejecting party wishes to reserve the right to claim compensation for the change under G4.1.1(c) or G4.1.1(d) if it goes ahead, the following wording should be used:]

[Notwithstanding [AIW’s] [and/or] [insert Train Operator’s/Train Operators’ name(s)] rejection of this CVL Network Change proposal outlined above, [AIW [ [and/or] [insert operator name(s)] believe(s) it/they should be entitled to compensation should the change go ahead. Such compensation would be due [in accordance with the compensation terms proposed under Condition G3] *[or]* [on terms other than those proposed (if any) under Condition G3]. AIW will provide a formal response to [insert Sponsor’s name] under Conditions G4.1.1(c), G4.1.1(d) and G4.1.2 once the rejection(s) under G4.1.1(a) or (b) have been resolved.].]

Yours faithfully,

**Sender’s name**