

15 December 2023



Network Rail  
Freedom of Information  
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**By email only**

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**Your reference**  
202300263

**Our reference**  
SFIT/1001174320

**Attention:** Jonathan Mantle (FOI Manager)

Dear Sirs,

**FOIA request - Old Oak Common Lineside Logistics Compound – Reference Number 202300263**

We refer to our letter of 11 December 2023, which responds to your letter of 4 December 2023, and in turn responds to our email dated 3 November 2023.

In our letter of 11 December 2023 we noted the inconsistent reasons given by Network Rail for failing to provide the requested information and its delay and obfuscation over the last 12 months in responding to our requests for the requested information.

We also noted that the requested information is central to the consideration of Network Rail's proposed TWAO entitled: The Network Rail (Old Oak Common Great Western Mainline Track Access) Order 202[ ], and that the information is required by the Inspector and Secretary of State to make a properly informed and lawful decision on the order sought. We noted that you considered the information potentially prejudicial to Network Rail's case.

We asked for the information to be provided urgently. We note that the information has still not be provided and that we have not heard from you at all in response to our letter of 11 December 2023.

We have repeatedly stated that BPL reserves its right to seek an order for disclosure from the Inspector should Network Rail fail to provide the information requested. We note that there is a case management conference before the Inspector on Monday 18 December 2023. We have provided the Inspector with copies of all of the correspondence referred to in the first paragraph of this letter. Since we have not heard from you we will be raising this matter with the Inspector and putting a marker down that we will be applying for an order unless you provide the requested information.

You have 14 days to respond, namely by 29 December 2023. We look forward to hearing from you.

Yours faithfully

A handwritten signature in blue ink that reads "Norton Rose Fulbright LLP".

**Norton Rose Fulbright LLP**