

Consent to certain actions for the purposes of the Interim Order made by the Competition and Markets Authority (CMA) on 1 July 2016

Completed acquisition by Arriva Rail North Limited (Arriva) of the Northern Rail Franchise

We refer to your emails of 5 October 2016 requesting that the CMA consents to derogations to the Interim Order of 1 July 2016 (the '**Interim Order**'). The Interim Order was varied on 6 October 2016, but remains otherwise in force as varied. The terms defined in the Interim Order have the same meaning in this letter.

Under the Interim Order, save for written consent by the CMA, provision was made that Arriva will hold separate the Northern Franchise Business from any Arriva Business and refrain from taking any action which might prejudice the Reference or impede the taking of any remedial action following such a Reference.

After due consideration based on the information received from Arriva and in the particular circumstances of this case, Arriva may carry out the following actions, in respect of the specific paragraphs:

Derogation from paragraph 5(g)(ii) of the Interim Order: Changes in nature, description, range and/or quality of services provided by Northern Franchise Business/Arriva

By email dated 5 October 2016, Arriva requested permission to adjust the route for its Arriva [✂] bus service.

Arriva stated that these changes are due to the medium term road closure of [✂] making one bus stop inaccessible. Therefore, Arriva is diverting its service and calling at a temporary replacement bus stop nearby instead. There are no changes to the bus service's timetable from this alteration.

As well as the changes being necessary due to circumstances beyond Arriva's control, the proposed changes are on a section of the route where there are no overlaps with Arriva's rail services. Accordingly, these changes are being made based on a commercial decision taking into consideration local circumstances, and are not related to the merger.

Arriva is, accordingly, permitted to make the proposed changes to its Arriva [✂] bus service.

The CMA's consent to the aforementioned actions does not, under any circumstances, permit Arriva to take any other action prohibited under the Interim Order.