



# FREIGHT

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**More than just a union**



## Signs of a positive upturn

The term “green shoots” is perhaps the most over used phrase in the UK right now. When it comes to the economy, it’s hard to tell the disabled people who have lost their benefits, or the 21% of young people who can’t find work that there is any reason to be positive. The freight sector’s correlation with the wider economy is far stronger than the passenger sector. When the economy sinks, we have less goods to move on rail. That is why the past 5 years have been so tough for freight. But things are changing. FOCs are now finding that they do not have enough drivers to fulfil contracts. This in itself becomes a challenge, but it is a positive challenge that

should lead to more drivers’ jobs and shows that goods are coming back to our railways.

We’ve had successes too in helping to secure the long term future of rail freight. We have campaigned to reduce the amount that the ORR wanted to charge in freight specific access charges on certain goods such as coal for electricity supply. A battle we have won. We campaigned to stop this charge applying to biomass, a potentially huge area of growth for rail freight. Another battle we have won.

There are still battles to be fought and as a Union we still have enormous challenges ahead of us in this sector. But when you look at where we were a few years ago and where we are now, I think we have reasons to be positive and to feel confident that as a trade union we can ensure that rail freight continues to grow and our members continue to achieve the pay and working conditions that they deserve.

**Mick Whelan, General Secretary**

## Channel Tunnel overcharging rail freight says commission

The failure to regulate the Channel Tunnel in accordance with the EU legislation signed over ten years ago, has led to the European Commission (EC) declaring the beginning of a formal infraction proceeding against the UK and French Governments.

The issues raised by the EC include the fact the Channel Tunnel is charging excessive track access charges which are discouraging new railway operators from entering the

market and resulting in more freight being carried on lorries instead of rail.

This is leading to only six freight trains entering the tunnel every day leaving 43 per cent of tunnel capacity unused.

Other criticisms include the Channel Tunnel being, ‘a weak rail regulator which is not independent of the UK and French government’, and which ‘does not have the power to adopt decisions on its own initiative.’ Additionally usage

agreement (1987) between Eurotunnel and certain operators which allocated capacity to certain train operators for 65 years, is not permitted under EU rules...’

The EC’s action against the Channel Tunnel has been welcomed by both the Freight Transport Association and the Rail Freight Group.

RFG chairman Tony Berkeley also called on the two governments to do all they can to remove other barriers to service growth, “in particular new charges imposed by French government owned operator SNCF or RFF for ‘security’ checks.” He called upon the authorities to



“ensure that all operators get fair and equal access to the network in France”.

The RFG believe that there is potential rail freight growth, but it needs cooperation and effort by governments, regulators and other relevant organisations to make it happen.

## Request for West Coast Main Line to adopt freight only lines

There have been calls over the past few months for two tracks of the West Coast Main Line (WCML) to be dedicated to freight following the opening of High Speed 2. Nigel Jones, the Head of Planning at DB Schenker said the Strategic Freight Network supported the idea of having separate freight and passenger networks which would mean that WCML tracks could be solely maintained for the purpose of freight.

This would be the best way of managing freight due to the unknown costs of a mixed traffic railway line. Dedicated lines are known to be more efficient in the way they work. The consequence of this would be improved performance for both freight and passenger services.

DB Schenker has also argued that freight has a place on the HS2 itself. In order to ensure this happens, the line’s link to HS1 should have a signalling system that does not discriminate against freight. This will supplement the freight that already runs on HS1.



However, Ian Brooker from the engineering company WSP has argued he thought the concept of having conventional freight on HS2 may be difficult to handle but there is always the possibility of airfreight containers running on TGV style trains instead.

Brooker explained that the benefits of the West Coast Main Line securing more freight could be worth as much as £500 million over

60 years if the line ran an extra 40 trains a day which is achievable. The additional benefit of this would be the removal of over 1,600 lorries from UK roads every day.

Network Rail Freight director Duncan Clark, has recently commented that the opening of the London Gateway terminal would put added pressure on the WCML meaning that more electric 90mph services would be needed.

## UK's largest rail freight container depot due to open this year

The London Gateway, a £1.5bn development on the north bank of the Thames, is due to open in the fourth quarter of this year, with trials beginning in the next few months. Covering 560 acres on the site of the former Shellhaven refinery near Stanford-le-Hope, the site will challenge Felixstowe and Southampton docks as a container port, as it is closer to major commercial centres.

According to an Industry preview day, rail freight services are seen as able to facilitate "regular, easy and efficient movement of goods to and from the major commercial centres across the UK" from this port.

DP World, owner of the

development, claims that when opened, London Gateway will become the busiest rail freight terminal, available to all freight operators.

Trains will run via Barking and Gospel Oak to the West Coast Main Line, which have all been cleared for large gauge containers, and access to the Channel Tunnel is also easy from the site, using the W10 Gauge cleared network. The port will be connected to the local rail network by the double-tracking of the Thameshaven line, which links the port to the national network at Stanford-le-Hope.

The intermodal rail terminals being built inside the port, as well as rail-linked warehouses, mean



that more freight can be taken directly by train, not only saving time and money, but reducing carbon emissions for transport within the UK.

DP World claim that thousands of freight lorry movements will be saved, estimating that 60 million

miles of lorry movement will be saved annually, saving 148,000 tonnes of carbon dioxide from entering the atmosphere a year.

Road will however still be used for some freight with the port being only 10 miles from the M25.

## The saga of noisy Class 66's rattles on

**T**HE saga of noise in Class 66 locomotives rattles on (quite literally) with union still pushing to get the rail employers to resolve the issue of train cabs which can affect our members' health – most notably noise and the risk of hearing damage.

Despite every effort by the union's negotiators to get the notorious Class 66 locomotives re-fitted to reduce noise levels and to improve ride and personal comfort for drivers once and for all the employers aren't playing ball. While everyone recognises the



problem, albeit to differing degrees, the cost of engineering changes is likely to be very high where the biggest problem is that the engine is bolted to the superstructure of the loco and subsequently causes it to vibrate.

Everyone agrees they aren't what they should be, and never were, but the cost of putting them right or replacing them is the barrier to resolving the problem properly.

Health and safety law allows employers to do cost benefit analysis on workplace issues – health and safety reps know this well as the law is qualified by the phrase "so far as is reasonably practicable".

This has meant negotiations have had to settle around looking for solid evidence there are problems and using that to force employers to act, but this too has proven problematic.

Recent noise surveys carried out by the rail employers indicate that while it can get noisy in the cab, it may not be excessively noisy all the time, and there's the rub, especially with the noise regulations.

The Control of Noise at Work Regulations set two standards above which employers are expected to act to prevent damage to hearing caused by work and the noise tests in train cabs show that the first action level is likely to be breached. All that is required of employers if it is noisy is to offer employees



ear protection and that is what the employers are currently offering – ear plugs.

After considering the issue, ASLEF's Executive Committee has written to Freightliner Intermodal requesting the introduction of so called "active" headphones which have a noise cancellation system built into them and are likely to offer better protection to our members. Using active headphones will still allow drivers to hear the audible alarms in the cab. The Union has also previously written to all the FOCs asking for a consistent approach to this issue across the industry.

Alongside this ASLEF reps have drafted a soon to be published cab design guide for reps negotiating new locomotive design to try and ensure we don't get into this situation again in the future when buying new locos.

## RAIL FREIGHT SERVES THE C



**Freight on Rail's PHILIPPA EDMUNDS** updates us on her recent campaigning work and demonstrates how key all your lobbying is to the cause which as ever, is interesting, challenging and varied ...

### ORR FREIGHT CHARGES FOR 2014-2019

Firstly, all your lobbying on Office Of Rail Regulation freight charges paid dividends as the draft determination figures are far lower than originally specified. The ORR's decisions on freight charges will allow the rail freight industry to play its full role in servicing the green economy now and in the future. Most importantly, these charges will give the industry and third party investors the confidence to support the sector long-term which will protect green jobs and the environment.

The decision not to charge a special rail freight levy on biomass in the next control period safeguards rail's role in this emerging market and demonstrates joined up Government energy policy. Biomass can ameliorate our energy problems, especially in the short to medium term as it can be brought on stream quickly unlike most other fuel sources. And crucially to the industry, replace coal flows as they are phased out over the next decade.

The reduction in the previously announced charges for ESI coal, iron ore and spent nuclear is important to protect business. For example the Scottish coal producers had been under serious threat.

Retaining charges for intermodal traffic at current rates will allow this key traffic to grow four or five fold over the next 20 years. Dropping the proposed 400% increase in variable access charges means that the sector can manage business better and reduce overall risks.

### CHANNEL TUNNEL CHARGES

The European Commission has started formal infraction proceedings against the UK and French Governments for their failure to regulate the Channel Tunnel rail sector in accordance with the EU legislation, which both countries signed up to over ten years ago. In particular, it



A lorry in the narrow streets of Cambridge

mentions the excessive track access charges which 'discourage(s) new railway operators from entering the market'; leading to 'only 6 freight trains per day going through the Tunnel', which is far below its capacity; This action by the Commission is very welcome even though it will be long winded and slow; the potential for rail freight growth through the Tunnel is huge, but it needs a concerted effort by both governments, regulators and others to make it happen.

### COMPREHENSIVE SPENDING REVIEW

a) Gospel Oak to Barking electrification

Confirmation of £110 million funding for this key passenger and freight artery at the Comprehensive Spending Review in late June is very welcome as the industry has long campaigned for this project.

b) Freight Revenue Grants

We are waiting to hear whether the freight revenue grants budget of £19m, which is so key for deep sea and intermodal services, will be retained after 2015. We have been working with the Department of Transport to make the economic, safety and environmental case for retention of these grants and will let you know if we need your support in further lobbying.

### SPATIAL PLANNING AND TERMINALS

We continue to lobby for the right planning policies to allow planning permission for interchanges to be given because, as you know, without more terminals in the right locations, we cannot increase rail freight volumes beyond a certain level. Developers are keen to invest in Strategic Rail Freight Interchanges but since 2009 the Department for Transport has delayed issuing the National Policy Statement for national networks, ie road and rail, which is needed to give business the long term confidence to engage with the planning system and invest. After our lobbying the Department did issue the Strategic Rail Freight Interchanges policy which is a very supportive document but does not have statutory or legal status in planning terms.

### RAIL FREIGHT VICTORY AGAINST WASTE INCINERATOR

Ineos Chlorr got planning permission for its waste to energy plant on the basis that only ten per cent of the waste was to be transported to the plant by road to protect the local



Sweden's mega trucks increased their market share

community. However, before the plant was even operational, Ineos put in an application to allow it to use road for all but 10% of the waste showing that it was prepared to renege on its original planning commitments to the locals. After a strenuous campaign involving the local MPs and issuing various press releases and formal objections to the application, we managed to persuade the councillors to reject this unfair attempt to use rail as a fig leaf. Realistically, Ineos may win on appeal but at least this decision by councillors sends a clear signal that planning commitments made to communities by applicants should be honoured.

### 7FT LONGER SEMI TRAILERS TRIAL

Having been promised almost two years ago a demonstration of the longer trailers by the previous Freight Minister, who gave the authorisation for these longer trailers, I persevered. Finally we witnessed the manoeuvrability performance of these vehicles along with two experts on offtracking of HGVs, one of whom currently designs junctions for a London local authority and has experience of existing sized lorries getting stuck in residential roads. As expected, these trailers will increase tail swings, blind spots and be significantly more dangerous than existing HGVs to other road users in urban areas. And crucially, these longer trailers will undermine the emerging consumer rail market, in particular the supermarket domestic intermodal traffic.

### FIGHT TO STOP CROSS BORDER MEGA TRUCKS

The European Commission revision of the legislation covering HGV weights and dimension, includes the deadly but benign sounding clause to allow cross border traffic of mega trucks between consenting counties. Since then, Freight on Rail, with your support, has been lobbying MEPs and key influencers in Brussels against this measure.

# GREEN ECONOMY



Freight over rail during a ten year period which coincided with increases in weight limits

Detailed analysis of mega trucks confirms what we all knew and dreaded: That they would decimate rail freight over time. Why? because mega trucks would reduce costs by around 20% to the logistics industry while the public would pick up the bill in terms of congestion, road collisions, pollution and road adaptation/maintenance. It will increase road versus rail break even distances to around 700 kms, depending on cargo, which is the maximum length of most UK flows.

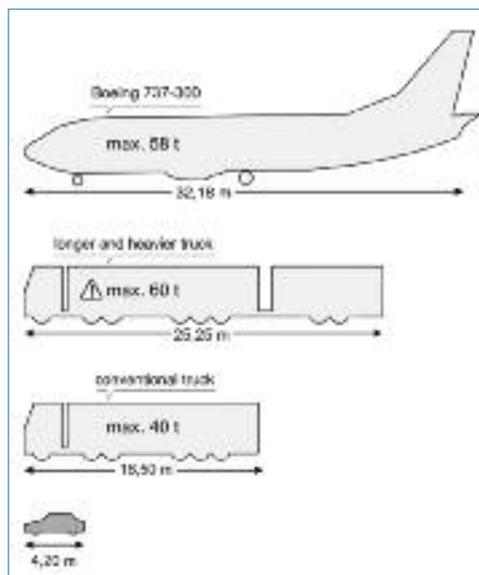
## SWEDISH FREIGHT STATISTICS SHOW ACTUAL IMPACT OF MEGA TRUCKS

I have uncovered detailed Swedish data which shows the actual impact on rail freight since mega trucks were introduced there in the 1990s. The story, while not looking too bleak on the surface, demonstrates what could happen to Western European rail freight over time. Over the ten year period between 1990 and 2000 which coincided with increases in weight limits from 51 to 56 tonnes and then to 60 tonnes for mega trucks. Road increased its market share by 6.5% while rail decreased by 3.9% and coastal shipping by almost 3%. This significant shift to road happened even though the market situation for rail in Sweden is much more favourable than in other EU states for the following reasons:-

- Sweden has amongst the lowest track access charges. Approximately half those of Germany and around 8 times less than central European countries such as Poland
- Rail wagon axle weights 25 tonnes, substructures designed for 30 tonnes
- Sweden has long distances
- Rail network of a high specification and standard

## THE CASE AGAINST CROSS BORDER MEGA TRUCKS

The basic arguments are that mega trucks are bigger, more dangerous and more polluting



Swedish data shows the impact on rail freight since mega trucks were introduced there in the 1990s

than existing HGVs. There is a real threat that more mega trucks will circulate across Europe by default over time in a domino effect. The European Commission's own research in January 2009 stated that mega trucks are individually more dangerous than standard HGVs because they are less manoeuvrable, meaning they are involved in more fatal collisions. They also lead to more pollution and more costs in maintaining and adapting road and other infrastructure.

Mega trucks could also worsen congestion. Their introduction would undermine rail and result in trainloads of freight returning to our road network. The promoters of mega trucks claim they will be restricted to motorways, dual carriageways and major roads. The reality is that these vehicles will need local road access to distribution hubs not on motorways/dual carriageways.

There is also overwhelming evidence to show

that any truck length increases will lead to demands for increased weight. In the Netherlands the weight limit on 25 metre mega trucks has been increased from 50 to 60 tonnes and Finland is increasing the weight limit to 76 tonnes in 2013; Sweden is now trialling 32 metre (100ft) HGVs with an 80 tonne weight limit.

## THE WAY FORWARD

On a positive note, I am working very closely with Brian Simpson Chair of the European Transport Committee and other key allies in Brussels. Feedback from MEPs shows that your lobbying is bearing fruit so please keep going.

I have met key MEPs and their assistants to explain the implications of cross border traffic and also the impacts of the other elements of directive on rail such as 45 ft containers and the changes to the aerodynamic design of HGV cabs and rears to ensure that the rear designs are compatible with rail. But it will be difficult to stop cross border traffic because this clause is a cunning ploy to usher in mega trucks by the back door. So we have to continue to lobby MEPs and broaden it out to MPs and Ministers for the next 9 months as key decisions will be made over this period culminating in a vote in the European Parliament in April 2014.



The rail freight industry is ready to play its full role in servicing the green economy

From October onwards the council of Ministers will also get involved and that is why I am asking members to write to MPs as well as MEPs. In particular, the following MEPs are key because of their transport representative roles: Liberal Democrat Transport spokesperson and MEP for West Midlands Phil Bennion is the shadow rapporteur for their political group and Jacqueline Foster MEP for the North West is Transport co-ordinator for the Tories.

Whilst the UK Government says it will not allow mega trucks here, the reality is that it will come under huge pressure from the road haulage lobby. The UK has already buckled to pressure from the industry in allowing longer trailers. We need our Government and MEPs to say no to mega trucks not just on our roads, but across the continent as a whole.

<http://www.freightonrail.org.uk/NoMegaTrucks.htm>

✉ email: [philippa@freightonrail.org.uk](mailto:philippa@freightonrail.org.uk)

## ASLEF has drive to move freight agenda forward



**It is now just over a year since I took on the role as District Organiser and was subsequently given responsibility as ASLEF Lead Officer for three of the freight companies. In that time I have had the opportunity to meet members and discuss their issues whilst working closely with the elected representatives.**

**I** believe we have made gradual improvements in working to provide more representation and better communication. We have increased the facility time for most of our representatives to carry out their role and improved the structure which they work within.

I think it is important to recognise that within some companies the membership is less supportive of the union's position than in others and in doing so we have to consider how best we improve that relationship.

The dispute on GB Railfreight earlier this year demonstrated a need to look at how we could change the way in which we are structured and operate in companies that are less traditional.

One important area is how our membership is allocated to Branches and how they interact with ASLEF processes. The Executive Committee has now endorsed improvements which we think will make that interaction better. Our ASLEF negotiators in GB Railfreight have also been working towards better terms and conditions and have just recently reached an agreement which will improve rostering practices, give greater value to time off whilst also improving the arrangements and times for a Physical Needs Break (PNB).

Within Freightliner Heavy Haul we have been working positively to make improvements to the structures and frameworks that

are in place. I believe that Industrial Relations are slowly but surely getting better albeit that there will always be differences of opinion and points of confrontation by the very nature of what we do.

We now have ASLEF Points of Contact (APoC) at many of the remote locations providing the two way communication that is needed if members are to have a voice in our union.

We have distributed the terms and conditions booklet which includes contact details and provides members with a basis from which to work.

A joint ASLEF and Freightliner Heavy Haul statement explaining that ASLEF is the only trade union recognised to represent the collective rights of drivers was issued recently.

With Pay talks looming I understand that expectations and reality are not always compatible. We will of course seek to achieve the best possible outcome but it is important to remember that ASLEF members and Reps spent over 100 years developing the agreements contained within the infamous 'purple book'.

We need to accept that better conditions will not be delivered overnight in a freight market which can only be seen as cutthroat, where operators attempt to gain contracts.

In the last year I have heard many complaints about how ASLEF has let the members down. I have seen quite a lot of disillusioned individuals and yet on the other hand I see



representatives working extremely hard trying their best to make a difference.

In the absence of a solid base of united and constructive members, our aspirations will be a distant vision over the horizon, whilst our challenges become an uphill battle.

Our work at Freightliner Intermodal has seen the introduction of the 'Booking on Allowance' earlier this year thanks to the support of the membership and the Executive Committee.

Whilst there was a level of misunderstanding at the time the additional financial remuneration of £10.00 per day has been well received. Some work was carried out by an organisation called Delta Rail who produced a report on behalf of Freightliner and GB Railfreight explaining that noise levels fell below that at which legislation would dictate they take action.

We are waiting for the opportunity to listen and question the report and its contents with those who compiled it which is proving less

straight forward than you may expect.

However, Freightliner Intermodal has put forward proposals to trial disposable Personal Protective Equipment (PPE) in the form of ear protectors which reduce noise levels by 15 or 20 decibels depending on the type selected and are seeking agreement for a trial to take place.

We should get away from the company orientated 'us and them' approach amongst our own, we are all members irrespective of the employer and therefore our aspirations are not dissimilar.

ASLEF is now trying to drive the freight agenda forward and raise our own profile through freight specific forums around the country, a freight members' weekend later this year in Peterborough and freight specific journals being issued. We have reps across the industry working together and looking to improve the working lives of our members in the industry.

**Nigel Gibson, District Organiser, District 5**



## Changes can make our union stronger in the future

**I have been in the position of Business Council Secretary for just over 3 years now and in this short time have seen quite a few changes, both within the company and ASLEF. We are all aware of the hard economic climate that we are working in and the pressure that it brings to us all. I am sure we have all received Freightliner's own magazine, which will have pointed out where they are as a company and with this in mind will try to keep this report relevant to us as drivers.**

**A**S A Union and a Business Council we have seen a number of changes. We have a new General Secretary and in the short time that Mick has been in charge. I feel that the way we are seen as a Union has changed. A big plus on the Freight side is that Mick was a freight driver and has first-hand knowledge of how the Companies work.

The sad passing of Andy Morrison led to us having to be appointed a new Lead Officer. In the short term Dicky Fisher was given this role and in my opinion this led to a change (for

the better) to our dynamics. We now have a new Full time lead officer in Nigel Gibson and the work that Dicky started has been carried on by Nigel. I am sure that I will learn much from both of them and look forward to a long working future with them.

Another change has been the move to having 3 drivers on the Business Council. This is now in place and the make-up is as follows:

Secretary- Peter Mason covering Crewe, Leeds and Mossend.

Chairman- Steve Wilson covering Ipswich and Tilbury.

Richard Darke covering Eastleigh and Birmingham.

This change was made with the view that Executive Member Hugh Bradley would leave his position on the Business Council. We had a meeting on 22nd March which was Hugh's last one as a member on the Business Council.

All of us on the Council would like to thank Hugh for the work that he has put in over the years and agree that if we hit problems in the future, we should call on his experience to help us.

Nigel has put in a few things that we feel will make us stronger in the long run. As pointed out we need to be better at communication with each other, Business Council to Local Level and then down to the members.

Our members are our biggest asset and we need your views on how we go forward. We now have a Freightliner page on the ASLEF website. This has only just been set up but this is for our drivers, so any views on what we put on here please let me know.

The biggest item we have dealt with recently has been a Recruitment and Retention

package; some may say why are we doing this, should it not be down to the Company. Roll back 3-4 years and ASLEF came in for much criticism for not doing much for the Freight side. That cannot be levelled at ASLEF anymore; we have had a number of Freight Forums around the country and have also set up meetings to deal with cabs and the problems they pose. Both the General Secretary and EC President have taken a personal interest in pushing these to the forefront of our fight for better working conditions. On the Retention and Recruitment, I feel it would be better for us as a Business Council to talk about this at Branches and Depots. We are willing to go to any Branch that wishes us to and hope to do this as soon as possible. What I will point out is that 3 years ago Drivers' pay was £36,000, with what has now been agreed it takes us to £41,730 (since Jan this year it works out at a 7.5% increase). This has been achieved in a time when we have seen a double dip recession. Prior to this we had £800 over two years. All of the Business Council agreed on the R and R deal and will in the future look for what is best for us.

On a personal note I would like to thank Dave Gloyn, for the time he was on the Business Council and the good work he put in. It was a pleasure to work with him. Also thanks to Colin Thornhill, Tommy Johnson and Dave Griffiths, all members who have had their ears bent by myself in my time on the Business Council. They have all moved on to new pastures and I wish them all the best for their futures.

**Peter Mason, Business Council Secretary, Freightliner Intermodal**

# ASLEF FREIGHT MEMBERS WEEKEND

*Park Inn at Radisson, Peterborough*

We wish to invite all members to join District No.5 & 6 at our '**Freight Members Weekend**' which has been arranged to take place in Peterborough on 12 & 13 October 2013. The details are as follows;

## **Saturday 12th October 2013**

Afternoon Speakers Chaired by District Council No.6, **Martin Bromage-Griffiths**

**Mick Whelan**, ASLEF General Secretary with Q&A

Operations Director, Freightliner Heavy Haul, **Stewart Langridge** with Q&A

**Ian Bertram**, Office of Rail Regulator with Q&A

MP for Luton South and co-ordinator of the ASLEF Parliamentary Group, **Kelvin Hopkins** with Q&A

## **Sunday 13th October 2013**

Executive Committee Member, **Howard Kaye** will Chair a Panel discussion focussing on ASLEF and the challenges we face in the Rail Freight Industry today. The Panel will include **Simon Weller**, National Organiser and Lead Officer for DB Schenker; **Barry Hare**, Company Council Secretary, GB Railfreight; **Nigel Roebuck**, Company Council Chair, DB Schenker; **Phil Devonport**, Infrastructure Monitoring Company Council; **Nigel Gibson**, District Organiser & Lead Officer for Freightliner Intermodal, Freightliner Heavy Haul and GB Railfreight; **Tosh McDonald**, ASLEF Vice President of the EC.

The invitation is not restricted to freight members or reps and is open to all ASLEF Members and we would welcome as many of you to join us, as possible.

An all-inclusive and significantly subsidised cost of £50.00 per person (based upon twin rooms) will provide the Saturday lunchtime buffet, afternoon tea, evening meal with Saturday night Bed & Sunday Breakfast.

To book your place please send a cheque made payable to 'ASLEF District Secretary No.5 Organising Account' and forward it to Nigel Gibson, 5 Thomas Way, Braintree, Essex, CM7 3AJ along with your contact details including email and phone number if possible. If you have any questions please do not hesitate to contact either of us using the details below.

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