

**Proposed amendments to the Track Access
Contract Between Network Rail Infrastructure
Limited and East Coast Main Line Company
Limited (trading as Virgin Trains East Coast)
under Section 22A of the Railways Act 1993**

Network Rail's Representations

27 May 2015

48th Supplemental Agreement, additional Stirling services Monday to Friday only

Network Rail is still considering some operational aspects of this proposal arising from the additional traffic on the route between Edinburgh and Stirling. When this work is completed it may be possible to support the application.

In addition to the above:

Network Rail notes that no amendment has been proposed to Appendix 1 of Schedule 8 to include Stirling as a monitoring point. Network Rail would require the inclusion of Stirling as a monitoring point in accordance with paragraph 5.54 of ORR Criteria and Procedures:

“When additional services are added to an existing approved contract, this may involve new routes where there are no existing monitoring points, or it may require a change to monitoring point weightings. If new terminating points are introduced, additional monitoring points will generally be needed to maintain the principle that all services are incentivised.”

49th Supplemental Agreement, additional Sunderland services Monday to Friday only

Network Rail would be able to support this application subject to the resolution of the following:

1. Network Rail and Virgin Trains East Coast recognise that a walking route would be required at Sunderland to facilitate the necessary reversal of the train. The parties have agreed a programme of work that is now underway to design and cost such a facility.
2. Network Rail notes that no amendment has been proposed to Schedule 4 in respect of viable transfer points (VTP). Network Rail would require the inclusion of Sunderland as a VTP in accordance with paragraph 8.31 of ORR Criteria and Procedures:

“The first part of Annex B is a map which shows ‘viable transfer points’ – the points on the operator’s network area where it is possible to transfer passengers from rail to bus transport. The second part of Annex B is the lookup table for estimated bus miles. For each route and pair of viable transfer points, this table should set out the bus replacement strategy for each type of possession. Bus replacement strategies should be separately identified where they vary according to infrastructure rules (for example which routes are open) and other operating rules (for example whether underground replacement is

possible). For each service group affected by the possession, full or partial bus replacement should be identified together with the distance of the bus replacement.”

3. Network Rail notes that no amendment has been proposed to Appendix 1 of Schedule 8 to include Sunderland as a monitoring point. Network Rail would require the inclusion of Sunderland as a monitoring point in accordance with paragraph 5.54 of ORR Criteria and Procedures:

“When additional services are added to an existing approved contract, this may involve new routes where there are no existing monitoring points, or it may require a change to monitoring point weightings. If new terminating points are introduced, additional monitoring points will generally be needed to maintain the principle that all services are incentivised.”

50th Supplemental Agreement, additional Leeds Saturday services

Network Rail has no objections and would be willing to enter into the Supplemental Agreement as proposed.

51st Supplemental Agreement, additional Edinburgh services Monday to Friday only

Network Rail is still considering some operational aspects of this proposal arising from the additional traffic on the route between Newcastle and Edinburgh. When this work is completed it may be possible to support the application.

Network Rail notes that the rights sought do not commence until May 2016. As part of its longer term assessment of capacity post December 2016, Network Rail is currently considering the operational and technical feasibility of an increased number of trains on the route between Newcastle and Edinburgh. This is also relevant in considering pre-December 2016 rights.

An additional factor to be considered is the possible impact of the closure of Glasgow Queen Street (High Level) during the period of operation of the proposed services. This may affect the delivery of the train services associated with these rights.

52nd Supplemental Agreement, additional Edinburgh services Sundays only

Network Rail notes that the rights sought do not commence until May 2016.

In considering the operational and technical feasibility of the proposed increase in services Network Rail has satisfied itself that the number of trains is less than that currently operated on other days of the week and has no concerns in this regard.

As in the case of the rights sought in the 51st Supplemental Agreement, an additional factor to be considered is the possible impact of the closure of Glasgow Queen Street (High Level) during the period of operation of the proposed services. This may affect the delivery of the train services associated with these rights.