

Jonathan Rodgers,  
One Kemble Street,  
London,  
WC2B 4AN

8<sup>th</sup> January 2018

Dear Jonathan,

### **WM Trains 5<sup>th</sup> SA – Kenilworth**

Chiltern Railways provided a response to London Midland's proposed 5th Supplemental Agreement on the 9th August 2017. Whilst Chiltern Railways understands the importance of the new station and service, it is concerned about the impact that it will have on industry performance. Chiltern Railways is committed to achieving its Franchise Agreed and ORR Agreed target levels of PPM MAA (93.75% and 94.00% respectively) but it is concerned that the new service will have an impact on our ability to meet them. We have informed the DfT that the performance impact of the new service equates to a 0.2% reduction in Chiltern's MAA.

Chiltern Railways attended the 'Kenilworth Performance Mitigation Workshop' on the 25th September where West Midlands Trains Ltd revealed that the new Kenilworth shuttle service would be operated by a Class 172 unit rather than the originally planned Class 153. As the December 2017 timetable had been offered (and finalised) at this point then the decision was taken to use the Class 172 on a service planned for a Class 153. As James states in his response (dated 6th October 2017) 'The Class 172 provides a material improvement over a Class 153 in terms of acceleration and braking, potentially offering a 3-minute journey time saving between Coventry and Leamington Spa.' Chiltern Railways considered this to be a 'material performance mitigation' and also addressed our concern about crowding and a potential shortfall in train capacity. The use of a Class 172 would allow for longer turn arounds at Coventry for the shunt to take place (under normal running) and would also allow a greater opportunity to recover (under perturbation). The shunts and the ability to recover were key aspects of Chiltern's concern.

Whilst the letter from James (dated 6th October 2017) helped allay some of our concerns, we were disappointed to read the letter (dated 17th November 2017) from James to Ian Williams which outlines the decision to revert to Class 153 operation. This means that the 'material performance mitigation' is no longer in place and our concerns of overcrowding have returned. Chiltern Railways also believe that the use of a Class 153 on this service means a daily requirement for 100% availability. Any unit failure will likely mean either short forms of other services and / or cancellations which may well have a negative impact on industry performance.

Chiltern Railways believes that these additional services should therefore only be given contingent rights until such time a Class 172 can be used (on the existing Class 153 timed schedules – enabling the 'material performance mitigation'). Once a Class 172 can be used then there should be a period of Theoretical Proving to ensure that there is no impact on industry performance before granting firm rights to these services. This is the case for our Oxford services which began operation before the Phase 1 infrastructure was delivered.

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These services have contingent rights until the Phase 1 infrastructure is delivered and a period of Theoretical Proving has concluded.

To conclude, our earlier objections have re-materialised following sight of the letter dated 17th November 2017.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'SIMOORE', with a horizontal line underneath.

Simon Moore  
**Network Development Manager**

**Cc** Bevis Thomas, Peter Finch, Julia Stanyard

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