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Dear Gordon

Representations to the ORR: Proposed 28th Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited and DB Cargo (UK) Limited

I refer to Steve Jones' email on 29th July 2020, where the ORR invited Network Rail Infrastructure Limited make further written representations in respect of the 28th Supplemental Agreement application made by DB Cargo (UK) Limited ("DB Cargo") under Section 22A of the Railways Act 1993 (the Act). Our representations to the Office of Rail and Road (ORR) follow herewith.

East Coast Mainline (ECML) Event Steering Group (ESG)

Phase 2 of the ECML ESG developed three concept timetables for London to Doncaster that offered different solutions to address trade-offs between capacity, capability, connectivity, and journey times.

The chosen timetable option ("PRA Option 2") for further development in Phase 3 can provide:

- 8 tph LDHS paths between London and Doncaster
- an hourly freight path between Huntingdon and Peterborough, though tonnages for 60 mph Class 6 trains cannot satisfy the specification from the Freight Operating Companies
- an hourly freight path between Doncaster (excl.) and Hare Park Junction

This chosen timetable structure requires further review and development because of the following issues:

- the East Midlands Rail service from Nottingham to Norwich cannot be accommodated unless there is a reduction in the number of LDHS paths, or a review of LDHS calling patterns
- the calling pattern specified by LNER, requires overtaking of Open Access LDHS services en-route between Peterborough and Doncaster, which are deemed unpalatable to the ESG

Phase 2 of the ESG also concluded that:

- 7 tph LDHS between Northallerton and Newcastle could not be accommodated alongside an hourly freight path, and recommended the Train Service Specification is amended to become 6 tph LDHS

- 4 tph LDHS between Newcastle and Edinburgh can be accommodated alongside East Coast Trains Ltd, local services and an hourly freight path. However, this could cause journey time penalties for LDHS between circa 5 to 10 minutes.

The completion of ECML ESG Phase 2 has provided some improvement in confidence to sell some Firm Rights on a case-by-case basis.

The constraints on the ECML concerning this application are:

ECML section	Capacity issue
Northallerton to Newcastle	2-track railway; pinch points at Northallerton and Darlington caused by stopping services; limited route options for W12 freight through Newcastle Central
Newcastle to Edinburgh	2-track railway; speed mix of LDHS, local and freight services

DB Cargo 28th Supplemental

Tees Dock <> Mossend / Grangemouth

Network Rail Eastern Region can sell 24 hour 'window' Firm Rights for the freight services listed below.

A 24 hour 'window' Right offers Network Rail opportunity to retime the service earlier to provide the optimum fit. Also, because paths have not yet been assessed in detail beyond the core ECML (e.g. Teesport to Darlington / Tursdale, and beyond Millerhill).

The 24 hour 'window' Rights shall be sold at the tonnages the services are currently timed to operate at in the Working Timetable (TRUST timing load in brackets).

- 4S92 19:05 Tees Dock – Mossend (1235t)
- 4S99 04:22 Tees Dock – Grangemouth (1475t)
- 4E96 08:24 Mossend – Tees Dock (1235t)
- 4E98 [SO] 08:50 Mossend – Tees Dock (1235t)
- 4E99 16:10 Grangemouth – Tees Dock (1475t)

The sale is granted because analysis of the ECML north of Newcastle has concluded that 1 tph can be accommodated alongside 4 tph LDHS, 5 tpd East Coast Trains Ltd., plus current ScotRail and Northern services.

Funders have been advised that, to accommodate all services risks journey time penalties for LDHS services and that freight growth will be suppressed unless investment is committed.

Yours sincerely



Mike Pybus

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Network Rail

CC:

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