



Proposed Track Access Contract Between

Network Rail Infrastructure Limited

&

First Trenitalia West Coast Rail Limited (FTWC)

Under Section 22A of the Railways Act 1993

Network Rail's Representations

28th April 2021

Paul Harris

FTWC response from NW & C Region

Avanti & WMT Customer Manager, NW & C

Introduction

Context:

The West Coast Mainline (WCML) runs between London Euston and the Scottish border, and is the busiest mixed use railway in Europe supporting major British cities outside of London. It is central to the business of many UK and international passenger and freight operators.

The southern section of the WCML plays a crucial role in providing commuter rail services into London, whilst the North West section provides vital connections between major cities and towns such as Manchester, Liverpool, Preston and further beyond.

Over the coming years, HS2 works at Euston and in other places will be a major factor on the West Coast Main Line, with the proposed commencement of HS2 services from 2026.

An Industry Planning Group (IPG) has been set up which involves all stakeholders (including Avanti) and takes into consideration future aspirations on the WCML. Network Rail (NR) believes that additional capacity may be deliverable on WCML, with good performance, if the timetable is restructured and planned in a strategic way, rather than the current incremental approach. A December 2022 version is being explored which will be forward-compatible with a full demand recovery timetable around 2025. This will deliver better services to users (passenger and freight) and increased value to funders. The IPG is looking at restructuring the timetable and evaluating future demand across the industry as well as performance, with the intention of the first post Covid interventions being introduced in the Dec'22 timetable.

NR is reviewing the current Section 17 application separately and is already actively working with Avanti and the ORR to assess the aspirations from Dec '22.

The application under this Section 22a supplemental (30th) covers the interim period between now and Dec '22.

Avanti's Section 22a application (30th) proposes the amendments to Schedule 5, Table 2.1 and Table 4.1 in Network Rail and First Trenitalia West Coast Rail Limited's track access contract up to PCD 2022 as "a Section 17 Application is being made in parallel with this for a Track Access Contract to run from PCD 2022 (the Expiry of the current track access contract)" This aligns with the expiry of their existing TAC.

The Application has been made under Section 22a as Network Rail was not supportive at the point of application but is currently reviewing its stance. Network Rail has recently undertaken internal consultation and is now working through the questions raised in order to reassess our position. We believe the access rights being requested fall into two categories:

1. Access rights where the related services have failed to be accommodated within the timetable through the Dec'21 timetable development process.
2. Access rights where the related services have been accommodated within the Dec'21 timetable.

Network Rail is currently undertaking an investigation to assess the access rights relating to category 2 should be accommodated.

Network Rail does not support the rights in category 1 for the train services listed below which are labelled in red on Avanti's application. These train services have already been rejected by train planning through the timetable development process for the May '21 timetable. This timetable has a reduced quantum when compared to a pre-covid timetable and current access rights held and during timetable development Network Rail has ability to apply contractual flexes to other services in order to accommodate them. In theory this should have increased the ability to be able to accommodate these services. Avanti also state that it cannot identify any pathing opportunities. (Form P, Section 3.1)

Given the fact that Network Rail couldn't accommodate all their aspirations in the reduced May 21 WTT then it is highly unlikely that the schedules could be accommodated when the current level of services is increased to reflect 'Full Pre-CO-VID' level of service and access rights in place.

Network Rail has already informed Avanti that “Through the development of the May ’21 timetable, a timetable which already had reduced capacity, several services were unable to be accommodated due to capacity constraints even when applying contractual flexes to other services.”

Therefore Network Rail does not support the addition of the followings rights as specified in table 2.1 passengers trains slots of schedule 5:-

HF01.3 Euston to Wolverhampton – 1 additional right for Saturday

HF01.6 Wolverhampton to Euston – 2 additional rights for Sunday

HF02.3 Chester to Euston – 1 additional right for Sunday

Capacity planning has formally responded to Avanti that the following trains cannot be accommodated into the May ’21 timetable :-

“Appendix B – Operators’ Access Proposals that Network Rail has declined to include:

1A81AG [Su] 19:38 Chester – London Euston

1A91AG [Su] 10:16 Chester – London Euston

1B02AG [Su] 08:32 Wolverhampton – London Euston

1B06AG [Su] 09:31 Wolverhampton – London Euston

9G48GA [SO] 21:20 London Euston – Wolverhampton

9J48AG [Su] 18:20 London Euston – Shrewsbury

1Z48AG [Su] 18:20 London Euston – Birmingham New Street

Network Rail is actively working with Avanti as stated in its form P:-

“First Trenitalia West Coast Rail Limited continues to engage constructively with Network Rail in this area, and through active involvement in the WCML Industry Planning Group workstream, and has requested further clarity on the aspirations for capacity utilisation affecting the WCML South, and to ensure these are up to date to inform the associated capacity analysis.”

Network Rail is currently assessing its position in relation to the access rights which have been accommodated in the timetable to consider whether they can be supported until Dec’22. Although a number of paths have been accepted into the timetable, we are still reviewing our position

including whether the services would be able to run reliably without detriment to network performance

Network Rail is currently assessing the performance modelling that Avanti provided on the 27th April 2021. We will then complete appropriate internal governance to confirm whether these rights can be supported by Network Rail.

Network Rail will know its final position on the 30th May after all internal governance has been completed.

Conclusion

Network Rail does not believe that access rights relating to the trains that cannot be accommodated in the timetable should be supported. Network Rail will continue to work with Avanti to assess the other access rights by assessing the services that currently fit into the reduced timetable. It is currently going through its internal governance and assessing the performance data that Avanti has provided. Network Rail would like to notify ORR and Avanti its final position on the 30th May.