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By email only

1 November 2022

Dear Emyl,

**RE: Application for Directions: Proposed Track Access Contract Between Network Rail Infrastructure Limited and Go-op Co-operative Limited**

This letter provides the representations of Network Rail, as requested in your letter of 4 October 2022, regarding the application for directions for a proposed track access contract between Network Rail Infrastructure Limited (Network Rail/we) and Go-op Co-operative Limited (Go-op).

We have been in discussion with Go-op for several years and our representation is informed by this. Over this time we have jointly produced or considered the following studies to assess this track access application:

- Tracsis Rail Consultancy Report, Go-op Performance Modelling (2019)
- Go-op Timetable Analysis Bishops Lydeard to Swindon (2021)
- Tracsis Consultancy, Desktop Performance Resilience Review, For Go-op – Updated to Include Static Perturbation Analysis (2021)
- Level Crossing Risk Modelling on Go-op Route May 2023 (2022)
- GWR/Network Rail Westbury Area May 2023 Advanced Timetable Work (2022)
  - Westbury Area May 2023 Advanced Timetable Work, Changes Tracker by Operator
  - Westbury Area May 2023 Advanced Timetable Work - Westbury to Bristol Review, Final Report

The volume of work to date indicates the collaborative approach between Go-op and us, as we are keen to support third party investment in the rail network. However, we are currently not able to support this track access application due to the increased level crossing risk, limited investment detail to support the length of contract and operational constraints that would be introduced by the proposed Go-op services.

**The Application**

Go-op submitted a Section 17 track access application for 11 trains (firm rights) and 16 trains (contingent rights) per day in each direction from Taunton to Swindon and to Weston-super-Mare. The initial services would commence on the Subsidiary Change Date 2023 (May) and would expire on the Subsidiary Change Date 2035 (May). We note the proposed Track Access Contract (TAC) length is 12 years, which



is unusual for an aspirant Open Access operator. Go-op provided some investment details to justify such contract length. However, we would expect them to commit to detailed investment conditions to seek access rights for such an extended period of time.<sup>1</sup> It is worth considering that Open Access operators have not secured TACs that are longer than 10 years, so this 12-year proposal is not consistent from a network perspective.

The draft contract is based on the Passenger (Non-Franchise) Track Access Model Contract with Open Access modifications.

The application seeks to secure quantum rights (table 2.1 PART A and PART B of Schedule 5) as described in the draft TAC, which appears to be based on the Passenger (Non-Franchise) Track Access Model Contract with Open Access modifications.

### **The Specified Equipment**

Go-op stated that they intend to use three Class 153 units with modifications for Persons of Reduced Mobility (PRM) compliance. We understand these units are currently available from Porterbrook and that Go-op would like to start a full route compatibility study in early 2023.

Due to scarcity of other compatible units in the proposed area of operation, we would like to understand how Go-op intend to rescue their Class 153s in case of unit failure. This is an operational risk we would have to consider.

Tracsis proposed some mitigations in case of unit failure on behalf of Go-op in their Desktop Performance Resilience Review. One of these mitigations involved the creation of “a contingency plan for assistance of a disabled unit in conjunction with other Operators and share this with NR Route Control.”<sup>2</sup> We would be interested in learning what rescue arrangements will be included in this contingency plan.

### **Investment Conditions**

The Form P submitted by Go-op includes investment conditions, which we might expect to accompany an Open Access application seeking rights for a duration longer than five years. The specific investments proposed by Go-op include:

- The restoration of a fourth platform at Westbury
- A capacity increase on the single-track Melksham branch
- A passing loop at Frome with a second platform at the station
- Means for trains to reverse at Castle Cary towards Taunton or Yeovil
- Level crossing enhancements

We appreciate Go-op outlined items they would consider investing in, however we would like to understand the timescales involved and funding requirements to assess their viability. This is the justification for an extended track access contract.

There are no clear funded plans for these items and it is unclear as to what extent the longer term growth in Go-op services is reliant on these schemes. We are also concerned about the timescales that

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<sup>1</sup> ORR, *Duration of Track Access Agreements (Framework Agreements)*, 28 July 2021, comma 20, page 8.

<sup>2</sup> Tracsis Consultancy, *Desktop Performance Resilience Review, For Go-op – Updated to Include Static Perturbation Analysis*, 2021, slide 21.



would be necessary to deliver the proposed level crossing mitigations, which have been included in the Go-op Form P as part of their investment strategy.

## **Our Reasons for Not Supporting This Application**

### Level Crossings

Risk modelling using the All Level Crossings Risk Model (ALCRM) tool demonstrated that the introduction of the Go-op services would increase the risk at all level crossings across the proposed routes. More specifically, of the 65 level crossings, 17 moved into a higher risk category. Whilst a number of these crossings are already in our CP6 plan for enhancement and will absorb some of the risk increase, we must fulfil our duty to keep risk at every location low so far as is reasonably practicable. Therefore, this application constitutes a clear safety risk.

Following the conclusion of the above work, Go-op revisited the modelling inputs and expressed a concern regarding the validity of the inputs they provided. They have now submitted new data and requested to re-run the risk modelling.

We welcome the minor improvements suggested by Go-op to improve safety, such as the installation of handrails and retained decision points. These minor improvements would need a delivery mechanism worked out that is agreed with our Route Asset Management (RAM) and maintenance teams.

However, the suggestions to close and bridge the crossings – in lieu of providing active warning systems – would be a very large project and could not possibly be delivered by May 2023 or indeed a considerable time afterwards. Notwithstanding the case for building community support to close, there would also be significant negotiations, land purchases, and statutory tests to be met with the local authorities for each footpath crossing Go-op plan to divert. At present, we estimate that these requirements would not be met (e.g. length of diversion, safety, proof of usage).

We are concerned about the Go-op budgeted cost for the replacement of a crossing with a footbridge in Melksham at £150,000.00. This is well short of the cost estimates we currently have, ranging between £2.74m and £4 million, and would have a significant impact on the Go-op business plan to deliver.

In summary, the ALCRM tool showed the level crossing risk introduced by Go-op would have a significant impact on safety and there does not appear to be a robust delivery plan which gives confidence that the proposed improvements would ever be realised.

### Operational Constraints

Go-op proposed stabling services at Thingley Junction and Taunton station. However, the only access to and from the sidings adjacent to Thingley Junction is via a groundframe which currently sees infrequent use. The resilience of this for daily operation has not been assessed. Empty stock movements have the potential to conflict with cyclical maintenance access on the route, so it is likely that final services will frequently need to be amended to avoid this.

There has also not been a detailed review of the implications of unit stabling at Taunton and the potential impact on maintenance access or restrictions on stabling for on track machines.

This application has been discussed on numerous occasions during the Western Timetable Change Risk Assessment Group (TCRAG). Therefore, we believe we could address the above operational constraints



in our TCrag meetings.

## **Additional Context**

### Timetable Capacity & Performance

#### *Capacity*

In 2021 we completed a timetable analysis for 11 Go-op trains between Bishops Lydeard and Swindon and between Taunton and Weston-super-Mare. This analysis used the May 2020 timetable, before the changes introduced by the COVID-19 pandemic. The rolling stock used in the analysis (Class 769) was different from the rolling stock currently identified by Go-op (Class 153).<sup>3</sup>

Since then, Go-op introduced major changes to their application (e.g. removing Bishops Lydeard from their proposal and updating their rolling stock choice to a Class 153). Therefore, to ensure the validity of the outputs, we decided to refresh our capacity exercise within the GWR/Network Rail Westbury Area Advanced Timetable Study for the May 2023 timetable. It is important to note that the Study included only the Westbury area and not the entire Go-op route.

The Advanced Timetable Study suggested that there is capacity for Go-op to run some of their proposed trains in May 2023 with the introduction of some flexes, as highlighted in the attached changes tracker.

#### *Performance*

The Wales & Western region has been placed on the ORR regulatory escalator for inadequate train performance, which emphasises why improvement in this area remains a key area of focus for us.

Following the performance modelling undertaken in 2019, Tracsis released a report on the proposed Go-op services for a slightly different route, that is between Oxford or Swindon and Taunton and Yeovil. It is important to note that the timetable used for this modelling was December 2019. Even in this case, a different type of rolling stock was used (Class 769).<sup>4</sup>

However, as it was the case for our timetable analysis, the subsequent major changes introduced in the Go-op application required us to revisit the performance assessments with a further workshop with operators.

The Advanced Timetable Study indicates that there are performance concerns for Go-op at Westbury. A joint industry review of the platforming of services at Westbury station has highlighted the capacity constraints in the area and the potential performance impact of out of course running. This is amplified by the increase in services brought by the Go-op application. Work is ongoing to optimise the timetable

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<sup>3</sup> 7 of the 22 analysed paths were found conflict-free, whereas the remaining 15 paths had conflicts identified. Of these 15 paths with conflicts, 12 could be amended/adjusted to avoid the conflicts. This means that there were still 3 paths with conflicts and no full solutions identified. However, these 3 paths could have their operating days adjusted to avoid these conflicts. Go-op stated they were willing to adopt such operational flexibility in their proposed timetable.

<sup>4</sup> The findings of the Tracsis performance modelling revealed that the performance impact of the Go-op services had little effect on most routes. The average time-to percentages of Go-op were: T-1 80.9%, T-3 87.6%, T-5 93.4%, T-10 97.4%. The Go-op impact on Class 1 services of major TOCs and FOCs in the modelled area were: GWR – T-1 -0.5%, T-3 -0.4%, T-5 -0.2%, T-10 -0.1%; SWR – T-1 -0.1%, T-3 -0.1%, T-5 -0.1%, T-10 -0.1%; Freight – T-1 0.0%, T-3 -0.0%, T-5 0.0%, T-10 0.0%.



pattern to reduce this risk.

Additionally, Go-op commissioned a Tracsis study (attached to this letter) to propose some measures to mitigate their performance impact on other train operators. The aim of this study was to demonstrate that Go-op, as an aspirant Open Access operator, would be able to maintain a satisfactory level of performance on the network.

### *The Melksham Branch*

The Melksham branch is one of the most capacity-restricted sections of the proposed Go-op route between Taunton and Swindon. It is an 8 ½ mile single line with no passing loops. There are also no loops available at either end of the single line at Thingley (Chippenham) or at Bradford Junction. If a train has to await a path on the single line, it has to wait on the main line until the route becomes clear, causing wider network performance risk.

There are currently three main uses for the Melksham branch:

- Freight services from Westbury and the quarries towards Swindon, Didcot and the North
- GWR West Wiltshire local passenger trains serving Melksham
- Diversionary route for the B&H line during planned and unplanned disruption. This requires the cancellation of other passenger services to release capacity

Freight traffic on the branch is currently running at high levels of use driven by record levels of aggregates movements from the Mendip quarries. Mendip Rail forecast that these levels will remain high, with the potential for further service increases as Whatley moves to reduce road movements and shift more traffic to rail. The Melksham branch is also particularly important in meeting the HS2 flows towards Oxford and the South Midlands.

There is very little spare capacity on the branch and any late running will have the potential to react onto other services.

### **Conclusion**

At this time, we do not support the services of this Go-op track access application. Factors in our decision include the increase in level crossing risk that would be introduced by the proposed Go-op trains and the long-term challenge posed by the delivery of suitable mitigations, the limited investment detail and operational constraints. If the ORR were to approve the application at this stage, it would be against our recommendation on level crossing safety.

We are keen to keep developing this application in synergy with Go-op to mitigate the aforementioned risks and concerns. We would like to find suitable solutions that can benefit the wider industry and work jointly with Go-op to improve this application towards the introduction of services that can tangibly improve passenger outcomes in the future.



Please do not hesitate to contact me if there is any further information you require.

Yours sincerely,

**Gianmaria Cutrupi**  
Customer Manager, System Operator  
Network Rail