



West
Midlands
Trains

22/07/2024

Jonathan Rodgers
Office of Rail and Road
By email only

Dear Jonathan,

West Midland Trains Limited's Representations for the proposed 22nd, 28th, 30th, 31st and 32nd Supplemental Agreements to the Track Access Contract between Network Rail Infrastructure Limited and West Midlands Trains Limited dated 15 May 2019

As invited by the ORR in an email dated 03 July 2024, please find below West Midlands Trains Limited's representations in respect of Section 22A of the Railways Act 1993, for the 22nd, 28th, 30th, 31st and 32nd Supplemental Agreements to the Track Access Contract (TAC) dated 15 May 2019 between Network Rail Infrastructure Limited (Network Rail) and West Midlands Trains Limited.

In line with ORR's letter of 24 April 2024, to the industry on 'Competing and/or complex track access applications for December 2024, May 2025, and December 2025 timetable changes', WMT submitted Section 22A applications to the ORR on the 20 May.

WMT has reviewed the representations provided by Network Rail Infrastructure Limited (Network Rail) on 28 June and will address each supplemental individually, below.

22nd Supplemental Agreement (Camp Hill services)

Considering WMT's application to introduce services to the Camp Hill line, WMT believes it has undertaken all the relevant work required for a positive decision to be made regarding its application.

The only outstanding issue relates to the provision of performance data, and the action to provide this currently resides with Network Rail.

However, prior to this requirement, there was a report carried out by Ed Jeffrey Limited titled "WMCA New Stations Package 2 Timetable and Performance Modelling", within the report WMT was able to satisfy itself that Birmingham New Street along with the rest of the West Midlands Network was able to accommodate the rights requested without any detrimental effect to performance.



In the report three options were considered, they are outlined below.

- **Short Term:** reductions in the Coventry Corridor service (from 10 tph to 8tph) and Cross-City service (from 6 tph to 4 tph) relieve some of the constraints at the Birmingham New Street and Kings Norton end of the route and allow the introduction of the Camp Hill service.
- **Medium Term:** the electrification of the central lines at Kings Norton is completed which enables restoration of the full Cross-City line service on either the full route or just Cross-City South
- **Long Term:** delivery of the Midlands Rail Hub enhancements at Kings Norton and Moor Street (and the Bordesley Chords) enables the Camp Hill service to operate with minimal impact on any other service group.

In line with the report's findings, we have not sought an increase in the Cross City south route to 6tph and the removed Coventry services were never re-introduced, the biggest take away from the report is that all Camp Hill options perform better than the May 2020 base timetable at a network-wide level.

The action for Network Rail to now finalise a capacity study predates the ORR's letter of 24 April 2024 to the industry on 'Competing and/or complex track access applications', therefore it is disappointing that Network Rail are currently unable to provide a clear determination on this specific application.

28th Supplemental Agreement (December 2024 Timetable)

Considering WMT's application for extended and additional rights in relation to the December 2024 timetable, WMT has undertaken all the relevant work required for a positive decision to be made regarding its application.

During the industry consultation period, WMT was able to answer all questions provided by stakeholders and has already worked with Network Rail Capacity planning to fully validate pathways associated with the December 2024 timetable.

WMT are concerned that Network Rail are currently unable to provide a confirmed position on WMT's December 2024 application, despite the information supplied, and the questions answered to both industry stakeholders and Network Rail, during the full consultation period. It is WMT's view that a decision needs to be made to ensure that the December 2024 timetable implementation is not put at risk.



30th Supplemental Agreement (Cross City North 6tph)

Considering WMT's application for additional rights in relation to the increase from 4 to 6tph between Birmingham New Street and Four Oaks/Lichfield Trent Valley, WMT has reviewed Network Rail's representation.

Whilst WMT acknowledges that its proposal contains incomplete plans, it believes that given the requirements set out by ORR's letter of 24 April 2024 to the industry WMT has provided all information possible at that stage. During the consultation period WMT responded to all queries, stating that it would work with the industry to ensure that the proposed plans would not be to the detriment of current operations.

WMT believes the only area requiring further consideration is that between Birmingham New Street and Proof House Junction; the remaining route is operated in majority by West Midlands Trains services (excepting for CrossCountry ECS or diversionary movements).

In conclusion, WMT believes the plans submitted to re-introduce 6tph is not only possible given it being a return to pre pandemic levels of service on this section of route, but WMT is also ready to work with stakeholders and Network Rail to ensure its plans are robust, risk-free and are realistic in terms of the infrastructure capacity.

31st Supplemental Agreement (Fast Stratford Services)

Considering WMT's application for additional rights and realignment of rights in relation the introduction of fast Birmingham Snow Hill – Stratford-upon-Avon services. WMT has reviewed Network Rail's representation.

Whilst WMT acknowledges that plans require further modification based on feedback, it believes that given the requirements set out by ORR's letter of 24 April 2024 to the industry WMT has provided all information possible at that stage. During the consultation period WMT responded to all queries stating that it would work with the industry to ensure that the proposed plans would not be to the detriment of current operations.

We believe that whilst there is an interaction with a select number of CrossCountry services, the 31st supplemental should be outside the remit of the ORR's letter of 24 April 2024. WMT strongly believes that these new services do not pose a risk to CrossCountry as WMT's proposal was planned around their anticipated increase in service on the Dorridge corridor. We can also confirm there is no direct interaction between these new services and XC's existing paths.

It should also be noted that this application proposes a service level through the Dorridge corridor that remains lower than that which existed pre-Covid.



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WMT will undertake further work with stakeholders and the DfT to further develop the proposal in line with feedback provided, to ensure plans are as robust as possible.

32nd Supplemental Agreement

Considering WMT's application for additional rights identified as missing and subsequently subject to a general approval, WMT has no comment to make on the basis that the 32nd SA was progressed outside of the wider industry process and has now been approved by Network Rail and the ORR.

Yours faithfully

Scott Turner
Network Access Manager

