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LONDON NORTH EASTERN RAILWAY

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Copies to: David Reed, ORR
Alice Kaiser, ORR

24th April 2025

Dear Alice

**Industry Consultation – Network Rail response to LNER 34th Supplement Agreement**

Thank you for the opportunity to comment on Network Rail's response to the LNER's 34th Supplemental Agreement. We welcome Network Rail's support for the application and recognition of the timetable development work that has taken place through the Event Steering Group. Note that this response also covers our comments on the 36th, 37th and 38th Supplementals. The 35th Supplemental will be subject to a further response.

LNER wishes to make the following points on the proposal in light of the position expressed by Network Rail:

- In section 2.5, Network Rail references calls at Shipley and Bradford and the requirement for infrastructure work. LNER's additional Bradford services remain on track to be delivered in May 2025 and the project has achieved a high level of assurance that the necessary infrastructure will be in place to achieve this. Shipley is expected to be delivered during the course of the May 2025 timetable. As this application relates to the timetable starting in Dec 2025 and we have received confirmation from the relevant project that all work will be completed in advance of this, we would request that the rights remain as firm. In addition, we can confirm that services to and from Bradford will operate as extensions of London<>Leeds services and not independently.
- Section 3.3 refers to "unused firm London North Eastern Railway (LNER) Firm Directed Rights." LNER would like this wording to be amended to "unfulfilled" or "undelivered" rights. As noted in the letter, LNER has rights for 6.5TPH whereas only 6.0TPH are currently delivered by the ESG timetable. This is a result of the decision – taken very reluctantly - to descope the ESG timetable in order to expedite its implementation, when ESG timetable development work showed that the additional 0.5TPH could not be delivered without

additional infrastructure activity. The ability to deliver 6.5TPH for LNER was based on a program of infrastructure activity intended for the East Coast Mainline. Some of this activity was subsequently descoped and the resulting reduction in available capacity led to the descoping of the ESG timetable, but you will be aware that development work to identify options to facilitate the 6.5TPH has recently been re-started.

- It remains LNER's intention to deliver 6.5TPH, a position that is endorsed by DfT. Considering the interests of rail passengers, our forecasts of train loadings for the ESG timetable demonstrate the case for further timetable changes to deliver the full 6.5TPH service. We remain concerned that in its response to the 35th Supplemental, Network Rail is unable to support rights which it has been directed to offer. We believe such a situation is unprecedented. We will comment on this in more detail in our response to NR's views on the 35th Supplemental.
- We can confirm that the 36th, 37th and 38th applications will be withdrawn should the ESG timetable covered in the 34th supplemental be delivered in December 2025. However, we would like Network Rail to confirm their position on these supplementals in the event that the ESG timetable is not delivered.
- Section 8 refers to the extension of the expiry date for the contract. It should be noted that LNER's contract with DfT has now been extended to 31st March 2028 and we will work with Network Rail to agree the necessary amendment.

We welcome the majority of the response to the 34th supplemental and support for the ESG timetable. We will be commenting on the response to the 35th Supplemental shortly.

Yours sincerely,

[redacted]

**Malcolm Knight**
**Head of Operational Planning**