

APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER TRACK ACCESS CONTRACT, OR AN AMENDMENT TO AN EXISTING CONTRACT

ORR ensures that train operating companies have fair access to the rail network and that best use is made of capacity. If a train operator wants to access the national railway network, it will need a track access agreement with Network Rail which requires ORR's approval under the Railways Act 1993. When determining access to the network, we must have regard to our [statutory duties](#), most of which are set out in section 4 of the Act. We must exercise our functions (which include the approval of access contracts) in a way that we consider best achieves those duties.

Use this form to apply to the Office of Rail and Road (ORR) for a passenger track access contract, or an amendment to an existing contract by a supplemental agreement, under sections 17-22A or the Railways Act 1993.

It sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) (and our [making an application](#) guidance in particular) explains the process, timescales and the issues we will consider. Please read the guidance before completing the contract and this form.

If the facility owner and beneficiary have agreed terms, the facility owner should fill in the form. If not, the beneficiary should fill in the form.

A pre-application industry consultation is usually required before submitting an application. Please see the industry [code of practice for track access application consultations](#) for more information.

This form should be completed up to section 10 and sent to consultees along with a copy of the proposed contract or supplemental agreement. Sections 10 and 11 should be filled in after the consultation and before applying to ORR.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#). Please ensure that you are using the latest version of this form as published on our website. We may ask for applications which have not used the latest version to be resubmitted.

You may also use and adapt this form if necessary to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

1. Application Summary

1.1 Beneficiary company name:

Liverpool & South Wales Railway (L&SWR)

1.2 Facility owner details:

Network Rail:	<input checked="" type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input checked="" type="checkbox"/>	Scotland's Railway <input type="checkbox"/>
Other Facility Owner:	<input type="checkbox"/>	Please state:			

1.3 Application under the Railways Act 1993 section:

17 <input checked="" type="checkbox"/>	18 <input type="checkbox"/>	22 <input type="checkbox"/>	22A <input type="checkbox"/>
		Supplemental Number:	
		Current contract date:	
		Current contract expiry date:	

1.4 Applicant status:

Public Service Operator <input type="checkbox"/>	Public service contract start date:	
	Public service contract end date:	
	Name of funder (e.g. DfT, Local Authority):	
	Does the funder support this application?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Open Access <input checked="" type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

1.5 Executive summary of the proposed contract or amendment:

This application is for a 7-year operation of 8 Open Access Liverpool Lime Street to Cardiff International Airport services in each direction on Monday to Saturdays and 6 on Sundays, using the available capacity and Class 22X rolling stock (including first and standard class accommodation).

The train services shall call at Liverpool Lime Street – Liverpool South Parkway – Runcorn – Chester – Wrexham General – Shrewsbury – Ludlow – Hereford – Newport – *Cardiff Parkway (when opened)* – Cardiff Central – Barry – Rhose Cardiff International Airport.

This will unlock wholly new direct 'inter-city' quality 'cross-country' connectivity between Merseyside, Chester and Wrexham, Merseyside to the Marches counties of Shropshire and Herefordshire, from both the Marches and the South Wales urban heart of Newport and Cardiff to Cardiff International Airport, all within a new North West England to South Wales strategic, fast service.

None of these forms of direct rail connectivity exist today.

Proposed commencement date:	December 2026
End date:	December 2033
Date approval or directions wanted by:	Earliest Opportunity

1.6 Industry consultation:

Who carried out the consultation?	Network Rail		
Consultation start date:		Consultation end date:	
Not carried out <input checked="" type="checkbox"/>			

1.7 Applicant details

Facility Owner Company: Network Rail Contact name: [REDACTED] Job title: Aspirant Open Access Operators Manager Address: Waterloo General Office SE1 8SW Phone: [REDACTED] E-mail: [REDACTED]	Company: L&SWR Contact name: [REDACTED] Job title: [REDACTED] Address: 4 Brindleyplace, Birmingham, B1 2JB Phone: [REDACTED] E-mail: [REDACTED]
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1.7 Date of application to ORR:**10 February 2025****1.8 Checklist of documents attached to the application form:**

- Proposed new contract (S17 or S18) or supplemental agreement (S22 or S22A) ☒
- Marked up Schedule 5 (where applicable) ☐
- Marked up comparison to model contract (where applicable) ☐
- All consultation correspondence ☐
- Supporting documentation required for competing services (see section 6.2) ☐
- Other supporting documents, side letters or collateral agreements (please list):

2. Licence and railway safety certificate**2.1 Please state whether:**

- you intend to operate the services yourself; or ☒
- have them operated on your behalf. ☐
 - if so, please name the proposed operating company:

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2.2 Does the proposed operator of the services:

- (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and** ☐
- (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006. ☐

If the answer to (a) **or** (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

L&SWR is working towards obtaining a Passenger Operating Licence and a valid safety certificate in parallel with the open access application process. The L&SWR leadership team has experience and capability of successfully achieving rail operator safety certification for both franchised and Open Access operators.

3. The proposed contract or amendment

3.1 Application overview: Please detail the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely and fully highlight the changes from the previous version of the contract (in the case of an amendment).

Services

L&SWR is applying for a Track Access Contract to operate services using Class 221/222 'Voyager' 5 car 125mph rolling stock between Liverpool Lime Street – Liverpool South Parkway – Runcorn – Chester – Wrexham General – Shrewsbury – Ludlow – Hereford – Newport – <i>Cardiff Parkway (when opened)</i> – Cardiff Central – Barry – Rhose Cardiff International Airport.

L&SWR believes there is significant merit in introducing direct ‘inter-city’ styled services on the mainline route between Liverpool Lime Street, the Marches, Cardiff and Cardiff International Airport, unlocking national/cross-national and regional connectivity which currently does not exist, creating new desire lines for rail travel, and providing sustainable access to two international airports.

1. **North West Section** - Between Liverpool, Liverpool South Parkway (for Liverpool John Lennon Airport), Runcorn and Chester – providing ‘inter-city’ ambience connectivity supplementing and offering faster journey times than the stopping Merseyrail and Transport for Wales local services and providing Liverpool and Wrexham with direct services currently unavailable.
2. **Central Marches Section** – Shrewsbury, Ludlow and Hereford – providing new direct, fast ‘inter-city’ connectivity to Liverpool, Liverpool John Lennon Airport and Cardiff International Airport, none of which is available today.
3. **South Wales Section** - Between Newport, Cardiff Parkway when opened, Cardiff Central, Barry and Rhooose Cardiff International Airport, transforming connectivity from today’s 1 hour-1h 40m connecting journey times (Newport to Rhooose) to c. 45 minutes with no change, important for airline passengers with luggage – n.b. planning consent for Cardiff Parkway was approved by Welsh Government on 31 January 2025.
4. **Full ‘Liverpool-South Wales Corridor’** – Strategic ‘inter-city/cross country’ connectivity directly linking the Liverpool City Region, the Marches and South Wales and providing access to Liverpool John Lennon Airport’s 70 European and African destinations and Cardiff International Airport’s 11 European destinations. These L&SWR services will complement the current Transport for Wales (TfW) service provision between Manchester/Holyhead and Cardiff but offer distinctive choices for passengers in connectivity, journey times and passenger experience. The L&SWR service will also alleviate some of the current overcrowding issues presently experienced on some TfW services between Chester and Cardiff.

Context and Strategic Fit

Between April and May 2024 TfW undertook a stakeholder feedback survey on its timetables “TfW Future Timetable Review” alongside passenger counts and close consideration of alternative travel options (<https://haveyoursay.tfw.wales/strategic-future-timetable-review>). A number of evidence-based factors including economic, social, demand and growth trends were fed in to this study. Market need for direct services between South Wales and Liverpool was recognised. However TfW has deferred commitment to introduce a new Cardiff Central - Shrewsbury - Liverpool Lime Street service, noting Network Rail infrastructure enhancement is required, with no date specified for any commencement.

As part of this proposal, L&SWR will work with Network Rail and Transport for Wales to understand and implement the needed infrastructure enhancements to support our service proposition and meet this identified market.

L&SWR will also be pleased to work with Third Party stakeholders in respect of proposals for new stations, such as Cardiff Parkway (private sector) Pontrilas/Golden Valley Parkway (Herefordshire Council).

L&SWR notes that direct Liverpool – South Wales connectivity features as an aspiration in the Western Gateway Partnership ‘Rail Deal’ published on 28 January 2025 (as this Form P was being completed) noting “*The Western Gateway is supportive of TOCs in exploring options for implementing a new direct route.*” (p.73 - <https://western-gateway.co.uk/research/>)

The benefits of the proposed service are set out at Section 4.1 below.

Train Service Timetable

An initial draft timetable has been produced, using Class 221/222 and Class 197 timings, and will be shared with Network Rail in parallel with this submission for its consideration and consultation. This has been developed and validated based on the December 2024 timetable using industry recognised tools. The proposed indicative Monday to Friday timetable is shown over.

Liverpool - Cardiff International Airport				Cardiff International Airport-Liverpool			
	arr	dep	JT		arr	dep	JT
Liverpool Lime Street		11:02		Rhoose Cardiff International Airport		11:15	
Liverpool South Parkway	11:12	11:13	00:10	Barry	11:22	11:23	00:07
Runcorn	11:21	11:22	00:19	Cardiff Central	11:40	11:41	00:25
Chester	11:43	11:44	00:41	Cardiff Parkway	11:49	11:50	00:34
Wrexham	11:58	12:03	00:56	Newport	11:56	11:59	00:41
Shrewsbury	12:31	12:33	01:29	Hereford	12:42	12:46	01:27
Ludlow	12:58	12:59	01:56	Ludlow	13:07	13:07	01:52
Hereford	13:23	13:24	02:21	Shrewsbury	13:33	13:46	02:18
Newport	14:05	14:06	03:03	Wrexham	14:13	14:15	02:58
Cardiff Parkway	14:14	14:15	03:12	Chester	14:32	14:33	03:17
Cardiff Central	14:23	14:25	03:21	Runcorn	14:51	14:52	03:36
Barry	14:43	14:44	03:41	Liverpool South Parkway	15:00	15:01	03:45
Rhoose Cardiff International Airport	14:51		03:49	Liverpool Lime Street	15:11		03:56

We propose 8 services per day in each direction with departures from Liverpool and Rhoose Cardiff International Airport prospectively in the hours 06.xx, 07.xx, 09.xx, 11.xx (as with the illustrative paths above), 13.xx, 15xx, 17.xx and 19.xx.

We propose 6 services in each direction on Sundays.

Comparative journey times (against 'typical standard off-peak hour in 2025') include:

- Liverpool – Cardiff Central : current 3h 41m / 1 change – LSWR direct 3h 21m
- Liverpool – Hereford : current 2h 35m / 1 change – LSWR Direct 2h 21m
- Liverpool South Parkway – Wrexham : current 1h 0m / 1 or 2 changes – LSWR 46m direct
- Hereford – Rhoose Cardiff International Airport 2h 0m / 1 change – LSWR direct 1h 28m
- Newport – Rhoose Cardiff International Airport 1h 0m / 1 change – LSWR Direct 45m

Our initial analysis suggests that overall, with the many new journey opportunities created, the service can meet the 'Not Primarily Abstractive' test threshold.

Overall route geography is shown below.



Track Access Contract

The proposal uses the 'Model Clause' Track Access Contract and does not seek to alter the terms.

This application is made under Section 17 of the Railways Act 1993. L&SWR will commence discussions with Network Rail in parallel with this submission to ORR, with a view to reaching agreement enabling the use of Section 18.

3.2 Safety risks: Please explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

L&SWR has not identified any safety risks outside those associated with the normal operation of railway services.

The L&SWR leadership team has experience and capability of successfully achieving rail operator safety certification for both franchised and Open Access operators.

3.3 Contract duration: For new agreements or extensions to existing agreements, please provide justification for the proposed duration and, if more than 5 years, with reference to the [Railways \(Access, Management and Licensing\) Regulations 2016](#).

L&SWR seeks an initial 7 year Track Access agreement from December 2026 to December 2033.

3.4 Terms not agreed with the facility owner (for applications under sections 17 or 22A only): Please explain any areas of the application which have not been agreed, the reasons for the failure to agree and the reasons for seeking these provisions.

This application is made under Section 17 of the Railways Act 1993.

L&SWR will commence active and constructive discussions with Network Rail in parallel with this submission to ORR, with a view to reaching agreement enabling the use of Section 18.

3.5 Bespoke provisions (departures from ORR's model access contracts)

Does the proposed contract include any departures from ORR's model access contract:

Yes

☐

No

☒

If yes, please set out and explain any:

- areas where the drafting of the application changes ORR's published template access contracts (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made.

n/a

- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model access contracts, including the financial implications (e.g. establishment of an access charge supplement or rebate).

n/a

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete.

n/a

3.6 Consolidated contract

For amendments to existing contracts, is the version of the consolidated contract on our [website](#) fully up to date? If not, please explain why not.

n/a

4. The impacts of the proposal

4.1 Benefits: please set out what specific benefits the proposal will achieve. Please describe the benefits to passengers and any impact on other operators, including freight operators.

Economic, growth and environmental context

L&SWR's proposed services would serve a substantial population of c. 2.35 million people along the 11 local authorities of the route, set to grow overall between 2025 and 2040 by 6% to 2.5 million, just under 145,000 more people (c. 10,000 more than the combined populations of Shrewsbury and Hereford), with a significant growth hotspot in Shropshire (sources – Office of National Statistics [ONS]/Statistics for Wales [SFW]). Higher mandatory housing targets for all local authorities announced by Government in December 2024 will substantially increase this growth number.

<https://www.gov.uk/government/news/planning-overhaul-to-reach-15-million-new-homes>

The Liverpool-South Wales Corridor described here contains multiple components across the breadth of Britain's economic sectors, covers all of the 8 'Growth Driving Sectors' identified in the Government's November 2024 'Invest 2035' Industrial Strategy Green Paper, together with major specialisms in construction, retail, agriculture and food technology, and is supported by 8 universities.

It also has high profile sports development such as the substantial international investment in Wrexham Football Club, as well, of course, the presence of major Premier League clubs such as Liverpool and Everton, and the powerful attraction of national and international rugby at Cardiff.

Together the 11 local authorities generate £76bn GVA p.a. (2022: ONS), just under 4% of GVA for the United Kingdom. Approximately 50% of this GVA is generated in the local authority areas of Liverpool, Cheshire and Wrexham, 20% in Shropshire, Herefordshire and Monmouthshire, and 30% in urban South Wales.

L&SWR's Open Access service offers the opportunity to enhance the agglomeration benefits of better and faster connectivity for the economy, business and employment, strengthen the smaller more rural economies of the Marches, and support overall balanced growth across the corridor.

It would provide direct rail connectivity wholly unavailable today for journeys between significant cities, towns and major airports such as:

- Liverpool and Wrexham
- Liverpool and all the key destinations south of Wrexham – Shrewsbury, Hereford and Newport
- Liverpool and Cardiff – limited as long ago as the final British Rail timetable (1993/1994) to only 1 direct service northbound and 2 southbound per day and subsequently removed.
- Liverpool John Lennon Airport (4.9 million journeys in 2024) and all origins/destinations on this corridor south of Chester
- Cardiff International Airport (0.9 million journeys in 2024) and all origins/destinations east and north of Cardiff Central

It could also offer new and enhanced connections to other routes and services including:

- The North Wales coast at Chester
- The Cambrian Coast at Shrewsbury
- The South Wales Main Line at Newport and Cardiff
- Other prospective Open Access operators such as the Wrexham, Shropshire and Midland Railway (WSMR) at Wrexham General and Shrewsbury.

The corridor is served by increasingly improving TfW train services, connecting Manchester and North Wales with South Wales via the Marches, North Wales and Birmingham, the Cambrian Coast crossing it at Shrewsbury, and local services on the Wrexham Central-Bidston (Wirral) route. This includes quality and performance upgrades provided by the new TfW Class 197 trains, together with some limited 'inter-city' ambience with TfW's Mark 4 plus locomotive stock.

However Liverpool City Region is not served with long distance TfW connectivity, recognised by TfW's 2024 "TfW Future Timetable Review", nor are the two international airports at both ends of the corridor.

As the key north-south strategic corridor in Wales and along the Wales-England Border the National Rail network can be seen as under-performing in supporting economic growth.

As such L&SWR's proposals will not only respond to wider economic, housing, population and leisure facility growth, but actively stimulate new regional and 'inter-city' desire lines for travel, supporting business location decisions and people's choices about where to live and work, and do so with a strong 'inter-city' quality of passenger experience, capable of attracting 'new to rail' passengers.

Given the scale of the highway capacity and congestion challenges of key routes on the corridor, new direct rail connectivity will not only offer potential relief but also support sustainable Net Zero policies at both national (England and Wales) and local authority levels.

Particular capacity challenges for both car and HGV traffic exist on the M4 between Bristol, Newport and Cardiff, on the largely single carriageway strategic A49 north-south route between Monmouthshire and North West England via Hereford and Shrewsbury (as well as on these two places' route crossings between England and Wales), and on the Liverpool/North West strategic A483, M53, M56 and M62 routes.

Meeting Open Access principles and requirements

L&SWR's proposals will build on, add value and contribute to and strengthen the case for TfW and Network Rail ambitions for the North Wales-North West-South Wales route, including capacity, line speed and signalling enhancements.

L&SWR believes its proposal meets the expectations set out by the Rt. Hon. Heidi Alexander MP, Secretary of State for Transport, in her letter of 6 January 2025 to the ORR, where she recognises *"the benefits that can be provided by Open Access operators in the right circumstances and that both existing and new Open Access operators can open up new markets, drive innovation and offer choice to passengers."*

It does so:

- In opening up direct markets, such as to and from Liverpool City Region, that do not exist today and have not done so for many years, often since the last days of British Rail in the 1990s.
- In opening up new direct rail markets to international airports in Liverpool and Cardiff.
- In offering real choice to passengers via through services of inter-city quality and reduced journey times across the major strategic North Wales-North West-South Wales corridor.
- In promoting innovation in terms of quality, accessibility and progression towards net-zero' rolling stock, all of which will encourage passengers to use L&SWR, essential to us given the commercial and financial risk we will, de facto, hold as an Open Access operator.
- In offering potential to serve future new stations such as Cardiff Parkway or those proposed by Herefordshire Council.
- In supporting sustainable access to the major tourism markets of Wales and the Borders, the sports attractions at Cardiff and Liverpool and new leisure initiatives such as the development of Wrexham Football Club.

These are positive circumstances for an Open Access submission.

This application also notes the DfT's 04 February 2025 letter to the ORR in respect of 'Live Open Access applications, received during pre-election period' which sets out its support for only 1 of the 9 relevant applications, namely that of the Wrexham, Shropshire and Midland Railway (WSMR) (with which, as noted earlier, L&SWR would also connect at Wrexham General and Shrewsbury).

DfT notes that it does not support the other 8 applications given its concerns regarding revenue abstraction from contracted operators, NPA scores not meeting the 0.3 threshold specified in ORR guidance, together with risks to network performance.

DfT notes its in-principle support for WSMR's application, subject to performance assessment, given it meets the 0.3 NPA threshold and provides "*new direct services [...], enhancing connectivity and providing tangible benefits for [...] communities, particularly those in a wide hinterland that can then access direct long distance services*" whilst also "*improving regional connectivity.*"

L&SWR believes the outcomes of its service proposals also reflect and actively align with DfT's interpretation of Open Access criteria.

Commercial impact on other operators

L&SWR is thus supportive of the original principles and spirit of Open Access and in developing the concept for this service has sought to create significant numbers of new and direct opportunities to travel.

We have undertaken preliminary timetable assessment which supports our assertion that this new service would be very strongly generative and will grow the rail market substantially along this North Wales-North West-South Wales Corridor.

We have undertaken initial MOIRA.1 runs of our timetable which suggest that, with the many new journey opportunities created, the service can meet the 'Not Primarily Abstractive' test threshold.

L&SWR Customer and Stakeholder Benefits

L&SWR will provide high quality 'inter-city' ambience services, with accessible, easy-to-use ticketing with value-for-money fares. New jobs will be created, benefiting supply chains across the route, and L&SWR will work in partnership with communities, local authorities and other operators to enhance stations.

4.2 Capacity: How have you satisfied yourself that there is enough network capacity for the services in the proposal? Please include details on all relevant capacity considerations, including but not limited to track, platform availability, and power supply traction.

Timetable

The proposed timetable underpinning the requested track access rights has been developed by a recognised industry timetabling and performance specialist using recognised industry planning tools. L&SWR will undertake performance modelling during the application process.

Proposed Equipment

The proposed equipment – Class 22x diesel powered rolling stock - is currently in use and well understood on routes across England, Wales and Scotland but will require acceptance on the Liverpool Lime Street to Rhose Cardiff International Airport route.

4.3 Performance: What is the impact on network performance? Please outline your assurance process that shows that any performance risk is tolerable in comparison to the benefits of the application. Please explain any risk mitigations. Please attach any associated evidence to support your case.

L&SWR will undertake detailed performance modelling during the application process.

4.4 Maintenance and renewals: Are there any implications for the facility owner's maintenance and renewal activities?

No

5. The expression of access rights

5.1 Changes to rights: please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please attach a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

L&SWR is seeking new rights to operate services between Liverpool Lime Street – Liverpool South Parkway – Runcorn – Chester – Wrexham General – Shrewsbury – Ludlow – Hereford – Newport – Cardiff Parkway (when opened) – Cardiff Central – Barry – Rhose Cardiff International Airport

The proposed contract is based on the Model Clause Open Access Passenger Track Access Contract and does not seek to alter the terms.

The quantum of rights is proposed as:

- Monday to Saturday – 8 services in each direction
- Sunday – 6 services in each direction

5.2 Flexing rights: Please explain any limitations on the facility owner's flexing rights in the proposal and the rationale for such limitations.

None

5.3 Specified equipment: Please explain any changes to specified equipment (rolling stock). Has the vehicle and route acceptance procedure in the Network Code (Part F) has been completed? Please explain whether you have, or will have, the rolling stock necessary to exercise the rights.

L&SWR is proposing to utilise Class 22x units which we expect to be available to exercise granted rights.

5.4 Contractual obligations: Are the proposed services necessary to fulfil obligations under a public service contract? For publicly contracted operators seeking additional access rights, we will expect to see evidence of funder support for the specific rights and of operators' intent and ability to operate the new services.

n/a

5.5 Public funding: Other than the DfT, Welsh Government or Transport Scotland, are the proposed services subject to financial support from central or local government including PTEs. If so, please give details.

n/a

5.6 Long Term Planning Process: Is the Long Term Planning Process (or similar devolved authority or regional service delivery project) relevant to this application? If so, please explain how the proposed rights are consistent or inconsistent with this.

L&SWR's proposal is consistent with TfW's expressed wish to promote Liverpool to South Wales connectivity and TfW/Network Rail aspirations for capacity, line speed and signalling enhancement of the North Wales-North West-South Wales route.

6. Competing passenger services:

We would expect to apply the 'not primarily abstractive' test to:

- (i) a new open access service which would compete with franchised services and so impact on the public sector funder's budget;
- (ii) a new franchised service which would compete with an existing franchised service, where we would expect to focus the test on areas where the competing franchised services are operated on behalf of different funders or where for some other reason there are particular concerns over the impact on a funder's budget; and
- (iii) a new service, which might be open access or franchised, which would compete with an existing open access service and which, if it caused the existing open access operator to withdraw from the market, could reduce overall competition on the network.

6.1 Please state if your application is for a competing passenger service, and if so please describe the nature of the competition:

L&SWR's principal purpose is to create new direct connectivity where it currently does not exist.

As such L&SWR is not seeking to directly compete with well-established services operated via existing franchises/contracts.

This meets the expectations set out by the Rt. Hon. Heidi Alexander MP, Secretary of State for Transport, in her letter of 6 January 2025 to the ORR, where she recognises "*the benefits that can be provided by Open Access operators in the right circumstances and that both existing and new Open Access operators can open up new markets, drive innovation and offer choice to passengers.*"

6.2 For competing services, please also confirm that you have attached as part of your submission to ORR the following:

- Business plan, including details of: ☐
 - forecasts of passenger traffic and revenues, including forecast methodology;
 - pricing strategies;
 - ticketing arrangements;
 - rolling stock specifications (e.g. load factor, number of seats, wagon configuration);
 - marketing strategy;
 - estimated elasticities of the services (e.g. price elasticity, elasticity with respect to quality characteristics of the services).
- Demand forecasting (including associated spreadsheet models) demonstrating modelled generation : abstraction ratio. ☐
- Indicative timetables, including associated .spg files ☐

7. Incentives

7.1 Train operator performance: please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving operator performance.

L&SWR will undertake performance modelling during the application process and seek to implement interventions that emerge from this analysis.

In preparing the Specified Equipment for the proposed operation, L&SWR will baseline the status of the small fleet of Class 22x units and implement any required performance-based improvements.

7.2 Facility owner performance: please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

As 7.1

7.3 Monitoring of services: Will all proposed services be monitored for performance throughout their journey? If not, please explain.

Yes

7.4 Performance regime changes (for applications under sections 17 or 22A only): where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed.

None proposed.

8. Enhancement

8.1 Enhancement details: where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

L&SWR will align its service development and operation with TfW/Network Rail aspirations for capacity, line speed and signalling enhancement of the North Wales-North West-South Wales route.

8.2 Enhancement charges: please confirm that the arrangements for the funding of any network enhancements are consistent with the [investment framework](#), and summarise the level and duration of payments, and the assumed rate of return.

Pending understanding of extent of required enhancements, and the associated costs.

9. Other

9.1 Associated applications to ORR: please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). Where the application is being made in parallel with any other application from the same operator, please ensure the applications are consistent with one another. Where the application relies on another operator relinquishing access rights, please provide evidence that this process has been completed.

None

9.2 Side letters and collateral agreements: please confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

No side letters.

9.3 Confidential redactions: please list any information that you have redacted from any documentation sent to consultees. If there has been no pre-application consultation, please list any information you want us to exclude from publication. Please provide full reasons for any redactions.

None

10. Pre-application consultation

10.1 The consultation:

If consultation has not been carried out, explain why not. If it has, please list the consultees.

This draft application has been prepared for this consultation.

Who conducted the consultation?

Network Rail

List all consultees who responded and include their responses and any associated documentation or correspondence between the parties.

L&SWR will comply with this requirement in advance of consultation.

10.2 Resolved issues: please explain any issues raised by consultees which have been resolved.

This awaits the consultation process.

10.3 Unresolved issues: Please explain any issues raised by consultees which have ***not*** been satisfactorily resolved and why you think these issues should not stop ORR approving the application.

This awaits the consultation process.

10.4 Subsequent Changes: Have any changes been made to the proposal following consultation?

This awaits the consultation process.

11. Certification

Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution.

For agreed applications under section 18 or 22, Network Rail should complete the information below. For disputed applications under section 17 or 22A, the beneficiary should complete it.

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed

Date 10 February 2025

Name (in caps) IAN WALTERS

Job title Managing Director

For (company) L&SWR

12. Submission

12.1 What to send: please supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form by e-mail, **in plain Microsoft Word or Open Document Text format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting).

12.2 Where to send it:

Email: track.access@orr.gov.uk