



Jules Graham
Customer Relationships Executive
Network Rail
Waterloo General Office
London
SE1 8SW

Emyl Lewicki
Office of Rail and Road
25 Cabot Square,
London
WC2B 4AN

04 July 2025

Network Rail Final Representations for the 81st Supplemental Agreement submitted under Section 22A of the Railways Act 1993 for the Track Access Contract between Network Rail Infrastructure Limited and DB Cargo Ltd dated 11 December 2016.

This letter provides final representations from Network Rail Infrastructure Limited (Network Rail) for the 81st Supplemental Agreement (SA) submitted under Section 22A of the Railways Act 1993 for the Track Access Application between Network Rail and DB Cargo Ltd dated 11 December 2016.

This representation builds upon the representations submitted by Network Rail for this application on the 28 June 2024, and the 14 March ECML General Representation on Complex and/or Competing Applications interacting on Location ECML Kings Cross - Edinburgh and Leeds.

The latter of these letters provided important information to support ORR when it comes to making decisions on applications in this geography including context on the work in developing the ECML Policy, ECML Industry Task Force, key performance information, as well as updates on power supply assessment. The annexes to that letter include relevant information including Timetable Performance Analysis and ECML Power Supply Modelling and where there is specific relevance to this application, reference will be made in this representation.

The purpose of this final representation is to provide ORR with Network Rail's final position on this application (and the specific access rights within it) and will do so by providing facts, data and evidence to support our position. As the access rights sought in this application are at the ECML interacting location some of the evidence and data to support our decision is contained in the ECML General Representation letter dated 14 March 2025.

Network Rail can confirm that based on the facts, data and evidence outlined in this representation and the ECML General Representation letter dated 14 March 2025, it is **partially supportive of this application.**

This application is flagged as interacting at several of the ORR defined locations. Annex A shows a list of all the interacting applications and which of the nine locations they interact at. However, there are other locations where this application does interact with other unsupported applications.

Where there are a number of applications seeking capacity at the locations referred to in this letter, and as detailed in Annex A, the basis of our support of applications either in total, or in part

(as can be determined by reading the relevant representations), may have a connection to our position on all other applications at that location. You may wish to wait for final representations on related applications and the information provided therein prior to making your decision.

Background of the Application and Network Rail Representations

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', DB Cargo submitted this application to the ORR on 20 May 2024 as a S22A application in line with ORR's deadline.

As requested by ORR, Network Rail submitted a High-Level Plan in June 2024, and a further detailed plan was published on Network Rail's website in August 2024 and updated in January 2025.

Network Rail made its initial representations on this application on 28 June 2024 where an initial view of the application was provided. There were no significant issues highlighted to ORR at that time and there is nothing outstanding from our initial representations on 28 June 2024.

East Coast Mainline (ECML) General Representation Letter dated 14 March 2025

Network Rail can confirm that this application is seeking the proposed access rights at the interacting location ECML: Kings Cross – Edinburgh and Leeds and therefore the General Representation to ORR on the ECML dated 14 March 2025 is relevant to this application.

Whilst the entire letter is relevant to this application, we would like to highlight key points of that letter which are more pertinent to this application namely Section 4 'ECML Policy and the ECML Timetable Development', Section 5 'Unused LNER Firm Rights', Section 6 'Congested Infrastructure' and Section 8 'Details of Access Rights Sought on ECML'.

Unused London North Eastern Railway (LNER) Firm Directed Rights

The ECML ESG Timetable does not include the Unused LNER Firm Directed Rights as stated in paragraph 5 in Network Rail's ECML General Representation letter to ORR dated 14 March 2025.

The ECML Timetable planned for introduction in December 2025 does not include 8 LNER firm rights Monday to Saturday, 7 firm rights Sunday Only, between London King's Cross and Leeds via Wakefield or Micklefield directed by ORR in 2016.

The specification for the LNER service to/from London King's Cross had been reduced from 6.5 trains per hour (tph) to 6 tph with agreement from the DfT in 2021. This reduction retained the 0.5 tph London King's Cross – Middlesbrough service, albeit as far as York, with the 0.5 tph London King's Cross – Leeds service being descope. ECML Programme Board on 21st March 2021 noted the recommendation from East Coast Route to defer the 0.5 tph London King's Cross – Leeds service, including the conditional outcome of journey time reduction between London Kings Cross and Leeds, to a post-ECML ESG [December 2025] future timetable change.

As of 14 March 2025 Network Rail have formally declared congested infrastructure on relevant routes between Huntingdon North Junction (Jn) and New England North Jn (Peterborough) and Doncaster Marshgate Jn and Leeds Copley Hill West Jn.

Work undertaken for the ESG has shown definitively that this 0.5 tph London King's Cross – Leeds service uplift cannot be accommodated alongside the other ESG outputs. As such the service cannot run in this timetable or future timetables, alongside the other industry endorsed aspirations without

additional infrastructure and associated development activity, which is currently unfunded and uncommitted.

Congested Infrastructure

As stated in the ECML General Representation letter dated 14 March (paragraph 6) Network Rail has declared Congested Infrastructure for the December 2025 New Working Timetable for three lines of route on the ECML.

This application covers one of those locations:-

- Between Huntingdon North Jn and New England North Jn (Peterborough)

ECML Proposed December 2025 Timetable

As referred to in the ECML General representation letter dated 14 March 2025, in February 2024 the ESG closed following an ECML Programme Board endorsement on 17 January 2024 to deploy the new ECML Timetable in December 2024, subject to the outputs of the completed performance modelling.

At the point in time of ORR's letter to the Industry on 24 April 2024, the Department for Transport (DfT) had accepted a recommendation from the Industry Timetable Assurance Project Management Office (PMO) to funders that the ECML ESG Timetable should be deferred from the December 2024 timetable change.

An ECML Industry Task Force (herein referred to as "the Task Force") commenced in June 2024 as an independently led executive-level cross-industry meeting that provides strategic direction for the work programme. The Task Force develops solutions to the problems of the new ECML Timetable, drives consensus on the outcome(s), and delivers recommendations for industry funders and specifiers.

On 17 October 2024 the Independent Chair of the Task Force wrote to the DfT to advise that the Task Force met on 10 October 2024, reviewed the considerations, issues, and risks, and recommended proceeding with implementation of the new timetable for ECML in December 2025. This was on the basis that the timetable is deliverable and meets the Task Force objectives that were set. Concerns were noted from GB Railfreight (representing themselves and other Freight Operating Companies), ScotRail and Transport Scotland. The Task Force recommendation was accepted by the DfT and subsequently endorsed by the Secretary of State in December 2024.

The Task Force had worked collaboratively up to 31 January 2025 to further de-risk the transition of the ECML ESG timetable from development to timetable production.

Advanced work completed by Network Rail Capacity Planning, to inform the December 2025 timetable risk, involved aligning cross boundary paths in the ECML ESG developed timetable with the latest developments in the wider National Working Timetable (WTT) and associated Rolling Spot Bids (RSB). This process has highlighted that, despite previous timetable development work, the national freight and passenger timetable has evolved and this work has been necessary to reduce the risk that capacity decisions may need to be made during the timetable production period between D-40 to D-26.

Therefore, where in this letter and in the ECML General Representation letter we have referred to the proposed ECML December 2025 Timetable, we are referring to timetable work above namely, either full or in part, the:

- Timetable which was developed by the ECML ESG and later deferred in April 2024;
- Timetable where solutions were developed to the problems of the ECML Timetable as part of the Task Force;
- Advanced Timetable Work (undertaken between April and October 2024) to de-risk the

- transition of the ECML ESG timetable from development to timetable production; and
- Advanced work to inform timetable risk including aligning cross boundary paths in the ECML ESG developed timetable with the latest developments in the wider National Working Timetable and associated Rolling Spot Bids.

So where Network Rail highlight in this representation and the ECML General Representation letter (in the relevant annexes to that letter) whether the access rights sought on ECML in each application are as Network Rail expects in the ECML December 2025 Timetable, we are referring to whether the access rights align to the above Timetable work which makes up the ECML December 2025 Timetable.

Summary of Access Rights sought in this application

In their application and as a high-level summary DB Cargo is seeking:-

- 15 Firm Access Right with 1 hour windows to commence on approval until PCD 2026. These trains are currently running under Contingent Rights, originally for the December 2024 timetable as a General Approval in the 100th SA, and now dated until the end date of May 2025 timetable and were granted these Contingent Rights in the DB Cargo (UK) Limited 105th SA General Approval submitted in line with the Interim Approach taken by Network Rail.
- 10 amendments to existing Firm Access Rights (with 1 hour windows).
- 1 relinquishment of existing Firm Rights.

Full details of all Rights sought by this application are contained in the Schedule 5 Rights Table submitted with the S22A. These Rights all relate to the operation of steel traffic across various routes. Details of the exact services can be found in Annex B, C and D.

Without reference to those rights sought where we have detailed a rejection, removal, or where we understand rights are being relinquished, we would note the following of the remaining contents of this application:

- 6 of the prospective access rights interact with the ECML.
- 2 of the prospective rights pass through Sheffield.
- 6 of the prospective rights use the Sheffield – Derby and Derby – Birmingham routes.
- 6 of the prospective rights use the Birmingham area.
- 1 of the prospective rights pass through Oxford.
- 2 of the prospective rights pass through Gloucester.
- 4 of the prospective rights pass through Cardiff.

Rights supported

Where Network Rail is supportive of firm rights with one-hour arrival/departure windows; this is on the basis of the service being accommodated in the December 2025 Timetable in an area where we have concluded our considerations of any other applications submitted in response to ORR's letter of 24 April (if they exist) and/or in the ECML proposed December 2025 Timetable.

This recognises the significant industry-wide effort as described above and further set out in General Representation on the ECML dated 14 March 2025 to undertake the advanced timetabling work to de-risk the transition of the proposed ECML ESG timetable from development to timetable production, including advanced work to inform timetable risk including aligning cross boundary paths in the ECML ESG timetable with the latest developments in the wider National Working Timetable and associated Rolling Spot Bids. If characteristics are different, support will be on the basis of either a lesser capacity request or the associated WTT path characteristics.

In the representations Network Rail has made to date it has supported some Rights on a Quantum (24hr) basis to enable flexibility in developing the December 2025 timetable and/or where the characteristic of the right being requested was different to the associated train slot. Following completion of Phase 5 of our high level plan, Network Rail would be supportive of a Firm Right with a 1 hour window providing the operator confirms to Network Rail and ORR that they are willing to amend the Right sought to align with the Working Timetable.

We have worked with all freight operators to understand and challenge the rights being sought in their applications and confirm the ongoing need.

Where we are supporting rights relating to existing traffic in this and other applications, we would observe that if rights were not awarded by ORR, the paths would have to be removed from forthcoming timetables. Not only would this outcome be inconsistent with the regulatory targets to support freight growth, it is likely that the business would not disappear and it could be reasonably expected that the freight operators would re-bid using the provisions in the model freight contract and the Network Code. In such instances freight operators are likely to require access to otherwise constrained capacity and the likely consequence would likely need to be considered by ORR if looking at any further or future interacting aspirations.

Rights not supported

Where concerns relating to the Rights have been identified we have considered support on a case by case basis, reviewing the specific risks and mitigations in place relating to that service/Right. In some instances Network Rail is unable to support rights where there is increased risk and mitigations are not agreed, not adequate or where Network Rail wants to see if the mitigation outcome is successful.

We are also unable to support rights where an operator has removed a service through Capacity Management Review Group (CMRG), has agreed to remove the right from their application in conversation with Network Rail and/or the path has not been bid for the December 2025 Timetable at D-40.

Following review of this application, Network Rail has identified seven of the Rights sought that it would not support on this basis/due to the reasons above. Three of the paths relating to these Rights have been removed from the Working Timetable through the CMRG process. Following further consultation with DB Cargo, they have informed Network Rail they wish to withdraw two of the Rights sought from this application. Network Rail understands DB Cargo have not provided an up-to-date application to the ORR. Three paths associated with the Rights sought were not included in the proposed ECML December 2025 Timetable nor included in the December 2025 Working Timetable.

These are all shown in Annex C.

Assurance / Assessments / Updates

The following section will address specific areas of consideration, opportunity and risk relevant to the application or where applicable to specific access rights in the application. Where the outputs relate to specific access rights instead of the application as a whole, this will be highlighted in the relevant section.

Industry Consultation

Industry Consultation for this application commenced on 24 May 2024, and concluded on 24 June 2024. First Trentalia West Coast Limited raised a query about the potential for an interaction between their 9M48 SX Glasgow Central – London Euston service and related right and 5M46 MSX Mossend Down Yard – Shieldmuir RMT contained in this application. However, no direct conflict

was identified between the two services when undertaking capacity assessments and, in any case, 5M46 is not supported as part of this application following its removal from the timetable through the CMRG process.

Capacity

Annex B shows the Rights that Network Rail can support as Firm with a 1 hour window. All these trains have been accommodated into the December 2025 timetable. The trains in this category either meet the characteristics and timings consistent with what is included in this application, or, where appropriate, are highlighted with a suggested amendment.

There are six services which have characteristics different to what was originally submitted and we are able to support these as set out below.

- The Right sought for 6E10 (ThO) Wolverhampton Steel Terminal – Immingham Sorting Sidings is for a 600t timing load but the Working Timetable path is a 1000t timing load. Network Rail would support a 600t timing load.
- The Right sought for 6N52 (MWFO) and (TThO) Middlesbrough Dawson Ayrton – Tees N.Y. is for a 600t timing load but the Working Timetable path is a 1400t timing load. Network Rail would support a 600t timing load.
- The Right sought for 6V33 (ThO) Sunderland Ward Bros – Cardiff Tidal T.C. is for a 1800t timing load but the Working Timetable path is a 2000t timing load. Network Rail would support a 1800t timing load.
- The Right sought for 6M85 (SUN) Margam TC – Carlisle Network Yard is for a 1495t timing load but the Working Timetable path is a 800t timing load. Network Rail would support a 800t timing load.
- The Right sought for 6E70 (SX) Ripple Lane West SS – Tinsley Yard SS includes a crew change stop at Doncaster Belmont Yard. The December 2025 Working Timetable path does not include a stop at Doncaster Belmont Yard but does include one at Doncaster Signal D249. Network Rail supports the Doncaster D249 stop.

If DB Cargo cannot accept our support for these changes then Network Rail cannot currently support the Rights requested with the proposed 1 hour window as part of this representation.

Network Rail supports the relinquishment of 1 existing Firm Right made by DB Cargo. This can be found in Annex D.

Rights in the DB Cargo 81st present conflicts against Rights in the Freightliner Heavy Haul (FLHH) 27th and FLHH 28th SAs. Our final representations on FLHH's 28th SA has been shared and are dated 11 April 2025 and the supplemental agreement has since been withdrawn. The conflicts with the FLHH 27th SA are against FLHH Rights which Network Rail is not supportive of, and we will provide further details in our representation on FLHH's 27th SA. Timetable Capacity analysis has also identified conflicts between two Rights in DB Cargo's 81st SA and a path aligned to a Right in the CrossCountry's 38th SA. The associated CrossCountry service has not been accommodated in the December 2025 timetable for other reasons aside from this application. Were the two associated DB Cargo rights not supported, DB Cargo would still hold an existing Firm Right where this interaction occurs. Therefore, there would be limited impact on available capacity for other operators should the amendment to this right be directed. Two of the unsupported rights would utilise ECML geography. These would be additional to the proposed December 2025 ECML timetable. You may wish to wait for final representations on related applications and the information provided therein prior to making your decision.

ECML

Please refer to text earlier in this letter.

WCML

Please refer to the Network Rail letter to ORR “Network Rail representations on WCML to ORR” dated 25 April 2025 namely Section 5 ‘Congested Infrastructure’ and Section 6 ‘Performance Concerns Affecting WCML applications’ related to WCML aspirations

One service in this application has the potential to interact with access applications which have aspirations to operate services up/down the West Coast Main Line North of Preston and were submitted to ORR by 20 May 2024. ORR may wish to consider other applications which traverse this section of the WCML alongside this representation. Network Rail has provided evidence relevant to applications operating on the West Coast Main Line in two general representation letters (07 February 2025 and 25 April 2025), in which Network Rail sets out its position of not supporting additional services which utilise the West Coast South Fast Lines.

Oxford

Sandy Lane, Yarnton Lane and Tackley Level Crossings (LXs) are unable to accommodate additional services where there is an increase in risk without mitigation measures in place. However, Network Rail is able to support this application as the one Right that uses these crossings is an existing Firm Right so there is no uplift in capacity at these crossings. In addition, this Right is only amended between Bescot Yard and Rotherham Masborough which are not on Western geography.

Gloucester

The Gloucester area is highly constrained, and any application for this area also needs consideration of services via Cheltenham, which bypass it, but interact with the wider Gloucester area. Service levels are limited by the complex interacting crossing movements at Gloucester Yard Junction, Gloucester Barnwood Junction, Gloucester station area and the shunt moves required at Cheltenham for services terminating there. The long-distance nature of many of the passenger and freight services in this area further restrict flexibility due to the need to align with paths through Bristol, South Wales and the West Midlands.

To assist in informing on capacity, Network Rail have assessed the number of conflicting moves between the December 2024 timetable and the assessment database being used to complete timetable capacity analysis to support the Complex/Competing Rights workstream. The exercise demonstrates:

- A slight increase in potentially conflicting moves at Gloucester Yard Junction
- More significant increase of 11 % at Barnwood Junction and 7 % at Horton Road Junction
- Increase in movements across Horton Road level crossing would also be a concern (currently c.330 per day)

Comparison of Gloucester area conflicting movements

	December 2024	With IR applications
Barnwood Jn Down Main towards Gloucester	91	101
Gloucester Yard Jn Up Main from Gloucester	60	61
Horton Road Jn from Barnwood Jn and towards Gloucester Yard Jn	151	162

In addition to the conflicting routings referred above, there are other constraints in the Gloucester area:-

1. Restricted routing of services at the east end of the station results in conflicts when platform 1 is occupied (Figure 1). This can constrain the availability of paths for example from the Barnwood Jn direction towards Severn Tunnel Jn when a route via platform 1 is not available.

- Platform length limitations affect platforming of longer Intercity Express Train (IET) formations. This restricts the ability to flex passenger services to facilitate paths for additional freight services.
- Services terminating and shunting at Cheltenham Spa restrict capacity to / from the West Midlands for both passenger and freight services.
- Severn Tunnel Junction layout also impacts on availability of paths towards Gloucester for both passenger and freight services.

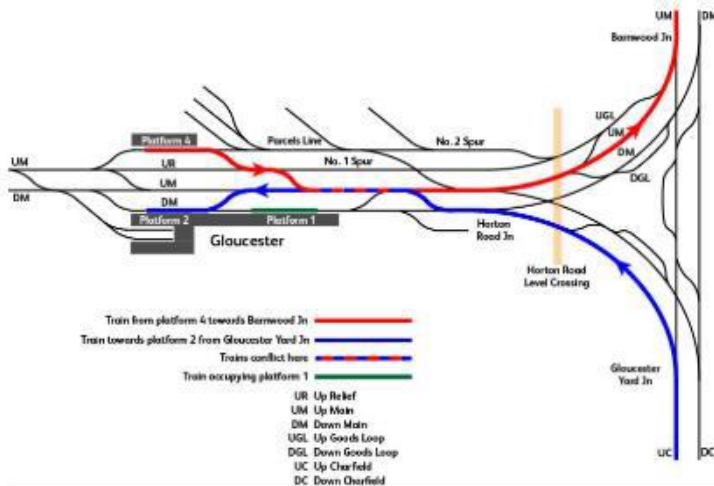


Figure 1 – routing constraints when platform 1 is occupied

2. Frequency increases affecting Gloucester are envisaged by the promoters of both the MetroWest and the South Wales Metro projects. Network Rail published its Greater Bristol Rail Network Strategic Study in February 2023 , with recommendations for this interacting major nearby area including consideration of the Bristol to Gloucester route.
3. Furthermore, there is a major level crossing located close to Gloucester station (Horton Road Level Crossing). Our assessment of the impact of this application as well as other interacting access rights applications suggest that the barrier downtime at Horton Road Level Crossing is tolerable. Our rationale is as follows:

At Manually Controlled Barrier (MCB) type crossings, such as Horton Road Level Crossing, the barrier down time per train is often in the 3-minute area, as opposed to Automatic Crossings which are often around the 30 second area. This provides a different risk to consider. Essentially there is a collision risk and convenience risk. Due to the length of barrier down time at MCB type crossings, an additional train can end up more than doubling the time a user waits at the crossing as this train may fit in a slot where the barriers were previously raised for a few minutes, affecting road commuter's plans. The overnight service operation described in this application means less collision risk is introduced and significantly less convenience risk than a regular passenger service uplift. Therefore, minor additional quantum freight trains traversing Horton Road Level Crossing and corresponding additional nighttime barrier downtime is less intrusive than a new regular passenger service which drops the barriers at frequent times.

Our assessment of this application alongside the other interacting access rights applications considers that the barrier downtime at Horton Road Level Crossing is not a concern.

Although there is an increase in movements across Gloucester as a result of the Section 22A applications, the two Rights applied for in this application pass through Gloucester overnight outside of times when capacity and level crossing risks are higher.

Cardiff Central

Due to the large number of commitments and aspirations in the short and long term for the immediate Cardiff area, the Network Rail Strategic Planning team are carrying out a prioritised piece of strategic advice for Cardiff, bringing all these aspirations together and holistically assessing the overall impact on Capacity in a phased approach.

As an initial phase for this work, an initial report was produced to help support some of the immediate concerns around performance at Cardiff Central. This was carried out alongside industry stakeholders and has since been circulated.

We continue to work with a wide range of stakeholders which does include Train Operating Companies, Freight Operating Companies, Transport for Wales authority and Welsh Government. Varying commitments and aspirations, all at various stages in the funding lifecycle, will be used to test capacity trade-offs in several Indicative Train Service Specifications (ITSS) in the next phases of the study. As part of the preparatory work for these phases, several meetings have already been held with operators.

A stakeholder session was held on the 05 February 2025 with a vast range of stakeholders invited (c. 50) and an update has been provided on some of the short-term performance assessments as well as an overview of each ITSS to be tested. The outputs of the initial phase identified some of the most prominent existing challenges impacting performance at Cardiff Central and proposes changes that can make improvements to the current state of play. The outputs were shared with stakeholders.

The Economic Analysis remit is currently being finalised and analysis of each ITSS will take place following the completion of the Advanced Timetable Team's (ATT) capacity analysis for each ITSS. The analysis will vary depending on which ITSS is being tested and how much development the individual aspirations have had.

The next steps are as follows (all dates are indicative):

- Capacity analysis of ITSS all phases completed: August 2025.
- Final report: January 2026.
- Continued stakeholder forums to be arranged in mid-2025 and end of 2025.

Summary of Recommendations relating to Cardiff Central

The following recommendations are outputs of this workstream and will aim to be implemented for the December 2025 or May 2026 timetables respectively.

Recommendation	Date
Aligned industry response to sub-threshold delay to be implemented	Ongoing
Address long-term platform 0 resolution, aligning with CCEP proposals for platform extension and widening	By 2030

Services using platforms 3 and 4 to cross at Moorland Road Junction	December 2025
Increase Brickyard sidings SRTs to reflect accurate manoeuvre timings	December 2025
Support TfWRL with the fleet introduction of all vehicle classes	Ongoing
Development of platform split project proposals, identifying funding and operational requirements to progress with system display updates in ARS and TRUST	December 2026 (subject to investigation of system capability and cost)
Engage performance analysis to understand any key benefit of platform speed increase work	December 2026

These proposals will require consistent monitoring over the coming timetable changes to evidence demonstrable performance-related benefits and the likely next steps following implementation will be to undertake performance analysis to define the long-term value of these outputs. A further Cardiff Capacity Stakeholder Forum will be scheduled imminently to talk through any updates to these workstreams, followed by regular forums over the coming months. These activities do not impact our position on rights within this application, as detailed in this representation, operating in the Cardiff area.

Four of the Rights sought in this application pass through Cardiff Central station. However, these are existing Firm Rights for which DB Cargo are seeking minor amendments. Not supporting the amendment will not change the impact on capacity at Cardiff Central station as the trains are able to continue to operate in the timetable under their existing Rights.

All Rights sought in this application are for train services which operate with diesel locomotives so there are no power supply concerns.

Performance

For all freight applications, Network Rail has assessed the performance of each headcode against the following criteria:

- Right Time Departures - average above 80 % over 13 periods = pass
- FOC on Other Operators delay - less than 5 instances over 13 periods = pass

The following service has not met the criteria but is supported/ with a robust mitigation plan in place (outlined below):

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To	Timing Load
4E94	SX	04:37 04:32	05:37 05:32	SOTON W DOCKS BERTH 109	MASBOROUGH F.D.	16:28	17:28	75C66S16

Journey	Trains Ran	RTD failure	RTD %	FOC on TP PfPI DM	FOC on TP Distinct TIN Count
---------	------------	-------------	-------	-------------------	------------------------------

05:xx SOTON W DOCKS SHED 107 TO MASBOROUGH F.D.	70	27	61.40	2578	19
--	----	----	-------	------	----

Since the data was originally collected in spring Right Time departures (RTD) have improved from 61.4 % to 73.6 %. DB Cargo Local Managers and the end customer are managing the congestion at the terminal during loading to improve RTD. There is also a there is a periodic Wessex Freight Performance Improvement Group which has a significant focus on the Southampton area and a performance visit due to take place in the near future with the port terminal operator where operation and terminal workings are discussed. It is also worth noting this is an existing Firm Right that is only being amended from Bescot Yard onwards so, the train would continue to run from Southampton Docks under its existing Firm Right, irrespective of whether Network Rail supports the amendment.

All other headcodes, for rights supported by Network Rail, in this application passed the criteria outlined at the start of this section, so Network Rail is satisfied that the services perform well and that no further analysis is required.

Conclusion

In this representation letter we have confirmed that we can partially support the access rights sought in this application with Firm 1 hour windows with amendments to timing loads and windows where relevant, as outlined in this representation, and Annex B.

This letter also confirms we do not support the access rights detailed in Annex C in line with ORRs guidance on the Use of capacity (Office Rail and Road, 2022, Guidance on the Use of Capacity, ORR.gov, <https://www.orr.gov.uk/sites/default/files/2022-07/guidance-on-the-use-of-capacity.pdf>, reference, 01/06/2025) where the operator has not demonstrated a clear intention and ability to use the capacity.

We also support the relinquishment of one Access Right detailed in Annex D.

If ORR chooses to direct this application, we would like the opportunity to review any finalised Schedule 5 table drafting before ORR directs.

Network Rail considers that this letter provides information that could be used as a final representation for this application and could enable the ORR to make a direction.

Yours sincerely



Jules Graham
Customer Relationships Executive

Annex A – Interacting Locations matrix

Operator/Application/Type	Status of Application	WCM L south	Birmingham	BHM - Derby	Derby- Sheffield	Sheffield	ECML&Leeds	Oxford	Gloucester	Cardiff
Alliance Rail Cardiff - Edinburgh 17	Withdrawn		x	x	x	x	x		x	x
Avanti 3rd SA 22a	Live	x	x							
Avanti 11th SA 22A	Withdrawn	x	x							
Avanti 14th SA 22A	Withdrawn	x	x							
Avanti 17th SA 22a	Live	x	x							
Avanti 18th SA 22a	Live	x								
Caledonian Sleeper 9th SA 17	Live	x	x				x			
Colas 10th SA 22a	Live			x	x	x	x			x
CrossCountry 38th SA 22a	Live		x	x	x	x	x	x	x	x
DBC 72nd SA 22a	Live				x	x	x			
DBC 73rd SA 22a	Live					x	x			
DBC 79th SA 22a	Live			x			x	x		x
DBC 81st SA 22a	Live		x	x	x	x	x	x	x	x
DBC 86th SA 22a	Live					x	x			
DBC 87th SA 22a	Live		x	x	x	x	x		x	x
DBC 88th SA 22a	Live				x	x	x			
DBC 83rd SA 22a	Live	x								
DBC 84th SA 22a	Live							x		
DBC 85th SA 22a	Live									
DBC 91st SA 22a	Withdrawn	x								
DBC 92nd SA 22a	Live									x
DCR 2nd SA 22a	Live	x	x	x	x		x	x		
DRS 17th SA 22A	Live	x	x	x	x	x	x		x	x
EMR 19th SA 22A	Live						x			
EMR 20th SA 22A	Live				x	x	x			
EMR 21st SA 22A	Live				x	x	x			
FLHH 24th SA 22A	Live	x						x		
FLHH 25th SA 22A	Live	x	x	x	x	x	x	x	x	
FLHH 26th SA 22A	Live				x	x	x			
FLHH 27th SA 22A	Live	x	x	x	x	x	x	x	x	x
FLHH 28th SA 22A	Withdrawn	x	x	x	x	x	x	x	x	x
FLIM 21st SA 22A	Live		x	x	x	x	x	x		
FLIM 22nd SA 22A	Live		x	x	x	x	x	x		
FLIM 23rd SA 22A	Live	x	x							
FLIM 24th SA 22A	Live	x	x	x	x	x	x	x		
FLIM 25th SA 22A	Live	x	x	x		x	x	x		x
FLIM 26th SA 22A	Live	x			x	x	x	x		x

GBRf 25th SA 22a	Live	x	x	x	x	x	x	x		
GBRf 34th SA 22a	Live	x	x	x	x	x	x	x	x	x
GBRF 41st SA 22A	Live						x			
Govia Thames Railway 62nd SA 22A	Live						x			
Govia Thames Railway 63rd SA 22A	Live						x			
Grand Central 24th SA 22A	Directed by ORR						x			
Grand Central 28th SA 22A	Live						x			
GWR 201st SA 22a	Live							x	x	
GWR 202nd SA 22a	Live								x	
Hull Trains 27th SA 22A	Live					x	x			
Hull Trains 28th SA 22A	Directed by ORR						x			
Hull Trains 29th SA 22A	Live						x			
LIS 2nd SA 22a	Live						x			
LNER 34th SA 22A	Live						x			
LNER 35th SA 22A May '28	Live						x			
LNER 36th SA 22A	Live						x			
LNER 37th SA 22A	Rights were being sought until Dec 2025 so not included in analysis						x			
LNER 38th SA 22A	Live						x			
Lumo 11th SA 22A	Live						x			
Lumo 12th SA 22A	Live						x			
Lumo London-Rochdale New Contract S17	Rejected	x								
Northern 57th SA 22	Directed by ORR (some of the access Rights in this application were withdrawn before direction and added to the Northern 60thSA)				x	x	x			
Northern 59th SA 22a	Live					x	x			
Northern 60th SA 22a	Live					x	x			
Scotrail 49th SA 22a	Withdrawn						x			
Scotrail 50th SA 22a	Live						x			
Scotrail 51st SA 22a	Live						x			
Super Tram 11th SA 22a	Approved					x				
TfW 28th SA 22a	Live		x	x					x	x
TfW 31st SA 22a	Live								x	x
TfW 32nd SA 22a	Live									x
TPT 58th SA 22a	Live					x	x			
TPT 62nd SA 22a	Rights were being sought until Dec 2025 so not included in analysis						x			
TPT 63rd SA 22a	Live						x			
TPT 64th SA 22a	Live					x	x			
TPT 65th SA 22a	Live						x			
Varamis 2nd SA 22a	Live	x	x				x			

Virgin New Contract 17	Rejected	x	x							
WMT 22nd SA 22A	Live		x	x						
WMT 28th SA 22A	Live		x	x						
WMT 30th SA 22A	Withdrawn		x	x						
WMT 31st SA 22A	Withdrawn		x							
WMT 32nd (29th) SA 22A	Live	x	x	x						
WSMR New Contract 17	Rejected	x	x	x						

Annex B – Rights that Network Rail can support as Firm with a 1 hour window

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To
7Y71	SUN	17:36	18:36	CLIFFE BRETT MARINE	HOO JUNCTION DOWN YARD	18:08	19:08
6091	SX	04:36	05:36	HOO JUNCTION DOWN YARD	CLIFFE BRETT MARINE	05:05	06:05
6E35	WFO	00:00	01:00	ACTON T.C.	PETERBOROUGH L.I.P.	03:06	04:06
4E94	SX	04:37 04:32	05:37 05:32	SOTON W DOCKS BERTH 109	MASBOROUGH F.D.	16:28	17:28
6E01 -6E03	SO	09:48 09:35	10:48 10:35	WOLVERHAMPTON STEEL TERM	BOSTON SLEAFORD SIDINGS TOTON UP SIDINGS	15:47 12:39	16:47 13:39
6E02	MO	12:00	13:00	TOTON UP SIDINGS	BOSTON SLEAFORD SIDINGS	14:31	15:31
6E01	WO	09:35	10:35	WOLVERHAMPTON STEEL TERM	BOSTON SLEAFORD SIDINGS	14:31	15:31
6E08	SX ThSX	09:36	10:36	WOLVERHAMPTON STEEL TERMINAL	IMMINGHAM SORTING SIDINGS	19:49	20:49
6E08 6E10***	SX ThO	09:36 09:34	10:36 10:34	WOLVERHAMPTON STEEL TERMINAL	IMMINGHAM SORTING SIDINGS	19:49 16:45	20:49 -17:45
6H22 6B58	EWD -SO	07:25 07:06	08:25 08:06	LLANWERN EXCH SDGS	MARGAM T.C.	08:50 08:42	09:50 09:42
6H22 6B58	EWD -MSX	07:25 06:00	08:25 07:00	LLANWERN EXCH SDGS	MARGAM T.C.	08:50 07:36	09:50 08:36
6V05	ThSX -SX	09:46 08:45	10:46 09:45	ROUND OAK	MARGAM T.C.	16:06 15:14	17:06 16:14
6N52***	SX MWF O	08:16 11:35	09:16 12:35	MIDDLESBROUGH DAWSON AYRTON	TEES N.Y.	08:32 11:53	09:32 12:53
6N52***	TThO	15:30	16:30	MIDDLESBROUGH DAWSON AYRTON	TEES N.Y.	15:49	16:49
6E70***	SO	03:22	04:22	RIPPLE LANE WEST S.S.	TINSLEY S.S.	10:12	11:12
6V33	TO	16:06	17:06	SUNDERLAND WARD BROS	CARDIFF TIDAL T.C.	02:33	03:33
6V33***	ThO	15:02	16:02	SUNDERLAND WARD BROS	CARDIFF TIDAL T.C.	03:47	04:47

***This is dependent on DB Cargo confirming to Network Rail and ORR that they are willing to amend the Right sought to align with the Working Timetable. The detail of this can be found in the Capacity section in the main letter.

Annex C – Rights that Network Rail do not currently support

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To
NOT USED -5M46	MSX	05:49	06:19	MOSSEND DOWN YARD	SHIELDMUIR MAIL TERMINAL	06:05	06:35
6R57	MO	10:10	11:10	RIPPLE LANE WEST S.S.	RIPPLE LANE H GROUP SIDINGS	10:17	11:17
6E64	TThO	01:04	02:04	RIPPLE LANE WEST S.S.	IMMINGHAM PAD 1	07:51	08:51
6E64	SO	01:03	02:03	RIPPLE LANE WEST S.S.	IMMINGHAM PAD 1	08:45	09:45
6R69	WFO	06:45	07:45	RIPPLE LANE WEST S.S.	BARKING EUROHUB (DBC)	06:55	07:55
6H09	SUN	11:35 -13:10	12:35 -14:10	DOWLOW BRIGGS SDGS	PEAK FOREST UP SIDINGS	13:16 -14:55	14:16 -15:55
6H11	MO	02:00	03:00	TOTON NORTH YARD	DOWLOW BRIGGS SDGS	04:59	05:59
6M75 6M85	SUN	18:45 13:00	19:45 14:00	MARGAM T.C.	CARLISLE N.Y.	05:32 08:33	06:32 09:33

Annex D – Rights that DB Cargo want to relinquish

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To
6V05	ThO	09:31	10:31	ROUND OAK	MARGAM T.C.	16:06	17:06