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**Network Rail Representations for the 27<sup>th</sup> Supplemental Agreement submitted under Section 22A of the Railways Act 1993 for the Track Access Application between Network Rail Infrastructure Limited and Freightliner Heavy Haul Limited dated 11 December 2016.**

This letter provides final representations from Network Rail Infrastructure Limited (Network Rail) for the 27th Supplemental agreement submitted under Section 22A of the Railways Act 1993 for the Track Access Application between Network Rail and Freightliner Heavy Haul Limited (Freightliner Heavy Haul) 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 2025 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 further 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, 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 evidence our position 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, it is **partially supportive** of this application, subject to any comments, suggested amendments or specific issues highlighted in this representation.

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.

There are paragraphs and / or Annexes in this letter which are commercially sensitive and would need to be redacted. Each such paragraph will have the words “**Commercially Sensitive – to be redacted**”, at the start of each relevant paragraph.

### **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’, Freightliner Heavy Haul submitted this application to the ORR on 19 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 raised to ORR at the 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 descoped. 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.

There are three lines of route that this application is proposing access rights for:

- Between Northallerton Longlands Jn and Newcastle King Edward Bridge South via ECML
- Between Doncaster Marshgate Jn and Leeds Copley Hill West Jn
- 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 the 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 proposed ECML December 2025 Timetable, we are referring to whether the access rights align to the above Timetable work which makes up the proposed ECML December 2025 Timetable.

### Summary of Rights Sought

In their application and as a high-level summary Freightliner Heavy Haul is seeking:-

- 53 Firm Access Rights with 1 hour windows to commence on approval until PCD 2026.

### Commercially Sensitive – to be redacted

Full details of all Rights sought by this application are contained in the Schedule 5 Rights Table submitted with the S22A. [REDACTED]

[REDACTED] Details of the exact services can be found in Annexes B, C and D.

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

### 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 ECML ESG timetable from development to timetable production,



including advanced work to inform timetable risk including aligning cross boundary paths in the ECML ESG developed timetable with the latest development 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 forty seven of the Rights sought from this application that it would not support on this basis/due to the reasons above, primarily because they have not been submitted in FLHH Access Proposal submitted at D-40 for the December 2025 Timetable. These are all listed in Annex D.

“Commercially Sensitive – to be redacted”

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

All rights within this application, which interact with the ECML, would be new from the December 2025 timetable and would be additional to the proposed December 2025 ECML timetable.

#### **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.

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

#### **Industry Consultation**

Industry Consultation for this application commenced on 24 May 2024, and concluded on 24 June 2024. No concerns remain relating to any of the headcodes in this application during consultation.

#### **Potential Future Traffic**

Freightliner Heavy Haul was expected to submit access proposals for both the May 25 and December 25 Working Timetables through the Working Timetable process outlined in Part D of the Network Code.

Freightliner Heavy Haul submitted an Access Proposal for some of the services related to rights in this application. For those that Freightliner Heavy Haul did not submit an access proposal for, they have provided information to enable Network Rail to undertake a timetable capacity assessment to understand the feasibility of being able to accommodate these access rights.

As an access proposal has not been submitted for all of these paths it means parts of the application no longer relate to the purpose of the competing and/or complex applications workstream – to make decisions for the three timetables stipulated in ORR letter of 24 April 2024.

As a general point of principle, Network Rail would normally only support access rights for future traffic where there is clear evidence of an operator's prospects of winning business and requiring use of the capacity. Network Rail does not support access rights unless there is a clear intention and ability to use the capacity in question, in order to ensure capacity is not reserved for services with limited prospect of being operated. This aligns with ORR published guidance on the Use of Capacity.

We do not expect ORR to make a direction in support of these access rights for the reasons we have outlined above, however should it be minded to do so, we want to be clear that further discussion would be needed on network and terminal restrictions.

## Capacity

Annex B shows the Rights that Network Rail can support as Contingent with a 1 hour window until TAC expiry and not as Firm 1 hour windows until TAC Expiry as requested for by Freightliner Heavy Haul in this application. The reasons for our position on this application are further detailed in the performance section and as a result Network Rail expects ORR to take this position into account and reflect this in its directions by including the expression of no presumption of continuity.

Annex C shows the Rights that Network Rail can support as dated Firm Rights with 1 hour windows to the end of SCD 2026. The paths for 6L95 (SX) Whatley Quarry – Parkeston Yard, 6L96 (SX) Avonmouth Hanson Sidings, 6B91 (SX) Stoke Gifford – Avonmouth Hanson Sidings, 6V98 (SX) Sizewell BNFL – Stoke Gifford and 6V99 (SX) Sizewell BNFL – Stoke Gifford all relate to the proposed traffic for the construction of Sizewell ‘C’ Power Station. Similar aspirations were requested in the Legge 2nd and GBRf 34th SA’s so please refer to those letters when making a decision on these specific Rights. Network Rail is content that these aspirations differ significantly, in terms of time of day, from those proposed by GBRf and so do not impact our decision regarding the GBRf 34th application. We understand the procurement process relating to the traffic linked to these rights is ongoing. Due to this, Network Rail’s position is that we only support these Access Rights as Firm for one year from the December 2025 Timetable Change Date, and not firm until TAC Expiry as requested for by Freightliner Heavy Haul in this application. Network Rail expects ORR to take this position into account and reflect this in its directions by including the expression of no presumption of continuity. The reasons for our position on this application are described above.

All the trains contained in Annexes B and C have been accommodated into the December 2025 timetable. The trains in these categories 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 were originally submitted and we are able to support these as set out below.

- The Right sought for 6M01 (SX) Drax Power Station – Hardendale Quarry is for a 12.30 – 13.30 departure window but the Working Timetable path departure time is 11.46. Network Rail would support a 11.16 - 12.16 departure window. In addition, the Right sought has an intermediate stop at Skipton but the path associated with this Right in the December 2025 Timetable is not routed via Skipton so the stop is not required and, therefore, not supported by Network Rail. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6M18.
- The Right sought for 6L95 (SX) Whatley Quarry – Parkeston Yard is for a 3600t (double headed) timing load but the Working Timetable path is for a 1800t timing load with a single locomotive. Network Rail would support a 1800t timing load. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6L80.
- The Right sought for 6L96 (SX) Avonmouth Hanson Sidings – Parkeston Yard is for a 00.35 – 01.35 arrival window but the Working Timetable path arrival time is 01.38. Network Rail would support a 01.08 - 02.08 arrival window. In addition, the Right sought is for a SX Right but the path offered in the December 2025 Working Timetable is WSX. Network Rail would



support a WSX Right. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6L81.

- The Right sought for 6B91 (SX) Stoke Gifford – Avonmouth Hanson Sidings is for a 10:30 – 11:30 departure window and a 10:43 – 11:43 arrival window but the Working Timetable path departure time is 09.55 and arrival time is 10.31. Network Rail would support a 09.25 - 10.25 departure window and a 10.01 - 11.01 arrival window. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6C81.
- The Right sought for 6V98 (SX) Sizewell BNFL – Stoke Gifford has a different origin of Ipswich Griffin Wharf at 00.03 as opposed to Sizewell BNFL. Network Rail would support Ipswich Griffin Wharf as the origin point with a departure window of 23.33 - 00.33. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6V83.
- The Right sought for 6V99 (SX) Sizewell BNFL – Stoke Gifford has a different origin of Ipswich Griffin Wharf at 00.45 (TThO) and 00.38 (WFO) as opposed to Sizewell BNFL. It is also worth noting there is no Mondays only schedule offered. Network Rail would support Ipswich Griffin Wharf as the origin point for a MSX service with a departure window of 00.15 - 01.15. It is also worth highlighting that this train has been offered in the December 2025 Working Timetable with a different headcode, 6V84.

#### “Commercially Sensitive – to be redacted”

All aspirational service timings in this application were missing mandatory allowances for adjustment and engineering time throughout their journeys. [REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

The aspirational rights in this application, not supported by Network Rail, are not included in the December 2025 Timetable and, for those which run on the ECML, would be additional to the proposed ECML December 2025 timetable. The unsupported rights, which would run on the ECML, present multiple conflicts against the proposed East Coast Main Line December 2025 timetable and associated Section 17 and 22A applications. You may wish to wait for final representations on related applications and the information provided therein prior to making your decision.

[REDACTED]

- [REDACTED]



• [REDACTED]

Away from the ECML, the aspirational timings for paths aligned to the unsupported rights within this application present conflicts against the May 2025 timetable and other Section 17 and Section 22A applications submitted to ORR by 20<sup>th</sup> May 2024. The unsupported Rights in FLHH's 27<sup>th</sup> SA present conflicts against rights in the applications listed below. ORR should be aware that if rights were directed for any of the unsupported rights in the FLHH 27<sup>th</sup> SA, then it could involve a trade off against the rights in opposing SAs, including those aligned to the proposed ECML December 2025 timetable. Were ORR to direct the unsupported rights within this application, it will impact the representations made and being made and our respective positions on all of the SAs listed below.

First Trenitalia West Coast Limited (Avanti) 3<sup>rd</sup> Supplemental Agreement

- Colas Rail Limited 10<sup>th</sup> Supplemental Agreement
- XC Trains Limited 38<sup>th</sup> Supplemental Agreement
- DB Cargo UK Limited 72<sup>nd</sup> Supplemental Agreement
- DB Cargo UK Limited 81<sup>st</sup> Supplemental Agreement
- DB Cargo UK Limited 87<sup>th</sup> Supplemental Agreement
- Devon & Cornwall Railways Limited 2<sup>nd</sup> Supplemental Agreement
- Direct Rail Services Limited 17<sup>th</sup> Supplemental Agreement
- Freightliner Heavy Haul Limited 24<sup>th</sup> Supplemental Agreement
- Freightliner Heavy Haul Limited 25<sup>th</sup> Supplemental Agreement
- Freightliner Heavy Haul Limited 26<sup>th</sup> Supplemental Agreement
- Freightliner Heavy Haul Limited 27<sup>th</sup> Supplemental Agreement
- Freightliner Heavy Haul Limited 28<sup>th</sup> Supplemental Agreement
- Freightliner Limited 21<sup>st</sup> Supplemental Agreement
- Freightliner Limited 22<sup>nd</sup> Supplemental Agreement
- Freightliner Limited 23<sup>rd</sup> Supplemental Agreement
- Freightliner Limited 24<sup>th</sup> Supplemental Agreement
- Freightliner Limited 26<sup>th</sup> Supplemental Agreement
- GB Railfreight Limited 25<sup>th</sup> Supplemental Agreement
- GB Railfreight Limited 34<sup>th</sup> Supplemental Agreement
- GB Railfreight Limited 41<sup>st</sup> Supplemental Agreement
- First Great Western 202<sup>nd</sup> Supplemental Agreement
- Legge Infrastructure Services Limited 2<sup>nd</sup> Supplemental Agreement
- East Coast Trains Limited (Lumo North West) Section 17
- Transport for Wales 28<sup>th</sup> Supplemental Agreement
- Transport for Wales 31<sup>st</sup> Supplemental Agreement
- Transport for Wales 32<sup>nd</sup> Supplemental Agreement
- Varamis Limited 2<sup>nd</sup> Supplemental Agreement
- Virgin Management Limited Section 17
- West Midlands Trains Limited 22<sup>nd</sup> Supplemental Agreement
- West Midlands Trains Limited 28<sup>th</sup> Supplemental Agreement
- West Midlands Trains Limited 30<sup>th</sup> Supplemental Agreement

Following Network Rail providing representations to ORR, the FLHH 28<sup>th</sup> SA has since been withdrawn by the operator and ORR have rejected the Lumo North West S17 and Virgin S17 (03 July 2025).

## **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’.

Multiple services in this application have 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.

## **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.

<b>Recommendation</b>	<b>Date</b>
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.

### **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:

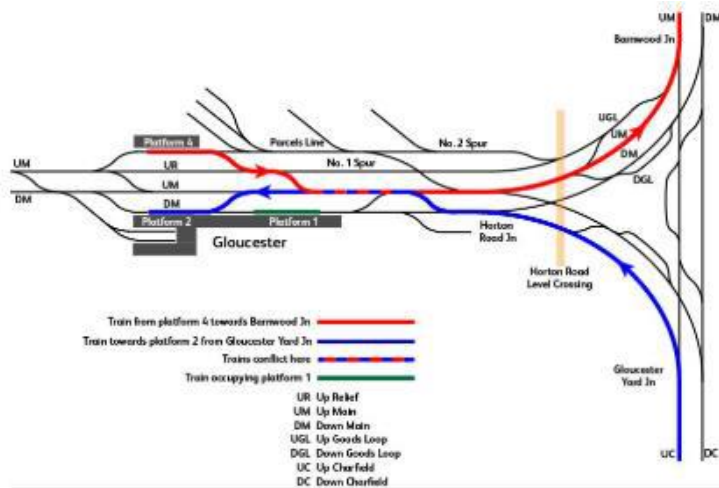
- A slight increase in potentially conflicting moves at Gloucester Yard Junction
- More significant increase of 11 % at Barnwood Junction and 7 % at Horton Road Junction
- Increase in movements across Horton Road level crossing would also be a concern (currently c.330 per day)

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.



2. Frequency increases affecting Gloucester are envisaged by the promoters of both the MetroWest and the South Wales Metro projects. NRIL 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, a minor increase in 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 four Rights applied for in this application that pass through Gloucester have not been included in the access Proposal submitted at D-40 for the December 2025 Timetable. As explained elsewhere in this letter, Network Rail is not supportive of these rights.

## **Performance**

None of the Rights in this application have started operating yet so Network Rail are unable to provide current performance data.

There are five Rights which Network Rail is supportive of within the FLHH 27<sup>th</sup> SA as firm, dated for two timetable periods from the December 2025 timetable and Network Rail would request this position is taken into account by ORR and reflect this in its directions by including the expression of no presumption of continuity. This position is for reasons detailed earlier in this letter, but additionally provides for an assessment of the services in operation before committing to long term Rights considering that these paths have not yet operated in a timetable and the geography they operate on. In addition, there is one further Right which Network Rail is only supportive of on a Contingent basis until end of contract and with no presumption of continuity. The path associated with this Right runs on the north end of the WCML where there are performance concerns as described in "Network Rail's representations on WCML to ORR" dated 25 April 2025.

As the unsupported Rights within this application are not yet in the timetable, there is no performance data to assess. However:

- These services would be above what is included in the proposed ECML December 2025 timetable, unless ORR decided to direct against the proposed TT, and therefore would increase the risk to performance and likely result in further detriment.
- The services would change the assumption on which the proposed ECML December 2025 Timetable was developed, modelled, and recommended to progression into the development period. They would likely have an impact on the forecast operation and performance of the timetable.
- Due to the cross-route nature of these rights, this would also increase the chances of transporting delay across the network.
- These services are not compliant within multiple timetable bases, it is unlikely TPR compliant paths could be found to facilitate an offer and, if accommodated, would have a high risk of importing delay into the timetable.

## **Conclusion**

In this representation letter we have confirmed that we can partially support the access rights sought in this application either with Contingent 1 hour windows to TAC expiry or dated Firm Rights with 1 hour windows until the end of SCD 2026 with no presumption of continuity, with amendments to timing loads and windows where relevant, as outlined in this representation, Annex B and C.

This letter also confirms we do not support the access rights detailed in Annex D as the services are not in the proposed December 2025 timetable and are 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.

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



Megan Holman  
**Customer Relationships Executive**





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 Contingent 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
6M01	SX	12:30	13:30	Drax AES (FLHH)	Hardendale Quarry Shap (FHH)	16:21	17:21

## Annex C – Rights that Network Rail can support as Firm with a 1 hour window but dated to end on the last day of the SCD 2026 (May 2026) Working Timetable

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To
6L95	SX	17:30	18:30	Whatley Quarry	Parkes ton Yard	00:05	01:05
6L96	SX	17:16	18:16	Avonmouth Hanson Aggs	Parkes ton Yard	00:35	01:35
6B91	SX	10:30	11:30	Stoke Gifford FLHH	Avonmouth Hanson Aggs	10:43	11:43
6V98	SX	22:02	23:02	Sizewell BNFL	Stoke Gifford FLHH	05:08	06:08
6V99	SX	23:02	00:02	Sizewell BNFL	Stoke Gifford FLHH	06:08	07:08

## “Commercially Sensitive – to be redacted” Annex D – Aspirational Rights that Network Rail is not supportive of

Train Reporting Number	Days per Week	Departure Window From	Departure Window To	Origin	Destination	Arrival Window From	Arrival Window To
6C02	SX	08:49	09:49	[REDACTED]	[REDACTED]	11:33	12:33
6C01	SX	16:00	17:00	[REDACTED]	[REDACTED]	19:34	20:34
6E01	SX	20:17	21:17	[REDACTED]	[REDACTED]	01:36	02:36
6C03	SX	20:26	21:26	[REDACTED]	[REDACTED]	22:25	23:25
6C04	SX	14:20	15:20	[REDACTED]	[REDACTED]	16:26	17:26
6C05	SX	18:30	19:30	[REDACTED]	[REDACTED]	20:57	21:57
6B06	SX	04:00	05:00	[REDACTED]	[REDACTED]	06:02	07:02

6V01	SX	20:30	21:30	<div><div></div></div>	<div><div></div></div>	03:23	04:23
6E03.	SX	06:30	07:30	<div><div></div></div>	<div><div></div></div>	12:11	13:11
6E04.	SX	13:30	14:30	<div><div></div></div>	<div><div></div></div>	18:54	19:54
6S01	SX	01:45	02:15	<div><div></div></div>	<div><div></div></div>	06:37	07:37
6D01	SX	07:30	08:30	<div><div></div></div>	<div><div></div></div>	10:33	11:33
6B01	SX	16:30	17:30	<div><div></div></div>	<div><div></div></div>	19:08	20:08
6L01	SX	21:30	22:30	<div><div></div></div>	<div><div></div></div>	03:07	04:07
6E05.	SX	11:30	12:30	<div><div></div></div>	<div><div></div></div>	16:12	17:12
6S02	SX	03:00	04:00	<div><div></div></div>	<div><div></div></div>	09:18	10:18
6M03	SX	14:30	15:30	<div><div></div></div>	<div><div></div></div>	22:32	23:32
6V02	SX	22:45	23:45	<div><div></div></div>	<div><div></div></div>	03:30	04:30
6V03	SX	21:30	22:30	<div><div></div></div>	<div><div></div></div>	01:59	02:59
6M04	SX	09:30	10:30	<div><div></div></div>	<div><div></div></div>	13:30	14:30
6M05	SX	09:00	10:00	<div><div></div></div>	<div><div></div></div>	12:21	13:21
6E06.	SX	12:30	13:30	<div><div></div></div>	<div><div></div></div>	16:25	17:25
6M06	SX	21:00	22:00	<div><div></div></div>	<div><div></div></div>	00:22	01:22
6E07.	SX	04:30	05:30	<div><div></div></div>	<div><div></div></div>	08:48	09:48
6E08.	SX	07:30	08:30	<div><div></div></div>	<div><div></div></div>	11:48	12:48
6E09.	SX	10:30	11:30	<div><div></div></div>	<div><div></div></div>	14:48	15:48
6E10.	SX	13:30	14:30	<div><div></div></div>	<div><div></div></div>	17:48	18:48
6E11.	SX	16:30	17:30	<div><div></div></div>	<div><div></div></div>	20:48	21:48
6E12.	SX	19:30	20:30	<div><div></div></div>	<div><div></div></div>	23:48	00:48
6M07	SX	01:30	02:30	<div><div></div></div>	<div><div></div></div>	05:18	06:18
6M08	SX	04:30	05:30	<div><div></div></div>	<div><div></div></div>	08:18	09:19
6M09	SX	07:30	08:30	<div><div></div></div>	<div><div></div></div>	11:18	12:18
6M10	SX	10:30	11:30	<div><div></div></div>	<div><div></div></div>	14:18	15:18
6M11	SX	13:30	14:30	<div><div></div></div>	<div><div></div></div>	17:18	18:18

6M12	SX	16:30	17:30	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	20:18	21:18
6E13.	SX	09:00	10:00	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	15:45	16:45
6E14.	SX	12:00	13:00	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	18:45	19:45
6E15.	SX	15:00	16:00	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	21:45	22:45
6M13	SX	23:20	00:20	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	04:55	05:55
6M14	SX	03:20	04:20	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	08:55	09:55
6M15	SX	06:20	07:20	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	11:55	12:55
6L97	SX	17:39	18:39	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	01:05	02:05
6Y98	MX	04:00	05:00	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	06:04	07:04
6Y99	MX	05:00	06:00	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div></div>	07:04	08:04
6B92	SX	10:30	11:30	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	11:24	12:24
6M02	SX	08:45	09:45	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	12:39	13:39
6E02.	SX	16:39	17:39	<div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div></div>	21:43	22:43