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Network Rail Representations for the 65th Supplemental Agreement submitted under Section 22A of the Railways Act 1993 for the Track Access Contract (TAC) between Network Rail Infrastructure Limited and TransPennine Trains Limited (TPT) dated 03 March 2016.

Purpose

This letter provides final representations from Network Rail (NR) for the 65th Supplemental Agreement (SA) submitted under Section (S) 22A of the Railways Act 1993 for the Track Access Application between Network Rail and TransPennine Trains Limited (TPT) dated 20 May 2024.

This representation builds upon the representations submitted by NR for this application on 28 June 2024, and the 14 March 2025 ECML General Representation on Complex and/or Competing Applications interacting on 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 NR'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 position is contained in the ECML General Representation letter dated 14 March 2025.

NR 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. There are some instances where the quantum applied for is not consistent with the proposed ECML December 2025 Timetable, as explained below. Similarly, there are some instances where the quantum is not consistent with TPT's December 2025 Timetable access proposals submitted at D-40 or what has been accommodated in the December 2025 Timetable. In Annex B, NR outlines the rights requested by TPT and assesses these rights against the number of rights

expected for the proposed ECML December 2025 Timetable and the number of rights required to operate the published December 2025 Timetable (as at D26). In this document NR also indicates which rights it supports.

NR can confirm that the “Network Rail General Representation on Complex and/or Competing Applications Interacting on Location West Coast Main Line” dated 25 April 2025, is relevant to this application. It contains important performance information in Section 6 relating to the West Coast Mainline (WCML), Manchester Victoria-Rochdale, Manchester Task Force, Manchester North Transformation Project, and diversionary routes on the Calder Valley for the TransPennine Route Upgrade project.

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’, TPT submitted this 65th SA application to ORR as a S22A application in line with ORR’s deadline of 20 May 2024.

As requested by ORR, NR submitted a High-Level Plan in June 2024, and a further detailed plan was published on NR’s website in August 2024 and updated in January 2025. NR made its initial representations on this application on 28 June 2024 where an initial view of the application’s Form P and SA was provided. On 22 July 2024 TPT responded to the NR initial representations. Further to this, NR issued a General Representation on the East Coast Mainline (ECML) to ORR dated 14 March 2025.

In its initial representation on 28 June 2024, NR highlighted several items in the “Network Rail Review of Form P and associated documents” section of the letter. NR has since undertaken a further review of the application documents as part of the preparation process for this representation letter and would also like to highlight some additional items that NR would like ORR to consider when making a direction on this application.

The points we would like to highlight from the initial NR representation and the course of action we require, are as follows:

- The letter stated, “Network Rail would like to highlight that within paragraph 5.1 of Form P TransPennine state they are seeking: 8 additional Firm Rights EWD + SU Edinburgh – Newcastle and 8 additional Firm Rights EWD + SU Newcastle – Edinburgh”.
- Paragraph 3.1 of the 65th SA states: “In Schedule 5, Table 2.2 for service group EA01 shall be deleted in its entirety and replaced with the table in Annex 1.” Annex 1 of the SA contains table 2.2 additional train slots for service group EA01. This is inconsistent with the wording in the Form P.
- In TPT’s response to our initial representation, dated 22 July 2024, they stated: “Corrections: NR have identified in their response a small number of minor discrepancies within the form P and the marked-up version of table 2.2 within the SA for the amendments to contingent rights, these have now been corrected and provided

back to NR.” TPT did not send an updated Form P to ORR or NR, however, have confirmed by email that the application is seeking rights on a contingent basis. We can confirm that NR is providing its position based on the request for contingent access rights only.

- The letter noted that a date was already included in the draft SA in the section that says “This 65TH SA is dated 20/05/2024”. NR would like to reiterate its request that the date is updated at an appropriate time to be reflective of the decision date of the SA, and not 20 May 2024.
- In section 5.1 of the Form P, TPT were asked to provide “full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment)”. TPT has listed the additional rights required between Edinburgh and Newcastle, but the marked-up tables also contain several additional contingent rights which are not listed in the Form P. Should ORR make any directions on this application, we request that the Form P is updated to list all the rights/amended rights required in the application.
- The letter states “A key consideration included in the plan with Annex A is regarding power supply on NW&C. As previously informed, NW&C has several areas of concern regarding power supply. For any application utilising electric traction, it is our intention to model the outputs of the capacity assessment to understand the power supply risk both during normal working hours and in N-1 conditions.” In carrying out traction power modelling, NW&C Region adheres to the requirements stipulated in NR/L1/ELP/27000 “Policy Requirements for Electrical Power Assets”. This is further explored in the Power Supply Modelling section of this letter.
- In their representation response letter dated 24 July 2024, TPT state that ‘no reference is made in NR’s response of the central role continuing and improving TPT services have for its investment programmes, notably TRU, or the diversionary strategies which must be in place to support engineering works.’ NR would like to acknowledge that the additional rights requested between Huddersfield and Leeds within this application are to support the delivery of TRU engineering works, specifically the extended closure of platforms at Huddersfield.

Recent Review of Application

NR is providing representations on this SA as it was submitted to ORR in line with the ORR’s deadline of the 20 May 2024. From our recent review of the application, we would like to highlight the following specific points from the Form P and Proposed SA:

From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Newcastle	Edinburgh		Northbound	21731000	802	5 ¹ 8 ¹²	5 ² 8 ²³	6 ² 8 ²³
Edinburgh	Newcastle		Southbound	21731000	802	5 ² 8 ²³	5 ² 8 ²³	6 ² 8 ²³
Edinburgh	Berwick-Upon-Tweed	-	Northbound	21731000	802	2 ³	2 ³	0
Berwick-Upon-Tweed	Edinburgh	-	Southbound	21731000	802	2 ³	2 ³	0
York	Scarborough		Eastbound	21732000	185	0 ⁴	6 ⁴	6 ⁴
Manchester Victoria	Newcastle		Eastbound	21731000	802	1 ³	1 ³	1 ³
Scarborough	York		Westbound	21732000	185	0 ⁴	6 ⁴	6 ⁴
Newcastle	Manchester Victoria		Westbound	21731000	802	1 ³	1 ³	1 ³
Huddersfield	Leeds		Eastbound	21733000	185	8 ³	8 ³	8 ³
Leeds	Huddersfield		Westbound	21733000	185	8 ³	8 ³	8 ³

¹ Required to operate in diesel mode between Chathill and Longniddry unless expressly agreed by Network Rail prior to operation. Seven services permitted to call at Reston. One service only permitted to call at Cramlington and required to operate in diesel mode between Newcastle and Longniddry unless expressly agreed by Network Rail. A second service only permitted to call at Cramlington if expressly agreed by Network Rail prior to operation and required to operate in diesel mode between Newcastle and Longniddry unless expressly agreed by Network Rail.

² From the Principal Change Date 2025 the quantum will revert to 0

³ Required to operate in diesel mode between Chathill and Longniddry unless expressly agreed by Network Rail prior to operation. Seven services permitted to call at Reston. One service only permitted to call at Cramlington and required to operate in diesel mode between Newcastle and Longniddry unless expressly agreed by Network Rail. A second service only permitted to call at Cramlington if expressly agreed by Network Rail prior to operation and required to operate in diesel mode between Newcastle and Longniddry unless expressly agreed by Network Rail.

⁴ From the Subsidiary Change Date 2026 the quantum will revert to 0, These sberices are additional seasonal services and will only operate between periods D – H inclusive.

Fig1.1 Table 2.2 taken from the proposed SA

Discrepancies within Application

Footnotes and Expiry Dates

NR has noticed several discrepancies within the drafting of the proposed SA. Firstly, footnote 2 in the extract above (and proposed SA) is applied to the Newcastle – Edinburgh rights in both directions and states “From the Principle Change Date the quantum will revert to 0”. This is inaccurate because in the revised Form P, TPT state, “We are also asking for an extension to the contingent rights held within our contract to be extended through to SCD2026 (May 2026 Timetable change).” Secondly, all of the other contingent rights listed within Service Group EA01 have no footnotes confirming an expiry date. As per the quote above taken from the Form P we would expect these rights to expire at SCD 2026. Lastly, the power supply footnote which has been attached to the Leeds – Huddersfield right in both directions is incorrect. The locations stated in the footnote are between Chathill and Longniddry and refer to a call at Cramlington. The Leeds – Huddersfield service does not run between these locations and is therefore geographically too far south for this footnote to be applicable. This footnote should only apply to services running north of Newcastle i.e. the Edinburgh – Newcastle rights in both directions. NR would recommend that TPT submit an amended SA document which corrects these discrepancies listed and accurately reflects the revised Form P document.

Rights associated with application

The rights listed in the original Form P to this 65th SA application did not match the marked-up tables in the draft SA. TPT informed NR that there was a discrepancy in the Form P in their original submission. The discrepancy in the Form P stated they were asking for firm rights (which would be in Table 2.1), whereas SA they provided contained Tables 2.2, which is for Contingent Rights only. The replacement Form P was sent to NR in 2024 prior to external consultation taking place and resent on the 22 May 2025. The replacement document confirms they are seeking amendments to Schedule 5, Table 2.2. TPT were advised to send the amended document on to the ORR to confirm the changes they were making to the Form P document. However, NR has received no confirmation of this action being completed. NR is therefore providing representations on the version TPT has advised is correct, i.e. all rights are required as contingent only. The revised Form P is provided as Annex D to this representation.

Start Date Error

A header for the marked-up Schedule 5 table in the draft SA states “Service Group: North Transpennine – From 01:59 15th December 2024”. NR does not believe any such heading is required, as the start date for the rights is contractually specified in the SA.

Other observations

In section 4.2 of the Form P, TPT state ‘TPT have worked closely with NR along with the ECML ESG working group on these proposals and all paths have been validated within this process to produce the ESG Timetable.’ NR can confirm that some of the services and calling patterns, were included in the proposed ECML 2025 Timetable however, in some instances there has been only a partial match on quantum and calling pattern requested.

The draft SA has been submitted with a marked-up version of the Schedule 5 tables. These will need to be replaced with a clean version of the Schedule 5 tables for insertion into the TAC, should ORR direct any rights in this application.

The draft SA states that Table 2.2 for service group EA01 shall be deleted in its entirety and replaced with the table in Annex 1 of this application. This application does not include any amendments to service groups EA02 and EA07. NR wishes to highlight that all contingent access rights in Table 2.2 for service groups EA02 and EA07 have footnotes stating they expire at PCD (December) 2025. However, NR understands that TPT have included changes to these services groups in Table 2.2 within the 58th SA submitted to ORR in line with their letter dated 24 April 2024.

NR is aware that there is an overlap and/or duplication between some rights in this 65th SA and TPT’s 58th SA, which was submitted as a S22A to ORR alongside this 65th SA. NR therefore wishes to highlight that consideration will need to be given to the drafting of each SA and the order in which they are progressed to avoid unintended outcomes e.g. undoing any amendments already approved, or alternatively including amendments still subject to a decision in the other/another application. NR suggests that this risk is mitigated by changing the 58th or 65th SA (depending on which order they are directed) to reflect the directions of the supplemental directed first. A time difference in the effective date would not mitigate this risk.

In further correspondence from TPT, whilst reviewing the 65th SA application they confirmed via email on 11th August 2025 that they no longer require the York <> Scarborough services (see Annex E). These rights were previously supported as part of the May 2025 interim

approach and, in line with their current TAC, will expire at PCD (December) 2025. After conversations with TPT in which they have informed NR they no longer require these rights, NR will not be supporting these rights and will let them expire as per the footnote in their current TAC.

TPT are in discussions with NR and are seeking to progress a new application for rights commencing October 2025, the 78th SA, which aligns with the commencement of TRU works at Huddersfield station. The application is for contingent Leeds <> Huddersfield rights from October 2025 until 14 December 2025, with no presumption of continuity. The 65th SA application will then seek to extend the rights for the duration of the December 2025 timetable. These are standalone applications, and the ORR does not need to take either into account when deciding, although consideration will need to be given to the order in which the applications are approved to ensure there are no unintended consequences.

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

Network Rail can confirm that this application is seeking 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 “Unused LNER Firm Directed Rights”, “Congested Infrastructure” and “ECML Timetable Performance Analysis”.

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 the 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, previously held by LNER within their Track Access Contract.

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 21 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.

On 11 July 2025 ORR published its determination of LNER’s 34th and 35th SA’s submitted under S22A of the of the Railways Act 1993. In this, ORR granted only 5 Rights in each direction between London King’s Cross and Leeds, as replacement for those described above, from the completion of the infrastructure work necessary to enable these services. These rights replaced the rights mentioned in the paragraph above.

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.

As of 14 March 2025, NR 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.

Congested Infrastructure

As stated in the ECML General Representation letter dated 14 March (paragraph 6) NR has declared Congested Infrastructure for the December 2025 New Working Timetable for three lines of route on the ECML. One line of route that this application is proposing access rights for, are between Northallerton Longlands Jn and Newcastle King Edward Bridge South via ECML.

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 NR 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.

Where NR 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 NR expects in the proposed ECML December 2025 Timetable, we are referring to whether the access rights align to the above Timetable work.

Access Rights Contained in the Application as Part of the ECML Policy

Some of the rights in this Application, meaning a portion of the contingent Newcastle <> Edinburgh Waverley rights in EA01, were supported under a Section 22 application using the ECML Policy and were most recently applied for in the May 2025 Timetable via the 75th SA. In that SA, TPT was granted 5 weekday, 5 Saturday, and 6 Sunday contingent rights in each direction.

In addition to this, we would like to highlight to ORR that the rights applied for under the ECML Policy in the 75th SA, as mentioned in the previous paragraph, expire at the December 2025 Timetable change but the services are expected to continue in the proposed December 2025 ECML Timetable without the need of the ECML Policy. ORR is to note that any footnote relating to the ECML Policy will need to be deleted.

Access Rights Contained in the Application as Part of the Interim Approach

Some of the rights in this Application, meaning the contingent Manchester Victoria <> Newcastle rights in EA01, were supported under Section 22 applications using the Interim Approach and were most recently applied for in the December 2024 Timetable via the 67th SA and the May 2025 Timetable via the 75th SA. The York <> Scarborough and Leeds <> Huddersfield rights contained in this application are new for December 2025, and do not already exist under the ECML Policy or the Interim Approach.

Access Rights Sought in the Application

Some of the rights sought in this application are required to deliver the proposed ECML Timetable in December 2025. A full list can be found in Annex B, and a high-level overview can be seen in Table 1 below.

Please note that Table 1.1 in this Representation Letter states the quantum increase the Operator is seeking in this application. In subsequent sections of this letter and in Annexes B and C, we have referred to the total quantum of rights required in the access rights table if

ORR were to direct in line with NR's position in this letter.

Access rights sought in the application are summarised in the table below.

Overview of Access Rights Sought in the Application. The rights included in the 65th SA	Specific locations identified in ORR's Letter of 24 April 2024
Additional 3 contingent rights (increasing to 8 rights) in each direction Monday-Saturday Edinburgh <> Newcastle	(f) ECML Kings Cross-Edinburgh and Leeds
Additional 2 contingent rights (increasing to 8 rights) in each direction Sunday Edinburgh <> Newcastle	(f) ECML Kings Cross-Edinburgh and Leeds
Removal of 2 contingent rights (reducing to no rights) in each direction Monday-Sunday Edinburgh <> Berwick-Upon-Tweed – these rights expire at PCD (December) 2025	(f) ECML Kings Cross-Edinburgh and Leeds

Table 1.1 Overview of rights sought in the 65th SA

Access rights for which TPT is seeking an extension are summarised in the table below.

Rights seeking extension till SCD (May) 2026	Specific locations identified in ORR's Letter of 24 April 2024
York <> Scarborough – Both directions, Saturday and Sunday 6 rights both days.	(f) ECML Kings Cross-Edinburgh and Leeds
Manchester Victoria <> Newcastle – Both directions, Monday to Sunday 1 right per day.	(f) ECML Kings Cross-Edinburgh and Leeds
Huddersfield <> Leeds – Both directions, Monday to Sunday 8 rights per day.	(f) ECML Kings Cross-Edinburgh and Leeds

Table 1.2 Service seeking extension till SCD (May) 2026

NR would like to highlight the following in relation to other TPT applications:

- Changes to rights between Edinburgh and Berwick or Newcastle - are further amendments to changes in the 58th SA.
- Changes to rights between York and Scarborough, and between Manchester Victoria and Newcastle appear (identically) in the 58th SA and are not marked as a change in this 65th SA.

Changes to rights between Leeds and Huddersfield appear (end-dated to December 2025) in the 78th SA and are required until SCD (May) 2026, but are not marked as a change in quantum in the 65th SA.

In relation to other applications	Specific locations identified in ORR's Letter of 24 April 2024
Additional 6 contingent rights in each direction Saturdays and Sundays York <> Scarborough	(f) ECML Kings Cross-Edinburgh and Leeds
Additional 1 contingent right in each direction Monday-Sunday Manchester Victoria <> Newcastle	(f) ECML Kings Cross-Edinburgh and Leeds
Additional 8 contingent rights in each direction Monday-Sunday Leeds <> Huddersfield	(f) ECML Kings Cross-Edinburgh and Leeds

Table 1.3 Overview of rights in relation to other applications

Annex B of this letter contains a table which shows the total requested access rights in this application reviewed and compared against the total expected access rights required by TPT

for the proposed ECML December 2025 Timetable, and against the total services accommodated in the December 2025 Timetable. The Table in Annex B provides details of the access rights characteristics i.e.

- Origin
- Destination
- Quantum by Day of Week (Peak or Off Peak)
- If the access rights are currently held in the contract and proposed change is an amendment to those rights for e.g. calling pattern change, contingent to firm etc.
- Which locations it interacts with from ORR's list of nine locations in their letter to the industry 24 April 2024.

In line with NR's ECML letter to the ORR on 14 March 2025, NR can confirm that some of the rights sought in this application are in line with what was expected in the proposed ECML December 2025 Timetable. There are, however, some differences to what was expected, and these are highlighted in red on the table in Annex B.

The columns headed 'No. Of Total Rights Requested' in Annex B detail the quantum of rights and calling patterns requested by TPT in the marked-up tables in the draft 65th SA application. The columns headed 'No. of additional rights expected for the proposed ECML December 2025 Timetable' in Annex B detail the quantum of rights that NR would expect TPT to require for the proposed ECML December 2025 Timetable. In addition, the columns headed 'No. of rights required to operate the December 2025 Timetable' detail the quantum of train services included in the December 2025 Timetable. NR can confirm that there are several instances where the access rights requested in this application and what is contained in the columns is not aligned.

NR, as part of its assessment of this and other applications, has used the Timetable (TT) for December 2025 as a key reference for its representations (i.e. the TT as at D-40 - after Priority Date Notification Statement (PDNS) submission and the New Working Timetable as at D-26 in comparison to the access rights sought in this application). This informs NR's final position on this application as stated in this letter.

As usual, following the publication of the TT, NR has received Train Operator Variation Requests (TOVRs) from TPT (and other operators) to make amendments to some of their train slots for the December 2025 New Working Timetable - and will likely continue to do so throughout the autumn. This includes TOVRs received from this operator, and could potentially now or in coming weeks, be expected to include TOVRs from others, that include related geographies to the applications.

To avoid any further delays to submitting this Final Representation, NR has not assessed this application (or any other application submitted as part of the Competing and Complex application workstream) against any TOVRs submitted for the December 2025 New Working Timetable.

NR expects the Operator in its representations to ORR in response to this letter to be fully transparent with ORR where they no longer require an access right requested because of any TOVR submitted or expected to be submitted (or any other business requirement). Furthermore, if a TOVR (if accepted) applies to any rights related to this application and the December 2025 Timetable as now established, NR expects the operator to progress a separate application to make sure they have the relevant rights to support the implementation of the December 2025 TT.

Summary of rights supported by NR

NR is supportive of rights requested by TPT where the access rights sought are either equal to or lower than those expected for the proposed ECML December 2025 Timetable and those accommodated in the December 2025 timetable. This position is in line with the ORR's letter to the industry dated 7 May 2025 "New/amended rights (under the competing/complex process) from December 2025". Rights that are not supported by NR as requested by TPT are outlined in Annex C, along with commentary explaining NR's position.

All other rights can be supported by NR, as they are in line with what was expected for the December 2025 ECML Timetable and are in line with what has been accommodated in the December 2025 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.

Capacity

From a capacity perspective, NR's position on what can be supported is detailed in the following sections.

Contingent Rights between Edinburgh and Berwick or Newcastle

NR had expected TPT to require 8 total rights each way between Edinburgh and Newcastle for Monday to Saturday, and 7 total each way on Sundays. This quantum was included in the proposed ECML December 2025 Timetable and associated ECML performance modelling. This quantum was also included in the offer for the December 2025 TT at D-26.

Therefore, from a capacity perspective, NR can be supportive of the 8 contingent rights applied for in each direction for Monday to Saturday. However, NR can only be supportive of 7 contingent rights for Sundays (not the 8 applied for) which aligns to the quantum in the proposed ECML December 2025 timetable.

In this 65th SA, TPT apply to remove contingent rights between Edinburgh and Berwick-upon-Tweed. There are no services in the December 2025 timetable matching these rights, and NR can be supportive of this change from a capacity perspective.

Contingent Rights between York and Scarborough

NR cannot support 6 additional contingent rights in each direction from a capacity perspective, as we do not see any intent from TPT to operate the services (which TPT have confirmed via correspondence). As per Annex E to this application, NR also note that TPT no longer require the York <> Scarborough rights. TPT have not bid for these services and would not expect them to be in the timetable or supported in this application.

In addition to the above, TPT have requested firm rights between York and Scarborough in their 58th SA and we will provide more detail on that in our final representations for the 58th

SA.

Contingent Rights between Manchester Victoria and Newcastle

TPT have applied for an additional 1 contingent right for Weekdays, Saturdays and Sundays in each direction as a part of the 58th SA, and this is repeated in the 65th SA.

NR note that, in the offered December 2025 Timetable at D-26, TPT were preparing to operate 1 service from Newcastle to Manchester Victoria on Weekdays and Saturdays and therefore NR would be supportive of a contingent right from Newcastle to Manchester Victoria on Weekdays and Saturdays only. NR is not supportive of a contingent right for the Sunday as there is no corresponding service in the December 2025 timetable.

NR is aware that TPT have submitted a TOVR related to the service aligned to the above right and as stated previously, NR is putting its position forward without consideration to any TOVRs and the operator needs to be transparent to ORR in its representations in response to this letter where it no longer requires a particular access right in this application.

TPT have also requested a right from Manchester Victoria to Newcastle, on Weekdays, Saturdays and Sundays within this application. However, NR have found no corresponding service within the December 2025 timetable. Therefore, NR is unable to support the Manchester Victoria to Newcastle right as requested by TPT.

Contingent Rights between Leeds and Huddersfield

In considering these rights as a part of the 65th, it is important to know that in the 78th SA TPT apply to surrender all their firm rights between Leeds and Huddersfield (in both directions) because the two-hourly stopping services will be operated by Northern Trains Limited instead. NR will address this request in response to the 78th SA application.

In the 65th, TPT are also seeking 8 contingent rights in each direction between Leeds and Huddersfield for Weekdays, Saturdays and Sundays. NR note that in the December 2025 TT, TPT are planning on operating the following through services:

- 6x 2Uxx Weekday and Saturday services from Leeds to Manchester.
- 7x 2Uxx Weekday and Saturday services from Manchester to Leeds.

All these services are extensions of the service group between Manchester Piccadilly and Huddersfield. TRU engineering works mean only two through platforms will be available, so the services will need to operate through Huddersfield (instead of turning back) and find an alternative location to turn around at.

These through services would be formed by combining contingent rights between Leeds – Huddersfield with firm rights between Manchester and Huddersfield. Changes to firm rights between Manchester and Huddersfield are included in TPT's 58th SA and therefore, ORR may wish to wait for NR's final representations in response to the 58th SA prior to deciding on this SA. If ORR direct in line with NR for this application, for these Leeds <> Huddersfield access rights we would expect to see a footnote both in tables 2.2 and 2.1 which combine the Leeds <> Huddersfield and Huddersfield <> Manchester as through services for the quantum stated by NR as being supported. This position will also be stated in the final representation on the 58th SA.

There are no services planned to operate on Sundays which would align with the Contingent rights requested between Leeds-Huddersfield, in both directions, on Sundays. NR cannot support the Contingent rights sought between Leeds and Huddersfield on Sundays.

Therefore, from a purely capacity perspective, NR can support:

- 6 Contingent Rights from Leeds to Huddersfield on Weekdays and Saturdays,
- 7 Contingent Rights from Huddersfield to Leeds on Weekdays and Saturdays

This quantum of rights supported by NR is either in line with, or less than, what was expected in the proposed ECML December 2025 Timetable (see Annex B) and is in line with what is required by TPT to operate the December 2025 Timetable.

NR recognise that although these contingent rights within the 65th are only being requested for 6 months, TPT will have a requirement for the rights until the end of the TRU engineering works. However, NR would expect these rights to not have an expectation of continuity beyond the associated TRU works.

Other general capacity matters

In line with NR's ECML letter to ORR on 14 March 2025, NR can confirm that the rights sought in this Application are partially in line with the proposed December 2025 ECML Timetable (as detailed in the section above).

The ECML December 2025 specification developed by the ECML ESG and subsequent ECML Industry Task Force took a holistic view of capacity and performance whilst considering service specifications, service aspirations and journey time outputs from ECML ESG and Task Force members. ORR, in awarding the capacity to one of the operators identified as interacting within Annex A, in line with the proposed ECML December 2025 specification, would be allocating a proportion of the capacity that could otherwise be available to other Operators' applications, or elements of applications, which were not included in the ESG specification and that have additional capacity requests at that location.

In the case of any application that is related to the proposed ECML December 2025 Timetable, which was developed, modelled and recommended for progression into the development period - the most applicable alternative option, if the rights sought were not directed, in full or part, would be to allocate capacity to an Operator who has aspirations for an access right with similar characteristics, i.e. Long Distance High Speed services. Consequentially, the ORR may wish to consider the impact on the forecast operation and performance of the Timetable and the basis on which The Taskforce recommended the timetable for implementation and the modelling undertaken to assure it.

TPT Paths aligned to the rights not supported in this application would conflict with other services in the December 2025 Timetable, and where applicable, would be additional to the proposed December 2025 ECML Timetable. TPT paths aligned to the rights supported in this application, and consistent with the proposed ECML December 2025 Timetable conflict with some paths aligned to rights unsupported by NR utilising the ECML. Were ORR to direct on rights which NR is not supportive of, it could impact our position on the rights contained in this SA.

As detailed above, there are instances where the access rights sought do not align with the paths that TPT included in their Access Proposal submitted at D-40 for the December 2025 Timetable. As an access proposal has not been submitted in full for all of the rights in the application it means some of the application no longer relates 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 detailed in Annex B of this letter. NR does not support access rights for which there is no confirmed use of capacity as a general point of principle. We do not expect ORR to make a direction in support of these paths 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.

Performance

NR can confirm that only the rights which align with the ECML have been modelled as part of this application. These services were included in the ECML Timetable Performance Analysis that is included within NR's General Representation to ORR on the ECML dated 14 March 2025. Please refer to Annex L of that letter for further information.

Power Supply Modelling

NR can confirm that this application directly relates to paragraph 11 of NR's General Representation to ORR on the ECML dated 14 March 2025 and is included in the power modelling report which is an Annex (Annex M) to the 14 March 2025 General Representation.

NR wish to collaborate with TPT on any necessary power mitigations and, where applicable, set these out in the TAC until such point future power upgrades alleviate the risk. For the avoidance of doubt this includes any ad-hoc requests to run in 10-car formation, and the existing power mitigation arrangement between Newcastle and Edinburgh will need to remain in place until such point future power upgrades alleviate the risk. For TPT this means the current restrictions on power that are listed as footnotes in Schedule 5 of TPT's TAC relating to services running north of Newcastle in diesel mode, must remain in the TAC for the relevant passenger train slots and must also be added to any additional passenger train slots running north of Newcastle.

Regarding power modelling for NW&C in previous Representation correspondence with TPT, NR have stated: "A key consideration included in the plan with Annex A is regarding power supply on NW&C. As previously informed, NW&C has several areas of concern with regards to power supply. For any application utilising electric traction, it is our intention to model the outputs of the capacity assessment to understand the power supply risk both during normal working hours and in N-1 conditions."

In carrying out traction power modelling, NW&C Region adheres to the requirements stipulated in NR/L1/ELP/27000 "Policy Requirements for Electrical Power Assets". This policy states that the electrical power supply system shall have sufficient redundancy to support the peak timetable.

NW&C Power Supply have also confirmed that the services aligning with the SA have been power modelled. As this SA does not include quantum uplift for the NW&C region all services impacted by power modelling have been included in the modelling. In addition to fulfilling NR policy requirements, maintaining the required N-1 redundancy levels in the traction power network supports adherence to contractual, performance and safety targets.

Any other risks or cross-route concerns

This application also impacts Scotland and North West & Central (NW&C) Region.

Scotland

For Scotland, this application will result in only one additional service on the ECML to/from Edinburgh Waverley. TPT are removing 2 trains Weekdays and Saturdays for Edinburgh-Berwick-Upon-Tweed and asking for +3 Weekdays and Saturdays Edinburgh Waverley – Newcastle, taking them to a total of 8 rights. The removal of the Edinburgh – Berwick rights, means that the total quantum requested balances out as an additional 1 service for Weekdays and Saturdays. On a Sunday it would be 2 additional as TPT didn't have any Sunday Edinburgh - Berwick services.

To thoroughly assess the rights sought by Operators in their S22As which affect Scotland Route, and Decision Group was convened. The Decision Group's remit was to assess all Operators S22A applications in line with the "Scotland Activities" plan described to ORR in the "Interacting Rights – Plan of work update (30/01/25)". At the Decision Group meeting, using their specialist local knowledge and expertise, each of the NR functional subject matter experts shared their professional opinion in relation to Operational, Infrastructure and Performance risks and how we intended to explore mitigations including, but not limited to, the following:

- a) Operational Risk:
 - i. Level Crossings
 - ii. Signal Passed at Danger (SPAD) Risk
- b) Operations:
 - i. Signaller Workload
 - ii. Degraded Operation
- c) Infrastructure:
 - i. Maintenance Engineering Access including Incident Response
 - ii. Asset Reliability (also links to Performance)
 - iii. Power Draw
- d) Performance Intelligence (Route led view).

In relation to the specifics of the TPT 65th S22A application, a concern was raised regarding power draw. Further information can be found in the Power section of this letter as to how this concern is to be managed. Due to the timing of this Representation, the passenger services associated with this S22A were able to be assessed as part of the business as usual "Assessing and assuring the impact of operational risks relating to changes to the train plan" formerly known as "Timetable Change Risk Assessment Group" (TCRAG) process. Cross border traffic is a focus of the newly re-formed 'Service Resilience Group' and Scotland Region continue to work with all Operators and other NR Regions to seek new ways to improve performance.

NW&C

Some of the access rights in this 65th SA application in Table 2.2 Service Group EA01 – Manchester Victoria – Newcastle interact with a section of the WCML between Manchester Victoria-Rochdale, Manchester Task Force, Manchester North Transformation Project, and diversionary routes on the Calder Valley for the TransPennine Route Upgrade project.

These services have the potential to interact with access applications which also aspire to operate services around the Manchester Victoria – Rochdale area and were submitted to ORR by 20 May 2024. ORR may wish to consider other applications which operate this section of the WCML alongside this representation. NR has provided evidence relevant to applications operating on the WCML into general representation letters dated 07 February 2025 and 25

April 2025, in which NR sets out its position of not supporting additional services which utilise the West Coast South Fast Lines.

This application seeks new access rights between Manchester Victoria - Newcastle. NR has provided further information on these rights in the Capacity Section of this letter. NR are not supportive of rights between Manchester Victoria and Newcastle on Sundays or from Manchester Victoria to Newcastle on any day. A service in the December 2025 timetable, which has since been subject to a TOVR, is aligned to a right from Newcastle to Manchester Victoria on Weekdays and Saturdays.

Conclusion

In this representation letter NR has confirmed that we partially support the access rights sought in this application. In addition, we have also provided an explanation to ORR of what the proposed ECML December 2025 Timetable is an amalgamation of, in terms of Advanced Timetable Work, and confirmed that our position is based on these assessments. NR are supportive of the Edinburgh – Newcastle weekday and Saturday rights in both directions. NR are also supportive of the removal of the Edinburgh – Berwick Upon Tweed rights in both directions. There are also elements of this application which NR are partially supportive of which can be found in Annex B and C.

NR has also highlighted in this letter several points we raised in our original representation letter. These are points of clarification and amendments required to the proposed SA submitted with this application, that NR believes have still not been fully addressed or that ORR need to take into consideration when making a direction on the application.

As stated in this letter TOVRs have been received by NR from TPT to make amendments to some of their train slots for the December 2025 New Working Timetable which may affect this application.

To avoid any further delays to submitting this Final Representation, NR has not assessed this application (or any other application submitted as part of the Competing and Complex application workstream) against any TOVRs submitted for the December 2025 New Working Timetable.

NR expects the Operator in its representations to ORR in response to this letter to be fully transparent with ORR where they no longer require an access right requested as a result of any TOVR submitted or expected to be submitted (or any other business requirement). Furthermore, if a TOVR (if accepted) applies to any rights related to this application and the December 2025 Timetable as now established, NR expects the operator to progress a separate application to make sure they have the relevant rights to support the implementation of the December 2025 TT.

The proposed ECML Timetable for December 2025 is the output of all the hard collaborative work the industry has undertaken since the ECML ESG was formed in 2019. Our position on this application is an output of that work.

Yours sincerely,

Erin Flanagan,
Customer Manager,

ANNEXES

Annex A – Interacting Locations Matrix

Annex B – Table of Access Rights Requested in Application

Annex C – Access Rights Sought but not supported

Annex D – Revised Form P

Annex E - TPT confirmation of York <> Scarborough relinquishment

ANNEX A SUMMARY OF APPLICATIONS AT INTERACTING LOCATIONS AND STATUS

ANNEX A SUMMARY OF APPLICATIONS AT INTERACTING LOCATIONS AND STATUS		WCM	Arml	BHM	Derby	Sheff	ECML	Dor	Glouc	Cardif
Operator/Application/Type	Status of Application									
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	Live	x	x	x	x	x	x	x	x	x
FLIM 21st SA 22A	Live		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
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									
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	Live	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	Live					x				
TFW 28th SA 22a	Live		x	x					x	x
TFW 31st SA 22a	Live									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							
Virgin New Contract 17	Live	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	Live	x	x	x						

OFFICIAL

Operator	SA NO.	From:	To:	No of Total Rights Requested					No of additional rights expected for the proposed ECML December 2025 Timetable			No. of rights required to operate the December 2025 Timetable		
				Weekday	Sat	Sun	List the Calling Pattern Being Requested for the associated rights - REGULAR CALLING PATTERN	List the Calling Pattern Being Requested for the associated rights - ADDITIONAL CALLING PATTERN	Weekday	Sat	Sun	Weekday	Sat	Sun
TPT	65th	Newcastle	Edinburgh Waverley	8	8	8	Morpeth, Dunbar, Alnmouth, Berwick-upon-Tweed, Reston	Cramlington, East Linton	8	8	7	8	8	7
TPT	65th	Edinburgh Waverley	Newcastle	8	8	8	Morpeth, Dunbar, Alnmouth, Berwick-upon-Tweed, Reston	Cramlington, East Linton	8	8	7	8	8	7
TPT	65th	Edinburgh	Berwick-Upon-Tweed	0	0				0	0		0	0	
TPT	65th	Berwick-Upon-Tweed	Edinburgh	0	0				0	0		0	0	
TPT	65th	York	Scarborough		6	6	Malton, Seamer			0	0		0	0
TPT	65th	Scarborough	York		6	6	Malton, Seamer			0	0		0	0
TPT	65th	Manchester Victoria	Newcastle	1	1	1	Huddersfield, Leeds, York, Northallerton, Darlington, Durham,	Stalybridge, Thirsk	0	0	0	0	0	0
TPT	65th	Newcastle	Manchester Victoria	1	1	1	Huddersfield, Leeds, York, Northallerton, Darlington, Durham, Chester-Le-Street	Stalybridge, Thirsk	1	1	0	1	1	0
TPT	65th	Huddersfield	Leeds	8	8	8	Deighton, Mirfield, Ravensthorpe, Dewsbury, Batley, Morley		7	8	0	7	7	0
TPT	65th	Leeds	Huddersfield	8	8	8	Dewsbury		7	7	0	6	6	0

Key:



The numbers of rights requested matches what was expected for the proposed ECML December 2025 Timetable and what is required to operate the December 2025 timetable

There are discrepancies between the number of rights requested and what was expected for the proposed ECML December 2025 Timetable and/or required to operate the December 2025 timetable

Type of right	Origin	Destination	Day of week	No. of rights requested	No. of additional rights expected for the proposed ECML December 2025 Timetable	No. of rights required to operate the proposed ECML December 2025 Timetable	No. of rights supported by NR	Comments
Contingent	Newcastle	Edinburgh Waverley	Sunday	8	7	7	7	The quantum listed in the marked-up tables is 8, which is not in line with what was expected for the proposed ECML December 2025 and with what has been accommodated in the December 2025 timetable. NR would therefore be supportive of a quantum of 7, should TPT amend their application to include the correct start date.
Contingent	Edinburgh Waverley	Newcastle	Sunday	8	7	7	7	The quantum listed in the marked-up tables is 8, which is not in line with what was expected for the proposed ECML December 2025 and with what has been accommodated in the December 2025 timetable. NR would therefore be supportive of a quantum of 7, should TPT amend their application to include the correct start date.
Contingent	York	Scarborough	Saturday	6	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable. NR understands that TPT no longer require these services and did not bid for these services and therefore does not expect them to be in the timetable or supported in this application.
Contingent	York	Scarborough	Sunday	6	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable. TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR understands that TPT no longer require these services and did not bid for these services and therefore does not expect them to be in the timetable or supported in this application.
Contingent	Scarborough	York	Saturday	6	0	0	0	NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable. NR understands that TPT no longer requires these services and did not bid for these services and therefore does not expect them to be in the timetable or supported in this application.
Contingent	Scarborough	York	Sunday	6	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable. NR understands that TPT no longer requires these services and did not bid for these services and therefore does not expect them to be in the timetable or supported in this application.
Contingent	Manchester Victoria	Newcastle	Weekday	1	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Manchester Victoria	Newcastle	Saturday	1	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Manchester Victoria	Newcastle	Sunday	1	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Newcastle	Manchester Victoria	Sunday	1	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Huddersfield	Leeds	Weekday	8	8	7	7	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Huddersfield	Leeds	Saturday	8	8	7	7	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Huddersfield	Leeds	Sunday	8	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Leeds	Huddersfield	Weekday	8	7	6	6	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Leeds	Huddersfield	Saturday	8	7	6	6	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.
Contingent	Leeds	Huddersfield	Sunday	8	0	0	0	TPT has requested more rights than were expected for the proposed ECML December 2025 timetable and than have been accommodated in the December 2025 timetable. NR is not supportive of any quantum above that which was expected for the proposed ECML December 2025 Timetable or that which is required to operate the December 2025 timetable.



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:

TransPennine Trains (TPT) Limited

1.2 Facility owner details:

Network Rail:	<input type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input 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 type="checkbox"/>	18 <input type="checkbox"/>	22 <input type="checkbox"/>	22A <input checked="" type="checkbox"/>
Supplemental Number:			65th
Current contract date:			03/03/2016
Current contract expiry date:			SCD 2028 (May 2028 timetable change)

1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	28/05/2023
	Public service contract end date:	30/05/2027
	Name of funder (e.g. DfT, Local Authority):	DfT
	Does the funder support this application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Open Access <input type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

1.5 Executive summary of the proposed contract or amendment:

TPT seeks industry support and approval from the ORR to make changes to TPTs track access within table 2.2 of Schedule 5 the track access contract. These changes will fully align TPTs rights within our access rights tables set out for the December 2024 timetable and include the additional requirements for the introduction of the ECML ESG timetable in December 2025. This application will see the request for additional rights between Newcastle and Edinburgh as per the outputs ECML ESG timetable and the working group and additional rights between Huddersfield and Leeds to support the delivery of TRU engineering works with the extended closure of platforms in Huddersfield.

Proposed commencement date:	PCD 2025 (December 2025 timetable change)
End date:	Contract Expiry (SCD 2028)
Date approval or directions wanted by:	

1.6 Industry consultation:

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

1.7 Applicant details

Facility Owner Company: Network Rail Contact name: Sam Wheelan Job title: Franchise & Access Manager, NW&C Address: Square One, 4 Travis Street, Manchester, M1 2NY Phone: [REDACTED] E-mail: [REDACTED]	Beneficiary Company: TransPennine Trains Limited Contact name: Chris Hassall Job title: Head of Commercial Contracts Address: 8 th Floor, Bridgewater House, 60 Whitworth Street, Manchester, M1 6LT Phone: [REDACTED] E-mail: [REDACTED]
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1.7 Date of application to ORR:

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:

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.

N/A

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).

TPT seeks industry support and approval from the ORR to make amendments to the content that is contained within table 2.2 within the track access contract. This is so they reflect the services that TPT are going to be running from the implementation of the December 2025 timetable change date. TPT's requests reflect the requirements of the ECML ESG timetable recast that has been agreed by industry.

In line with the ESG timetable output, TPT will be requesting for additional access rights for services between Edinburgh and Newcastle that will see the service provision increase to 8 services per day.

We are also asking for an extension to the contingent rights held within our contract to be extended through to SCD2026 (May 2026 Timetable change)

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).

N/A

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](#).

N/A

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.

TBC – Due to the timeframes this is still currently being discussed with Network Rail.

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.

Yes

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.

The changes will allow the rights required for TPT to run its timetable as indicated within its Train service specification and will allow a seamless introduction of the ECML ESG timetable or indeed any timetable that is proposed.

The increased service levels between Newcastle and Edinburgh will help to provide the local stations on the route with more services and better connection options for travel in both Edinburgh and Newcastle.

The new tables will allow TPT and NR to monitor and manage TPT's rights accurately allowing easier identification of any unused rights, making sure only the capacity required is being held.

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.

TPT has worked closely with the NR along with the ECML ESG working group on these proposals and all paths have validated within this process to produce the ESG timetable.

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.

TPT performance is expected to be impacted from the introduction of the ECML ESG timetable as is also expected of other operators. From the information provided by the Network Rail performance modelling for the ECML ESG timetable TPE are expected time to 1% to increase by 1.8%, time to 3% to increase by 1.7% but time to 15% to reduce by -0.7%

With Sensitivity testing included these figures amend to expected time to 1% to decrease by -0.3%, time to 3% to increase by 0.3% but time to 15% to reduce by -1.5%

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

No change

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.

The additional paths below support our December 2025 TT Bid and are reflected in the revised Schedule 5 Track Access Tables. Again, these mirror the ECML ESG TT:

- 8 Contingent Rights EWD + SU Edinburgh – Newcastle
- 8 Contingent Rights EWD + SU Newcastle – Edinburgh

For reference – EWD = Every working day (Monday – Saturday), SO = Saturday only, SU = Sunday only

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

N/A

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.

N/A

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.

The services that TPT are seeking to operate are part of the TPT Train Service Specification with the DfT / Rail North Partnership.

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.

None required

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.

These changes will support TPTs LTP Bid for PCD 2025 subject to the confirmation of the ESG timetable being implemented at this time

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:

N/A

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.

None relating to this proposal

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.

None relating to this proposal

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

Yes, as per existing Schedule 8 arrangements.

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.

N/A

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).

N/A

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.

There are no enhancement charges.

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.

This is a standalone application.

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.

N/A

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.

N/A

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.

Who conducted the consultation?

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

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

N/A

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.

N/A

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

N/A

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

Name (in caps) Job title

For (company)

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: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: 65th York <> Scab
Date: 12 August 2025 09:27:59
Attachments: [image001.jpg](#)

Hi Erin,

We can confirm this is still correct and we are no longer requiring these rights within the application.

Kind regards,

Robbie Gilbody
Contracts & Compliance Manager
Mobile: [REDACTED]

From: Erin Flanagan [REDACTED]
Sent: 11 August 2025 15:59
To: Luke Gardner [REDACTED]
Cc: Robbie Gilbody [REDACTED]
Subject: 65th York <> Scab

CAUTION: This email is from an external source. [REDACTED] Please beware of links and attachments.

OFFICIAL

Hi Both

Previously in a meeting on the 30th July it was stated by Robbie that the Scarborough/York summer Saturday and Sunday trains that are in the 65th SA are no longer required. Can you please confirm this via email?

Many Thanks

Erin Flanagan
Franchise and Access Manager
Finance | NW&C
Network Rail | + [REDACTED]
www.networkrail.co.uk

Advance notice of leave:
16th – 25th August 2025



Please note that my working days are Monday – Thursday

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