



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:

Transport UK East Midlands Ltd trading as East Midlands Railway (EMR)

1.2 Facility owner details:

Network Rail:	☐				
Region:	Southern ☐	Eastern ☒	North West & Central ☐	Wales & Western ☐	Scotland's Railway ☐
Other Facility Owner:	☐	Please state:			

1.3 Application under the Railways Act 1993 section:

17 ☐	18 ☐	22 ☐	22A ☒
Supplemental Number:			24 th
Current contract date:			1 st September 2020
Current contract expiry date:			SCD 2028

1.4 Applicant status:

Public Service Operator ×	Public service contract start date:	
	Public service contract end date:	
	Name of funder (e.g. DfT, Local Authority):	DfT
	Does the funder support this application?	Yes ☒ No ☐
Open Access ☐		
Charter Operator ☐		

1.5 Executive summary of the proposed contract or amendment:

This application seeks to amend East Midlands Railway's (EMR) Track Access Contract Table 2.1, Table 2.2 for access rights and Table 4.1 for calling patterns of Schedule 5 from the December 2025 timetable change until the Expiry Date of the Contract.

EMR is seeking to amend the access rights to extend the Matlock-Nottingham service to Lincoln / Cleethorpes, in place of the Leicester-Nottingham to Lincoln / Cleethorpes services which will only run between Leicester and Nottingham. There will be an hourly service operating on the core route between Matlock and Lincoln which replaces some Newark North Gate to Lincoln services. Also, EMR will operate the Peterborough to Lincoln and Lincoln to Doncaster services as self-contained routes instead of a Peterborough to Doncaster through service on the GNGE Joint Line, in order to improve connections and overall route performance.

This is part of the Project Abraham for a proposed recast timetable designed to improve connections across the regional network and build in performance improvements to the structure of the timetable. The proposed recast timetable includes the extension of Crewe-Newark Castle services to Lincoln for the Dec 2025 timetable change (as in EMR's 19th SA) with other changes to linkages of services through Nottingham, which are outlined and proposed in this SA application.

Following the initial consultation of this application, some minor changes have been made to the access rights sought. These are set out in Section 3.1.

Proposed commencement date:	PCD 2025
End date:	SCD 2028
Date approval or directions wanted by:	As soon as possible

1.6 Industry consultation:

Who carried out the consultation?	Network Rail (NR)
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Consultation start date:	8 th April 2025	Consultation end date:	8 th May 2025
Not carried out	☐		

1.7 Applicant details

Facility Owner Company: Network Rail Infrastructure Limited ("Network Rail") Contact individual: Alexis Xoufarides Job title: Customer Manager Address: Floor 4B, George Stephenson House, Network Operations, Toft Green, York YO1 6JT Telephone number: Redacted E-mail address: Redacted	Beneficiary Company: Transport UK East Midlands Ltd – 'EMR' (the "Train Operator") Contact name: Lanita Masi Job title: Network Access Manager Address: Locomotive House Locomotive Way, Pride Park Derby DE24 8PU Phone: Redacted E-mail: Redacted
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1.7 Date of application to ORR:

8th July 2025

1.8 Checklist of documents attached to the application form:

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

2. Licence and railway safety certificate

2.1 Please state whether:

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

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.

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).

Date of commencement: Principal Change Date 2025

End Date: Subsidiary Change Date 2028

EMR is seeking to amend access rights to extend the Matlock-Nottingham service to Lincoln / Cleethorpes, in place of the Leicester-Nottingham to Lincoln / Cleethorpes services which will only run between Leicester and Nottingham. There will be an hourly service operating on the core route between Matlock and Lincoln which replaces some Newark North Gate to Lincoln services. Also, EMR will operate the Peterborough to Lincoln and Lincoln to Doncaster services as self-contained routes instead of a Peterborough to Doncaster through service on the GNGE Joint Line, in order to improve connections and overall route performance.

Furthermore, there will be few more Saturday services across the regional network making the timetable consistent with a weekday.

Full details of changes to the quantum of services can be found in the Supplemental Agreement - Annex A & Annex B which show a mark-up version of Table 2.1 and Table 2.2. Please see below the summary of EMR's proposals:

Weekdays:

- 5 SX Lincoln – Newark North Gate services will be relinquished.
- 7 SX Newark North Gate – Lincoln services will be relinquished.
- 14 SX Leicester – Lincoln/Grimsby Town/Cleethorpes services will terminate at Nottingham. 12 SX Matlock - Nottingham services will extend to Lincoln, of which 5 continue to Cleethorpes. Service Group EM02, 2 SX Crewe – Nottingham services will extend to Lincoln. 1 Crewe – Newark Castle will be removed, 4 Crewe – Nottingham will be reduced to 3 and 2 Nottingham – Newark Castle will be reduced from 2 to 1. Overall, there are 5 increases in quantum from Grimsby Town to Cleethorpes.
- 1 new SX Ambergate – Cleethorpes service. There is 1 increase in quantum from Ambergate to Derby.
- 1 SX Nottingham – Sleaford via Lincoln will be relinquished.
- 1 SX Sleaford – Lincoln will be relinquished.
- 12 SX Grimsby Town/Lincoln – Leicester services will start from Nottingham, and 13 SX Nottingham - Matlock services will start back from Lincoln, of which 5 starting from Cleethorpes and 2 starting from Grimsby Town. An existing Lincoln to Nottingham service will extend to Matlock, but the right is used by a new service after 22:00 from Lincoln. There is a reduction in quantum from Grimsby Town to Lincoln and 4 increases in quantum from Cleethorpes to Grimsby Town.
- 5 SX Doncaster – Peterborough services will terminate at Lincoln, with 5 SX Lincoln – Peterborough services added to Table 2.1. There are no changes to the quantum rights from Doncaster to Peterborough.
- 2 SX Peterborough – Newark North Gate services to terminate at Lincoln, with 2 SX Peterborough - Lincoln services added to Table 2.1. 4 SX Peterborough – Doncaster services to terminate at Lincoln, with 4 SX Lincoln – Doncaster services added to Table 2.1. There are no changes to the quantum rights from Peterborough to Doncaster.
- There will be a new SX 05.22 Derby – Norwich service, joined by a Derby – Nottingham and a Nottingham – Norwich services in the existing timetable. There will be no change in quantum.
- There will be a new SX 20.08 Norwich – Derby service, joined by a Norwich – Nottingham and a Nottingham – Derby services in the existing timetable. There will be no change in quantum.
- Service Group EM02, there will be an additional SX 21.37 Nottingham – Grantham service. A long-called for later service from Nottingham to Grantham on a weekday (currently at 20.46 ex NOT).

- Service Group EM02, 05.00 Cleethorpes – Lincoln service will be removed.
- 1 SX Nottingham - Derby ECS move converted to a passenger service.

Saturdays:

- 5 SO Lincoln – Newark North Gate services will be relinquished.
- 5 SO Newark North Gate – Lincoln services will be relinquished.
- 15 SO Leicester – Lincoln/Grimsby Town/Cleethorpes services will terminate at Nottingham. 13 SO Matlock - Nottingham services will extend to Lincoln, of which 5 continue to Cleethorpes. There are 5 increases in quantum from Grimsby Town to Cleethorpes.
- 1 new SO Ambergate – Cleethorpes service and 1 new SO Derby – Lincoln service. As a result, there are 1 increase in quantum from Ambergate to Derby and 1 increase in quantum from Derby to Nottingham.
- A few of Crewe/Matlock to Derby (early morning / late evening) services will be extended to Nottingham to make the Saturday timetable consistent to the weekday's. As a result, there are further 2 increases in quantum from Derby to Nottingham and 1 increase in quantum from Nottingham to Derby.
- Service Group EM02, 1 SO Crewe – Lincoln will terminate at Newark Castle.
- 1 SO Nottingham – Newark Castle will be relinquished.
- 1 SO Newark Northgate – Cleethorpes will be relinquished.
- 1 SO Nottingham - Cleethorpes service to be added to Table 2.1.
- 15 SO Cleethorpes/Grimsby Town/Lincoln – Leicester services will start from Nottingham, and 15 SO Nottingham - Matlock services will start back from Lincoln, of which 6 starting from Cleethorpes and 1 starting from Grimsby Town. As a result, there are 5 increases in quantum from Cleethorpes to Grimsby Town and 1 increase in quantum from Grimsby Town to Lincoln.
- Due to the balancing of rolling stock, a late evening service SO 20.04 Cleethorpes – Lincoln is extended to Derby. As a result, there is 1 increase in quantum from Lincoln to Derby.
- 3 SO Doncaster – Peterborough services and 1 SO Doncaster – Sleaford service will terminate at Lincoln, with 4 SO Doncaster - Lincoln and 1 SO Lincoln - Sleaford services added to Table 2.1. 7 Lincoln – Peterborough services will be increased to 13, of which 3 are additional firm rights required for the Saturday timetable.
- 4 SO Peterborough – Doncaster services will terminate at Lincoln, with 4 SO Lincoln – Doncaster services added to Table 2.1. 7 Peterborough - Lincoln services will be increased to 14, of which 3 are additional firm rights required for the Saturday timetable.
- There will be a new SO 05.24 Derby – Norwich service; joined by a Derby – Nottingham and a Nottingham – Norwich services in the existing timetable. There will be no change in quantum.
- Service Group EM02: 1 SO Nottingham – Grantham service to be relinquished.
- Service Group EM02: 1 SO Grantham – Nottingham service to be relinquished.
- Service Group EM02: 11 proposed Crewe – Lincoln service will reduce to 10, as it is amended to terminate at Newark Castle.
- Service Group EM02: 1 Cleethorpes – Lincoln service will be removed, and an additional 05.49 Cleethorpes – Newark Northgate to be added into Table 2.2. This is to mirror a weekday service to EWD.

Sundays:

- 2 SUN Lincoln – Newark North Gate services will be relinquished.
- 2 SUN Newark North Gate – Lincoln services will be relinquished.
- There are a few more Sunday Matlock services, connecting the Matlock-Nottingham with the Nottingham – Lincoln services. As a result, there will be additional 3 paths between Matlock & Derby, additional 2 paths between Derby & Nottingham and additional 1 path between Nottingham and Lincoln in both directions.

Following the initial consultation of this application, some minor changes have been made to the access rights sought:

Weekdays:

- 1 Derby-Norwich service is split to form 1 Derby-Nottingham service and 1 Nottingham-Norwich service.
- 1 Matlock–Cleethorpes service is formed by joining 1 Matlock-Nottingham and 1 Nottingham-Cleethorpes service.
- 1 Nottingham-Matlock service is formed by joining 1 Nottingham-Derby and 1 Derby-Matlock service.
- 1 further Nottingham-Derby service is relinquished.

Saturdays:

- 1 Newark Castle-Matlock service is formed by joining 1 Newark Castle-Derby and 1 Derby-Matlock service.
- 1 Crewe-Nottingham service to terminate at Derby.
- 1 Derby-Norwich service is split to form 1 Derby-Nottingham service and 1 Nottingham-Norwich service.
- 1 Leicester-Lincoln service is formed by joining 1 Leicester-Nottingham and 1 Nottingham-Lincoln service.
- 1 Peterborough-Newark Northgate service is formed by joining 1 Peterborough-Lincoln and 1 Lincoln-Newark Northgate service.
- 1 Liverpool-Sleaford service is formed by joining 1 Liverpool-Nottingham and 1 Nottingham-Sleaford service.

Sundays:

- 1 Matlock-Lincoln service to start from Ambergate.
- 1 Derby-Matlock service to terminate at Ambergate.
- 2 ECS moves (1 Derby-Nottingham and 1 Nottingham-Lincoln) are converted to passenger services.
- 1 Norwich-Derby service formed by joining 1 Norwich-Nottingham and 1 Nottingham-Derby service.

Table 4.1 has been updated accordingly. The Tables 2.1 and 4.1 also now incorporate the 20th and 21st Supplemental Agreements after their having been directed by ORR.

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).

Not applicable

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](#).

Not applicable

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.

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.

Not Applicable

- 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).

Not Applicable

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

Not Applicable

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, the consolidated contract is fully up to date.

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 headline customer benefit is the doubling of Monday to Saturday services on the Nottingham to Lincoln route which will deliver over 2000 extra seats per day, mitigating existing demand constraints on the corridor and creating a foundation for future growth.

Key changes to service patterns, above the proposed extension of the Crewe-Newark Castle service to Lincoln (contained in the 19th SA), include:

- 1) a new through-route from Matlock to Cleethorpes, creating a leisure service between the Peak District and the Lincolnshire Coast;
- 2) a shuttle service between Leicester and Nottingham, with future potential to extend to other Midlands' cities and
- 3) the Peterborough to Lincoln and Lincoln to Doncaster services become self-contained routes instead of a Peterborough to Doncaster through service on the GNGE Joint Line, providing better connections with other services at Peterborough and Doncaster and improve the overall route performance.

In terms of passenger benefits, it is quicker to change trains at Nottingham if travelling between Leicester and Lincoln with the proposed changes to service patterns and improved connections initiated by Project Abraham. Having all Lincoln services going to Derby improves the journey for passenger travelling to Birmingham and the Southwest of England. Furthermore, it simplifies the operation and should deliver improved disruption management as service groups are better segregated.

The proposed recast timetable demonstrates a mostly positive impact on performance in both the East and West and will deliver improved punctuality, compared to the current timetable; both overall and to a greater extent for EMR's Local and Regional services.

Other customer benefits include:

- Improved connections at Sleaford for journeys between Lincoln and Boston / Skegness
- Improved connections at Lincoln for journeys between London King's Cross and Market Rasen / Barnetby / Habrough / Grimsby Town / Cleethorpes resulting in faster journey times.
- Improved connections at Derby for journeys between Matlock and Crewe / Birmingham
- Extension of Nottingham services from Grimsby Town to Cleethorpes.
- Direct through-journey opportunities between Matlock and Cleethorpes, and Crewe and Lincoln (East to West).
- More Sunday services on the Matlock route, having an hourly service all-day.
- More trains calling at Burton Joyce, Radcliffe, Attenborough and Spondon.
- More Saturday services across the network, making the timetable consistent with a weekday.
- Services are retimed to make a better clock-face timetable in Lincolnshire.
- Additional services between Lincoln and Peterborough in each direction on a Saturday, to match the weekday timetable and focus on passenger demand growth which is increasingly off-peak.
- Extended turnround times at Crewe which will reduce instances of trains being terminated short at Stoke-on-Trent, improving confidence in the reliability of rail.
- Hourly calls at Attenborough (Crewe services) and Spondon (Matlock services) to improve access to employment, education and leisure opportunities by rail and increase rail mode share. The Crewe service will call additionally at Attenborough, enabling the Matlock service to call consistently at Spondon.

Other changes and benefits:

- Removal of the 05:00 Cleethorpes – Lincoln, to re-allocate train crew to routes that require more capacity. Service did not run before May 2021, and the next service is at 05:49
- The transfer of the New Clee and Grimsby Dock calls from the Barton-on-Humber to the Nottingham service, which will benefit passengers using those services from increased reliability.
- EMR will continue to explore ways to develop the Sunday timetable, to meet long standing aspirations for improved services and reduce net subsidy.

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.

These services have been reviewed through the appropriate processes and initial validation works have been undertaken with Capacity Planning prior to the publication of the Prior Working Timetable (D-45). Most of the proposed services are based on existing services (in quantum) being combined / extended either from their origins or to their destinations. They will provide additional journey opportunities and improved connections between Crewe/Matlock, Derby, Nottingham and Lincoln.

EMR have carried out an assessment of capacity at Newark Flat Crossing, based on the East Coast Main Line ESG Timetable. It was found that there were suitable gaps to accommodate up to three crossing movements an hour at Newark Flat Crossing. Because the ECML ESG delivers a more

consistent timetable structure, in each hour there is sufficient capacity for 2tph Nottingham to Lincoln, and a standard Class 6 freight opportunity in each direction.

The Saturday timetable will be more consistent with the weekday's, except the removal of some morning peak trains and late evening changes due to Section 4. This resolves some of the challenges in the ECML ESG timetable, where existing EMR schedules can be different on a Saturday.

Our proposed timetable complements the East Coast ESG, and we believe will help to enable the successful delivery of the timetable. EMR have identified several outstanding issues with the previous ESG timetable, associated with compliance to Timetable Planning Rules, application of excessive pathing time in passenger services (up to 8 minutes pathing allowance between Grantham and Nottingham) and engineering allowance missing from schedules. There are currently operational constraints at Nottingham, which are made worse in the previous ESG timetable because the attachment and detachment times are reduced to the minimum TPR allowance, with a knock-on impact to the Lincoln service. The proposed changes to services in this Supplemental application reduce reliance on minimum turnrounds and extend dwell time at Nottingham to reduce the impact of any minor retiming or late running.

Furthermore, the changes help to create more capacity for freight at Peterborough and Doncaster through a self-contained service on the Joint Line.

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.

All our paths are compliant with Timetable Planning Rules. A detailed performance modelling for the proposed Project Abraham timetable has been carried out. The findings indicate that the Abraham timetable would deliver improved punctuality, across a range of specific metrics, both overall and, to a greater extent, for EMR Local and Regional services. Overall modelled T-3 improves from 74% (ECML ESG) to 78% (Abraham) in the East model, and from 69% to 71% in the West model. Viewed in terms of T-3 failures, these would equate to improvements (reductions) of 16% in the East and 6% in the West.

The Abraham timetable delivers improved right-path performance at the critical location of Newark Flat Crossing and hence has a positive impact on the performance of ECML Operators. Overall, the proposed changes to the Local & Regional services in this SA application appear to offer punctuality performance benefits, in addition to the wider passenger service and customer benefits that are highlighted in "4.1 Benefits".

The Performance Modelling final report has been shared with Network Rail, and Network Rail's Performance team support the application for the services. There are some noticeable changes in service pattern but there is no significant change in quantum of trains to raise undue concern. The modelling report predicts the changes will lead to an uplift in performance, which is welcomed.

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

This application is compliant with Network Rail's Engineering Access Statement (EAS). The easement of EAS has been updated in the 2026 EAS v2.

EMR has engaged with Network Rail (Access Planning) on the proposed recast timetable ensuring that we are fully compliant with the EAS. Therefore, it should not affect Network Rail's ability to carry out maintenance and renewal activities.

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 description of changes to access rights is summarised in section 3.1, and a fully marked-up version of Tables 2.1 and 2.2 will be provided in Annex A and Annex B in this Supplemental Agreement.

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

None

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

Not Applicable

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.

Not Applicable

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.

Not Applicable

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.

Not Applicable

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:

Not Applicable

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.

East Midlands Railway, in partnership with East Midlands Route, has a published performance strategy for the network, which is fully aligned with the industry PIMS framework, and is delivering an ongoing programme of T-3 improvement focusing on timetable building blocks which has included changes to dwell and sectional running times.

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.

Not Applicable

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

Yes

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

Not Applicable

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).

Not Applicable

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.

Not Applicable

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.

EMR's 19th, 20th and 21st Supplemental Agreements, as part of ORR's Complex and Competing Access Rights applications for Dec 24, May 25 and Dec 25, were submitted on 20th May 2024. EMR has been working closely with Network Rail (and keeping the ORR fully informed) on Network Rail's Level Crossing strategy and performance modelling. It is expected that the 19th and 20th SAs to be converted to S22 application in due course.

NR provided the initial representation on 28th June 2024 and have provided further / final representation between 4th and 9th April 2025.

09/07/25 – for ORR update at:

NR has not yet provided its final representation for the 19th Supplemental S22a application to the ORR at the time when EMR submits the 24th SA to ORR informally.

18/08/25 – The 20th and 21st Supplemental Agreements were approved by ORR on NR representations on the 8th and 18th July 2025 respectively. 19th SA have been provided to ORR on 22/07/25, and EMR have responded to ORR on these. ORR decision is pending.

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.

Not Applicable

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.

Not Applicable

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.

Redacted

Who conducted the consultation?

Network Rail

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

West Yorkshire Combined Authority (WYCA); Network Rail (Charters); Network Rail Future Freight Capacity; Freightliner; Transport for Greater Manchester (TfGM); Network Rail (Eastern) Principal Engineer.

CrossCountry – No objection

Transport Focus – Supportive with a note added, as the service changes are introduced, performance is closely monitored and any punctuality/reliability issues that arise as a result of the changes are quickly remedied.

All responses and subsequent correspondences are attached with this informal submission.

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

- NR (for future Freight Capacity) requested a breakdown of the net change of quantum in sections due to the scale and complexity of changes to Regional services, especially at Nottingham station. EMR has provided NR with a spreadsheet that shows the net change in quantum by sections across EMR's Regional routes between Crewe / Matlock, Derby - Nottingham, Lincoln / Cleethorpes and Joint Line. The variance is based on EMR's current access rights in Schedule 5 of the track access agreement and the proposals for the December 2025. NR has reviewed the data and confirmed acceptance.

- WYCA acknowledged the indirect relevance of this application to West Yorkshire's connectivity but queried the total quantum of trains over Newark Flat Crossing and the correlation with the positive finding showing an uplift in performance from the Performance Modelling final report. EMR explained that an assessment of capacity at Newark Flat Crossing based on the ECML ESG Timetable has been undertaken; there were suitable gaps to accommodate up to three crossing movements an hour at Newark Flat Crossing. Further correspondence from WYCA highlighting that it would be sensible to have a neutral stance on this application and would not raise any objection if other key ECML operators did not object.

- Freightliner queried Network Rail the reasons why this application is not being supported. EMR was advised to submit the 24th SA under S22a because this application is associated with other S22a applications submitted in response to the ORR's 24th April 2024 letter to industry.

- Following the update on 24th Supplemental Agreement relaunched on 2nd May 2025, TfGM raised a few queries on changes that were highlighted in Table 4. EMR responded to TfGM queries and TfGM confirmed no further comments on the application.

- NR Eastern Principal Engineer appealed for EMR's Class 810 (Bi-Mode) to be restricted to diesel operation on Eastern (and regional routes). EMR has confirmed that Class 810 will not be used to operate Regional services on the Eastern route due to no driver competency.

- NR (Charters) raised a specific concern regarding the proposed Sunday services on the Matlock branch that would restrict Charter trains to run on Sundays. EMR confirmed that this 24th SA seeks to run 3 additional services to/from Matlock on Sunday morning, and the proposed services would not prevent other operators to access the Matlock branch. A meeting (Teams) on 20/6/25 was held

to discuss NR (Charters) queries in detail. As it is very difficult to predict the notional demand for Charter services to Matlock, EMR suggests Charter operators to get in touch with EMR Planning with at least 20 weeks' notice to discuss their plan to run to Matlock. EMR would consider their Charters' requirements and identify which of our passenger services could have been amended or cancelled with the proviso that the Charter operator recovers any revenue loss incurred and the cost of rail replacement bus. This proposed solution was acceptable by NR (Charters).

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.

None.

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

An updated version of the 24th Supplemental Agreement which contains some minor amendments which address points raised by Network Rail in their representation letters on the 20th and 21st Supplemental Agreements. The updated version of copies were sent to all consultees on 2nd May 2025 prior to the industry consultation closing date on 8th May 2025.

Changes are summarised below in the email for ease of reference:

Tables 2.1 and 2.2:

- Nottingham – Peterborough: 1 firm SO right removed from Service Group EM02 removed, 1 contingent SO right added in EM03
- Norwich – Sheffield: 1 contingent SX and 1 contingent SO right removed from EM03.

Table 4.1:

- Manchester Piccadilly – Norwich: regular and additional calling patterns updated
- Norwich – Sheffield: additional calling pattern updated
- Nottingham – Manchester Piccadilly: regular and additional calling patterns updated Sheffield – Norwich: additional calling pattern updated

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 08/07/25

Name (in caps) LANITA MASI Job title Network Access Manager.....

For(company) East Midlands Railway

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: