



Emyl Lewicki
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Office of Rail and Road



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By email only

08 December 2025

Dear Emyl,

Network Rail Final Representation for the Section 22A 3rd supplemental to the Track Access Contract between Network Rail Infrastructure Limited (Network Rail) and First Rail Wales and Western Limited dated 13 June 2023

This letter provides the further and final representations of Network Rail in respect of First Rail Wales and Western Limited's (FRW&W) Section 22a application for a proposed 3rd Supplemental Agreement between Network Rail Infrastructure Limited (we) and FRW&W.

FRW&W submitted their Section 22a for the 3rd Supplemental Agreement on 04 December 2024. We submitted our initial representations on 31 January 2025.

Further to that representation, ORR wrote to Wales & Western Route on 07 November 2025 regarding "Applications seeking capacity between Foxhall Junction and Wootton Bassett Junction" and in that letter requested that Network Rail provides final representations for four applications, including this FRW&W 3rd Supplemental Agreement by 08 December 2025.

This letter builds upon the representations we have previously submitted for this application on 31 January 2025. The purpose of this representation is to provide ORR with updates following our capacity analysis. We can confirm that, for the reasons set out in both our previous letter of representation and this letter of representation, we are not supportive of FRW&W's 03rd proposed supplemental.

Capacity

In the initial representation we stated that we were unable to support this application in terms of capacity but would still undertake analysis to confirm the position. The capacity analysis has now been

undertaken, and this section provides information on those outputs. However, we can confirm that post the capacity analysis, we do not support this application in terms of capacity.

We noted within our original representations that: *“the assessment did not take into account any foreseen changes from the Old Oak Common construction phase, which is likely to see a re-write of the Great Western Mainline from December 2028 (date not yet confirmed) with additional time required in services between Old Oak Common and London Paddington to account for a new permanent speed restriction, and changes to timings into Paddington as part of a future Timetable Planning Rules (TPR) review. The timetable for this has not been developed and will be done so once a new programme date for the construction phase is confirmed.”* It would be important to confirm that this statement is still applicable save for one amendment clarifying that the earliest we are likely to see a re-write of the Great Western Mainline is from December 2028. We can confirm that the Industry Planning Group is still working on jointly developing the timetable for this.

We also noted that the following table provided some of the key constraints for capacity for the paths in the Up direction (which is from Paignton to London Paddington), we would like to confirm that these constraints still apply to this application despite the further work undertaken with FRW&W:

Newton Abbot to Exeter St. David's	<i>The two-track railway between these locations is a particular pinch point due to the mixed pattern of services that use this section and the difference in running time it takes for these services to travel between these locations. For example, a stopping service between Dawlish Warren to Exeter St. David's takes approx. 20 minutes to travel and there are 2tph stopping services, totaling 40 minutes in total, which causes a number of TPR conflicts that are unable to be resolved, full details are available in Appendix 1. These proposed services run out of pattern from the existing local and long distance services.</i>
Exeter Area	<i>Platforming restrictions at Exeter St. David's adds complexity to the station planning. For example, all services that travel towards Exeter Central/Exmouth have to use Platform 1 at Exeter St. David's, meaning that any re-timings to these services cause-conflicts in both the Exmouth area and the branch towards Okehampton and Barnstaple. As both of these routes are predominantly single line, re-timings to services to/from these areas cause major conflicts that are unable to be resolved.</i>
Taunton to Bristol Temple Meads	<i>This is a 2 track railway with a mix of fast and stopping services. Particular pinch points are at Worle and Uphill Junctions on/off the Weston-Super-Mare branch. This has been a particular challenge for</i>

	<i>the Up Services as those are the ones that would conflict with services crossing onto or off the branch. With the Weston-Super-Mare branch being single line operation, this has made retimings to these not feasible, as they cause further conflicts.</i>
Swindon to Wantage Road	<i>This two-track area sees a lot of mixed traffic with passenger and freight services. Particular challenges are around the time it takes some freight services (on occasions up to 15 minutes) to run between regulating points. There are limited options to retime these services due to the capacity available, both on this route and connecting routes such as the Melksham single line and Didcot - Oxford. Planning additional traffic through these locations is a challenge, particularly in the Up direction.</i>

ORR is aware that we have issued an Early Indicator of Likely Congestion in relation to the Great Western Main Line between Didcot and to the west of Swindon, specifically between Foxhall Junction (MLN1: 53m and 55ch) and Wootton Bassett Junction (MLN1: 82m 72ch). Under the 'Future service commitments and the Long-Term Planning Process' section of our response, on page 9, we detail all other applications that this application interacts with. However, it is worth noting that the following applications also propose to utilise this aforementioned section:

- FRW&W's 04th Supplemental Agreement¹;
- First Greater Western Limited's 301st Supplemental Agreement;
- Midland Central and Western Railway's Section 17 application for a New Track Access Contract².

Following the assessment of unused capacity between Didcot Parkway and Swindon, a further detailed assessment of the individual paths proposed by the relevant operators was carried out. This analysis was undertaken using the December 2025 timetable as a base, plus those future services which already have access rights: FRW&W's London Paddington to Carmarthen services and Go-op Co-operative Limited's Swindon to Taunton services. This analysis also included both FRW&W's 03rd and 04th Supplemental Agreements, First Greater Western Limited's 301st Supplemental Agreement and Midland Central and Western Railway's Section 17 application.

These paths, as portrayed in the table below, were assessed over the full length of their operation on Western Route to determine if a viable path existed for the complete service.

¹ First Rail Wales and Western Limited, *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, 05 June 2025

² Midland Central and Western Railway (MCWR), *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, 10 February 2025

The colour key is as follows:



Viable path available, with no retimings to other services required, or only minor retimings required.



Viable path available, but requires more significant retimings to other services, or retiming to the proposed service.



Path not viable.

Hour (When it crosses the Swindon- Didcot section)	Didcot to Swindon (Paddington to Paignton)	Swindon to Didcot (Paignton to Paddington)
	FRW&W Paignton	FRW&W Paignton
06 00 – 06 59		
07 00 – 07 59		
08 00 – 08 59		
09 00 – 09 59		
10 00 – 10 59		
11 00 – 11 59		
12 00 – 12 59		
13 00 – 13 59		
14 00 – 14 59		
15 00 – 15 59		
16 00 – 16 59		
17 00 – 17 59		
18 00 – 18 59		
19 00 – 19 59		
20 00 – 20 59		
21 00 – 21 59		
22 00 – 22 59		
23 00 – 23 59		

From the analysis that we have undertaken as part of the early warning indicator of congested infrastructure, despite further collaboration with FRW&W, we are still unable to find a viable path for any of the proposed services from Paignton to London Paddington. For the proposed services from London Paddington to Paignton, from performing further analysis, it is our belief that none of these proposed services have platforming compliance at both London Paddington and at Paignton, which removes the viability of the path. In addition, as we noted in our original representations: “as none of the inbound Up Services, which would form these services, are viable, it is likely that the departure times from London Paddington would need to change and therefore these paths would need to be reassessed.” From our new analysis, it is our belief that, even if it were possible to accommodate all of the proposed additional



services between Didcot Parkway and Swindon, this results in all of the unused capacity being taken up, and no unused capacity remaining, or, only capacity for a single additional service remaining. This would prevent any further additional trains from running in future. It would also present a risk to train performance on the route. Performance for Western Route for the current Rail Reporting Period is 74.8% Time – 3 minutes (2.3% behind target) and 56.7% On Time (1.9% behind target). It should also be noted that there are aspirations for significant freight growth on this route, as we note there will be future capacity required to serve the arc furnaces TATA are building at Port Talbot to retain UK steel manufacture. We also have concerns over our ability to meet regulatory targets over freight growth, particularly on the Great Western mainline between Oxford and Bristol, which would be difficult to satisfy alongside these additional services.

It would also be important to note that the proposed 1C72 (departing at 10:45), 1C74 (departing at 12:44), and 1C76 (departing at 17:46) directly compete with three of First Greater Western Limited's proposed Oxford to Bristol Temple Meads services. It is our belief that there is only room for 1 additional path. As such, a decision would need to be made between which application was supported, as there is insufficient capacity to support both of these applications as bid.

Our Capacity Planning team has carried out a detailed assessment of the proposed weekend services and this timetable study is included as Appendix 1 to this response. From a Saturday perspective, only one of the paths requested works as bid, which is the 18:05 Paignton – Bristol Temple Meads service. The remainder can only be made to work with retimings to other services. From a Sunday perspective, only one of the services, which is the Paignton to Bristol Temple Meads service, does not possess a viable path. The remainder are either valid as bid or can have viable paths found with significant retimings required. However, whilst some of the weekend services have a viable path, there are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

Further to this, we did also raise the following challenge, which we still maintain should be considered in assessing this application, in that the majority of the services from London Paddington are *“on minimum headway margins between London Paddington and Reading. Whilst this is TPR compliant, this does bring about performance concerns due to increased operations of trains on minimum headway.”*

Platforming

When we completed our initial analysis of these paths, we noted that: *“At London Paddington, assumptions have been made in regard to the workings as no diagrams have been provided with the application by FRW&W. Per the above, regardless of the foregoing, as the Up Services are not compliant and are not able to be accommodated, we are therefore unable to accommodate the platforming for any of the Down Services, due to a lack of path for the inbound stock to form the service.”* We still have not received full diagrams, so assumptions have still been made. However, as the services from Paignton remain uncompliant and cannot be accommodated, the challenges are still maintained.

We also noted the risk that this has upon performance in the London Paddington area, which does routinely see low levels of performance. We originally noted that: *“this remains a high-risk item as constraints already exist within the capacity and routing at London Paddington and the area regularly sees low levels of performance. For example, in the December 2024 timetable, on-time to 3 was 58.8%, on-time to 15 was 77.2%, and on-time to 15 was 85.2%”*

For May 2024 on-time was 55.1%, on-time to 3 was 73.3%, and on-time to 15 was 81.5%. This is particularly pertinent with proposed turnround times being close to the minimum required by TPR's.

Given that the current ORR regional target for on-time is set at 60.4%, the risk is pertinent. It should be noted that no punctuality targets have been set beyond year 2 of the control period." We have continued to monitor this since our initial representations were sent and have produced the following statistics displaying current performance information at London Paddington.

		% On Time		% Time to 3	
Operator	Service Group	Dec-24	Nov-25	Dec-24	Nov-25
Hex	Paddington to Heathrow	73.0%	67.8%	91.6%	87.4%
GWR	London - Outer Thames Valley	53.2%	47.8%	75.9%	71.7%
GWR	London - Bristol	52.5%	45.2%	69.9%	62.4%
GWR	London - Cotswolds	55.1%	46.2%	73.5%	61.4%
GWR	Paddington Overall	58.6%	52.1%	77.6%	71.3%

In addition to this we have included below the latest proposed CP7 targets for Western Route (we do note that these targets are subject to ORR approval) for On Time and T3.

Western	Actuals		Proposed trajectories			
Metric	CP6 exit	2024/25	2025/26	2026/27	2027/28	2028/29
Time to 3	78.1%	79.8%	80.3%	80.6%	80.8%	81.1%
On Time	61.1%	62.3%	62.8%	63.2%	63.5%	63.7%

In comparing these targets against the actuals achieved, it is clear that with the proposed turnround times being close to the minimum required by TPR's, these new services, if approved, would have an unacceptable impact on performance at London Paddington.

We also made a final comment on platforming at Paddington that "*there are two services that are proposed to occupy a platform at Paddington for approximately 80 minutes. There is no available capacity for this.*" We still strongly maintain that there is no available capacity for services to remain platformed for this length of time.

Performance

In forming a determination on this application, we would encourage ORR to review the performance analysis which we had originally undertaken, which was supplied as Appendix 2 in our original representations. Our original commentary supporting this appendix is included below. Additionally, we had made a number of challenges which we would maintain still apply. We had also noted that "*Network Rail Wales and Western region are currently delivering its performance improvement plan, which includes performance modelling of the future timetable for the introduction of Old Oak Common station, which has an expected opening date of 2029-2033. There will also be a review of sectional running times on the routes, and implementation of resultant findings. The outputs of these activities would have potential to impact this application and timescales have been included within the 'Wales & Western*

*Region Performance Improvement Plan*³.” We would maintain that the aforementioned Performance Improvement Plan and the challenges that we expect that this application would import upon performance, as detailed within our prior letter of representations, are crucial to be assessed against the application.

The key sections that have been included in our performance analysis are:

- *The intensively used section between Paddington and Slough where application of other main line services have only been supported as contingent rights due to the current performance levels, the assessment of our sectional running times, and the development of longer-term plans for Old Oak Common.*
- *The two-track section between Wantage Road and Wootton Bassett Jn which is intensively used by both high speed long distance and local passenger services, along with freight.*
- *Interaction between long distance non-stop trains with local stopping services between Bristol Temple Meads and Worle Jn.*
- *Southbound loss of time into the heavily used Exeter St David’s station, then along the sea wall to Newton Abbot – again mixing long distance with stopping services.*

The assessment has focused on the volume of train service movements delayed and in particular the impact of sub threshold delay on these services. Sub-threshold delay is an indicator of low-level perturbation within the whole system reflecting deficiencies of dwell and running time within the timetable planning rules, the propagation of delays caused by earlier disruption leading to minor impacts on subsequent or interacting services; and operational inefficiencies due to inability to meet line speed as a result of infrastructure or fleet constraints. It is therefore a useful indicator of the risk that additional services could present to the network and its overall performance.

The line of route that the service will operate includes key sections where there is a higher likelihood of trains incurring delay. A full breakdown of each section is included within Appendix 2, but in particular, the two-track section between Wootton Bassett Jn and Wantage Road observes up to 52% of train movements experiencing sub-threshold delay in the eastbound direction, which the Up Services would impact, and 32% in the westbound direction, which the Down Services would impact.

It is observed that the work on the paths for Go-op Trains, which has obtained rights to introduce a new service offering, also identified the constraints between Wootton Bassett and Swindon as having the potential to impact performance.

Excluding the section between Paddington and Airport junction, where a high number of services experience sub-threshold delay, the other notable section is services departing the Bristol area in either direction. The section from North Somerset Junction to Bathampton in the eastbound direction and Bristol Temple Meads to Worle in the westbound direction experiences up to 26% and 45% train movements respectively delayed. It is observed that the sections that contain the highest volume of train movements delayed align with those where our capacity planning assessment has struggled most to find paths for the services to operate in.

³ Network Rail Infrastructure Limited, *Wales & Western Region Performance Improvement Plan, Network Rail’s Response to the ORR Investigation Report and Final Order (10 July 2024)*, Appendix 1, 09 November 2024

Safety Risks - Level Crossings

66 level crossings have been identified that are affected by this application. All Level Crossing Risk Model (ALCRM) modelling has been completed and identifies an average increase in calculated risk of 9.59%; this varies per crossing, ranging between a 4% and 28% increase in risk. No crossings are calculated as having a decrease in risk as a result of this application. Notable crossings like Wantage Road and Grove require collaboration and funding for viable diversions or closures, while others such as Canalside 1 and Bathampton may need upgrades including footbridges or Overlay Miniature Stop Light (OMSL) systems, each with substantial associated costs.

There are a number of crossings, such as Causeway, Stocks Lane, Appleford, Upper Studley, Christian Malford, Meads, and Stoke Canon, where maximum protection levels have already been reached, meaning no further action can be taken to mitigate risk. In cases where no alternative routes exist, negotiations and improvement works are planned, although some, including Tuckwells and Kennington, present additional challenges due to infrastructure limitations or pending development projects. We request that, should ORR direct in line with what FRW&W are seeking in this application, ORR include as a condition to the decision a total contribution of between £3.395 million and £4.295 million on FRW&W to help fund mitigations measures. The variance in the amount required is dependent on technical feasibility studies and third-party influence (for example, in the case of OMSL installation on the sea wall, and crossing closures).

Details of the risk modelling, required interventions, and their associated costs in this scenario are provided in Appendix 3.

The contribution should be proportionately provided alongside any other applications affecting the same level crossings which might be positively determined by ORR. The Level Crossing Risk mitigation risk workstream demonstrates that risk management is a critical component of introducing new services, requiring investment in infrastructure improvements, legal negotiations, and ongoing risk reduction efforts to ensure safety at affected crossings.

As this application has a proposed start date of SCD 2028, it is envisioned that, if positively determined, the mitigations required would be able to be delivered prior to services commencing. We therefore request that delivery of the mitigations prior to services commencing is included as a condition to the contract, should the application be determined positively.

Operations

From an operations perspective, we still have not been provided with sufficient detail to provide an assessment at this time. In order to be able to fully assess the operational impact, as well as capacity, performance, and any safety implications, we would require precise information and datasets to produce an informed view, which we maintain is in the interest of our passengers and users. We would have to consider the provision of information, such as but not limited to the below, to fully assess this application, which we still have not received since our initial representations:

- *Driver training.*
- *ECS movements, acknowledging that certain moves may require infrastructure changes.*
 - *For example, changing ends in the loop at Highbridge will require the installation of a walking route, as there is no walking route to move between two five car IET's.*

- *Equally, we note that the operational plans at Goodrington will require a more detailed review, which could require the appointment of a PIC.*
- *Confirmation of who would operate the train person operated level crossing at Paignton South.*
- *Operational contingency plan, including proposed diversionary routes for planned or unplanned disruption.*
- *Rolling stock depot strategy.*
- *Rolling stock maintenance plan.*
- *Rolling stock stabling.*

Maintenance

We still note that the services, along with their supporting ECS movements, may need to be diverted via the usual accepted routes in the case of planned engineering work. We would require that all services and accompanying ECS movements do not impact the prompt taking of planned engineering work nor should it fall foul of Section 4 of the Engineering Access Statement. As is the case during our original representations: due to the ECS plans not being shared with us by FRW&W, we have not been able to fully assess this to address our maintenance concerns.

Future service commitments and the Long Term Planning Process (LTPP)

We had previously noted that, whilst the December 2024 timetable was used as a base by FRW&W, that there are a number of categories of services that do not operate in the December 2024 working timetable that FRW&W used as the base for its capacity study. We still believe the following list applies which was not previously considered:

- *Services that have firm rights to commence operations.*
- *The expected outputs and benefits of committed investment programmes (both infrastructure and rolling stock).*
- *Other current live access applications that are expected to be bid to commence operations in the next 18 months.*
- *Services that are identified in strategic plans for use of network capacity as part of the LTPP.*

As mentioned above, it is necessary for us to consider other current and live applications which this application interacts with. Since our original representations were sent, it is our belief that this application interacts with First Greater Western Limited's 301st supplemental agreement, Transport for Wales Rail Limited's 52nd supplemental agreement. Liverpool & South Wales Railway's Section 17 application for a New Track Access Contract⁴, Midland Central and Western Railway's Section 17 application for a New Track Access Contract⁵, and FRW&W's 04th Supplemental Agreement⁶.

As we originally noted, *"it is also essential to consider network capacity constraints that are planned to occur during the period for which rights are sought, and the industry planning undertaken and ongoing to mitigate those constraints. Chief among these is the impact of the construction of Old Oak Common*

⁴ Liverpool & South Wales Railway (L&SWR), *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, 10 February 2025

⁵ Midland Central and Western Railway (MCWR), *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, 10 February 2025

⁶ First Rail Wales and Western Limited, *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, 04 December 2024



Station, which is further detailed below.

Finally, it is essential to consider how the network itself can be expected to change in the relevant period and the impact that this will have on the timetable into which FRW&W services will be integrated. Particularly relevant is the introduction of new stations, and foremost among these again is Old Oak Common. There are other relevant new stations at different stages of development.” It is our belief that these statements still maintain their relevance and should be considered by ORR when it undertakes its analysis on this application.

It would also be important to note that the service levels have increased since the December 2024 timetable, which adds further constraints to the feasibility of this application.

HS2 Old Oak Common (OOC)

Construction

As we noted in our representations on 31st January 2025, “ongoing OOC construction involves extensive periods of two-track timetable in the inner Thames Valley, up to 33 Sundays per year. Extensive timetable development has been undertaken to satisfy the passenger handling requirements whilst making best use of available capacity. Furthermore, decisions made by the Access Disputes Committee confirm that all existing access rights cannot be fully accommodated during periods of two track operation. In order for FRW&W services to run during these periods other operators with existing rights would have to surrender paths, the existing passenger handling plan would need to be amended, with some existing services removed. As such, the sale of further firm access rights on a Sunday will apply greater pressure on already constrained network capacity.”

We had also made representations on the: *“extensive work [which] has already been undertaken on the construction phase timetable including through the established Industry Planning Group. The FRW&W application needs to be considered in relation to this work. We have not had the opportunity to do this since receiving the application.”* Unfortunately, whilst we have been collaborating with FRW&W as part of the Industry Planning Group, as this workstream is still ongoing, we have not been able to consider against the timetable at this point in this time. However, given the clear challenges on the pathing which has already been demonstrated, the additional challenges that this will import will not ease the challenges that FRW&W faces. As such, we do not believe that this will shift our position to be able to support this application.

Station Operations

The assumption remains that all main line services will call at Old Oak Common station. As we previously commented, *“analysis over a long period of time has shown it is not possible to operate non-stop trains alongside stopping trains at Old Oak Common without reducing the overall quantum of trains.”*

The LTPP

We work with industry partners and local authorities to develop and publish strategic plans for use of network capacity. These plans establish how capacity can be developed and utilised in service of government objectives considering the evidence available on socio-economic benefits resulting from improving capacity and connectivity, and the likelihood of funds available.

We regard these published strategic plans as formal outputs under the LTPP. Plans relevant to this application are the Greater Exeter strategic study⁷, the Peninsula Rail Corridor strategic study⁸, the Bristol to Exeter rail corridor strategic study⁹, the Greater Bristol rail network strategic study¹⁰, the Reading Area strategic study¹¹, and the London Paddington to Reading Corridor Study of 2021. Consideration of uses of network capacity should make reference to these plans.

We previously noted that: “FRW&W’s Form P indicates that this consideration has taken place in stating ‘none of the rights sought are inconsistent with any Long Term Planning Process’¹².” It remains our belief that “we do not regard this as an accurate statement and therefore do not support the proposal in this respect.”

Whilst elements of the connectivity that the FRW&W services could deliver do appear in LTPP outputs (i.e. improved connectivity on the Paignton branch) the fundamental feature of fast non-stop services between London Paddington and Bristol *does not* feature and is in conflict with LTPP recommendations on development of the use of capacity. These focus instead on delivering local and inter-regional connectivity, for example with the introduction of a direct hourly service between Bristol and Oxford. Such a service would compete for the same network capacity as the FRW&W proposal and therefore is not compatible. This represents an opportunity cost of the FRW&W proposal, whereby a key LTPP recommendation for use of network capacity would not be able to be implemented, should this FRW&W application be approved.

Many of the items listed below have significant stakeholder support, appearing for instance as high priority in sub-national transport bodies strategic investment plans, and in some cases funding. This too should be considered where decisions on use of network capacity are likely to be mutually exclusive.

Conflicting services and their status

A list of potentially conflicting services which must be considered and their status includes:

Service	Driver	Interface with FRW&W services	Status
Lumo Carmarthen-London Paddington	Open access	Bristol Parkway-London Paddington	Firm rights
Go-op Taunton-Swindon	Open access	Taunton-Cogload Junction	Firm rights

The following is a list of potentially conflicting outputs and expected benefits of investment projects and their status:

Service	Driver	Interface with FRW&W services	Status
Half hourly Bristol-	MetroWest project	Bristol-Filton	In delivery

⁷ Network Rail Infrastructure Limited, *Greater Exeter Strategic Study*, 23 October 2024

⁸ Network Rail Infrastructure Limited, *Peninsula Rail Corridor Strategic Study*, 22 March 2023

⁹ Network Rail Infrastructure Limited, *Bristol to Exeter rail corridor strategic study*, 31 May 2022

¹⁰ Network Rail Infrastructure Limited, *Greater Bristol rail network strategic study*, 28 February 2023

¹¹ Network Rail Infrastructure Limited, *Reading area strategic study*, 28 February 2023

¹² First Rail Wales and Western Limited, *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, p. 7, 04 December 2024

Henbury			
Hourly Bristol-Portishead	MetroWest project	Portishead-Bristol	Post Final Business Case, awaiting investment decision
Additional Bristol Birmingham hourly	Midlands Rail Hub	Bristol Temple Meads; Bristol-Westerleigh Jn	OBC (DfT-funded)
Majority of GWR non-HSS	Project Churchward (GWR DMU fleet replacement)	Extensive	SOBC submitted to DfT

Finally, the following list contains potentially conflicting services which have been identified under the LTPP process.

Service	Driver	Interface with FRW&W services	Status
Half hourly Exeter-Barnstaple	Greater Exeter strategic study	Exeter St Davids-Cowley Bridge Junction	LTPP recommendation
Half hourly Exeter-London Paddington (via Westbury)	Greater Exeter strategic study; Peninsula rail corridor strategic study	Paignton-Exeter; Exeter-Taunton; Reading-London Paddington	LTPP recommendation
Hourly direct Bristol Oxford	Greater Bristol rail network strategic study	Bristol-Didcot Parkway	LTPP recommendation
Freight services in Somerset	Gravity Campus and gigafactory	Taunton-Bristol	LTPP recommendation

Relevant potential infrastructure changes and their status

Infrastructure change	Driver	Interface with FRW&W services	Status
Old Oak Common new station	HS2	Reading-London Paddington	In delivery
Wellington & Cullompton new stations	Formerly Restoring your Railway	Exeter-Taunton	Awaiting final investment decision following FBC
Edginswell new station	New Stations Fund	Paignton branch	Awaiting final investment decision
Corsham new station	Formerly Restoring your Railway	Bristol-Bath	SOBC completed

We had previously made representations to advise that we had “*not yet had the opportunity to consider the FRW&W proposal against any of the proposed services listed above.*” However, as explained within the earlier Capacity Planning section, we have been able to assess that it is not compatible with the



December 2025 timetable and rights held by operators¹³ and therefore can conclude that it is extremely unlikely to be consistent with the LTPP. Therefore, we cannot support the FRW&W proposal on the grounds of future service commitments and the LTPP.

Form P Application and Track Access Contract

In our previous representations, we had commented that: *“we would request that the Supplemental Agreement be updated as the current drafting has a point of ambiguity. To explain, in respect of the slot as shown under Description 2.5: London Paddington to Exeter via Bristol Temple Meads, we request that the specific Exeter Station, which we believe to be Exeter St. David’s, is specified, as we would not be in a position to support a ubiquitous right for the Exeter stations. Moreover, we have subsequently received amended paths by FRW&W, on 17 January 2025, which would also require updates to the application’s proposed changes to Table 2.1 of Schedule 5 to align it with these amended paths.”* We have not seen any revised proposals or applications from FRW&W and as such, we would advise that these comments still apply when ORR forms its determination upon this application.

Investment Conditions

We still note that FRW&W, within the Form P, has not identified any potential costs in relation to the delivery of network enhancements¹⁴. It is our view, from the potential risks already highlighted, that physical interventions may well be required in order to mitigate risks that this application imports. Indeed, we have included some costs within pages 7/8 of this response. As mentioned earlier within the letter, we have still not received the ECS plans, which means that we are still not in a position to confirm all of the investment conditions that would be required to enable this application.

¹³ The December 2025 timetable used for this assessment contains all assumptions as noted on page 3 of this letter of representations.

¹⁴ First Rail Wales and Western Limited, *Application to the Office of Rail and Road for a passenger track access contract, or an amendment to an existing Contract*, p. 8, 04 December 2024



Conclusion

We remain in a position where we are unable to support FRW&W's application.

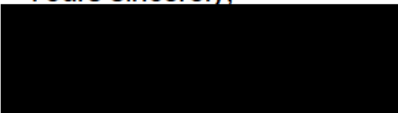
Our capacity assessment highlighted numerous non-compliances between the proposed paths and other existing services as well as services from already funded and committed projects, such as OOC, which we do not believe can be resolved through the flexing of other operators' services. Based on this assessment, our conclusion is that we are unable to accommodate the access rights sought by FRW&W alongside the access rights currently held by other operators and taking into consideration the other risks which we have identified.

There are strong concerns with the expected performance of these services and the impact that this will have upon other existing services. Equally impacting the performance of these services are a number of concerns on the operations of these services, which we would still need to be addressed before we would be able to grant our support. We have also identified a number of platforming challenges, which we do not believe can be resolved as the application is currently proposed. Furthermore, it is referenced earlier within this letter that there are outstanding operations and maintenance concerns, which provides further challenges that the application could have upon the performance of the railway network.

We strongly feel that consideration of the application should take into account not only current use of network capacity but also committed, planned, and anticipated use of network capacity over the duration of the rights sought. We regard it as highly likely that the proposed services will impact on the ability to deliver committed services; those that deliver the benefits of committed investment plans; and strategic plans for use of network capacity established in the LTPP.

Please do not hesitate to contact me if there is any further information you require.

Yours sincerely,


Joseph Brown
Customer Manager
Wales and Borders Route

Appendix 1

Timetable Assessment – SO Services

Up Services

1A71 – RED Status

Path requested: 07 10 Highbridge & Burnham – Paddington (09 25)

Path found: 07 11 Highbridge & Burnham – Paddington (09 12)

This path is viable, but would need a number of retimings to other services between Thingley East Junction and Swindon, and between Reading and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A73 – RED Status

Path requested: 08 04 Paignton – Paddington (11 24)

Path found: 08 04 Paignton – Paddington (11 19).

This path is viable, but would need a number of retimings to other services between Exeter St. David's and Bridgwater, between Thingley East Junction and Swindon, between Swindon and Didcot Parkway, and between Heathrow Airport Junction and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A75 – RED Status

Path requested: 09 41 Paignton – Paddington (13 22).

Path found: 09 41 Paignton – Paddington (12 49).

This path is viable, but would need a number of retimings to other services between Bath Spa and Swindon, and between Heathrow Airport Junction and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A77 – RED Status

Path requested: 13 41 Paignton – Paddington (17 21)

Path found: 13 41 Paignton – Paddington (16 57).

This path is viable, but would need a number of retimings to other services between Exeter St. David's and Taunton, between Worle Junction and Bristol Temple Meads, between Bristol Temple Meads and Chippenham, and Reading and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A79 – RED Status

Path requested: 16 05 Paignton – Paddington (19 23)

Path found: 16 05 Paignton – Paddington (19 20).

This path is viable, but would need a number of retimings to other services at Uphill Junction, between Didcot Parkway and Reading, and between Heathrow Airport Junction and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A81 – RED Status

Path requested: 18 05 Paignton – Bristol Temple Meads (19 54).

Path found: 18 06 Paignton – Bristol Temple Meads (19 54).

This path is viable at this time. However, there are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

Down Services

1C70 – RED Status

Requested path: 09 45 Paddington – Paignton (13 00)

Path found: 09 45 Paddington – Paignton (13 01)

This path is viable, but requires a number of retimings to other services between Foxhall Junction and Swindon, between Uphill Junction and Taunton, and between Exeter St. David's and Newton Abbot. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C72 – RED Status

Requested path: 11 45 Paddington – Paignton (15 06)

Path found: 11 45 Paddington – Paignton (14 59)

This path is viable, but requires a number of retimings to other services between Foxhall Junction and Swindon, between Bristol Temple Meads and Taunton, and between Exeter St. David's and Newton Abbot. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C74 – RED Status

Path requested: 13 45 Paddington – Paignton (17 13).

Path found: 13 45 Paddington – Paignton (17 02).

This path is viable, but would need a number of minor retimings to other services between Foxhall Junction and Swindon, between Bristol and Cogload Junction, and between Exeter St. David's and Paignton.

1C76 – RED Status

Path requested: 17 45 Paddington – Paignton (21 18).

Path found: 17 45 Paddington – Paignton (21 02).

This path is viable, but would need a number of minor retimings to other services between Foxhall Junction and Swindon, between Bristol and Cogload Junction, and between Exeter St. David's and Paignton. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C78 – RED Status

Path requested: 19 45 Paddington – Exeter St. David's (22 20).

Path found: 19 45 Paddington – Exeter St. David's (22 15).

This path is viable, but would need a number of minor retimings to other services between Foxhall Junction and Swindon. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

Timetable Assessment – SuO Services

Down Services

1C72 – RED Status

Path requested: 11 43 Paddington – Paignton (15 09).

Path found: 11 43 Paddington – Paignton (14 59).

This path is viable, but would need a retiming to one service between Uphill Junction and Taunton. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C74- RED Status

Path requested: 13 43 Paddington – Paignton (17 11).

Path found: 13 43 Paddington – Paignton (17 00).

This path is viable, but would need a retiming to one service between Uphill Junction and Taunton, and another service between Taunton and Exeter St. David's. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C76- RED Status

Path requested- 17 43 Paddington – Paignton (21 00).

Path found: 17 43 Paddington – Paignton (21 00).

This path is viable at this time. However, there are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1C78- RED Status

Path requested: 19 43 Paddington – Exeter St. David's (22 23).

Path found: 19 43 Paddington – Exeter St. David's (22 07).

This path is viable at this time. However, there are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

Up Services

1A71- RED Status

Path requested: 09 16 Highbridge & Burnham – Paddington (11 12).

Path found: 09 16 Highbridge & Burnham – Paddington (11 14).

This path is viable at this time. However, there are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A73- RED Status

Path requested: 10 02 Paignton – Paddington (13 11).

Path found: 10 01 Paignton – Paddington (13 14).

This path is viable, but would need a number of minor retimings to other services at Exeter St. David's, Bristol Temple Meads, Swindon and between Reading and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A75- RED Status

Path requested: 13 56 Paignton – Paddington (17 12).

Path found: 13 40 Paignton – Paddington (16 53).

The path at 13 56 is not viable, owing to clashes with other services between Newton Abbot and Exeter St. David's, and between Exeter St. David's and Bristol Temple Meads. An alternative path at 13 40 is viable, but this requires retiming to other services between Swindon and Didcot Parkway, and between Slough and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A77- RED Status

Path requested: 15 56 Paignton – Paddington (19 13).

Path found: 15 40 Paignton – Paddington (18 54).

The path at 15 56 is not viable, owing to clashes with other services between Newton Abbot and Exeter St. David's, and between Exeter St. David's and Bristol Temple Meads. An alternative path at 13 40 is viable, but this requires retiming to other services between Bristol Temple Meads and Chippenham, Swindon and Didcot Parkway, and between Slough and Paddington. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

1A79- RED Status

Path requested: 17 55 Paignton – Bristol Temple Meads (19 41).

This path is not viable owing to clashes with other services between Paignton and Exeter St. David's, and between Taunton and Bristol Temple Meads. An alternative path would need to be found. There are timetable rules non-compliances with other services at Paignton and Paddington station that make the overall plan invalid.

Appendix 2

Crossing Name	Type	ELR	Mileage	Current Risk Score	Current FMI	Resultant Risk Score	Resultant FMI	%age Increase	net FWI Increase	Suitable Mitigation Required (Preferred)	Suitable Mitigation Required (Secondary)	Suitable Mitigation Contribution (primary) (£)	Suitable Mitigation Contribution (Secondary) (£)
Paignton North	CCTV	TOR	222.04	H3	0.005179354	H3	0.006042579	14%	0.000863225	N/A		£0.00	
Paignton South	TMOB	TOR	222.22	L8	0.000017777	L8	0.000024761	28%	0.000006984	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Stocks Lane	CCTV	MLN	56.58	F5	0.000820425	F5	0.000862268	5%	0.000041843	N/A		£0.00	£0.00
Causeway	CCTV	MLN	56.72	F4	0.00123222	F4	0.00130986	6%	0.000077640	N/A		£0.00	£0.00
Butterfly Lane	BW+T	MLN	59.63	B6	0.000183493	B6	0.000189015	6%	0.000011585	Closure via SESRO	OMSLs	£300,000.00	£300,000.00
Wantage Road	FP	MLN	60.58	C3	0.007216886	C4	0.007672689	6%	0.000456903	Closure		£400,000.00	£400,000.00
Grove	BW+T	MLN	61.37	C5	0.00099361	C4	0.001062372	6%	0.000093111	Closure Contribution	Closure Contribution	£50,000.00	£50,000.00
Knighton	FP	MLN	69.12	C6	0.000111029	C6	0.000118041	6%	0.000007012	Closure Contribution		£300,000.00	£300,000.00
Upper Studley	FPMSL	MLN	80.64	C7	0.000032583	C8	0.000034101	4%	0.000001516	N/A		£0.00	£0.00
Canalside 1	FP	MLN	81.74	C4	0.001776464	C4	0.001888662	6%	0.000112198	OMSLs		£300,000.00	£300,000.00
Christian Malford	FPMSL	MLN	88.79	D8	0.000016151	D8	0.000017543	8%	0.000001392	N/A		£0.00	£0.00
Bathampton	FP	MLN	103.18	C6	0.000359968	C6	0.000400873	10%	0.000040905	OMSLs		£300,000.00	£300,000.00
Grants Mill	FP	MLN	127.02	C5	0.000563092	C5	0.000613231	8%	0.000050139	N/A		£0.00	£0.00
Mud Lane	UWCH-T	MLN	128.22	B4	0.000471328	B3	0.000454635	8%	0.000433068	N/A		£0.00	£0.00
Westmead Rhyme	FP	MLN	128.72	C6	0.000425197	C6	0.000463316	8%	0.000038121	N/A		£0.00	£0.00
Gas House Lane	UWCH-T	MLN	130.49	B4	0.004651757	B3	0.005221974	11%	0.000560217	No Mitigations Possible	No Mitigations Possible	£0.00	£0.00
River Yeo	FP	MLN	131.30	C5	0.000531653	C5	0.000579319	8%	0.000047666			£0.00	£0.00
Huish	CCTV	MLN	132.12	I7	0.000056985	I7	0.000062791	9%	0.000005806	N/A		£0.00	£0.00
Oldbridge	FP	MLN	132.42	C6	0.000369991	C6	0.00040249	8%	0.000032499	N/A		£0.00	£0.00
Puxton & Worle	MCB	MLN	133.79	I6	0.000379484	I6	0.00043566	13%	0.000056176	N/A		£0.00	£0.00
Brent Knoll 8/10	FP	MLN	141.10	C6	0.000236083	C6	0.00026647	11%	0.000030387	N/A		£0.00	£0.00
Brent Knoll 8/5	FP	MLN	142.74	C4	0.001829644	C4	0.00206514	11%	0.000235499	N/A		£0.00	£0.00
Burnham Without 9/6	FP	MLN	143.17	C5	0.000615421	C5	0.000694634	11%	0.000079213	N/A		£0.00	£0.00
Burnham Without	FP	MLN	143.73	C6	0.000184076	C6	0.000209865	11%	0.000022791	N/A		£0.00	£0.00
Burnham Without 9/1	FP	MLN	144.12	C7	0.000059021	C7	0.000066617	11%	0.000007596	N/A		£0.00	£0.00
Brunet's Way	FP	MLN	144.53	C5	0.000652852	C5	0.000733681	11%	0.000080829	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Springfield Road	FP	MLN	144.75	C4	0.000205883	C4	0.002234939	8%	0.000176086	N/A - Closure Plans in Flight	N/A - Closure Plans in Flight	£0.00	£0.00
Huntspill Level	FP	MLN	146.19	C6	0.000126497	C6	0.000138413	9%	0.000011916	N/A		£0.00	£0.00
Huntspill	UWCH-T	MLN	147.01	B4	0.002983245	B4	0.003391707	12%	0.000404662	N/A		£0.00	£0.00
Dunball	FP	MLN	149.03	C5	0.000612484	C5	0.000688316	11%	0.000075832	OMSL		£300,000.00	£300,000.00
Meads	UWCH-T	MLN	152.68	B2	0.013027101	B2	0.014790329	12%	0.001763228	N/A		£0.00	£0.00
Meads	FP-MSL	MLN	152.68	D6	0.000179400	D6	0.000206212	13%	0.000026808	N/A		£0.00	£0.00
Oreech St. Michael 10/5	FP	MLN	159.53	C5	0.000736361	C5	0.00080727	9%	0.000078969	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Hyde	UWCH-T	MLN	160.75	B5	0.00056794	B5	0.000615675	8%	0.000048881	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Broomhay	UWCH-T	MLN	161.32	B5	0.000688035	B5	0.000747652	8%	0.000059617	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Taunton 5/13	FP	MLN	162.04	C4	0.004793925	C3	0.005096682	9%	0.000275757	Closure	Integrated MSL Contribution (50%)	£200,000.00	£500,000.00
Taunton 5/1C	SBC-WL	MLN	163.00	D12	0.000000195	D12	0.000000214	9%	0.000000019	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Victory	AHB	MLN	166.05	D4	0.003147930	D4	0.003556025	11%	0.000408095	N/A		£0.00	£0.00
Englands Double	FP	MLN	166.30	C7	0.000067879	C7	0.000075757	10%	0.000007878	N/A		£0.00	£0.00
Dyers	FP	MLN	166.53	C6	0.000118601	C6	0.000131308	10%	0.000012707	N/A		£0.00	£0.00
Bradford on Tone	AHB	MLN	167.52	D4	0.00312106	D4	0.003461764	10%	0.000338658	N/A		£0.00	£0.00
East Nymhead	FP	MLN	167.73	C7	0.00009161	C5	0.000122544	19%	0.000032382	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Ash 1	FP	MLN	168.30	C10	0.000001940	C10	0.000002166	10%	0.000000226	N/A		£0.00	£0.00
Westford	FP-MSL	MLN	170.58	D5	0.000763856	D5	0.000852517	10%	0.000088661	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Badcock's Middle	UWCH-T	MLN	175.44	B6	0.000138456	B6	0.000154792	11%	0.000016336	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Pugham	FP	MLN	176.18	C4	0.001245311	C4	0.001389856	10%	0.000144545	N/A		£0.00	£0.00
Venn	FP	MLN	177.71	C6	0.000196186	C6	0.000218958	10%	0.000022772	N/A		£0.00	£0.00
Hele & Bradninch	AHB	MLN	185.41	E3	0.007174725	D3	0.008021198	11%	0.000846473	N/A		£0.00	£0.00
Stiverton	FP	MLN	187.10	C7	0.000067879	C7	0.000075757	10%	0.000007878	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Sandy Lane	FPMSL	MLN	189.42	D6	0.00011761	D6	0.000133372	12%	0.000015762	A Frames and remove KG7	A Frames and remove KG7	£10,000.00	£10,000.00
Stoke Canon	CCTV	MLN	190.16	B6	0.000175244	B6	0.000198802	12%	0.000026561	N/A		£0.00	£0.00
Horsgods	UWCH-T	MLN	191.06	B5	0.000580226	B5	0.000658449	11%	0.000069221	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Staffords Bridge	BW+T	MLN	191.44	C4	0.002375750	C4	0.002515707	10%	0.000275757	Mitigations in NR CP7 Plan	Mitigations in NR CP7 Plan	£0.00	£0.00
Staffords Bridge	UWCH-T	MLN	191.44	B5	0.000800215	B5	0.000893538	10%	0.000093233	N/A		£0.00	£0.00
Field	UWCH-T	MLN	191.48	B6	0.000282539	B6	0.000315649	10%	0.000033110	N/A, Recent Cvlts upgrade	N/A, Recent Cvlts upgrade	£0.00	£0.00
Red Cow	CCTV	MLN	193.62	F3	0.006749326	F3	0.007203944	6%	0.000454618	New gates	New gates	£5,000.00	£5,000.00
Exeter St. Davids 4 & 5	SBC-WL	MLN	193.79	D10	0.000001049	D10	0.000001185	11%	0.000000136	Replace decking in GRP	Replace decking in GRP	£30,000.00	£30,000.00
Erminster	FP	MLN	198.38	C6	0.000283997	C6	0.000298803	5%	0.000014806	OMSL	Covtec	£300,000.00	£50,000.00
Turf Lock	UWCH-T	MLN	199.53	B4	0.003005477	B4	0.003167209	5%	0.000161732	OMSL		£300,000.00	£300,000.00
Powderham UWCH-T	UWCH-T	MLN	200.30	B6	0.000271334	B6	0.000290606	7%	0.000019272	OMSL		£300,000.00	£300,000.00
Powderham Castle	FP	MLN	201.52	C4	0.002722843	C4	0.002914838	7%	0.000191995	OMSL	Covtec	£300,000.00	£50,000.00
Stacross	FP	MLN	202.25	C4	0.003206547	C4	0.00347175	8%	0.000265203	Closure via diverting through station		£300,000.00	£100,000.00
Cockwood	FP	MLN	203.31	C4	0.001725381	C4	0.001869162	8%	0.000143761	OMSL	Covtec	£300,000.00	£50,000.00
Sea Wall 1	FP	MLN	208.04	C6	0.000350838	C6	0.000379424	8%	0.000028586	OMSL	Covtec	£300,000.00	£50,000.00