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Grand Central 35th Supplemental Agreement

Dear David,

Following rejection of some elements of Grand Central's (GC) proposed 28th Supplemental Agreement, submitted as part of the Office of Rail and Road's (ORR) competing access rights process which ran throughout 2024 and 2025, GC has prepared a revised application, considering the content of ORR's decision letter in relation to East Coast Mainline (ECML) Open Access applications as well as the outputs of the recent Timetable Dispute (TTP2687) and also the options available to GC as part of its recent contract with Angel Trains and Hitachi to procure a new fleet of Tri-mode trains. Each of these areas is addressed in more detail below.

Previous application

Throughout 2024 GC sought to work with Network Rail (NR) in relation to the additional services sought in its 28th Supplemental Agreement, which would have seen an additional 2 x return services between Bradford and London introduced, alongside an early morning and late evening York to London return service and 1 additional London to Wakefield service.

Throughout the whole competing access rights process, NR undertook no work in relation to the capacity assessment of the additional services sought, despite GC providing all information requested in relation to the services. Throughout this process GC continued to participate where possible in the ECML Task Force work, however it became very clear early in the process that NR had no intention of reviewing GC's proposals in detail, nor offering them as part of the December 2025 timetable process.

At the priority date for December 2025, GC submitted a compliant bid with paths that, with some flex, could be accommodated against the Prior Working Timetable which was developed for December 2025. Within the first 3 weeks of the timetable development process, NR made GC aware that it intended to reject the additional London services sought on the basis of performance grounds. NR had made no attempt to validate the services, in forming this view.

Following receipt of this letter, GC made a number of pragmatic suggestions to NR in order to reduce the perceived performance impact (no modelling was actually undertaken) of the additional services, and whilst NR committed to further review the proposals, this was never done and NR rejected the additional paths at the offer date.

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Our concerns in relation to NR's approach to this process was set out to ORR in our response to NR's final representations on our application, however on 29th July 2025 ORR issued its rejection of GC's additional London services considering amongst other things, NR's view that it could not accommodate any services over and above that contained within the ECML Event Steering Group (ESG) timetable.

GC maintains that NR's approach to the development of the December 2025 was flawed and challenged this through Timetable Dispute TTP2687.

Timetable Dispute

As a result of NR's disregard for Part D of the Network Code, specifically in its approach to GC's Priority Date Notification Statement (PDNS) GC launched a timetable dispute which was determined in early September 2025.

GC argued that in assessing GC's bid for December 2025, NR had not acted in line with Part D of the Network code and that the paths proposed by GC were consistent with the structure of the December 2025 timetable.

The Timetable panel concluded that NR had not acted in line with the Part D of the Network Code, and whilst NR were not instructed to introduce any of the GC proposed services (on the basis of the panel's belief the GC could not have resourced and introduced the services in December 2025 – which is incorrect) the determination highlighted a number of areas where NR should have behaved differently.

The panel determined that NR should have made a specific assessment of the GC paths, which it did not, and the panel were concerned that NR did not look at individual trains in earnest with only a "courtesy look over everything".

NR also confirmed at the hearing that whilst the 14 trains in question did not fit cleanly into the timetable (GC argues this was because NR did not take them into account at the start of the timetable development period) the conflicts identified may have been able to be solved by flexing.

As part of its revised 35th Supplemental Agreement, GC has bid into the May 2026 timetable, and whilst we hope the outputs of TTP2687 will ensure NR approaches May 2026 in the correct way, we would urge ORR to ensure it considers NR's previous approach when considering any representations received.

35th Supplemental Agreement, Capacity and May 2026 Timetable

GC's 35th Supplemental Agreement represents a change from the previous 28th Supplemental Agreement, with access rights sought for the following services:

Bradford to London King's Cross	2 services Weekdays & Saturday, 1 service Sunday
London King's Cross to Bradford	2 services Weekdays & Saturday, 1 service Sunday
Wakefield to London King's Cross (via York)	1 service Weekdays & Saturday
London King's Cross to Wakefield (via York)	1 service Weekdays & Saturday

The proposal does not include any additional Peterborough calls and the Bradford to London services will operate in line with the existing calling pattern.

From a capacity perspective, GC are confident that the proposed services can be accommodated within the existing timetable structure. Indeed, the proposed services are largely, if not entirely, based

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upon the usage of “vacant slots” that exist within the timetable, where it is known that a path (in some form) will exist.

For example, the proposed 0900 and 2100 SX / weekday departures would utilise vacant “xx00” paths from London Kings Cross to Doncaster, which is utilised for twelve other hours of the weekday by a variety of services (both Open Access and Franchised Operator).

All proposed services are also compliant with the Timetable Planning Rules, and although GC recognise that, in some instances, the proposed services will operate at minimum headway with other services on the network, this practice is common across the industry – indeed being frequently utilised in the ECML ESG timetable affecting both GC and other operators services, and as such, this is not viewed as a risk by GC.

Initially, NR appeared to be approaching May 2026 more appropriately than December 2025 with requests for further information from GC in relation to the decision criteria, consideration of flexing and limited performance analysis being conducted. However, NR have since indicated they intend to reject all paths GC has bid as part of May 2026, again citing performance concerns raised as a result of additional London services.

In relation to the 14 paths bid for May 2025, NR has confirmed it intended to reject 5 of the additional services bid on the basis that these paths are the same that were bid for as part of December 2025 and were subject to determination by ORR as part of GC’s 28th Supplemental Agreement.

NR has stated that by reviewing the paths in detail and offering them to GC, it would undermine the decision made by ORR in July 2025 and therefore it is not able to do this.

GC has contended, that as NR did not undertake appropriate assessment of these train paths for December 2025 (as concluded during TTP2687) the information which was previously provided to ORR in relation to these services was flawed, therefore in order to provide sufficient information for ORR to determine on this new application NR will need to undertake a full assessment of the paths. The most straightforward way for NR to do this would have been to complete its validation and assessment as part of the May 2026 timetable, which GC has bid into.

In relation to the remaining 9 paths, NR have confirmed that with some flex these paths could be accommodated, however NR have proposed to reject these additional services on performance grounds. In applying the decision criteria in Part D of the network code, NR have determined that performance is a reasonable consideration in making its decision and have also cited the impact of additional pathing time in some of GC’s services as something that would have an additional detrimental impact on ECML performance.

GC argues that had NR undertaken the necessary analysis as part of the December 2025 timetable and looked at the required pathing and flex available at that time, the level of pathing would not be required. Once incorporated into the timetable we would obviously look to work with NR to improve the paths as required reducing pathing time, as GC have done on multiple previous occasions.

It should also be noted that, with regards to pathing time, the affected services are likely to be more punctual than services with lower amounts of pathing time; as such – these services would likely record higher levels of T3 performance than those with less pathing time; due to their ability to make up time following delays. New services having more-than-normal pathing time is, both presently and historically, common across the industry, and as such – it is disappointing that this is now being used as a reason for non-accommodation.

The performance analysis that NR has conducted in order to inform its rejection of the bid paths, does not represent formal performance modelling as was undertaken to inform decision making for December 2025, and therefore whilst NR has identified a series of potential impacts, GC has

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undertaken its own performance modelling to understand the potential impact of the proposed paths, which is discussed further in the section below.

Performance Analysis

Following NR confirming its intent to not accommodate the additional GC services contained within the 28th Supplemental Agreement, in the December 2025 timetable on performance grounds. GC commissioned its own performance modelling work, with a view to this being completed in support of GC's 28th Supplemental Agreement. Unfortunately, the modelling was not completed in sufficient time to be taken into account prior to decisions on the ECML open access applications being taken. It is important to note that NR undertook no detailed performance assessment of the additional GC paths whilst rejecting them on performance grounds and has subsequently determined to not undertake any further performance modelling as part of its evaluation of the paths sought within our 35th Supplemental Agreement.

GC continued to have the modelling completed and has subsequently requested an additional sensitivity scenario to be modelled to reflect the revised 35th Supplemental Agreement, as per the bid made for May 2026. RailSys modelling was undertaken by Ed Jeffrey on behalf of GC, with the associated reported included alongside this letter.

In order to produce the necessary performance modelling work, NR was requested by GC to provide a full copy of the December 2025 performance modelling undertaken, in order to inform our own modelling approach. This request was denied by NR on the basis that their own modelling could be deemed as out of date. NR did however provide the necessary infrastructure data to inform our own modelling.

The key finding of the modelling is that the largest forecast impacts of the additional GC paths on the punctuality of other operators' trains are all in the Up direction with no train operator suffering a detriment to Average Minutes Lateness (AML) of more than 4 seconds. Down direction AML figures were all below this threshold.

This output represents a reasonably 'worst case' scenario in that this is a 'first pass' model run and mitigations have been identified to address some of these performance issues that would reduce the impacts shown here. The analysis has shown that rather than an impact being 'spread' across the whole day, the identified impacts are on a lower number of individual interacting services. Reducing the impact on these specific trains will therefore limit the overall impact.

As part of the modelling work, GC requested that performance impacts be assessed at an individual service level and a series of mitigations identified in order to avoid the 'worst case' scenario on any given day be avoided.

The performance modelling shows that four out of the six paths, applied for as part of the 28th Supplemental Agreement are likely to have a minimal impact on network performance (the 1247 and 1656 departures from Bradford to London, the 1513 London to Bradford and the 2100 London to York service) if the proposed mitigations are applied. One further path (0900 London to Bradford) requires more detailed investigation, but it is likely that most of the impact could be mitigated by implementing various timetable and regulation options, but this is consistent with all use of the xx00 path from London King's Cross.

The final path (0606 York – Kings Cross) is the largest contributor to delay but as the service included a Doncaster call it was proposed one mitigation that may reduce the impact would be to remove the Doncaster call. This is implemented in the 35th Supplemental proposed timetable.

The model went on to be updated to reflect the services contained within the 35th Supplemental Agreement and bid for May 2026. The modelling reflects the changes in the application (removal of

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Doncaster calls in the early morning southbound and late evening northbound services and removal of Peterborough calls throughout), and later departure time from York of 1Y57 (0615 vs 0606 previously due to removal of Doncaster and Peterborough calls). The modelled scenario saw a positive variance in performance compared to the original modelling, through implementation of some of the mitigations proposed in the original work.

A further mitigation specifically targeted at Northbound services is a recommendation to ensure a prompt departure at London Kings Cross. GC actively seeks to do this through employing our own dedicated station coordinators (who also support Hull Trains and Lumo) to assist with boarding and ensure on time departures at King's Cross.

GC believes that with the mitigations proposed and implemented and as part of its bid for May 2026, including the removal of station calls and introduction of pathing time, alongside its dedicated resource at King's Cross means the 'worst case' performance scenario can be avoided with the benefits of the new direct services provided outweighing the minimal negative performance impact.

Not Primarily Abstractive Test

Following ORR's rejection of the additional London services contained within the 28th Supplemental. GC amended the application to reflect some of the points raised in relation to the ORR's view that some elements of the 28th Supplemental did not pass the NPA test.

GC has removed Peterborough calls as well as amend the calling pattern associated with the early morning and late evening Wakefield to London via York services.

During assessment of the 28th Supplemental, GC submitted NPA analysis to ORR, which included modelling to show the transformational impact of introducing new services. GC argued that due to the 50% increase in direct London services some destinations would receive, this would represent a transformational change in train service, and MOIRA alone would not sufficiently forecast the anticipated change in demand. A gravity model was therefore utilised to reflect this change.

Discussions with ORR suggested that as the GJT improvement for these destinations did not exceed 30% (as set out as one consideration in PDFH where a transformational impact should be considered) a gravity model should not be used.

On this basis, and in addition to the amendment of station calls, GC has revised its NPA analysis to focus on revised MOIRA modelling and a fares overlay. GC still maintains that a transformational effect will be seen and would be happy to share any evidence and data associated with the introduction of these services should they be approved.

A copy of the updated NPA analysis and associated model is included alongside this letter and we would be happy to meet to discuss the modelling with ORR. We remain confident that the new services would comfortably exceed the 0.3:1 threshold.

Investment Case

The final area for consideration is the alignment of GC's 35th Supplemental Agreement with the recent contract entered into between Grand Central, Angel Trains and Hitachi.

Following approval of its Track Access Application to extend its existing access rights until 2038, GC entered a contract to procure, via investment from Angel Trains, 9 new Tri-Mode (electric, battery and diesel) to operate its existing service levels, due for introduction in 2028.

These 9 units would see 7 daily diagrams operated representing a significant improvement in rolling stock utilisation, which currently sees GC achieve 7 daily diagrams from 12 units.

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As part of the contract with Hitachi, GC has the option to procure additional units on existing terms representing significant further investment by the private sector in the UK rail industry. One option GC has retained is to procure a 10th unit in line with the existing rate, however current service levels do not require this unit to be incorporated into the base order, despite elements of the 28th Supplement Agreement being granted, as mentioned previously.

Approval of the 35th Supplemental Agreement, would require GC to operate an 8th daily diagram, to support this 8th diagram, GC would seek to procure an additional (10th) unit, further improving the overall efficiency of the fleet in comparison to other open access operators.

In order to support the approval of the new services and to align them with the current expiry of GC's Track Access Contract (December 2038) an additional unit would:

- Increase the total capital cost by over **[redacted]**
- Increase GC's annual lease costs by **[redacted]**

As we have previously confirmed to ORR through the extension of our existing track access rights, the new rolling stock by procured by GC and Angel Trains are tri-mode units, this additional 10th unit will also be a tri-mode unit. This will enable a significant reduction in carbon emissions, thanks to the ability to operate on electric and battery traction, as opposed to GC's existing all-diesel operation.

GC would welcome further discussions with ORR on the additional investment and would be happy to share additional information as required.

Conclusion

In submitting its 35th Supplemental Agreement, GC has taken account of the previous ORR decision associated with the 28th Supplemental Agreement, through considering the capacity position set out by NR in developing the December 2025 and the necessary challenge through the Access Disputes Committee, alongside conducting its own performance modelling, which with some mitigations implemented would minimise any negative performance impact.

GC has also considered its approach to the NPA test and has committed to invest in further brand-new rolling stock supporting the access rights for 10 years through to the end of its current Track Access Contract.

GC would welcome further discussion with ORR in relation to any of the additional analysis shared at a time suitable to ORR.

Yours sincerely,

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