

**David Reed**  
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Dear Alex and Joanna

**Forty Third Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited (Network Rail) and GTS Rail Operations Limited (GTS)**

Today we issued directions under section 22A of the Railways Act 1993 (the Act) to Network Rail and GTS (jointly the parties) to enter into the above supplemental agreement. The direction of this application will enable GTS to provide an additional four trains per hour for passengers at peak times on the Elizabeth line, from May 2027. This letter explains the reasons for our decision.

**Application**

The purpose of this agreement is to grant GTS the rights necessary to operate its proposed May 2027 timetable on the Elizabeth line. The rights are to commence on the Subsidiary Change Date (SCD) in May 2027 and will expire on the Expiry Date or earlier termination of GTS's track access contract.

GTS operates Elizabeth line services under a Concession Agreement with Rail for London Limited (RfL), a wholly-owned subsidiary of Transport for London (TfL). The changes in this supplemental will support an increase in peak service frequency and duration between Paddington (Crossrail Central Operating Section, CCOS) station and Whitechapel station in the CCOS moving from 24 trains per hour (tph) for 90 minutes (07:45hrs - 09:15hrs and 16:45hrs – 18:15hrs) to 28 tph for 120 minutes in both directions between 07:30hrs – 09:30hrs and 16:30hrs – 18:30hrs on weekdays.

This is achieved by:

- Diverting the current 2tph Gidea Park to London Liverpool Street (Main Line) passenger services into the CCOS at Pudding Mill Lane Junction and running the current 9 Empty Coaching Stock (ECS) back-working as passenger services;
- Operating an additional 4 passenger trains on Anglia Route to support stock balancing removing the need for additional stabling on the Great Eastern Main Line (GEML);
- Increase in ECS from OOC Depot to Westbourne Park Junction supporting the passenger services that commence their journey on the CCOS; and
- Operating an additional 2tph between Paddington (CCOS) station and Abbey Wood station.

This totals 13 additional Track Access Rights (9 current ECS rights being converted into Firm Rights to Passenger Train slots plus 4 additional Firm Rights for Passenger Train Slots) and 3 additional ECS rights from Westbourne Park Junction to Old Oak Common Depot.

Network Rail could not support the application when it was originally submitted on 15 April 2026 as it viewed further capacity and performance work was necessary to understand the impacts of the proposals.

### **Industry consultation**

Network Rail undertook the usual industry consultation.

Transport Focus and GWR supported or raised no objection to the proposal. London Travel Watch advised it had no objections to the proposal if Network Rail could agree to it.

Greater Anglia noted significant concerns about the effect of these services on Greater Anglia ECS paths to and from Ilford EMUD during the contra peak. GTS confirmed that the application does not assume any reduction in the quantum of Greater Anglia Ilford paths compared to today and that paths have been identified for all existing ECS which are TPR-compliant and as robust as possible, and require at most only minor changes to departure or arrival times at the depot. GTS confirmed that its services will be flexed around these moves as appropriate. Greater Anglia confirmed it still objected to the application while awaiting further performance modelling.

C2C Rail confirmed that it had material concerns regarding the potential impacts on performance, resilience, and operational risk, particularly where c2c services interface with the proposed additional and amended access rights. GTS advised that c2c services do not interface directly with any rights changes proposed in this application and that c2c could only be impacted by GTS on weekdays as a secondary consequence of freight or ECS routed via Forest Gate, Woodgrange Park and Barking, of which there are no such paths

currently in the timetable in the vicinity of the GTS slots proposed to change in May 2027. c2c confirmed that it still had outstanding objections to the application, as whole-system performance modelling, including degraded and perturbation scenarios, had not yet been completed, and there was no clarity on how reactionary delay risk and performance impacts to third parties will be mitigated.

Heavy Haul Rail Ltd initially opposed the application, but following further discussions between the parties regarding the impact of the changes on Heavy Haul Rail services, withdrew its objection.

### **Statutory Consultation**

As required under the Act, on 17 April 2026, we sought Network Rail's representations on the application and it replied on 15 May 2026. We forwarded these representations to GTS, on 15 May 2026, and asked for its comments. GTS provided comments on 5 June 2026. GTS provided updated performance analysis on 25 June 2026. In response to this, Network Rail provided further representations on 10 July 2026. GTS responded to Network Rail's further representations on 21 July 2026.

#### *Network Rail's initial representations*

In Network Rail's initial representations of 15 May 2026, it advised that it wished to understand the impacts of the proposals on GTS performance and also on other operators and wider system performance. Network Rail advised that it wished to carry out further capacity and performance analysis, and would be able to share these with ORR and its final position in late June. GTS advised that it would continue to work with Network Rail collaboratively to address its concerns.

#### *Network Rail's further representations*

In response to additional performance modelling provided by GTS on 25 June 2026, on 10 July 2026 Network Rail advised that while it had identified capacity to accommodate the proposed rights, it was still not able to support the application and viewed that further work was required before it could consider its final position. Network Rail advised that:

*"Before NRIL can consider its final position, in NRIL's view GTS should undertake further work to: develop and evidence mitigations for the modelled eastbound performance reduction; explain how morning and evening peak-period risks will be managed; provide an updated performance assessment baseline using a December 2026 base timetable, by remodelling the December 2024 base to reflect the December 2026 position; assess the eastern section at a sufficiently granular level to demonstrate the operational impacts and mitigations; and share the outputs of the updated performance modelling with affected operators, specifically Heathrow Express and Great Western Railway."*

GTS responded on 21 July 2026 providing an additional modelling run using the December 2026 timetable, which was not available when the application was originally submitted, to address the points subsequently raised by Network Rail. However, GTS advised that it considered “that the amount of modelling undertaken to date is disproportionate to the scale and benefits of the application, particularly given the associated time and cost implications”.

On 24 July 2026 Network Rail advised ORR via email that:

*“whilst Network Rail Infrastructure Limited (NRIL) is not in a position to provide a formal confirmation of support for the GTS 43rd at this stage, owing to the internal approvals required before NRIL could communicate such a position to the ORR (noting GTS’s aspiration to secure Firm Rights by D-40, being 9 August 2026) ... Based on the discussions and indications received through NRIL’s internal engagement to date, had the necessary approvals process been completed and a final position reached prior to 9 August, it is likely that NRIL’s position would have been one of support for the GTS 43rd.*

*NRIL recognises that the revised modelling produced by GTS continues to indicate a marginal deterioration in performance, particularly on the Anglia route. However, when considered alongside the wider benefits associated with the GTS 43rd proposal, which NRIL fully supports, it is anticipated that NRIL’s formal representation to the ORR would be supportive of the application.”*

## **ORR review**

We have considered the evidence provided by GTS, Network Rail, and the concerns raised through the industry consultation.

Capacity analysis by Network Rail and GTS indicates that the proposed rights can be accommodated.

Performance modelling has been undertaken by GTS using the industry-recognised TRENOLab “Trenissimo” microsimulation model. Network Rail has undertaken a quality assurance review of the modelling, which confirmed that it is suitable for a high-level comparison of peak Elizabeth Line services between December 2024 and May 2027. However, the review also identified limitations, including that the model is not sufficiently detailed to assess performance at service group or TIPLOC level and should not be used for other purposes without further analysis and assurance. While more granular modelling may produce useful outputs, our view is that the existing modelling provides a sufficient level of detail to demonstrate the potential impact of the proposed services.

We note that the modelling indicates a marginal deterioration in performance, particularly on the Anglia route. We have received further assurances from GTS on the mitigations it has planned, particularly for Eastbound performance onto Anglia Route.

We view that the marginal performance impacts, when considered alongside the wider benefits for passengers associated with the proposal, are acceptable.

As set out in [our letter to industry](#) on 24 October 2025, we consider that most operators and Network Rail should be returning to the standard processes for access rights and we expect Network Rail and operators to work in a timely fashion to make access applications well in advance of timetable production. Furthermore, we expect Network Rail to identify applications for capacity which it is willing to support and to submit “agreed” applications to ORR for approval.

We appreciate GTS’s willingness to work well within industry timescales by planning and submitting its application to ORR well in advance of the May 2027 timetable change, and understand its desire to receive a decision in advance of the Priority Date for the May 2027 timetable (7 August 2026).

We appreciate that Network Rail has now been able to, informally, provide a position of some support for this application, shortly before the Priority Date. However, Network Rail should consider whether the length of time it has taken to reach this position, and the level of performance modelling and evidence it has required from GTS, is proportionate.

### **Our duties under section 4 of the Act and our decision**

We have considered this supplemental agreement and we have concluded that its approval is consistent with the discharge of our statutory duties under section 4 duties of the Act; in particular, those relating to promoting improvements in railway service performance (section 4(1)(b)), protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).

We have looked very closely at all the evidence submitted from the parties and consultees. We have concluded that we should direct the application.

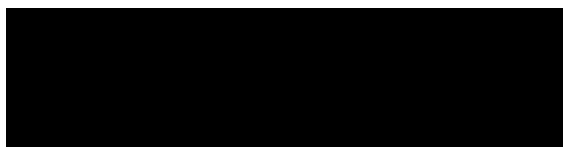
### **Conformed copy of the track access contract**

Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and GTS. ORR’s copy should be sent for my attention.

### **Public register and administration**

Electronic copies of this letter, the directions notice and the agreement will be sent to Network Rail’s Policy and Access Team. Copies of the directions notice and the agreement will be placed on ORR’s public register (website) and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely



**David Reed**