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Dear applicants and Network Rail,

Applications for access on the West Coast Main Line (WCML)

1. We have carefully considered the applications for track access contracts with Network Rail Infrastructure Limited (Network Rail) made by First Rail Stirling Limited (Lumo NW), the Wrexham, Shropshire & Midlands Railway Company Limited (WSMR) and First Trenitalia West Coast Rail Limited (trading as Avanti West Coast, 'AWC'). These were submitted to us under sections 17 and 22A of the Railways Act 1993 (the Act) between October 2025 and March 2026.
2. We have rejected the applications from Lumo NW and WSMR in their entireties. We have approved one additional contingent right for AWC to run a new weekday service from Chester to London Euston. This one train is already in the timetable as an 'Empty Coaching Stock' (ECS) and can now run as a passenger service. We have rejected the remainder of AWC's application. Each of our rejections are on the grounds that there is insufficient capacity and the introduction of more services in the current circumstances would be detrimental to performance on the West Coast Main Line (WCML) and existing users. This letter explains in detail the reasons for our decision.

Background

3. In July 2025 ORR rejected applications from Lumo NW to run 6 return services between Rochdale and London Euston and from WSMR to run 5 return services between Wrexham General and London Euston (alongside rejection of a much larger application from Virgin Trains).

4. ORR decided there was insufficient capacity on the WCML South to accommodate all or part of those three applications. We explained that to do so would use “firebreaks” (gaps in the current timetable) needed to enable train service performance to recover during disruption. Any passenger benefits gained from introducing new services would be lost through the detrimental impact on performance for all operators on a route which already has significant performance challenges. Our conclusion was that current performance was fragile, and the introduction of more services in the paths currently used as firebreaks would very likely have negative impacts on performance, and therefore the end users. Since July 2025, punctuality on the WCML South has indeed continued to decline.
5. Following the July 2025 ORR decisions;
 - Lumo NW applied under Section 17 of the Act in October 2025 for firm access rights to run four return trains from Rochdale to London Euston on a 10-year contract;
 - WSMR applied under Section 17 of the Act in November 2025, for access rights to run four (three firm rights, one contingent right) return trains from Wrexham General to London Euston on a 6.5-year contract; and
 - AWC applied under Section 22A of the Act in March 2026 to amend its current access contract to add firm rights for one new weekday and one new Saturday return service between Blackpool North and London Euston, and one additional weekday service from Chester to London Euston until its current track access contract expiry date in December 2030.

ORR’s role and approach

6. Under the Act a train operator may only enter into a contract with Network Rail for the use of its network following ORR’s approval or direction. If Network Rail and a train operator reach agreement, they jointly submit the proposed contract for our approval under section 18 of the Act. If a train operator holds an existing contract with Network Rail and reaches agreement on an amendment to that contract, they jointly submit the proposed amendment for our approval under section 22 of the Act. If they cannot reach agreement, the train operator can apply under section 17 or 22A of the Act and ask us to direct Network Rail to enter into the contract or relevant amendments. These applications were made under section 17 (Lumo NW and WSMR) and 22A (AWC).
7. We must determine all track access applications in accordance with our statutory duties, which are set out mainly in section 4 of the Act. The weight we place on each duty is a matter for us depending on the circumstances and context of each case. Where the duties point in different directions, we weigh them against each other to help us reach a decision.
8. Although our duties are wide ranging, our experience generally is that a subset tends to be especially relevant to access decisions with the others not pointing strongly one way

or the other. For these applications we considered the following duties were the most relevant:

- promote improvements in railway service performance (which is defined as including in particular, performance in securing (a) reliability (including punctuality), (b) avoidance or mitigation of passenger overcrowding, and (c) that journey times are as short as possible);
- otherwise protect the interests of users of railway services;
- promote the use and development of the network for passengers and goods to the greatest extent that we consider economically practicable;
- promote competition in the provision of railway services for the benefit of rail users;
- promote efficiency and economy on the part of persons providing railway services; and
- enable persons providing railway services to plan the future of their businesses with reasonable assurance.

9. For these applications, although we assessed the duty to have regard to the funds available to the Secretary of State, it was not critical because operational factors (capacity and performance) were the determinative factors.

10. ORR is supportive in principle of open access, by which we mean passenger services provided outside of a public service contract. This reflects our duty to promote competition for the benefit of rail users. Where there is sufficient capacity, we recognise that competition can make a significant contribution to innovation in terms of the routes served, ticketing practices and service quality improvements, by both the new operator and through the competitive response of existing operators.

Industry consultation and stakeholder views

11. Network Rail carried out a full industry consultation for each application. Throughout the process we received and considered correspondence from multiple stakeholder groups on each application. These are summarised in Annex A to this letter.

Statutory Consultation

12. As Network Rail did not support the applications, they were submitted under Sections 17 and 22A of the Act. We conducted a statutory consultation on each application with Network Rail to elicit the capacity and performance analysis we required to determine the applications.

13. Network Rail objected to all three applications and provided detailed information on a lack of capacity on the WCML South alongside additional points of concern for each application as follows:

Lumo NW

14. Network Rail did not support the application and provided its timetable assessment which identified substantial capacity and planning conflicts across the proposed route. A large number of timetable conflicts were identified across the proposed timetable and Network Rail concluded that many of these conflicts would require significant timetable restructuring which could not be resolved through minor timetable adjustments alone.
15. Conflicts were identified on the WCML South fast lines, at Manchester Victoria, and at Rochdale itself, with the latter being a location experiencing significant levels of reactionary delay from late-running services. Network Rail stated there were also potential interactions with future HS2 services.

WSMR

16. Network Rail stated that it currently did not support any application seeking to use additional capacity on the WCML South fast lines. All the proposed paths had conflicts against the base timetable, which Network Rail stated would have significant impacts on other services and service patterns across the geography.
17. Network Rail expressed particular concern that WSMR's plans would use firebreak paths and could be accommodated only with significant retiming of other services in the same area. Other concerns Network Rail cited related to adverse impacts on network performance, on overall network resilience and services, on punctuality and reliability across the affected routes, and on congestion issues at key junctions and high utilisation areas of the network.

AWC

18. Network Rail stated that the services AWC requested would introduce additional services onto the WCML South fast lines, which would risk a deterioration to network performance. Network Rail noted the services would use capacity in the areas which it has declared as Congested Infrastructure.
19. Network Rail also cited a number of performance concerns at locations on the proposed route, including Euston, Watford Junction, Milton Keynes Central, Rugby, and Nuneaton, with Euston station identified as being vulnerable to disruption associated with delays and cancellations.

Engagement with the parties

20. In response to Network Rail's representations Lumo NW and WSMR insisted that current performance challenges of the existing WCML timetable structure should not preclude them gaining access. They dispute the need for firebreaks in the timetable

and contest that if granted access, their evidence shows them to have robust performing timetable plans.

21. In addition to the industry and statutory consultations, when reviewing an application, we may hold discussions with the parties, seeking and clarifying the information we need to make our final decision. In this case we have engaged fully with all the applicants and Network Rail throughout the course of these applications providing opportunities for them to provide information they deem relevant.
22. The applicants took the opportunity to provide further detailed submissions to us. In reaching our decision, we considered all the material provided by the applicants and other stakeholders. For the WSMR application, we received and considered extensive correspondence from stakeholders supporting both the operational and economic aspects of the application.

Our analysis of the applications

23. Our assessment of these applications has concluded that the availability of capacity on the WCML, and the impacts of additional services on performance, are determinative factors. While we assessed other aspects, including operational viability, the NPA test and the impact on the Secretary of State's funds, and the (often supportive) views of passengers and local stakeholders, these factors did not alter our conclusions regarding space on the network and the likely detriment to train performance for all users.
24. All our analysis on capacity, performance and economics was considered for completeness. However, we decided to give weight to our capacity and performance duties such that the economic factors were not determinative. Our assessment of all the determinative considerations is as follows.

Capacity and Performance on WCML South

25. A declaration of congested infrastructure by Network Rail does not mean that parties cannot apply for access or that ORR cannot grant access but it does indicate a need for close consideration of capacity demands. The Network Rail 2020 congested infrastructure declaration on the WCML South fast lines is still in place. The 2022 timetable recast enabled ORR to approve additional AWC services and direct the introduction of the First Rail Stirling open access service, now in operation. However, the 2020 declaration is unlikely to be removed without investment in power capacity enhancements and/or delivery of a recast timetable. In 2025, Network Rail has made further declarations of congested infrastructure on the WCML at Willenhall and Weaver which relate to the demand for access and power supply.
26. We commissioned external analysis to supplement our own assessment and ensure our capacity and performance conclusions were robust. This analysis identified that using the paths proposed would increase congestion, increasing the number of trains operating at or near the minimum allowable planned separation (headway) without any

breaks. This would further reduce recovery time for late-running services and increase the likelihood of disruption, with consequent impacts on passengers and freight.

27. Our assessment identified there is still a significant, pre-existing performance issue caused by general congestion. This highlights the need for retention of 'firebreaks', which Network Rail has introduced in the timetable to assist with service recovery at times of disruption. Using these 'firebreaks' for running additional services would further reduce the ability for the timetable to absorb minor perturbation and recover good service.
28. Recent performance data (measured by time to 3: the percentage of recorded station stops arrived at early or less than three minutes after the scheduled arrival time) shows that punctuality on the route as a whole and for AWC has declined over the past year. This further supports our assessment that adding new trains onto the network would negatively impact all users.
29. Our external analysis and our own assessment are consistent with our position as set out in July 2025: that the erosion of firebreaks will have a detrimental impact on performance on WCML South. Updated external analysis and actual performance since July 2025 endorse our view that the current timetable structure and infrastructure delivery is significantly contributing to poor performance. This suggests that adding in more trains (regardless of the operator and its efficiency) is likely to make performance worse particularly when these paths are used by the late running of existing services.
30. We agree with the external advice we commissioned that Network Rail should undertake a full review of the current operation on WCML South to improve performance, before considering additional passenger services on to WCML South. While ORR holds Network Rail to account on performance, we cannot compel Network Rail and industry to develop a new timetable.

WSMR

31. In June 2026 WSMR provided additional evidence it had commissioned. We have considered this carefully for consistency with the report we commissioned externally. Our view is that the WSMR report does not demonstrate the proposed WSMR timetable can be robustly accommodated within the existing timetable structure. Our external report reinforces our concern that using the WSMR proposed paths would further increase risks to resilience and performance unless the wider timetable is reviewed and rolling stock assumptions are resolved.
32. The WSMR evidence submission proposed that additional capacity exists on WCML and describes that an alternative timetable is possible to create further available capacity. A significant timetable recast is being considered by industry on the WCML, but it is not sufficiently progressed for anyone to reach conclusions as to whether it might unlock additional capacity.
33. We consider a timetable may theoretically be constructed for WSMR's services. However, in applying our duties, we need to consider whether the application is

implementable, compliant with industry rules, resilient within the current structure, and acceptable for existing users under both normal and disrupted conditions. Our external commissioned analysis on the WCML South supports our assessment that the route is already highly constrained by the current timetable structure, and this is consistent with the evidence Network Rail provided and assessments of current performance on WCML. Therefore, we consider that WSMR could not be accommodated at present without a substantial detriment to users of the line.

Lumo NW (Rochdale to London)

34. Our conclusions are primarily based on the performance and capacity issues previously described stemming from our own and externally commissioned analysis. We consider that the proposed Lumo NW timetable does not work in the current timetable structure due to conflicts with other operators, and that using the Lumo NW proposed paths would further increase risks to resilience and performance. Our assessment is that a wider timetable review is needed to consider these services.
35. Network Rail's timetable assessment identified substantial capacity and planning conflicts across the proposed route which would require significant timetable restructuring, rather than through minor timetable adjustments alone. Our own analysis supports this view as well as our concerns regarding timetable resilience and the challenges of accommodating additional services on heavily used infrastructure.
36. In summary, our own and external commissioned analysis as well as Network Rail evidence suggest that the proposed Rochdale services are not currently operationally viable in the current timetable structure. There remain unresolved issues relating to capacity, timetable robustness and performance resilience. This leads us to consider that the proposed service could not be accommodated without creating significant operational and performance risks for the wider network.

AWC - Blackpool

37. All the AWC Blackpool rights would use the same constrained WCML South fast line capacity and require timetable path opportunities similar to the WSMR and Lumo NW Rochdale applications. Power supply limitations on the route impact available capacity and introduce risks to performance – including for the area declared as congested infrastructure around Weaver Junction as well as at Crewe.
38. Our principal concern is whether the services can be accommodated without further reducing resilience and impacting performance on the WCML South. Our external analysis (and Network Rail's) identifies that additional services would lead to the loss of firebreaks, increase operation at or near minimum headways, and increase the likelihood of reactionary delay to following services which are closely timetabled.
39. Our assessment of this application is that the AWC Blackpool services should not be included within the current WCML timetable structure on the grounds of capacity and performance.

AWC - Chester

40. The service from Chester in the AWC application is currently running without passengers as a fully crewed empty coaching stock (ECS) move. It leaves Chester for London Euston at 19h29 with full catering and operational staff on board (fully crewed). AWC stated that if ORR does not 'approve this service' it would still need to run as a fully crewed ECS movement, leaving at the same time from Chester. This is because the rolling stock and train crew diagrams end in London, and the operator does not plan to change these prior to the next timetable period. ECS moves like this are agreed between the operator and Network Rail (through its responsibility for the timetable) and do not require ORR to approve access rights.
41. Network Rail does not support the inclusion of this service for the same reasons as the Blackpool services. Network Rail cited performance on WCML South and the impact of running additional services in a firebreak path on timetable resilience. Given it is currently operating without passengers, we considered the potential performance impact of this train running as a passenger service. The additional operational and performance risk is low, based on the available evidence and context, including prior performance of the ECS movement.
42. This path aligns closely with at least one of the aspirational WCML South paths sought by other (open access) applicants. However, granting AWC this one right would not actually introduce an additional movement on the WCML South. It would instead convert an existing operational move into a passenger revenue-earning service.
43. The operational reality is that from the December 2026 timetable change, this train will operate either as a fully crewed ECS movement or, subject to ORR approval, as a passenger service. In weighing our duties, we consider that allowing it to earn passenger revenue will not introduce significant performance risk and would represent a better use of the network than operating it without passengers.

Conclusion

44. Our review of the evidence from the applicants, information we requested from Network Rail, the WSMR commissioned report, our own external analysis and wider capacity and performance information led us to decide that none of the proposed additional services (with the one exception of the AWC Chester service) can currently be accommodated without material adverse impacts on performance and resilience for existing users of the line. We consider Network Rail undertook a sufficiently detailed capacity and performance assessment. We also note that our own externally commissioned expert advice arrived at similar conclusions.
45. Since our July 2025 decisions on the WCML, punctuality delivered by the current timetable has further declined. The introduction of additional services in the paths currently used as firebreaks would likely have further negative impacts on timetable resilience, robustness and performance, for existing users of the line – passengers and freight. Therefore, our operational analysis does not support approval of the WSMR, Lumo NW or AWC Blackpool applications.

46. We consider the AWC Chester service differently because the train will continue to use the relevant capacity regardless of our decision. Operating the train as a passenger service is unlikely to have a significantly greater effect on train performance than operating it as an ECS.
47. Our considered view is that granting one contingent right for this service, until the contract expiry date in December 2030, brings minimal additional operational risk while allowing the service to earn revenue and provide a new journey opportunity between Chester and London. This will also allow Network Rail time to fully assess the performance impact of this operating as a passenger service in this path, and to consider its future in the context of any wider timetable changes.

Weighing ORR's duties

48. **Promote improvements in railway service performance** We consider that the additional services proposed in these applications, if accommodated, will very likely have negative impacts on performance, and therefore the users, preventing benefits to passengers being realised. This should preclude approval of these applications, with the exception of one AWC right (converting an existing ECS movement which is fully crewed into a passenger service).
49. **Promote the use and development of the network to the greatest extent that we consider economically practicable:** While these applications would support an increase in train services and include improvements in connectivity, there is insufficient evidence of the required network capacity (without detrimental performance impacts) for these proposals to practicably be introduced. Approving the single AWC right from Chester to Euston, on the other hand, enables the conversion of an existing crewed ECS movement into a passenger service which is likely to represent a more economic use of that path.
50. **Promoting competition in the provision of railway services for the benefit of users of railway services:** ORR has a policy of supporting greater on-rail competition, through enhanced open access, and there is some evidence that competition can bring real passenger benefits even on the competing franchised services. However, when there is insufficient capacity for the inclusion of additional services without performance deteriorating as a result, it is in the interest of passengers that additional services are not added to the network.
51. **Enable persons providing railway services to plan the future of their businesses with reasonable assurance:** We consider that this duty does not point towards approval or rejection of these applications. It points towards us making timely decisions for the benefit of both applicants and incumbents to provide them certainty for planning their businesses with reasonable assurance. A timely decision is important for these applications. We consider that the capacity and performance conclusion is sufficiently clear that (with the exception of the single Chester service) none of the applications can be approved.

52. **Promoting economy and efficiency on the part of persons providing rail services:** In relation to the AWC Chester service specifically, as noted above, we placed weight on the operational reality that the train to which the application relates is currently operating without carrying passengers, and that this would continue to be the case were we to decline the application. We consider that it is plainly a more economic and efficient use of the rolling stock and a full train crew (including catering staff) if the train is permitted to carry passengers. We also expect that the passenger revenue associated with the new service will have a modest positive impact on the Secretary of State's funds.

Decision

53. We have considered carefully all of our duties and placed particular weight on our duties to promote improvements in railway service performance and to promote the use and development of the network to the greatest extent that we consider economically practicable. We have therefore rejected each of the applications from Lumo NW and WSMR. We have approved one additional contingent right until 2030 for AWC to run a new weekday service from Chester to London Euston but rejected the remainder of AWC's application.

54. I am copying this letter to Jake Kelly at Network Rail and Richard Goodman at DfT. We will also place a copy on our website.

Yours sincerely

A handwritten signature in black ink, reading 'Stephanie Tobyn', is positioned below the 'Yours sincerely' text.

Stephanie Tobyn

Annex A – Industry Consultation responses and stakeholder views

Lumo NW application

1. Comments in support or stating no objection were received from *Transport Focus* and *Locomotive Services (LSL)*. We also received a number of supportive comments from MPs, local councils and other groups, and members of the public who were keen to have services provided for their local area.
2. Responses which did not support the application were received from:
 - *London TravelWatch* expressed concern with the proposals, particularly about Euston capacity and congestion and how station capacity will be managed.
 - *West Midlands Trains (WMT)* opposed the application, based on performance, capacity, Euston platforming, rolling stock and abstraction concerns.
 - *East Midlands Railway (EMR)* opposed the application based on capacity and performance concerns.
 - *Northern Trains* opposed the application based on capacity and performance concerns, and abstraction. In particular it raised concerns over compatibility with Manchester Task Force plans
 - *AWC* opposed the application on capacity and performance grounds, and abstraction from its services. It also noted concerns about interactions with HS2 and long-term capacity planning.
 - *GB Railfreight (GBRf)* opposed the application due to uncertainty over its impacts on freight capacity, and capacity at key WCML bottlenecks.
 - *Transport for Wales (TfW)* opposed the plans on capacity and performance grounds, particularly around Crewe and Manchester, and also raised concerns about undermining Manchester Task Force plans.
 - *DfT* opposed the application on the grounds of capacity, performance, power supply, HS2 interactions and revenue abstraction. DfT's modelling predicted approximately £4m of revenue would be abstracted from other operators, with just £600k of new revenue generated, representing a 0.15 NPA ratio before the ICC is phased in.

WSMR application

3. Comments in support or stating no objection were received from:
 - *Transport Focus*, *Locomotive Services (LSL)* and *West Midlands Rail Executive (WMRE)*.

- *DfT* stated support in principle, subject to the ORR and Network Rail being satisfied that the services can be accommodated without compromising network performance or resilience, and without adversely affecting the rights of other operators.
- We also received many supportive comments from MPs and local interest groups on the proposed route who were keen to have services provided for their local area.

4. Responses which did not support the application were received from:

- *London TravelWatch* expressed concern with the proposals, particularly Concerned about Euston capacity and congestion and how station capacity will be managed.
- *Transport for Wales (TfW)* expressed concerns about capacity, revenue abstraction, stabling and maintenance of rolling stock, and staffing.
- *West Midlands Trains (WMT)* did not support based on concerns about performance, fleet maintenance, revenue abstraction, SRTs and dwell time, and timetable validation.
- *CrossCountry Trains (XCT)* did not support because of concerns about performance and the vagueness of timetabling information provided.
- *AWC* firmly opposed the proposal because it assumes that there will be a greater amount of capacity available than is the case. It also cites HS2 implications and concerns over viability of the assumed paths in the application.

AWC application

5. Comments in support or stating no objection were received from *Chiltern*, *CrossCountry*, *GWR*, *London TravelWatch* and *Transport Focus*.

6. Responses which did not support the application were received:

- *WSMR* objected to the proposals and particularly argued that its own proposals should be accommodated instead. *WSMR* objected on grounds of capacity, performance and power supply, and argued that decisions should be considered on the best use of capacity in a wider social/economic sense. *WSMR* viewed that *AWC*'s proposals should not be given preferential treatment by Network Rail.
- *Northern* raised queries on performance and power supply but did not provide a final view on whether it supported or opposed the application.