



Western House  
1 Holbrook Way  
Swindon  
SN1 1BD

Chloe Lloyd-Jones  
Office of Rail and Road  
25 Cabot Square  
London  
WC2B 4AN

14<sup>th</sup> September 2026

Dear Chloe,

**Network Rail Infrastructure Limited representations for the proposed 46th Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited and GTS Rail Operations Limited dated 21 November 2018**

## 1. Introduction and summary of application

1.1 This letter sets out Network Rail Infrastructure Limited's (NRIL) initial representations in respect of GTS Rail Operations Limited's (GTS) section 22A application for the proposed 46th Supplemental Agreement. The application seeks additional Firm Rights from the Subsidiary Change Date (SCD) 2028 to support Phase 2 of the Elizabeth line Integrated Service Enhancement Programme (ELISE). The proposal would increase Elizabeth line services between the Crossrail Central Operating Section (CCOS) and Heathrow Terminal 5 from 6 trains per hour (tph) to 8 tph throughout the week. NRIL confirms in this representation that it is not currently in a position to support the application for the reasons set out below, and in summary: timetable development, capacity analysis and performance assessment remain ongoing, and there is currently insufficient evidence to demonstrate that the requested rights can be accommodated without creating operational and performance risks.

## 2. Summary of access rights sought

- The application seeks additional Firm Rights on NRIL infrastructure between Westbourne Park Junction Connection Point and Heathrow Tunnel Junction to support additional Elizabeth line services to and from Heathrow Terminal 5 from SCD 2028.
- For westbound services, GTS seek additional Firm Rights from Westbourne Park Junction Connection Point to Heathrow Tunnel Junction on weekdays, Saturdays and Sundays, together with two additional weekday rights from London Paddington High Level to Heathrow Tunnel Junction.
- For eastbound services, GTS seek additional Firm Rights from Heathrow Tunnel Junction to Westbourne Park Junction Connection Point on weekdays, Saturdays and Sundays, together with two additional Sunday rights from Heathrow Tunnel Junction to London Paddington High Level.
- The Form P describes a phased approach to timetable development and implementation, with priority given to weekday peak and Saturday services; however, this distinction is not reflected in the drafting of the Supplemental Agreement itself. NRIL highlights this point because the Supplemental Agreement appears to seek the full quantum of rights from SCD 2028, rather than separate Phase 2a and Phase 2b rights.

2.1 NRIL recognises the strategic rationale for the application, including GTS's stated objective of accommodating passenger growth, improving connectivity to Heathrow Airport and making use of the additional Class 345 rolling stock procured to support the wider Elizabeth line enhancement programme. NRIL also recognises GTS's rationale for

prioritising weekday peak and Saturday services. However, weekday off-peak services present the greatest timetable conflicts, particularly with freight services, and Sunday services are subject to frequent two-track working and engineering access arrangements.

2.2 NRIL's ability to support the application depends on the conclusion of timetable development, capacity assessment, performance modelling and the resolution or adequate management of specific operational risks. At the point of this representation, a compliant timetable suitable for progression to performance modelling has not yet been found. NRIL therefore cannot conclude that the rights sought can be accommodated without unacceptable impacts on capacity, performance and operational resilience.

### 3. Interested Persons

3.1 NRIL is not aware of any persons categorised by the definition of "Interested Persons" in paragraph 1 of Schedule 4 of the Railways Act 1993 in relation to the 46th Supplemental Agreement application made by GTS.

### 4. Review of application material

4.1 NRIL has reviewed the Form P, the proposed 46th Supplemental Agreement, the marked-up Schedule 5 tables, the timetable material provided by GTS and Appendix 2 customer feedback. The Form P sets out the passenger and strategic case for the additional Heathrow Terminal 5 services, including demand growth, crowding relief, improved Heathrow connectivity and better utilisation of the additional Class 345 fleet. Those benefits are relevant, but they do not remove the need for the rights sought to be supported by a compliant and operationally robust timetable, underpinned by appropriate performance evidence.

4.2 The Form P also acknowledges that timetable development remains ongoing and that performance modelling has not yet been completed because a more mature timetable proposition is required before meaningful modelling can be undertaken. NRIL agrees that this is a material limitation. The application currently relies on expected benefits and an emerging timetable proposition rather than a demonstrated performance case. NRIL therefore cannot yet accept that the performance impact of the proposed 8 tph Heathrow Terminal 5 service is tolerable.

4.3 The Form P describes a phased approach, with Phase 2a focused on weekday peak and Saturday Heathrow Terminal 5 services and Phase 2b focused on weekday off-peak and Sunday services. NRIL notes GTS's rationale for prioritising weekday peak and Saturday services, namely that current capacity analysis indicates a stronger TPR compliance position during those periods and they are expected to deliver the greatest passenger, revenue and customer benefits. NRIL comments that there still remains significant work in an attempt to achieve compliance. By contrast, weekday off-peak services present the greatest timetable conflicts, particularly with freight services, and Sunday services are subject to frequent two-track working and engineering access arrangements.

### 5. Form P assessment

5.1 The Form P presents the proposed 46th Supplemental Agreement as Phase 2 of the Elizabeth line Integrated Service Enhancement Programme. It seeks Firm Rights from SCD 2028 to increase Elizabeth line services between the CCOS and Heathrow Terminal 5 from 6 tph to 8 tph throughout the week. The application explains that the proposal is intended to accommodate forecast passenger growth, improve connectivity between Heathrow Airport, central London and the wider Elizabeth line network, reduce crowding at intermediate Great Western Main Line stations, and make effective use of the ten additional Class 345 units funded by the Department for Transport (DfT).

5.2 The Form P identifies a clear passenger and strategic rationale for additional capacity on the Elizabeth line western corridor. In particular, it relies on demand growth at stations between Hayes & Harlington and Acton Main Line, the prospect of more than 70,000 homes within one kilometre of Elizabeth line stations, the customer benefits associated with additional Heathrow Terminal 5 calls, and the opportunity to reduce crowding and dwell-time pressures. NRIL does not dispute that these factors are relevant to ORR's assessment of passenger benefit and efficient use of publicly funded rolling stock.

5.3 The Form P also confirms that the operational evidence base is not yet complete. It acknowledges that a fully de-conflicted timetable is not available, that detailed performance modelling has not been completed, and that further outputs from the ongoing timetable and modelling work are expected later in 2026. This is a central issue for NRIL. The application seeks Firm Rights, but the evidence presently available does not yet demonstrate that those rights can be accommodated in a compliant, reliable and operationally robust timetable.

5.4 The Form P records that Network Rail does not currently support the application. It identifies the principal areas of

disagreement as capacity, performance impact, infrastructure impact and funding. NRIL agrees that these are the material issues. The current capacity analysis has identified conflicts, particularly with freight services on the Great Western Main Line, and the Form P itself recognises that further engagement with freight operators and further timetable refinement are required before a robust conclusion can be reached. NRIL therefore considers that the access rights sought cannot be assessed solely by reference to the strategic benefits described in the application; they must also be judged against the deliverability of the timetable and the effect on other users of the network.

5.5 NRIL also notes the phased approach described in the Form P. GTS proposes to prioritise weekday peak and Saturday services as Phase 2a, with weekday off-peak and Sunday services following as Phase 2b. NRIL understands the rationale for that sequencing, particularly where the passenger and revenue benefits are expected to be greatest and where the current capacity position appears less constrained. However, the Supplemental Agreement seeks the full quantum of rights from SCD 2028.

5.6 In NRIL's view, if the additional Heathrow Terminal 5 service uplift is to be progressed in phases, as set out in the Form P, that phasing should be clearly articulated in the Supplemental Agreement itself. This could be achieved either by including two sets of Schedule 5 tables, one for the rights intended to take effect from the SCD 2028 timetable and a second for rights intended to take effect from a later timetable period, or by applying clear footnotes to the relevant Schedule 5 tables identifying which rights are effective from SCD 2028 and which are subject to a later implementation date. NRIL asks ORR to be mindful of this distinction should it be minded to direct approval of the application.

5.7 In relation to performance, the Form P states that GTS does not seek to conclude at this stage that the proposed uplift will have no performance impact. NRIL agrees with that position. The key question is whether any performance impact is tolerable when considered alongside GTS's stated passenger and network benefits. That cannot be established until a sufficiently mature timetable has been developed and modelled. NRIL therefore considers that the performance case remains unproven and that a positive determination at this stage would risk granting Firm Rights before the operational consequences are properly understood.

5.8 The Form P also raises infrastructure impact and funding issues. GTS records its understanding that the proposal would result in a 13 % increase in tonnage between Acton West and Paddington and a circa 7–8 % increase in tonnage west towards Heathrow. GTS also suggests that additional wear and tear should ordinarily be reflected through established charging mechanisms, while wider infrastructure resilience measures should be considered through established regulatory and industry funding frameworks. NRIL does not consider that these matters have yet been resolved and considers that ORR should take account of the outstanding funding and infrastructure implications when assessing whether the application should be approved. NRIL comments further on this point under sections 10 and 11 of this representation.

5.9 Overall, NRIL's assessment is that the Form P puts forward a developed passenger benefit case, but not yet a complete operational, capacity, performance, maintenance, asset resilience or funding case. NRIL remains committed to working constructively with GTS, Transport for London, Heathrow Airport Limited (HAL), affected operators and the Office of Rail and Road (ORR). Until the timetable development, capacity analysis, performance modelling, maintenance and asset resilience assessment, and funding position have been concluded, NRIL cannot support the application as submitted.

## 6. GTS timetable material

6.1 The proposed 46th Supplemental Agreement amends Schedule 5, Table 2.1 of the Track Access Contract. The marked-up Schedule 5 tables indicate additional rights from SCD 2028 on the Heathrow corridor, including additional rights between Westbourne Park Junction Connection Point and Heathrow Tunnel Junction in both directions and additional rights involving London Paddington High Level. NRIL has considered those proposed rights alongside the Form P narrative and the timetable material provided by GTS.

## 7. Initial Advanced Timetable Team findings

7.1 NRIL's Advanced Timetable Team (ATT) has undertaken an initial review of the proposed SCD 2028 timetable using the Attune multi-user database. The assessment covered Anglia SX amendments and Western SX, SO and Su services between Paddington, Heathrow Airport Junction, Heathrow Terminal 4/5 and Reading. Analysis was undertaken against the 2027 Anglia, Western and Wales Timetable Planning Rules (TPR) and the applicable Rail for London Infrastructure (RfLI) CCOS planning rules.

7.2 The review indicates that the SCD 2028 Heathrow Terminal 5 uplift presents a significantly greater capacity

challenge than the May 2027 28 tph CCOS uplift.

7.3 On the Great Western route, 44 of 68 additional weekday (SX) Terminal 5 services, 20 of 60 Saturday (SO) services and 2 of 48 Sunday (Su) services currently have no identified capacity solution. No capacity concerns have been identified from the Anglia SX amendments; however, existing performance concerns identified during the May 2027 assessment remain relevant albeit NRIL notes that the GTS 43<sup>rd</sup> Supplemental Agreement has been positively directed upon by ORR.

7.4 Compliance levels on weekdays are limited, with only 29 % of additional Down services and 41 % of additional Up services achieving overall compliance. Saturday performance is less constrained, with 60 % Down and 77 % Up compliance, while Sunday appears considerably more achievable, with compliance levels of 92 % Down and 96 % Up. This withstanding, NRIL wishes to highlight that even if a compliant service is identified in one direction, the service needs to be balanced by either a previous or return working for operational viability.

7.5 Key performance risks relate to junction margins at Heathrow Terminals 2 & 3 and platform reoccupation. The proposed uplift would double the number of minimum-margin junction interactions from two to four per hour. Weekday platform occupation would increase from 64 % to 76 % on Platform 1 and from 62 % to 73 % on Platform 2.

7.6 Assessment of freight utilisation provides limited potential for mitigation. While eight non-running freight services were identified, only the removal of one of these services would result in a compliant ELISE Terminal 5 path. Other potential removals remain constrained by major or fundamental conflicts.

7.7 Taken together, these findings indicate that the capacity and performance risks associated with the proposal are material. Current evidence suggests that these issues cannot be resolved through the removal of unused freight paths alone, and a compliant timetable suitable for progression to performance modelling has not yet been developed.

## 8. Appendix 2 customer feedback

8.1 The Form P and Appendix 2 customer feedback provide helpful evidence of passenger demand and customer support for additional Elizabeth line capacity at intermediate stations. NRIL acknowledges that the customer comments reinforce the case that additional capacity and improved service frequency would be valued by passengers, particularly at stations such as Acton Main Line, Hanwell and Southall. However, the customer feedback is qualitative and should be treated as supporting evidence of passenger benefit rather than evidence that the requested access rights can be accommodated. NRIL's position remains that capacity, timetable compliance and performance impacts must be established through the timetable and modelling work, not inferred from customer feedback alone.

## 9. Performance context

9.1 NRIL has considered the application against the GTS performance position as at the close of Period 4. At that point, GTS On Time to 3 minutes moving annual average performance was 89.9 %, marginally ahead of the 89.8 % target. However, Period 4 performance was 89.2 % against a 90.9 % target.

9.2 As at Period 4 Financial Year 26/27 close, the GTS performance position was mixed. Great Western route performance showed signs of recovery, with the moving annual average improving compared with the previous period and cancellations remaining better than target. However, material risks to sustained GTS performance remained, including points reliability, non-track asset performance, vegetation, cable theft, trespass and welfare incidents, soil moisture deficit and seasonal risks associated with autumn. On Anglia, Period 4 performance was also below target, with external incidents, infrastructure failures and reactionary delay continuing to affect Elizabeth line performance.

9.3 NRIL recognises that cancellations were a positive aspect of GTS performance at Period 4 close, with Period 4 cancellations at 2.9 % against a 3.3 % target and moving annual average cancellations at 3.5 % against a 3.6 % target. This was encouraging and reflected ongoing cross-industry focus on reliability. However, good cancellation performance does not remove the need to understand the delay and reactionary performance implications of adding further services on a constrained corridor.

9.4 In that context, NRIL considers that the proposed 8 tph service to Heathrow Terminal 5 must be supported by robust performance modelling before the rights are granted. The Period 4 close position demonstrates that while aspects of GTS' performance were positive, the overall position remained exposed to infrastructure failures, external events, reactionary delay and seasonal risk. NRIL therefore considers that the performance case for the proposed uplift remains unproven.

## 10. Maintenance, asset resilience and engineering access

10.1 The proposed additional traffic will create additional demands on the infrastructure. The Form P records GTS's understanding that operation of the full rights requested would result in a 13 % increase in tonnage between Acton West and Paddington and a circa 7–8 % increase in tonnage west towards Heathrow.

10.2 The expected increase in tonnage is projected to increase defect-related maintenance volumes across track, signalling, off-track and Overhead Line Equipment (OLE) assets. Based on the current high-level assessment, the additional maintenance volumes associated with the proposed 2 tph uplift would create an ongoing additional direct labour and materials cost of approximately £431,109 per annum. This estimate is based on Financial Year 26 labour rates and material costs, existing maintenance delivery methodology and defect and Work Arising From Inspection and Faults (WAIF) standard jobs only. It does not include Road Rail Vehicle (RRV), worksite, access or isolation costs, and no indexation has been applied for future year inflation.

10.3 In addition to the ongoing maintenance cost, NRIL has identified a package of asset resilience interventions focused on the Paddington to Acton West area that would be required to provide a reliable asset base capable of supporting the additional services. The current high-level estimate for those interventions is £4.44 million of Capital Expenditure (CAPEX) in CP7. The interventions comprise removal of remaining obsolete insulated rail joints, renewal of 12 x 700ft rails to remove rolling contact fatigue and sidewear risk, full S&C refurbishment of a further two point ends, and proactive renewal of a further five cast crossings.

10.4 NRIL will need to understand whether GTS accepts the maintenance and asset resilience implications of the proposed additional 2 tph service and whether it is willing to meet, or otherwise agree an appropriate mechanism for addressing, the ongoing maintenance cost and required CAPEX interventions. NRIL's maintenance teams will also need to advise whether the additional maintenance and resilience activity creates a requirement for additional engineering access or additional time on the network. If additional access is required, this may affect other operators using the relevant parts of the network, and those operators would need an opportunity to comment on any consequential effects of the proposal.

10.5 As a general point, increasing service levels across the network, particularly later in the evening and on the Slough–Paddington corridor, are reducing the practical capacity available for engineering trains and on-track machines to reach planned possessions from their stabling points in time. The volume of trains still operating during these periods means there is now greater dependence on late-stage VSTP planning to identify viable paths through an already constrained two-track timetable.

10.6 This is making it progressively more challenging for possessions to start as planned. Given that access opportunities have been continually reduced over the last 20 years, any further compression increases the risk that planned maintenance and renewal activity cannot be delivered within the available access window, or that possessions overrun. The key issue is therefore not simply the ability to secure compliant T3 access, but the wider impact on the safe, efficient and timely delivery of maintenance, renewals and enhancement works. This also creates consequential risk to train service performance, overall network resilience and Network Rail's cost base.

## 11. Funding and access charges

11.1 NRIL does not consider that the current charging framework provides funding for the fixed network costs associated with the proposed service uplift. The published price list for Class 345 9-car trains indicates circa annualised traffic-variable charges for the additional 2 tph Paddington to Heathrow portal service of £213k per annum in Variable Usage Charge and £66k per annum in Electrification Asset Usage Charge. These charges are intended to recover traffic-variable costs associated with track, signalling, civil engineering and electrification assets, but they do not address the additional annual maintenance cost currently estimated at approximately £431,109,00 nor the £4.44 million CAPEX asset resilience intervention identified as necessary to support a reliable asset base for the additional services.

11.2 Fixed Track Access Charges for Control Period 7 were set using a 2024/25 traffic mileage baseline for Elizabeth line services. That baseline did not include an ELISE uplift because the relevant mileage increase was not defined at the time of Control Period 7 development. NRIL therefore considers that the proposed service uplift creates a funding issue that is not resolved by traffic-variable charges alone and should be considered by ORR alongside the capacity, performance, timetable, maintenance, engineering access and asset resilience issues identified in this representation.

11.3 NRIL also considers that the proposal may give rise to a need for Schedule 8 recalibration. The proposed increase in service levels, together with the associated changes to timetable structure, capacity utilisation and performance risk on the Heathrow corridor and Great Western Main Line approaches, may affect the assumptions underpinning the current performance regime. NRIL therefore considers that ORR should take account of whether any directed rights would require corresponding Schedule 8 recalibration to ensure that performance benchmarks and financial exposure remain aligned with the revised operating pattern.

## 12. Old Oak Common and duration of rights

12.1 For the reasons set out in this letter, and having regard to the emerging December 2029 timetable recast and the operational implications associated with the temporary Old Oak Common infrastructure arrangement, NRIL considers that any direction by ORR of GTS's 46th Supplemental Agreement application, should not extend the relevant rights beyond the Principal Change Date (PCD) in December 2029.

12.2 NRIL has separately set out its Great Western Main Line Local Access Rights Policy for the December 2029 timetable recast and temporary Old Oak Common infrastructure arrangement, which has been provided to ORR. That policy explains that applications extending beyond December 2029 will need to be considered against the emerging evidence from the OOC-related infrastructure and timetable changes, including the extent to which rights can be accommodated without creating unacceptable capacity or performance risk. The policy is intended to support transparent and evidence-led decision making while the December 2029 timetable work develops, and it reinforces NRIL's view that any rights interacting with the Great Western route and Heathrow corridor should not be granted beyond PCD 2029 before the impacts of the recast have been fully assessed.

12.2 The December 2029 recast is expected to require the industry to consider the effect of the Old Oak Common works on timetable structure, journey times, pathing opportunities, operational resilience and performance risk. Although the current expectation is that the quantum of available paths may not be fundamentally changed, longer sectional running times and the need to maintain a robust timetable are likely to affect the viability and resilience of specific paths. NRIL therefore considers it important that rights which interact with the Great Western route and Heathrow corridor are not granted beyond PCD 2029 in a way that could pre-judge, constrain or complicate the development of the December 2029 timetable.

12.3 The December 2029 recast is expected to require the industry to consider the effect of the Old Oak Common works on timetable structure, journey times, pathing opportunities, operational resilience and performance risk. Although the current expectation is that the quantum of available paths may not be fundamentally changed, longer sectional running times and the need to maintain a robust timetable are likely to affect the viability and resilience of specific paths. NRIL therefore considers it important that rights which interact with the Great Western route and Heathrow corridor are not granted beyond PCD 2029 in a way that could pre-judge, constrain or complicate the development of the December 2029 timetable.

12.4 Accordingly, if ORR directs approval of the 46th Supplemental Agreement notwithstanding NRIL's non-support at this stage, NRIL would wish ORR to end-date the relevant rights at PCD 2029. This would be consistent with the Local Access Rights Policy provided to ORR and would preserve the ability of the industry to develop a reliable, resilient and deliverable December 2029 timetable on the basis of the evidence available at that time, while avoiding the grant of rights beyond that point before the impacts of the Old Oak Common-related timetable recast have been fully assessed.

## 13. SCD 2028

13.1 The subsidiary timetable change date for 2028 has been moved from May to July in response to the UEFA European Football Championship, which will be held across the United Kingdom and the Republic of Ireland during May and June of that year. Should GTS maintain the requirement to start these services in May, this compresses the programme for timetable delivery and for producing a compliant and high performing timetable.

## 14. Conclusion

14.1 The proposed 46th Supplemental Agreement would deliver passenger, revenue and connectivity benefits if the additional Heathrow Terminal 5 services can be accommodated. NRIL acknowledges the strategic context of the ELISE programme, the use of additional Class 345 rolling stock and the demand growth pressures identified by GTS at intermediate stations on the Great Western Main Line.

14.2 The difficulty is that those benefits do not resolve the outstanding timetable, capacity, performance, infrastructure, maintenance, engineering access and funding issues identified in this representation. The current

timetable evidence does not demonstrate that the full quantum of rights sought can be accommodated in a compliant and operationally robust timetable. NRIL's initial Advanced Timetable Team findings identify material unresolved capacity constraints, particularly on weekdays and in relation to interactions with freight services, and a compliant timetable suitable for progression to performance modelling has not yet been developed.

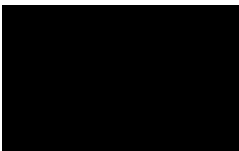
14.3 NRIL also considers that the phasing described in the Form P should be reflected in the Supplemental Agreement itself. If the additional 2 tph Heathrow uplift is to be progressed in phases, the Schedule 5 drafting should distinguish between the rights proposed to be effective from the SCD 2028 timetable and those proposed to be effective from a later timetable period. NRIL's preference is that this is achieved through separate Schedule 5 tables for each phase, or, alternatively, through clear footnotes to the relevant tables identifying the applicable implementation date for each category of right. NRIL asks ORR to be mindful of this distinction should it be minded to direct approval of the application.

14.4 NRIL remains concerned that the performance case has not yet been demonstrated and that the funding, maintenance, engineering access, asset resilience, infrastructure and Schedule 8 implications of the proposal remain unresolved. The Form P indicates that the full rights requested would result in a 13% increase in tonnage between Acton West and Paddington and a circa 7–8% increase in tonnage west towards Heathrow. NRIL's current high-level assessment identifies an additional ongoing maintenance cost of approximately £431,109 per annum and a £4.44 million CAPEX package of asset resilience interventions required to support reliable operation of the additional services. Traffic-variable charges do not address those fixed network cost and resilience issues. In addition, the proposed uplift may require consideration of Schedule 8 recalibration, or another appropriate mechanism, to ensure that performance benchmarks and financial exposure remain aligned with the revised service level and risk profile. For the reasons set out above, any rights directed by ORR should not extend beyond PCD 2029, so as not to pre-judge or constrain development of the December 2029 timetable recast associated with Old Oak Common.

14.5 NRIL will continue to work with GTS, TfL, HAL, affected operators and ORR through the ongoing timetable development and assurance process. NRIL will review the further timetable development outputs, associated performance modelling, funding assumptions and any proposed mitigations once available. NRIL has not yet issued an early warning in relation to the Acton West to Airport Junction Relief Lines, but for the reasons set out in this letter it expects shortly to do so, reflecting the emerging capacity concerns associated with the proposed additional services.

14.6 Until the necessary evidence is available, NRIL's position remains that it cannot support the application as currently submitted. If ORR is nevertheless minded to determine positively, NRIL considers that the rights sought should be end-dated at PCD 2029 with no presumption of continuity for the reasons set out above.

Yours sincerely



Customer Relationships Executive