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To/Copy list below – **by email only**

Dear colleague

### **Access to the East Coast Main Line – next steps**

1. We last wrote to you about the ECML on 22 June 2015, following our hearing on 12 June. In that letter we invited comments on the draft hearing transcript and we asked for detailed views on the value of further performance modelling. We also explained we were logging and working through all the issues raised and that the CH2M HILL economic report would be developed to take account of stakeholder concerns. We were also considering serious criticisms of our process and the way we had treated the First Group application and the sharing of timetables.
2. The final hearing transcript was published on our website as planned. Following a careful review, we also published our response of 24 July 2015 to the process criticisms made. The rest of this letter updates you on performance modelling, infrastructure and capacity issues, the CH2M HILL work and timescales.
3. On the 7 August we received further representations from Alliance repeating its suggestion we should delay our consideration of ECML applications while various reviews are completed and issues resolved. We do not intend to suspend decision-making. Whilst we recognise the uncertainty that the reviews create and acknowledge there are still a number of issues to be resolved - particularly around the CH2M Hill report – at this stage we believe these factors can be managed.
4. Below, we set some deadlines for this further work. We are aware some of the deadlines will be tight, but we believe they are nonetheless reasonable, especially given that the context and much of the material is now familiar. We remain mindful of the need to maintain a balance between considering in detail all of the available information and reaching a timely decision that allows businesses to plan with a reasonable degree of assurance.

### *Performance modelling*

5. Each applicant, DfT and Network Rail gave us their views on this. These broadly reflected the arguments made at the hearing. Alliance, FirstGroup and Network Rail felt no significant further work was needed on performance analysis prior to a decision; DfT and VTEC disagreed.

6. We have reviewed all the points made and concluded further detailed performance analysis is not essential in order for us to decide these applications.

7. VTEC suggested performance could be modelled relatively quickly by developing standard two hourly repeating timetables for 7, 7.5 and 8 LDHS tph using its indicative timetables as a starting point. Although we do not agree this analysis is essential, if it were available we think it could be a useful further input to our process. We have asked Network Rail how quickly it could do this work and its likely benefits, and we will ask it to do it if timings and value for money are reasonable.

### *Infrastructure and capacity*

8. Stakeholders raised several points about which infrastructure works underpin which access applications, what is needed to deliver the capacity for 7, 7.5 and 8 LDHS tph, and what is the status of all the necessary works. We have asked Network Rail for a detailed account of these dependencies and their status, including its views on works to enable tilting trains and power supply matters, by **Friday 2 October**.

9. We will publish Network Rail's response and will welcome written comments on it. It would be helpful for us (and other stakeholders) to see these by **Friday 9 October**. It is also likely we will want to discuss Network Rail's response on these issues with the applicants and DfT. As such, please can these organisations put a placeholder in diaries for the morning of **Wednesday 14 October**. We will advise nearer the time if we need to have this meeting and, if so, what we need to discuss but we expect the meetings to be technical rather than high level policy or legal discussions.

### *CH2M HILL economic report*

10. CH2M HILL will be meeting with all applicants, DfT and the affected current open access operators on the route throughout August, to discuss their methodology for developing their report and to discuss and agree key inputs (notably timetable files). For reasons of transparency and efficiency we will share all the modelled timetable files with each applicant and DfT on a confidential basis.

11. CH2M HILL will finalise changes to their model in mid-September and the model will then be audited. Following the audit and further work by CH2M HILL, a draft report will be provided to applicants and DfT on **Friday 23 October** for written comments by **Friday 30 October**. This is a tight timescale, which is why we are giving plenty of notice.

12. It is also likely we will want to go through the CH2M HILL draft report in a meeting with applicants and DfT; please can those organisations also put a placeholder in diaries for the morning of **Wednesday 4 November**. We will confirm nearer the time if we need this and the agenda, although again we expect this to be a technical meeting. We expect to publish the final CH2M HILL report on or around Friday 13 November.

#### *Timeline*

13. Our current best estimate is that we could have all the information we need by mid-November. This would enable the project team to make recommendations to the ORR board before the end of the calendar year.

14. With this in mind, we are now setting **28 August 2015** as the deadline for applicants to submit any revised indicative timetable to us for assessment. Deadlines for additional submissions related to infrastructure and capacity and the CH2M HILL analysis will be two working days after the meetings we are planning on these issues with the applicants and DfT. i.e. by **16 October** and **6 November** respectively.

15. We will be placing this letter on our website. Please contact me, Rob Plaskitt, Ian Williams or David Reed if you need to discuss.

Yours sincerely



**John Larkinson**

#### To:

Andy Sparkes, Phil Dawson (VTEC)  
Ian Yeowart (GNER)  
Leo Goodwin (East Coast Trains Ltd)  
Tim Wright, Paul McMahon, Peter Craig,  
Fiona Dolman, Elaine Folwell (Network Rail)  
Andrew Murray, Andrew Hillin (DfT)

#### Copies:

Steven McMahon (Transport Scotland)  
John Beer (GTR)  
Chris Burchell (Arriva Group)  
Other current ECML operators  
Transport Focus/London TravelWatch