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13 December 2019

Dear Ian

Application for directions: proposed track access contract between Network Rail Infrastructure Limited and First Trenitalia West Coast Rail Limited

This letter provides the representations of Network Rail as requested in ORR's letter of 13 November with regard to the above application.

Introduction

ORR wrote to the industry on 11 October 2019 setting out how it intended to take forward several aspirations it was aware of to run additional services on the West Coast Main Line (WCML). It also required any aspirants, including those of which it was already aware, to submit an access application to it by 15 November 2019.

As ORR noted in its letter, it was unclear to what extent there might be capacity to accommodate all of these aspirations; what the performance implications might be; and, where there were trade-offs, what those choices would entail.

To inform its decision making ORR subsequently asked Network Rail to provide an appraisal of WCML capacity and the potential impact on performance that would result from additional services and to report on this work by the end of February 2020. Network Rail has also been made aware of aspirations to operate materials trains for the construction of HS2, although no corresponding track access application has yet been made for these services. Network Rail recognises that until it reports on this work, while it is able to comment on specific aspects of applications, it is not in a position to comment on available WCML capacity or the potential impact on performance that would result from additional services. It has been possible, however, to identify some aspects of applications which it would in any case not be able to support or with regard to which it would require further information to inform its decision. Our representations are provided in this context.

The Application

First Trenitalia West Coast Rail Limited has submitted a Section 17 track access application for increases in services, over the previous contract. Most significantly, those increases are between London Euston and Liverpool Lime Street. The services would commence on the Principal Change Date 2022 and expire on Principal Change Date 2031.

The application seeks to secure quantum rights (table 2.1 of Schedule 5) as described in the draft track access contract (TAC) and which is based on the Passenger Track Access Model Contract (April 2019 version).

The Application Form P

Section 3.2 of the application Form P regarding “Terms not agreed with the facility owner” states that:

“NR is currently unable to process the FTWC Track Access Agreement due to possible conflicts with other operators”

NR would always endeavour to negotiate an agreed Section 18 application as our preferred approach to working with customers, it is recognised that in this instance it has not been possible to engage with NR early enough to undertake assessments of the impact of the application prior to submitting a Section 17 application, owing to the request by ORR for operators to submit any known track access applications affecting West Coast Mainline by 15 November 2019.

Infrastructure Capability

Regarding infrastructure speed and capability, the applicant has requested NR undertakes or work to deliver enhancements to the permissible speed on WCML to enable speeds greater than 110mph. Section 6.1 of the Form P regarding Enhancements states that:

“FTWC intends to increase line speeds over sections of the WCML, to take advantage of current guidance and standards which should allow certain sections of route to permit speeds close to the current EPS limit, without intrusive physical intervention.

This was discussed in detail with senior NR engineers at bid stage and a letter of support was sent from NR to the DfT, which should allow the project to move towards design and implementation stage.”

Network Rail notes that there has been some discussions regarding line speed enhancements. However, there are currently no committed works to increase line speeds on the routes specified in the application. Network Rail would need to understand what works the applicant envisaged in connection with this the application to facilitate these improvements. NR will engage further with the applicant to consider whether there are opportunities to increase the line speed.

The Proposed Contract

Form of contract

The application appears to be based on the current Passenger Track Access Model Contract.

Schedule 7

It is noted that the former West Coast Trains Ltd contract included Schedule 7 modifications for "Facility Charge for Platform Lengthening". Network Rail would expect this to be included in the new contract, as the final payment is expected to be made in Period 13 in financial year 2025/26.

The Services

NR's view of the deliverability of the quantum of passenger train slots sought by The Applicant in Table 2.1 of Schedule 5 is included in the Timetable Capacity & Performance section below.

Calling Patterns

NR cannot currently support the sale of the calling patterns specified by The Applicant in Table 4.1 of Schedule 5 until the capacity study has been concluded (see Timetable Capacity & Performance section below).

The Specified Equipment

The Specified Equipment, is a mixture of rolling stock already in operation on the proposed route (Class 390), and unspecified vehicles marked as Class (x) and Class (y) in the application. Network Rail notes that the Form P states:

"These two fleets consist of a quantity of 7 coach 125mph EMU trains and a quantity of 5 coach 125 mph Bi-mode EMU trains, both of which will consist of vehicles of up to 26m in length. The vehicles will not be tilt-enabled."

Network Rail has not been involved with any discussions relating to proposed train slots or newly specified equipment. Until further analysis has been completed, it is unable to support this application. Network Rail will need to understand any limitations of new non-tilting stock. For example, it may be limited to running at 110mph on the WCML and therefore affect both capacity and performance.

The Specified Equipment includes electric vehicles. Therefore, it may be necessary to undertake further assessments of the infrastructure capability, to understand whether it is possible to operate a higher quantum of electric vehicles beyond those train slots which have already been accommodated.

Timetable Capacity & Performance

The applicant has proposed some significant changes to the existing quantum of train services in operation across the Region and Network Rail has not been provided with any detailed proposals from the applicant regarding the timetable aspirations for train slots. As outlined earlier, NR is currently undertaking an appraisal of available capacity and the potential impact on performance that would result from additional services. This will inform its position regarding this.



Yours sincerely,

Paul Harris

Customer Manager, Network Rail