



Ian Williams
Senior Manager, Track Access
Office of Rail and Road
London
E14 4QZ

Daniel Fredriksson
Network Rail
The Quadrant MK
Milton Keynes
MK9 1EN

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Dear Ian

Application for directions: proposed 1st supplemental to the track access contract between Network Rail Infrastructure Limited and Grand Central Railway Company Limited dated 24 October 2019

This letter provides the representations of Network Rail as requested in ORR's letter of 18 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

Grand Central Railway Company Ltd has submitted a Section 22A track access application for the contingent rights for one of their services between London Euston and Blackpool North to be made firm. The service would commence on the Subsidiary Change Date 2020 and expire on Principal Change Date 2026.

The Application Form P

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

"Network Rail is unable at this stage to support the proposal for this change. Grand Central has bid into the May 20 timetable for a later slot which it believes resolves the previous conflict with the Network Measurement Train (NMT). Grand Central expects this proposal will be rejected owing to bids from other operators that would conflict with the proposed path.

We will continue to work with Network Rail to resolve this issue and find a timetable solution allowing Grand Central to operate all its Wednesday services without restriction, in line with its firm rights for all other Wednesdays."

NR would always endeavour to negotiate an agreed Section 22 application as our preferred approach to working with customers. It is recognised that in this instance the ORR has requested operators to submit their applications ahead of concluding further work on the timetable due to a number of conflicting aspirations by other operators which it must also consider.

Proposed Contract

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 Class 90 locomotives and mark 4 passenger vehicles. Network Rail notes that the applicant is currently undergoing the process to obtain Route Clearance across the proposed routes for the Specified Equipment.

Timetable Capacity & Performance

The applicant has proposed to amend its Wednesday only Contingent right to a Firm right between London Euston and Blackpool North. Network Rail has, to date, not been able to offer the applicant a compliant train slot for the contingent right through the timetabling development period for May 20 Timetable. 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,

A handwritten signature in blue ink, appearing to read "D. Fredriksson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Daniel Fredriksson

Customer Relationship Executive, Network Rail