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Joanna Whittington  
Director, Railway Markets and Economics  
Office of Rail and Road  
One Kemble Street  
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28<sup>th</sup> January 2016

Dear Joanna,

## **PR18 Reviews of Schedules 4 and 8 of track access contracts**

I am writing in response to your letter of 13<sup>th</sup> November 2015 written to Merseyrail regarding input into the preparation for reviews of Schedules 4 and 8 of track access contracts for the 2018 Periodic Review of Network Rail (PR18).

Merseyrail supports the principle of a review and welcomes the opportunity to respond. Merseyrail has participated in the Rail Delivery Group review and supports the principles raised, specifically the need for an industry group to work through the issues. Merseyrail has a small number of specific comments and as requested, these are provided below using the headings in the consultation letter.

### **Schedule 8**

#### **Treatment of cancellations**

##### **Fail-to-stop not captured in schedule 8**

The current schedule 8 mechanism does not consider the effect of Fail-To-Stops (FTS) unless a monitoring point is missed. This issue is particularly relevant on the Merseyrail network as service recovery plans include running trains semi-fast in service to reduce the inconvenience to passengers. This will generally result in the train recovering and reaching the monitoring point (usually located at the end of the route) right time. Even though this train will be classified as a CaSL, the schedule 8 mechanism does not capture the true impact of it as the regime only considers lateness at monitoring points.

#### **Other aspects of the regime**

##### **Unexplained delays**

There is an inconsistency with the treatment of unexplained below threshold delays and cancellations. The current schedule 8 mechanism splits all above threshold incidents caused by unexplained below threshold delays 50:50, then the TOC takes a proportion of the 50% depending on the performance of the day. However cancellations caused by the same are split 50:50.

If you require any further clarification on the above, please do not hesitate to contact me.

Yours sincerely

**David Print**  
**Head of Strategic Development and Concession Management**