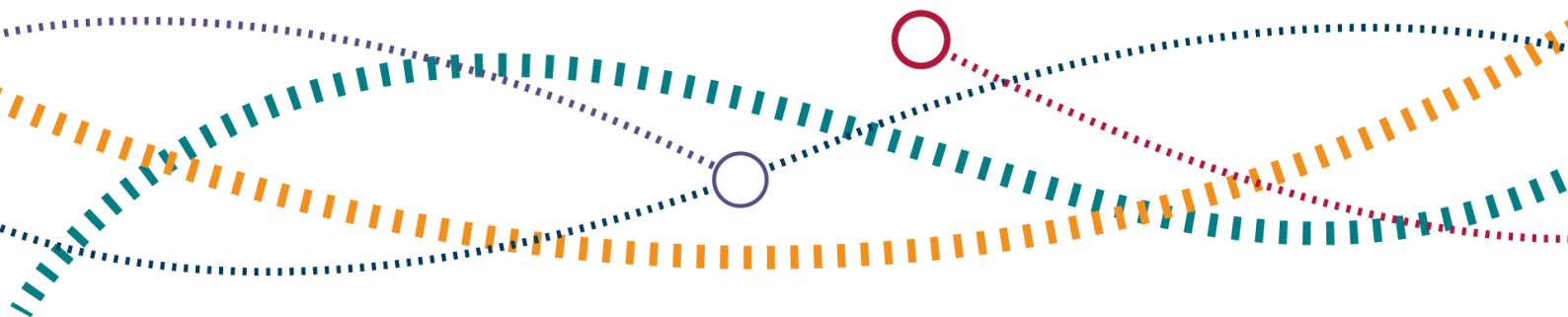




Monitoring open access

2024 Update

31 July 2024



Contents

Introduction and summary	3
Executive summary	3
1. Monitoring activity	6
Introduction	6
Passenger experience	7
Post-pandemic recovery in rail demand	14
Developments in the open access market	20
2. What market participants are saying	21
Domestic open access	21
International open access	23
Conclusion	25

Introduction and summary

Executive summary

Introduction

This report provides an update to our ongoing monitoring of open access passenger services on the Great Britain (GB) rail network. Its focus is twofold, namely:

- **Monitoring activity** - a data-driven summary of some of the key metrics that are relevant to the impact of open access services, informed by data which is publicly available on [the ORR data portal](#); and
- **What market participants are saying** – we summarise the findings of a series of interviews that we conducted with key stakeholders in May and June 2024, seeking to monitor the health of the market and understand key issues.

Open access services currently account for a small proportion of the total passenger market. In 2022/23 domestic open access passenger services (the three long distance operators Grand Central, Hull Trains, and Lumo, together with Heathrow Express) accounted for 0.6% of total passenger journeys and 2.4% of passenger operator revenues. For the first time, this year's report considers prospective entry on the HS1 network in potential competition with Eurostar.

Our findings

- **Market data**
 - We report on a series of measures related to the customer experience, including complaints, punctuality and rolling stock age. These measures paint a mixed picture and, in part, reflect factors which are outside the control of train operators, for example:
 - Punctuality for both open access and contracted operators is at similar levels and both fell slightly on the previous year;
 - Open access services saw fewer service cancellations;
 - The number of complaints per journey fell in for both open access and contracted operators although there were more complaints per journey for open access;
 - Satisfaction with complaint handling is at similar levels for open access and contracted operators (and little changed from the previous year);
 - Consistent with [our 2023 report](#), punctuality and reliability were the primary driver of complaints;

- Our report notes relatively low average age of the rolling stock used by open access operators, reflecting in part the newness of their operations (for example, Lumo entered the market in 2021, using new rolling stock).
- A clear finding from our monitoring of the post-pandemic recovery in rail usage is that, as in our 2023 report, open access operators have seen on average higher post-pandemic recovery in passenger rail usage.
- **What market participants are saying**
 - As with our 2023 report, we found a mixed outlook overall, with open access facing both opportunities and challenges.
 - We received feedback highlighting challenges with the track access application process.
 - Respondents reported difficulties with securing rolling stock, particularly for smaller operators or new entrants.
 - Recruitment of drivers remains challenging for some due to a small pool of available candidates.
 - Industrial relations and strikes continue to impact operations.
 - Nevertheless, the sector continues to attract significant interest, as evidenced by the number of recent and prospective track access applications.
 - Our interviews, which were conducted in May and June 2024, prior to the 2024 general election, also revealed a desire among respondents for more clarity in future rail policy as well as a need to address capacity constraints.

How and why we regulate open access

Our case-by-case evaluation of applications for track access is shaped by our statutory duties including the promotion of competition and the need to have regard to the impact on taxpayers. Our approach considers the direct impact of open access rail services on all relevant stakeholders, including funders and passengers. A key tool we use is the ‘not primarily abstractive’ (NPA) test, which assesses the extent to which a new service will generate new revenue in addition to ‘abstracting’ it from current operators.

In our 2018 Periodic Review, we introduced an Infrastructure Cost Charge (ICC) for open access operators. This policy is designed to support contributions to Network Rail’s fixed costs where services can bear a mark-up above variable track access charges (which all operators pay when using the network). As open access operators are required to contribute towards these costs, the ICC also informs our assessment of the impact on the Secretary of State’s funds when considering new track access applications. This is

because when open access operators pay an ICC, payments to Network Rail increase and Network Rail is (substantially) publicly funded. Currently, two open access operators (Lumo and prospectively Grand Union Trains) are liable to pay an ICC on a phased-in basis. Our determination for the most recently concluded [Periodic Review \(PR23\)](#) set the new round of track access charges, including the ICC, for the five-year control period starting on 1 April 2024 (CP7).

Next steps

We will continue to monitor the market for open access. This report is not a statement of ORR's policy about how we will carry out our role in regulating access to the network. We will consider any future applications for new or expanded open access services in line with our established policies and guidance, and in line with our full range of statutory duties. ORR's current processes, guidance and information around open access applications can be found on the [ORR website](#).

We welcome comments and suggestions from interested parties on our market monitoring. These can be submitted by email to competition@orr.gov.uk.

1. Monitoring activity

Introduction

- 1.1 Open access in the GB rail market allows independent train operators to run services on the national rail network. Open access operators with approved rights comprise Grand Central, Hull Trains, Lumo, Grand Union Trains, Heathrow Express, and Eurostar.
- (a) First Group:
 - (i) Hull Trains operates services between London Kings Cross and Hull;
 - (ii) Lumo provides services between London Kings Cross and Edinburgh.
 - (b) Arriva:
 - (i) Grand Central connects London Kings Cross with destinations such as Sunderland and Bradford.
 - (c) Grand Union Trains, a recent entrant approved in December 2022, will provide services between London Paddington and Carmarthen. Additionally, it was approved in March 2024 to offer services between London and Stirling.
 - (d) Heathrow Express offers a rapid transit service between London Paddington and Heathrow Airport.
 - (e) Eurostar uses High Speed One (HS1), a 109km rail line between St Pancras International and the Channel Tunnel. HS1 connects the international high-speed routes between London and Paris, London and Brussels and London and Amsterdam.
- 1.2 In this chapter, a particular focus of our monitoring is on the passenger experience on the East Coast Main Line (ECML). As of today, it is the only long distance route that currently sees significant head-to-head on-rail competition between contracted and open access operators. The ECML runs from London to Edinburgh, via the cities of Peterborough, York, and Newcastle. It is one of the busiest railway lines in Great Britain. The ECML's main operator is the publicly contracted (and funded) LNER, whose services include regular long-distance express trains between London, the East Midlands, Yorkshire, the North East of England and Scotland.

- 1.3 We report on a range of quality metrics for the three operational open access operators: Grand Central, Hull Trains, and Lumo; and for LNER, which is the publicly funded operator on the ECML. We also look at outcomes for other key long-distance publicly contracted operators, namely Avanti West Coast, Cross Country and East Midlands Railway. These contracted operators do not face on-rail competition from open access. Avanti West Coast and Cross Country have been chosen as comparators because both operate long distance services and as such may be expected to have similar passenger profiles to those travelling on the ECML. East Midlands Railway runs a mixture of long-distance inter-city services between London and cities in the East Midlands, as well as a number of local short and medium-distance services.
- 1.4 In the second section of this chapter, we present data on the trajectory of rail demand over the period covered by the pandemic and also immediately before and after it. We present data showing how open access operators, and how the routes which are serviced by open access, are recovering in comparison to the wider rail industry. We present data on both volumes (number of journeys, passenger kilometres) and revenues (inflation adjusted).
- 1.5 In a change from [our 2023 report](#), in this report we present all data on a financial year basis, rather than on a calendar year basis. We have done this in order to bring about consistency with key ORR statistical publications, notably our [Rail Industry Finance](#) and [Passenger Rail Usage](#) releases. We present data for the most recent full financial year available, i.e. 2023/24, other than in those cases where such data was not available to us at the time of publication.
- 1.6 In the third section of this chapter, we report on recent key developments in open access. We report for the first time on the issues faced by current and prospective international operators using the HS1 network. We do this given the possible commonality of issues affecting competing domestic long-distance operators on the classic rail network.

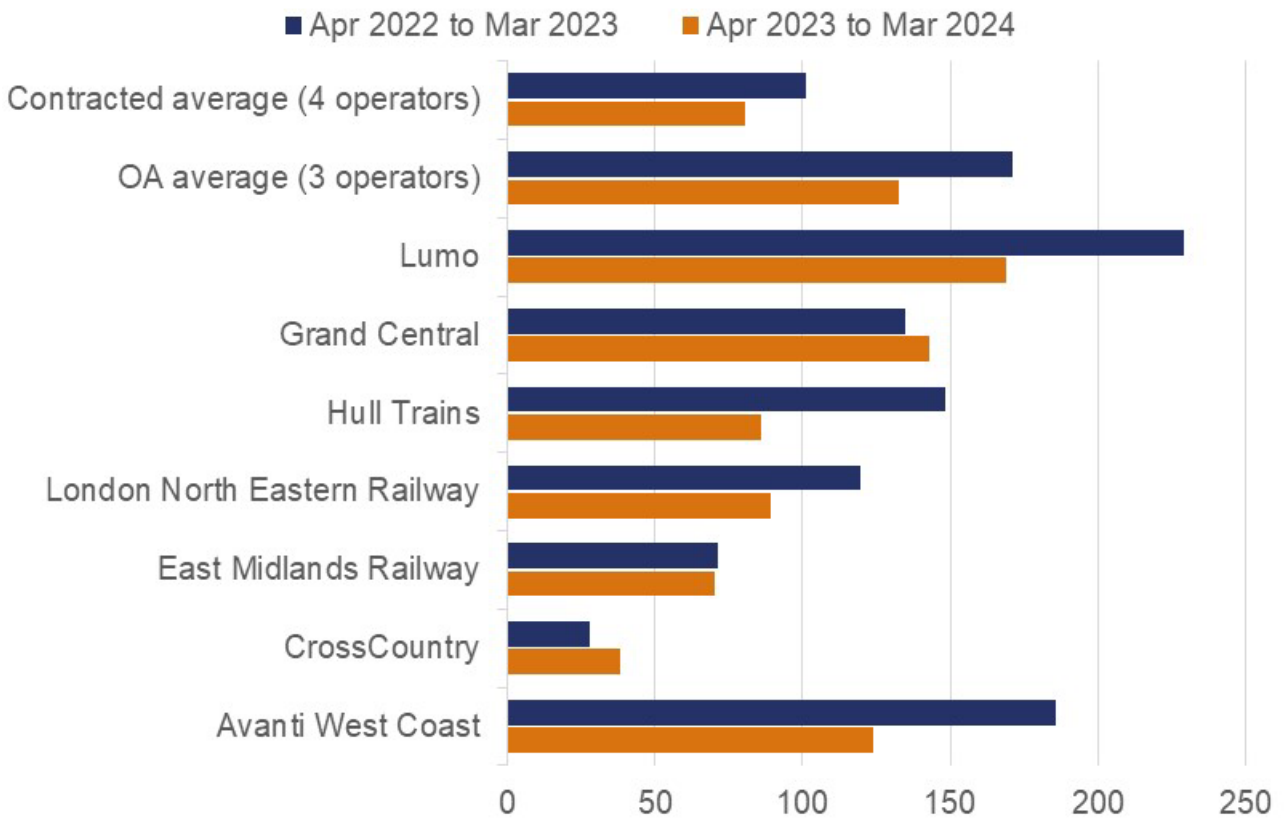
Passenger experience

- 1.7 We are interested in the impact of on-rail competition on passenger outcomes. The key variables which we have monitored as a proxy for quality relate to complaints, delay compensation claims, and punctuality. We also report on the average age of rolling stock.

Complaints

1.8 Figure 1.1 below shows the complaints rate by train operating company (TOC) for the two most recent financial years.

Figure 1.1 Complaints rate by long-distance operator (number of complaints per 100,000 journeys), Great Britain, annual data, April 2022 to March 2023 and April 2023 to March 2024

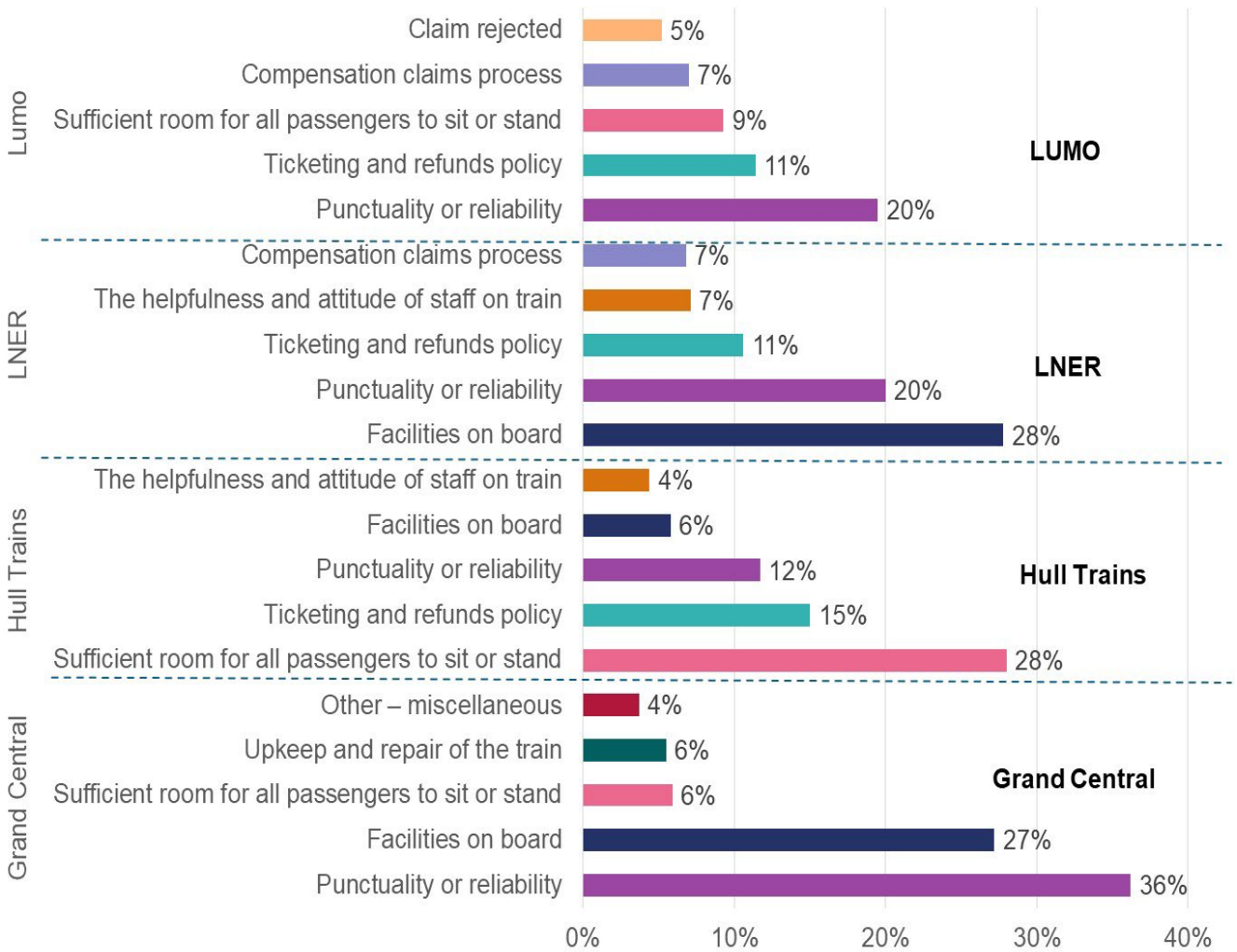


Source: TOC complaints rate data supplied to ORR. Available on ORR's data portal [in Passenger rail service complaints statistics](#)

1.9 Complaints can result from a range of factors, including some events which are outside of the control of TOCs. Journey length may also be a factor (long-distance operators have historically tended to receive proportionately more correspondence about their services), meaning that we cannot draw strong conclusions from this data in isolation. Open access and contracted operators appear to show a fairly similar improvement against this metric (that is, a fall in complaint rates compared to the prior year), with complaints about open access operators being on average higher.

1.10 We report on the top five complaint categories for each East Coast Main Line (ECML) operator in Figure 1.2 below.

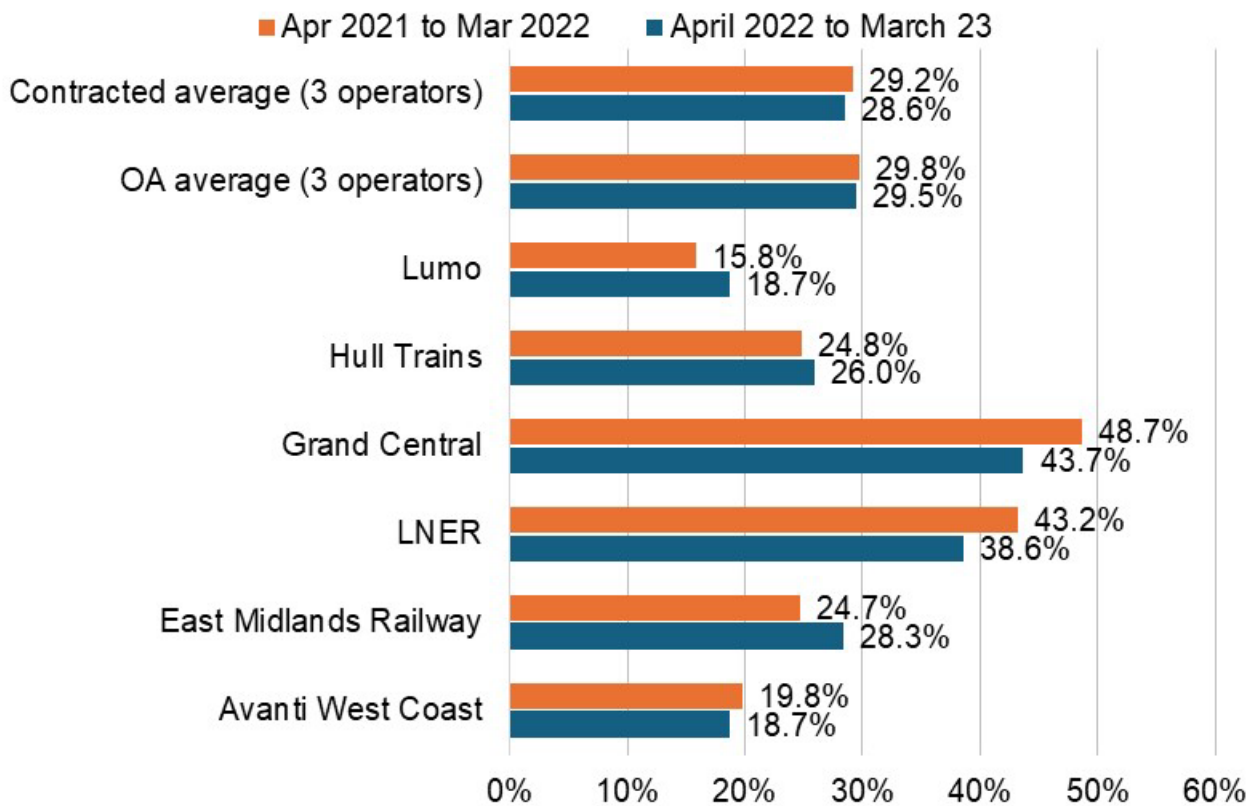
Figure 1.2 Top five complaint categories for long-distance operators on the East Coast Main Line, annual data, April 2023 to March 2024



Source: TOCs’ complaints data supplied to ORR. Available on ORR’s data portal [in Passenger rail service complaints statistics](#)

- 1.11 This data shows both the wide range of factors which impact on passenger satisfaction, as proxied by complaints categories, and also the consistent importance to passengers of punctuality and reliability.
- 1.12 In Figure 1.3 below we compare passenger satisfaction regarding complaints handling. The Figure shows on average very similar satisfaction rates between open access and contracted operators, albeit with significant variation within these categories. In this Figure, data for the contracted operator Cross Country was not available on a like for like basis. The newest available data at the time of writing was for the year to end March 2023. Newer data will soon be available through [our data portal](#).

Figure 1.3 Passenger satisfaction with overall complaint handling by long-distance operator, Great Britain, annual data, April 2021 to March 2022 and April 2022 to March 2023



Source: TOCs’ passenger satisfaction (complaints handling) data supplied to ORR. Available on ORR’s data portal [in Passenger rail service complaints statistics](#)

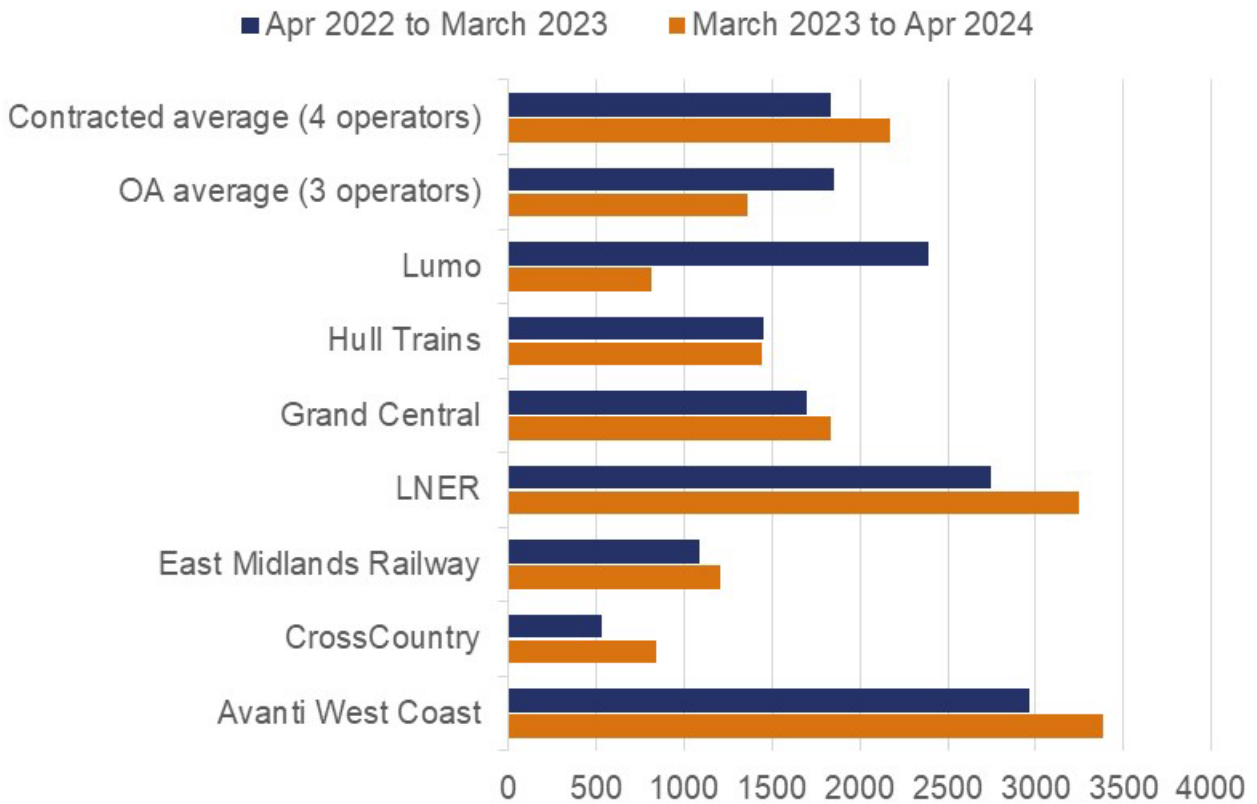
Delay compensation

1.13 We collect data in each rail period on the volume of compensation claims. These relate to journeys which are delayed or cancelled so as to trigger eligibility for delay compensation and where delay compensation claimed has been received and closed (within given time limits). The number of delay compensation claims closed per 100,000 passenger journeys is presented below.

1.14 Any comparison of delay compensation claim volumes between operators should be undertaken with caution due to the application of varying compensation eligibility thresholds. At the time of writing, LNER, Lumo and Hull Trains provide delay repay when delays of 30 minutes or more in duration are incurred, whilst Grand Central provides compensation for delays greater than 60 minutes in duration.

1.15 The year to the end of March 2024 saw the closure of more claims for delay compensation per 100,000 journeys than the previous year for contracted operators, but a lower number of claims closed for open access operators.

Figure 1.4 Delay compensation claims closed per 100,000 journeys by long-distance operator, Great Britain, annual data, April 2022 to March 2023 and April 2023 to March 2024

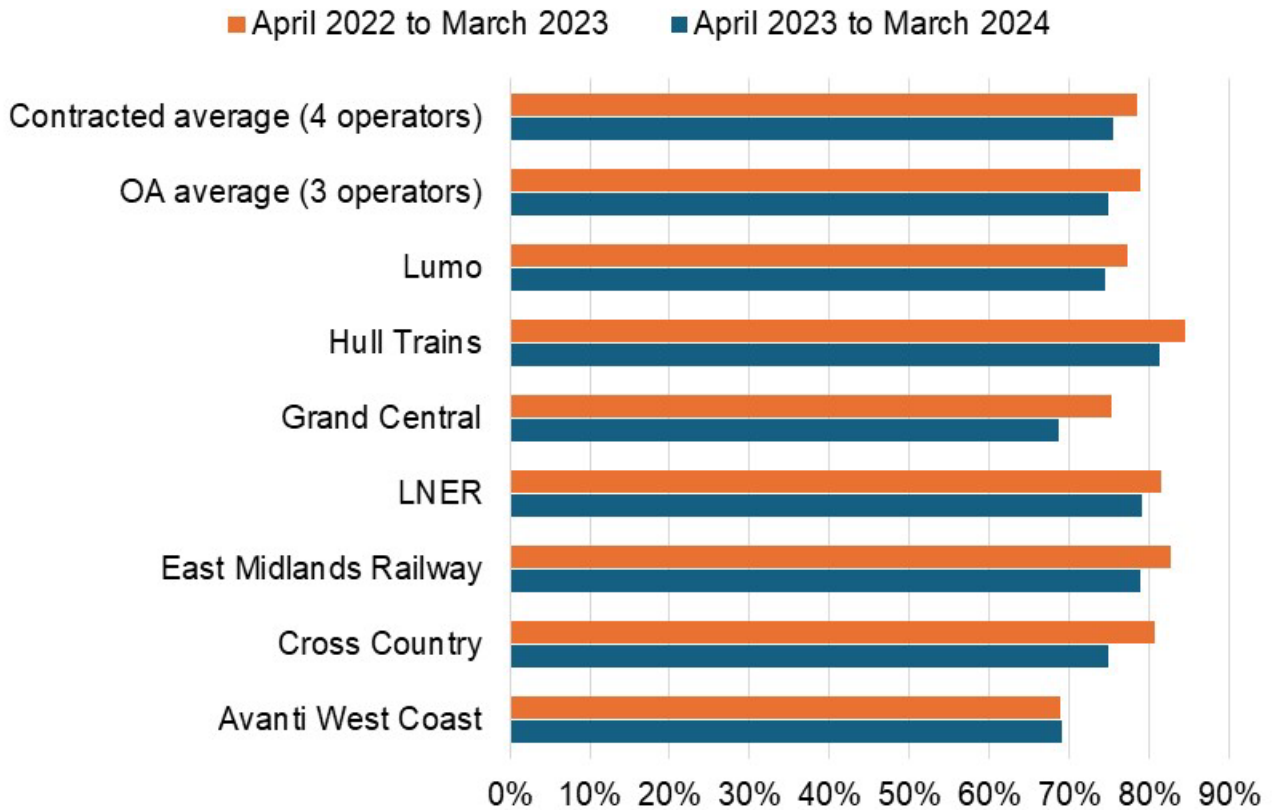


Source: TOC delay compensation data supplied to ORR. Available on ORR's data portal in [Delay compensation claims statistics](#).

Punctuality and reliability

1.16 The figure below reports on the Public Performance Measure (PPM), which for long distance services reports the proportion of trains arriving at their final destination on time or less than ten minutes after the scheduled arrival time.

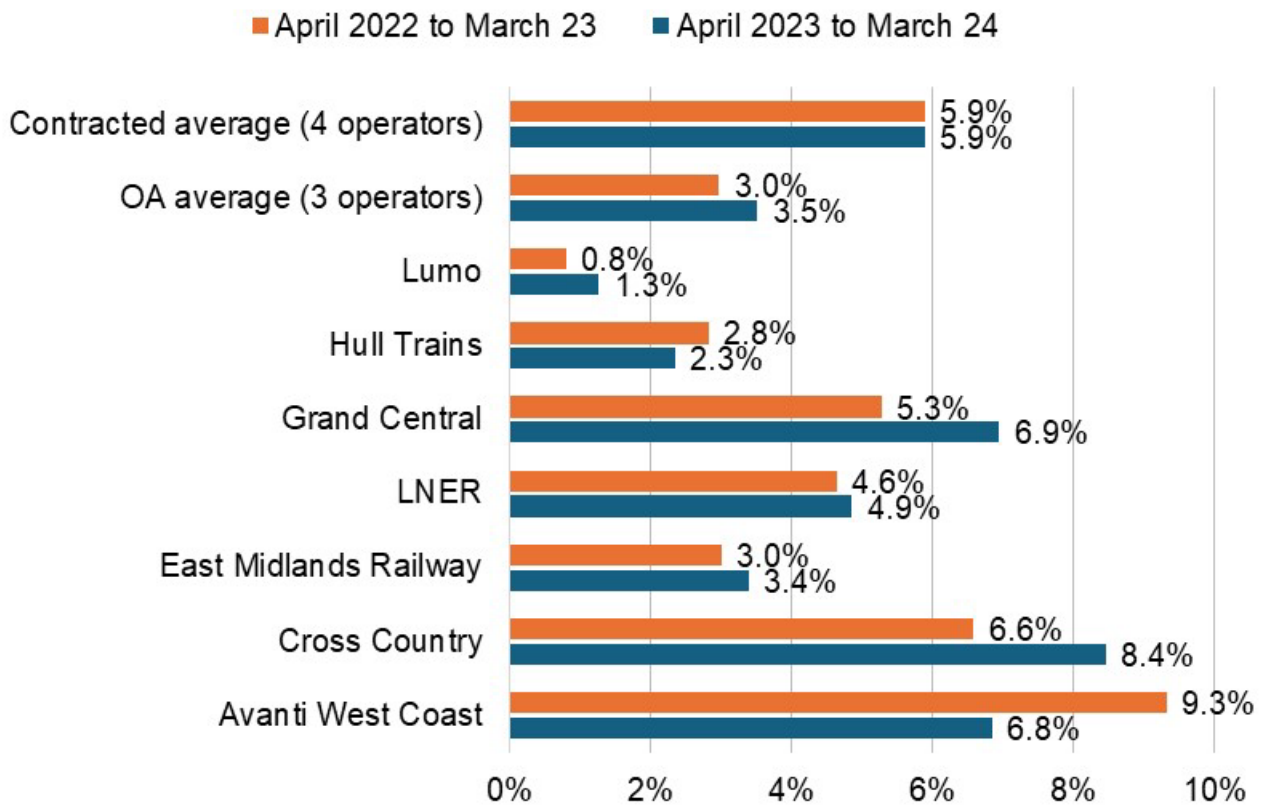
Figure 1.5 PPM by long-distance operator, Great Britain, annual data, April 2022 to March 2023 and April 2023 to March 2024



Source: ORR data portal in [Passenger rail performance statistics](#).

1.17 Figure 1.5 shows a largely consistent trend across the board for all long-distance operators, with little difference in performance between contracted and open access operators and a tendency towards a decline in performance for the year to March 2024 compared with the previous year. This decline appears particularly marked for the open access operator Grand Central (which suffered rolling stock issues over the period in question) and the contracted operator Cross Country.

Figure 1.6 Cancellations attributable to each long-distance operator, Great Britain, annual data, April 2022 to March 2023 and April 2023 to March 2024



Source: ORR data portal in [Passenger rail performance statistics](#).

- 1.18 A further measure of performance is train cancellations. Figure 1.6 shows the number of trains that are cancelled as a percentage of trains planned. It is a score that weights full cancellations as one and part cancellations as a half. A lower cancellations score indicates better reliability.
- 1.19 The overall cancellation rate in the last year for open access remains noticeably lower than for contracted operators. However, the data also shows an increase in cancellations by open access operators during the April 2023 to March 2024 period, when compared with the previous year. By contrast there appears to have been no change for contracted operators over the same period.

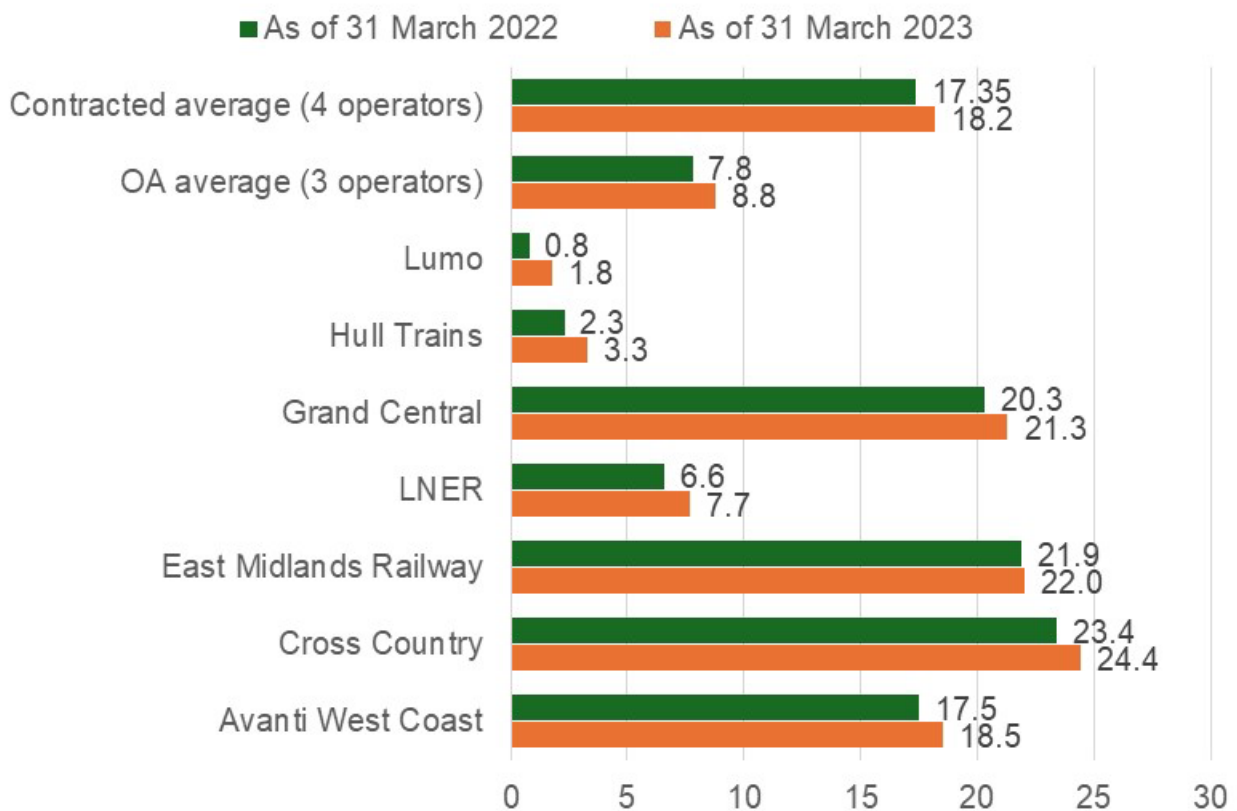
Rolling stock age

- 1.20 The age of operators’ train fleets provides another possible indicator of service quality, although it is an indicator that needs to be interpreted with care. For example, whilst new rolling stock may be more technologically advanced, existing trains can be refurbished during their lifetime to improve comfort for passengers,

making the impact of rolling stock age on passenger satisfaction potentially ambiguous. New trains may also experience reliability problems early in their life.

1.21 The data below compares the average age of operators’ fleets as of 31 March 2023 (the most recent year end for which information was available to us on this metric at the time of writing) with data from 31 March 2022. The data shows an overall increase in the average age of rolling stock on the network, with no major introduction of new stock having taken place over the year to March 2023. The rolling stock age of the open access operators is much lower overall. In part, this reflects the newness of the operators in question and their choice of rolling stock on entry.

Figure 1.7 Average age of rolling stock by long-distance operator, Great Britain, as of 31 March 2022 and 31 March 2023



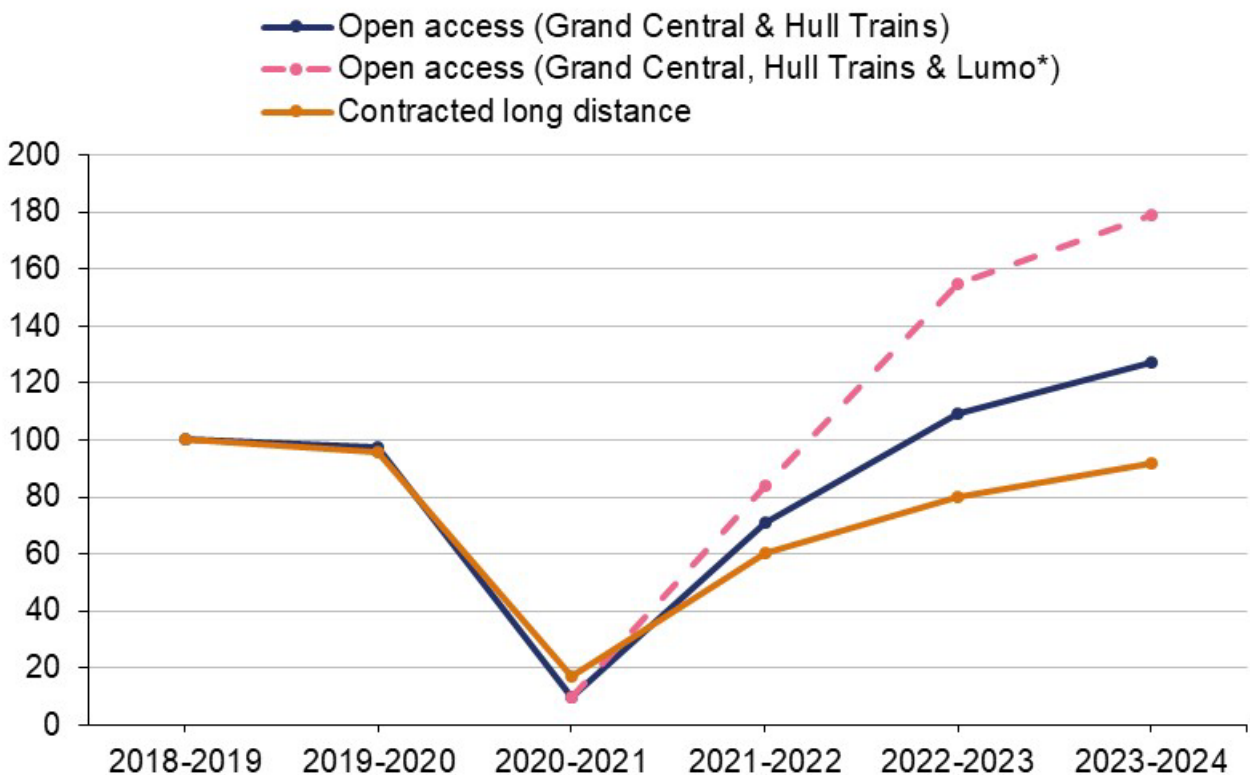
Source: ORR data portal in [Rail infrastructure and assets statistics](#).

Post-pandemic recovery in rail demand

1.22 We begin by presenting data on the number of passenger journeys made by customers of the long-distance open access operators (i.e. Grand Central and Hull Trains, who have both been active for a number of years, together with Lumo,

whose first services ran in October 2021) and long-distance contracted operators (Avanti West Coast, Cross Country, East Midlands Railway, and LNER). We present data for the six financial years from 1 April 2018 and finishing on 31 March 2024. We present data for Lumo separately to the other two open access operators, given that it commenced operations part-way through the years spanned by our comparison.

Figure 1.8 Number of journeys, (indexed, 2018/19 = 100), long-distance open access and long-distance contracted, Great Britain, annual data, April 2018 to March 2024



Source: ORR data portal in [Passenger rail usage statistics](#).

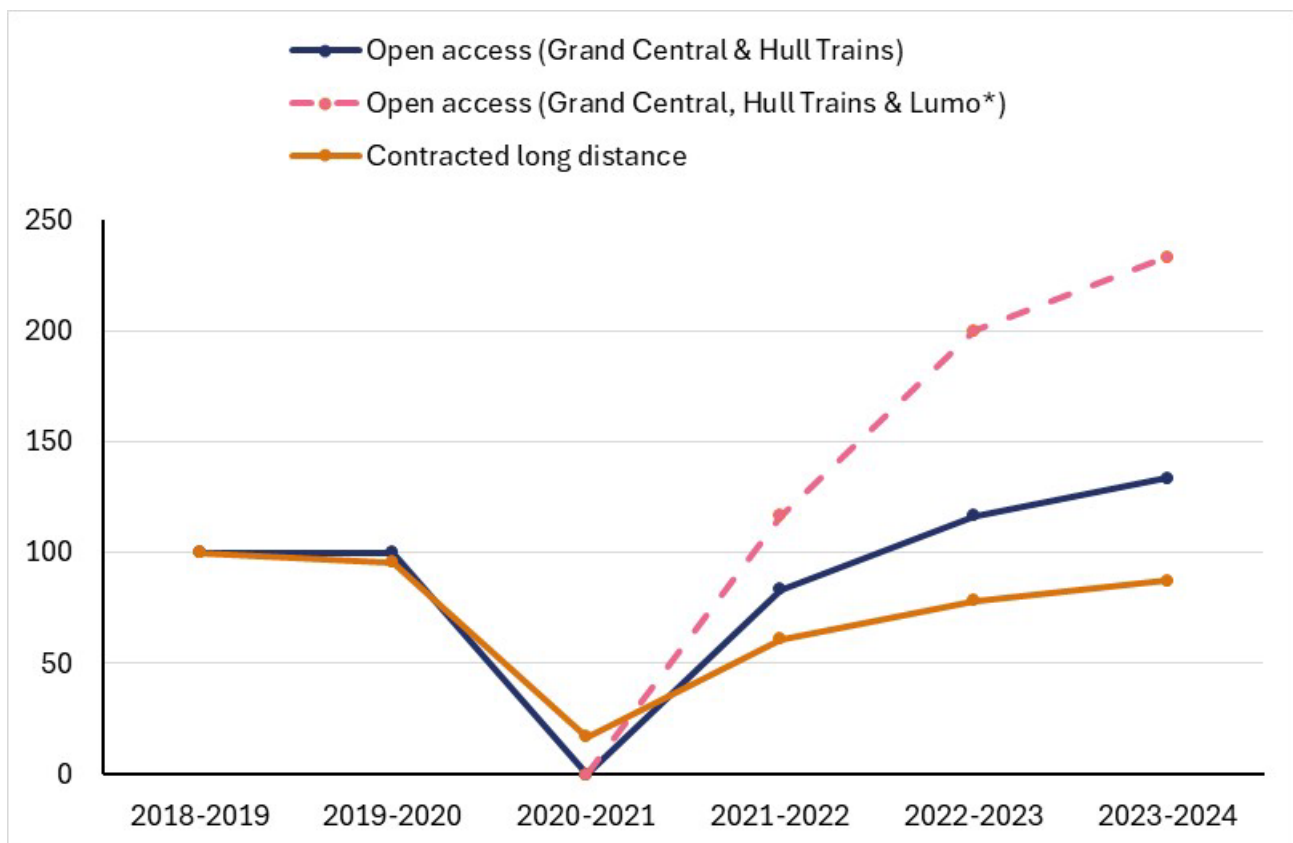
1.23 Figure 1.8 shows that:

- (a) both contracted and open access long distance operators saw a very significant drop in passenger journeys caused by the pandemic, volumes falling approximately 80% or more below the 2018/19 peak year; but
- (b) both classes of operators saw a marked recovery of passenger journeys in each of the years following 2020/21, this being particularly true for open access; however

(c) open access operators have recovered to levels well above pre-pandemic levels, whereas contracted operators remain somewhat below the pre-pandemic peak.

1.24 We repeat this comparison in Figure 1.9 below using an alternative volume measure, namely total passenger kilometres. The results of this comparison broadly mirror that undertaken using simple journeys data.

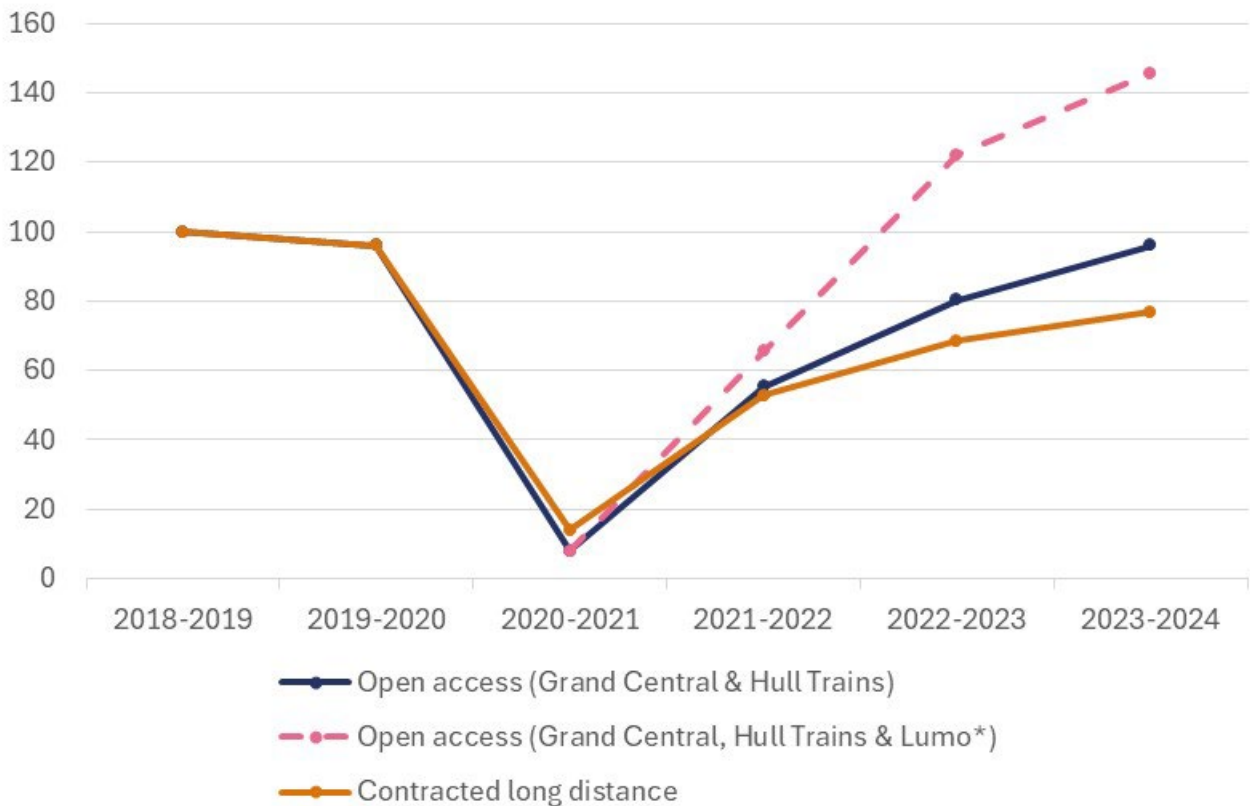
Figure 1.9 Total passenger kilometres, (indexed, 2018/19 = 100), long-distance open access and long-distance contracted, Great Britain, annual data, April 2018 to March 2024



Source: ORR data portal in [Passenger rail usage statistics](#).

1.25 In Figure 1.10 below we repeat the above comparisons using passenger revenue data.

Figure 1.10 Revenue (real terms, indexed, 2018/19 = 100), long-distance open access and long-distance contracted, Great Britain, annual data, April 2018 to March 2024



Source: LENNON data.

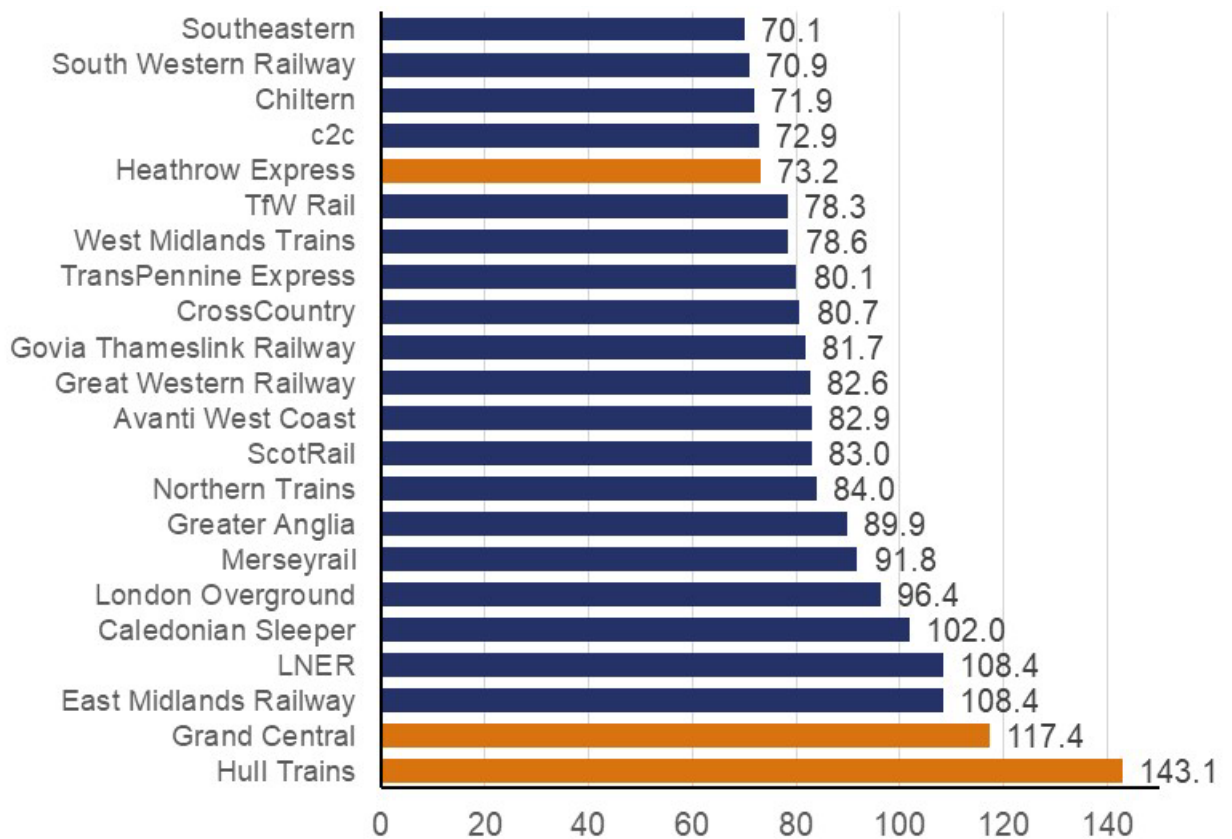
1.26 Whilst the broad trajectory of revenue recovery has been the same as that for journeys and passenger kilometres, there are important differences. Notably:

- (a) The extent of revenue recovery by the time of the financial year ending 31 March 2024 is noticeably less marked than for volumes as shown in Figures 1.8 and 1.9; and
- (b) Even excluding Lumo, the extent of revenue recovery appears to be greater for open access than contracted operators, albeit less strikingly so than with the volume measures discussed above.

1.27 This discrepancy appears to be consistent with the overall trend within the industry of a stronger recovery for leisure than for, in particular, commuting, as outlined in our most recent [passenger rail usage statistics](#), and with the particular focus of open access operators on leisure markets.

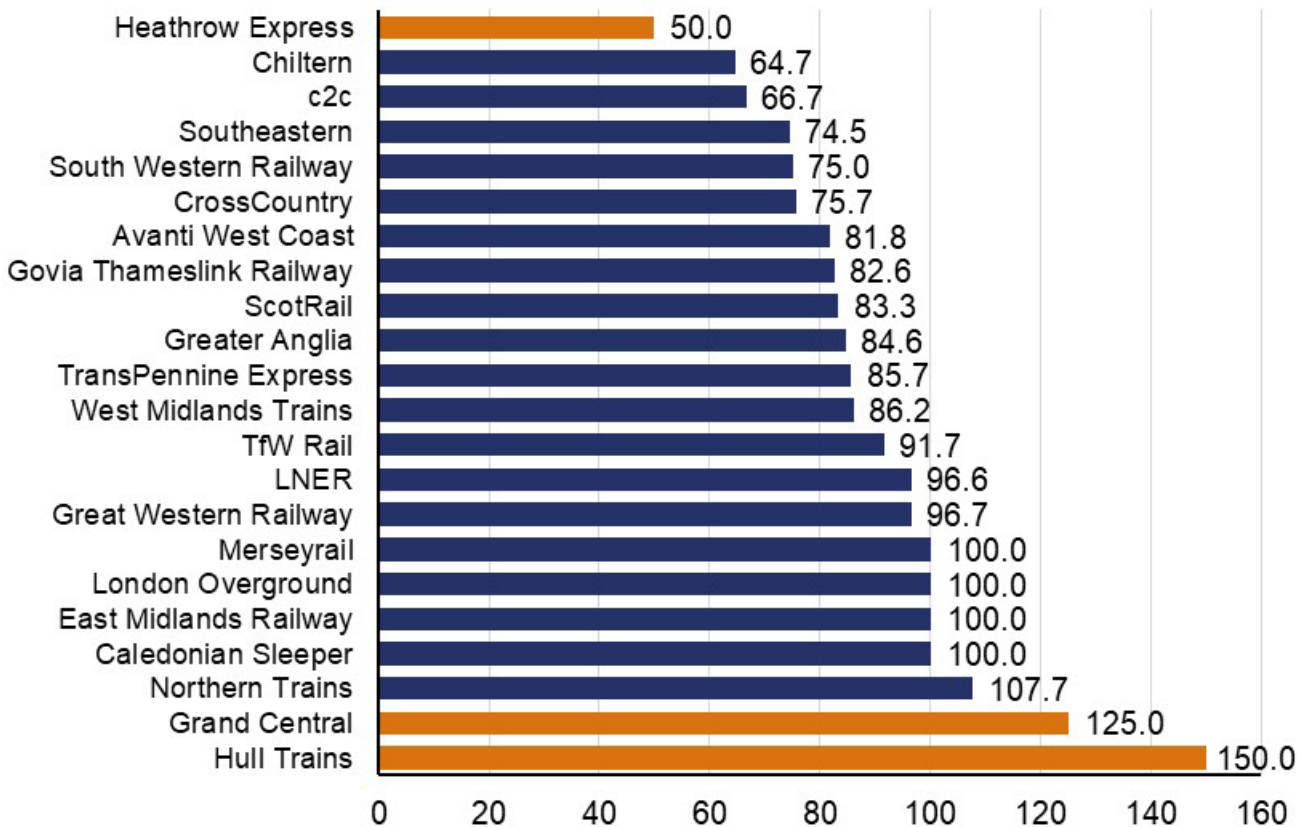
1.28 In the figures below we compare 2018/19 and 2023/24 journey numbers and passenger km for all operators, across all market segments (i.e. not just long distance) who were active in both of these years, with data for open access operators highlighted. We have not included data on individual company revenues given the commercial sensitivity around these figures. We will publish company-specific revenue data for 2023/24 in the next release of our [Rail Industry Finance](#) publication.

Figure 1.11 Number of journeys, Great Britain, annual data, 2023/24 compared with 2018/19 (indexed, 2018/19 = 100)



Source: ORR data portal in [Passenger rail usage statistics](#).

Figure 1.12 Number of passenger km, Great Britain, annual data, 2023/24 compared with 2018/19 (indexed, 2018/19 = 100)



Source: ORR data portal in [Passenger rail usage statistics](#).

- 1.29 Overall, the available post-pandemic data points towards a recovery in demand that is:
- (a) Considerably stronger in volume than revenue terms; and
 - (b) Stronger for long-distance open access operators than their contracted equivalents. The relatively slow recovery by the short-distance open access operator Heathrow Express may be attributable in part to the opening of the Elizabeth Line in May 2022.
- 1.30 These passenger market trends are something that we will continue to monitor.

Developments in the open access market

Interest in domestic open access

- 1.31 In March 2024, ORR approved Grand Union Trains' application to operate a new service between Stirling and London via the West Coast Main Line. This follows, as described in our 2023 report, our December 2022 approval of Grand Union Trains' application to run services on the Great Western Main Line, between Carmarthen and London.
- 1.32 At the time of writing the open access market is seeing interest from a number of new potential entrants. There are currently applications under consideration by ORR from seven existing and potential new operators:
- (a) Alliance Rail has applied for rights to operate 5 daily services between Cardiff and Edinburgh using Class 22X DMUs, with stops at key locations including Cardiff Central, Birmingham New Street, and Newcastle.
 - (b) GO-OP has applied for rights to operate services between Taunton and Swindon or Weston Super Mare.
 - (c) Grand Central has applied for rights to operate services to Bradford, Wakefield and York, and provide additional stops at Peterborough.
 - (d) Hull Trains has applied for rights to operate two additional return services from London Kings Cross to Sheffield, with one service extending to Meadowhall on each trip. Hull Trains has also applied for rights to operate an additional London Kings Cross to Hull Service each day.
 - (e) Lumo has applied for rights to operate a new service between London Euston and Rochdale. It also intends to extend some of its existing London-Edinburgh services to Glasgow and add an additional daily Newcastle-London service.
 - (f) Virgin Group has applied for rights to operate 35 services a day from London Euston to various West Coast Main Line destinations.
 - (g) Wrexham, Shropshire Midlands Railway (WSMR) has applied for rights to operate 5 daily services between Wrexham General and London Euston, stopping at stations such as Shrewsbury, Wolverhampton, and Milton Keynes.

2. What market participants are saying

- 2.1 Throughout May and June 2024, we held a series of online meetings with existing and prospective open access operators; contracted operators; and an independent passenger representative body. These meetings were structured interviews with stakeholders, during which we asked a consistent set of questions to ensure we obtained comparable responses across all participants. For example, we asked market participants about their views on market developments, and in particular their views on barriers to entry and expansion faced by open access operators.
- 2.2 We summarise the key themes arising from our discussions below.
- 2.3 The publication of these comments does not constitute ORR endorsement of the points raised.

Domestic open access

Track access application process

- 2.4 Consistent with the previous monitoring reports, our stakeholder engagement identified challenges in relation to the track access application process. Although some respondents highlighted the quality of work provided by Network Rail and ORR, others expressed concerns about what they perceived to be a lack of transparency and flexibility at some stages of the process. They said this can limit the ability to plan and secure investment. Some respondents noted the 12-week review timeline, but reported instances where decisions exceeded that timeframe. Respondents also acknowledged that Network Rail and ORR were reliant on legislation and dependent on other stakeholders in resolving access requests, which may impact the timeline.
- 2.5 Some respondents argued that there is a discrepancy in the type of analysis that is required when open access operators and contracted operators apply for access, creating an unlevel playing field.
- 2.6 Mixed experiences with Network Rail were highlighted by several respondents. While some found support to be generally positive, others pointed out difficulties in obtaining timetable slots and support for new services. Several operators reported a lengthy and challenging application processes, with delays arising due to data provision issues and analysis processes.

Access to rolling stock

- 2.7 Our 2023 report highlighted mixed views on whether the availability of rolling stock continued to present a major barrier for launching an open access or commercial operation. This year, open access operators told us that, while rolling stock availability is a key factor for market entry, it is not the main barrier.
- 2.8 Stakeholders made a distinction between established open access operators, including subsidiaries of larger groups, and smaller players. We were told that smaller players can face significant challenges accessing rolling stock.
- 2.9 Several operators mentioned issues with rolling stock reliability. One prospective open access operator explained that financier ROSCOs (Rolling Stock leasing Companies) are reluctant to engage until the operator has obtained access rights.
- 2.10 Operators also pointed out that many trains are currently in storage, incurring maintenance costs and deteriorating over time. One respondent argued that agreements could be made between ROSCOs and open access operators which would relieve ROSCOs from the burden of maintaining stored trains and would ensure that trains are available for use by open access operators. For example, offering ROSCOs a contract to run and maintain these trains for five years could provide a temporary solution while alternative arrangements are made.
- 2.11 Some operators, whilst arguing that there are few issues with ROSCOs, cited concerns about the manufacturer side of the rolling stock market, citing limited options and high capital costs of rolling stock, noting the relatively small number of manufacturers who are active in this space.
- 2.12 Some operators cited specific challenges in securing battery-powered units, which have the potential to offer significant benefits on non-electrified routes.

Driver recruitment

- 2.13 One respondent cited an issue identified in our 2023 report, namely train driver recruitment, as a barrier to launching new open access services. The respondent told us that, with a small pool of available candidates, open access operators need to offer a salary premium in order to attract experienced drivers. Finding and training up new candidates can be a lengthy process for newer and smaller operators.

Industrial action

- 2.14 Almost all respondents told us that industrial relations have been the biggest recent problem, with strikes significantly impacting operations, noting that

industrial action has contributed to broader challenges in the open access market and a general reticence towards rail travel.

Decarbonisation

2.15 As in our 2023 report, one respondent raised concerns in relation to the obligation to reduce the country's greenhouse gas emissions to net zero by 2050. The respondent noted that the rail industry is still heavily reliant on diesel rolling stock. The stakeholder acknowledged the need for the transport sector to become part of the solution, but the lack of carbon neutral rolling stock and infrastructure to support this was holding the rail industry back.

Future of open access

2.16 Respondents expressed a strong desire for clarity on rail reform. They said that this clarity would be beneficial for reassuring investors about the long-term direction of the industry. On this, we note that interviews were conducted in May and June 2024 prior to the general election and the recent King's Speech.

2.17 Some respondents also reiterated remaining challenges, such as rolling stock procurement and capacity allocation within the network. They explained that addressing these issues will be crucial.

2.18 Several operators shared an intention to expand the scale of their domestic open access activities.

2.19 One respondent mentioned the potential value of a network of charging points for battery trains, and improved planning for multimodal transport integration. Another respondent shared questions for the future, including the adequacy of current ticket vending machines, specifically the ability to clearly display a wider range of travel options.

2.20 One respondent expressed a negative view on open access competition, arguing that services would be more efficient if run by a contracted operator.

International open access

Interest in open access on HS1

2.21 Eurostar has been the sole UK international passenger rail operator for almost 30 years, providing high-speed rail services between the UK and mainland Europe. Eurostar is the sole open access operator on HS1. Recently, there has been interest from other operators looking to enter this market, bringing potential competition.

2.22 Eurostar plans to expand services and invest in new trains.

2.23 Prospective operators are now considering offering services between London and mainland Europe.

Access to key infrastructures

2.24 During our stakeholder engagement, we spoke with prospective entrants, who are at different stages in their projects to compete with Eurostar on HS1. While neither identified major barriers, they raised issues in relation to:

- (a) Temple Mills depot – Temple Mills International (TMI) is a purpose-built maintenance depot exclusively for high speed rolling stock. It is based in Leyton, East London. TMI is accessed by rail exclusively via a spur from HS1, meaning that all rolling stock seeking to access TMI must be approved for operation on HS1 infrastructure. Eurostar International Limited (EIL) is the Depot Facility Owner. The depot facility is leased by EIL from HS1 Limited. The depot serves as the centre of maintenance for the EIL fleet ([Temple Mills International Depot, Service Facility Description](#)). Prospective entrants highlighted to us the importance of securing access to Temple Mills depot and other maintenance facilities, since there is no alternative facility available. The lack of alternative facilities means that new entrants are required to negotiate access with their competitor, Eurostar, necessitating the sharing of detailed plans. If access to Temple Mills depot cannot be agreed, the party seeking access can make a request to ORR to resolve the matter under section 17 of the Railways Act 1993.
- (b) Access to St Pancras International station and its facilities – Prospective entrants told us that obtaining station access can be a challenge. Again, there are concerns about EIL's control of some key services and facilities, as well as about the constrained capacity of the international zone at the station.
- (c) Access and capacity concerns – operators shared concerns about the complexity of the market for new international entrants, particularly regarding HS1's capacity and framework agreements.
- (d) Investor confidence – prospective entrants explained that uncertainty over timescales involved and route to market can impact on investor confidence.

Conclusion

- 2.25 This year's engagement with operators suggests a mixed outlook for open access. We note some positive developments such as the exploration of new routes and interest in open access on HS1. Nevertheless, challenges remain, including rolling stock availability and industrial relations. Prospective operators noted what they perceived to be a need for more clarity relating to rail reform (albeit based on interviews conducted in May and June 2024 prior to the general election and King's Speech) and opportunities to address capacity constraints.
- 2.26 As set out in our recent letter, we will continue to play our role in determining track access agreements in line with our duties and applicable guidance as these come forward.



© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at orr.gov.uk

Any enquiries regarding this publication should be sent to us at orr.gov.uk/contact-us

