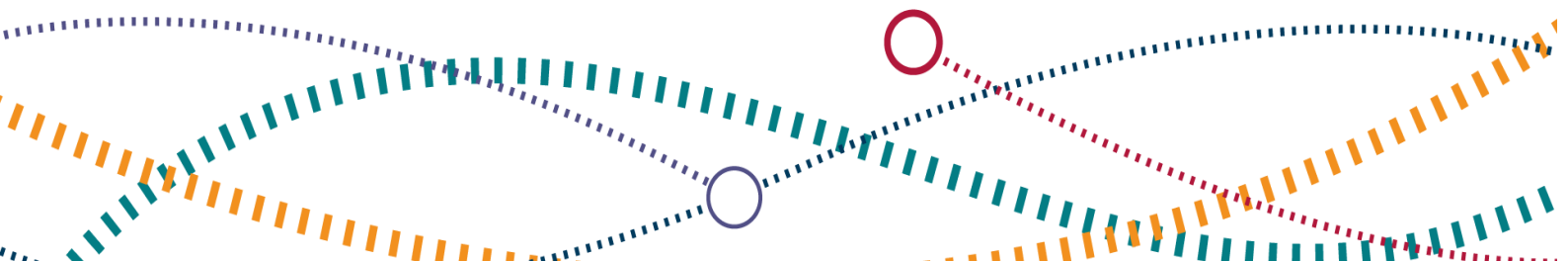# Access rights planning and use

15 December 2024 timetable change

10 April 2025

1. Key Messages

- December 2024 saw a large number of late applications which were created by administrative processes. Some of these supported improved services for passengers, whilst others were to continue existing services. ORR ensured that all supported applications submitted ahead of the timetable change were approved in time.

- December 2024 represented a significantly higher number of access applications when compared with the previous four timetable changes. Passenger train operators made 40 applications for additional or different capacity use (track access) for the timetable change date on 15 December 2024 which required ORR's specific approval and 7 applications which required ORR's general approval.

- 32 of these applications were submitted after the industry deadline for publishing the timetable and when advance ticket booking opens ('D12' – 12 weeks before the timetable change). This introduces a potential risk for operators (and passengers) of timetabled services not having the right to use the network. This represented a worsening of timeliness when compared with the May 2024 timetable change, where 10 out of 27 similar applications were approved after the industry timetable was published. In part, this was because Network Rail was not ready to offer long term access to all operators who had applied for it as part of the competing applications process in May 2024.

- The timetable monitoring production data published by ORR is a useful comparison for looking at when operators had access rights in place against when Network Rail offered the timetable to industry at D26 (26 weeks before the timetable change). This shows that a high number of operators did not have long or short-term access rights in place by D26.

- As of 15 December 2024, passenger operators planned to use 87 per cent of the total contracted rights (capacity) allocated.

- Up to 25 March 2025 passenger operators actually ran train services which used 83 per cent of the total capacity allocated in terms of rights.

- Use of rights for most operators is impacted by planned engineering access. However, industrial action and short notice engineering work as well as decisions by operators and funders on when services run impact the use of rights.

- In some instances, operators were not able to explain differences between the rights held and the services planned or ran. It is important for industry to understand its rights in the timetable better to ensure capacity is used most effectively.

2. Context

The regulatory access dashboard provides management information on access rights planning and use. It includes:

- track access applications made by freight and passenger operators of rail services in Great Britain;
- the submission and approval timescales for passenger track applications against the timetable production milestones of the Network Code; and
- information on the use of access rights by passenger operators.

ORR approves (or directs) the granting of access rights and monitors the timing of Network Rail and train operators' applications. Comparing when an application is made against the Network Code timescales is important because:

- passengers can have greater confidence that timetabled services will run because they are supported by a contract;
- an operator has a contractual priority giving greater certainty its related services will run as planned in the timetable;
- the greater certainty supports better operational planning for trains and crew.

Network Rail is responsible for producing the timetables for passenger and freight services to run. The main timetable changes are made twice a year, in May (however in 2024 this took place in June) and December. New timetables must be published 12 weeks in advance, this milestone is referred to as D12.

Train operators must have contractual access rights to use the network to run their trains. They apply for these access rights to secure capacity and priority for inclusion in the timetable. The Network Code sets out the process and contractual timescales for producing the main timetable changes. These timescales underpin the Network Rail licence requirement to produce a timetable "not less than 12 weeks" before services run, and also enable train operators to meet their commitment to make tickets available for sale 12 weeks in advance of travel.

ORR is required to publish the information contained in access contracts on the public register. This factsheet presentation of that data provides a holistic overview of the contracted capacity across the network and how it is used in the timetable by passenger operators.

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Data tables and an interactive dashboard associated with this factsheet are published on the access page of the ORR website. Key definitions are contained within a glossary on that same webpage.

Currently, the data focuses primarily on passenger train service data. The access rights and timetable data contained in the dashboard is provided by train operators and Network Rail. The time of submission to ORR and approval is ORR management information data.

All the access rights in this dashboard were approved by ORR for the 15 December 2024 timetable change. It is valid to compare access rights from the 15 December 2024 timetable change to timetable data up to the 18 May 2025 timetable change. However, the rights data is most accurate at the beginning of the timetable period because rights applications will be submitted and approved after 15 December, thereby updating rights held before the December timetable change.

There is an ongoing process to determine long term access in specific locations as part of the competing applications process. This included unsupported applications for rights from December 2024. As Network Rail had not provided evidence or analysis, it was not possible for ORR to determine these applications before the timetable change. Therefore, these have been excluded from the figures in the dashboard. We acknowledge the outstanding unsupported applications led to delays in some supported applications being submitted.

Network Rail set out a plan in August saying it would work with operators to provide interim, short-term rights for those applications for December 2024 which were part of the competing applications process (as long-term decisions had not been made). Despite this plan being set out over four months ahead of the timetable change, the December 2024 timetable change had the highest number of applications submitted after the advance booking date opened since May 2022. This approach also increased the number of applications to be processed as each long term competing application also had at least one associated short-term, contingent application. This approach will be repeated for the May 2025 timetable change.

We have excluded access rights usage figures for Elizabeth Line while we work with Network Rail and the operator to understand the methodology for train counts which traverse different NR regions either side of the Central Operating Section. We have also excluded access rights usage figures for TfW service group HL05 until there is more clarity on how these link to the timetable.

The access rights data dashboard will be updated in summer 2025 for the timetable beginning in May 2025.

For further information on the content of this factsheet or the regulatory access dashboard, please contact the Head of Passenger Track Access: track.access@orr.gov.uk.

3. Passenger applications for track access (capacity) from December 2024

When Network Rail and operators finalise contracts, it indicates the level of industry preparedness and provides transparency of capacity use. This supports industry and passenger certainty over the length of the contracts.

Passenger train operators made 40 supported applications for additional or different capacity use (track access) ahead of the timetable change that took place on 15 December 2024 and which required ORR's specific approval. An additional 7 applications were submitted for ORR's general approval. Data table 3 contains detail on each application submitted for the December 2024 timetable change.

Alongside those applications which required ORR's specific or general approval, 11 unsupported applications for rights from December 2024 were submitted to ORR on or before 20 May 2024 as part of the competing track access applications process. As these unsupported applications are being managed through a separate process which requires ORR's direction (rather than approval), only the supported applications are included in this factsheet and the dashboard.

ORR ensured all the submitted supported applications requiring its specific approval were complete before the timetable started. However, 26 (65%) of the applications requiring ORR specific approval were submitted informally to ORR after the timetable publication deadline for passengers on 22 September 2024 (12 weeks in advance of 15 December).

Submitting applications for ORR to approve less than 12 weeks before the timetable starts, and services run, means that those services are at risk of not having contractual rights in place. This could negatively impact on operator train or crew planning and negatively impact on passengers who have bought tickets in advance, reducing confidence in the timetable.

For supported applications for the December 2024 timetable change, no part of Network Rail submitted all its applications requiring specific approval before the 12 week milestone.

- Eastern region submitted 9 applications for this timetable change. 2 were submitted and approved ahead of D12. Eastern region submitted 7 applications after the 12-week milestone (D12), with the Greater Anglia application submitted less than 8 weeks before the timetable change.

- Scotland's Railway submitted both of its applications (for ScotRail) after D12, showing a decline on the May 2024 applications which were both submitted ahead of D12.
- Southern region submitted the just over half of its 11 applications before D12. Govia Thameslink Railway submitted two of their applications less than 8 weeks before the timetable change. South Western Railway submitted an application for ORR's general approval on the last working day ahead of the timetable change.
- Wales & Western region submitted 8 applications for December 2024. Of these, 7 were submitted after D12. The Elizabeth Line and Ffestiniog Railway accounted for one application each submitted after D12, while Great Western Railway and Transport for Wales accounted for 2 each of those submitted after D12. Both Transport for Wales applications were submitted within four weeks of the timetable change. Due to errors identified by ORR which required rectifying, this led to delay in the applications being submitted for formal approval, with one submitted only 2 working days ahead of the timetable change.
- North West & Central region submitted 11 applications out of 14 applications after D12. All four of their applications requiring general approval from ORR were submitted only two working days before the timetable change, representing applications from Avanti West Coast, Merseyrail and TransPennine.

The regulatory access dashboard provides detail on submitted applications by Network Rail region and operators for users to analyse themselves.

Total access applications 2023/2024

Table 1.1 ORR specific approval supported applications for May 2023 through to June 2024 timetables by Network Code milestone*

Timetable period	After D12		Before D12		Before D26		Before D40		Total
December 2023	13	54%	8	33%	2	8%	1	4%	24
June 2024	10	37%	17	63%	0	0%	0	0%	27
December 2024	26	65%	10	25%	2	5%	2	5%	40

*Percentages are rounded to the nearest whole number

The 15 December 2024 timetable change had almost double the number of supported applications compared to the December 2023 change. In December 2023 there were 27 applications, of which 54% were submitted within 12 weeks of the timetable change. Although the June 2024 timetable change represented an improvement in the number of

applications submitted after the 12 week milestone (37%) compared with the prior timetable change, December 2024 showed a decline as industry submitted 65% of applications within 12 weeks of the timetable change.

It is important that operators and Network Rail work to improve timeliness of applications future timetable changes in order to provide industry and passengers greater certainty of services.

Our monitoring has identified an increase in applications updating contracts to ensure rights are in place for services already running or for the removal of unused rights. Also, some applications corrected errors in contracts. Accurate management of contracts is important for the infrastructure manager and operators because it ensures transparency and accurate information on network use. This information can provide an insight into the amount of capacity used, or equally, potential capacity available for new services.

4. Use of passenger access rights

Comparing the approved (and published) access rights by ORR with the planned timetable and the services which actually operated allows ORR, Network Rail, funders, industry and passengers to understand the use of the railway network.

We have compared the contracted access rights for each passenger operator by service group (how an operator groups different train services to related destinations) to the published timetable. This data, for planned timetables and services which actually operated, provide metrics on contractual compliance as well as the use of allocated capacity on the network. These metrics and usage data can be analysed through the online regulatory access dashboard.

- Between 15 December and 25 March of the new timetable, operators planned to use 87% of the access rights held in their contracts for the timetable which operates until December 2024. This is in comparison to 89% planned use at the June 2024 timetable change.

- Between 15 December and 25 March of the new timetable, 83% of the access rights held by operators resulted in services in operation for passengers.

The dashboard reflects the rights that were in place as of 15 December 2024. If contracts have been updated since then, these edits will not be reflected within the dashboard.

The use of access rights in the timetable can be reduced by various factors including: whether Network Rail could accommodate the rights in the timetable; engineering works by Network Rail, industrial action; funder decisions on service provision; and train operator service decisions. These factors mean it is most useful to compare operators in similar geographical areas and/or time periods which are not affected by industrial action/engineering work to understand these factors.

It is important to remember that access rights grant the right to a slot in the timetable, not a specific time slot. Also, some operators may hold contingent rights which receive lower priority when Network Rail produces the timetable and are therefore more likely to not be accommodated where there are conflicts.

The contracted access rights in place from the December 2024 timetable change onwards are appropriate for comparison against the planned 2024 working timetable (the period from 15 December 2024 until 17 May 2025). Timetable data for this factsheet is available up to 25 March 2025.

There was no correlation between operators with a smaller number of rights and them having higher planned rights usage alongside operators with higher number of rights (see Figure 3.1), in comparison to previous timetable changes. We might expect factors which influence the use of access to have a disproportionate impact on operators with a smaller number of rights.

As with the June 2024 timetable change, West Midlands Trains had the lowest planned and actual usage of rights in the December 2024 timetable data. This operator continued to be influenced by unused rights. There was a decrease in its planned use of rights in December 2024 compared to the June 2024 timetable data.

Avanti re-introduced services in December 2024, which correlates with the increase in their planned and ran services from June to December.

In comparison with the June 2024 timetable change, the majority of operators reduced the percentage of rights they planned to use in the December 2024 change. Only five operators planned to increase the percentage of rights used and a further six saw no change in the percentage of planned rights usage since the June 2024 timetable.

Whilst the data at an overall operator level shows no operator ran or planned to run more services than they had rights for, this is not the case when you look at the data on a service group level. This shows the importance of industry understanding how it uses the rights in the timetable. For example, between 5 January and 1 February some service groups for the following operators show that they either planned to run or ran more than 100 percent of services for which they hold the rights:

- Arriva Rail London
- Avanti West Coast
- c2c
- Chiltern
- East Midlands Railway
- Greater Anglia
- Govia Thameslink Railway
- Merseyrail
- Northern
- ScotRail
- Southeastern
- South Western Railway
- Transport for Wales
- TransPennine

In some instances, such as with Govia Thameslink Railway, Chiltern, Greater Anglia and Southeastern these anomalies relate to engineering work or bus services being used where blockades were in place on the route (for instance where part of the service was operated by bus). Engineering work and blockades could also result in a service being split in two if this occurs partway along the route, and therefore one service may be operated in two parts.

Some other anomalies relate to the way the rights are represented in the contracts. At this time, not all operators have been able to explain the reason for anomalies in the Network Rail data when comparing it to their own (which does not always contain these same anomalies). We expect Network Rail and these operators to ensure the differences can be explained and are supported through contracts in advance of each timetable change.

Figure 3.1 Planned percentage of rights usage, per operator, 15 December 2024 to 17 May 2025 (inclusive).

Operator	Percentage
Chiltern	100%
Greater Anglia	95%
c2c	95%
South Western Railway	95%
Great Western Railway	93%
Grand Central	93%
Avanti West Coast	91%
East Midlands Rail	91%
Southeastern	91%
ScotRail	91%
Northern	90%
Cross Country	89%
Govia Thameslink Railway	89%
Lumo	88%
Caledonian Sleeper	88%
Arriva Rail London	87%
TransPennine	82%
Merseyrail	81%
LNER	78%
Hull Trains	76%
Transport for Wales Rail	74%
West Midlands Trains	59%

Figure 3.2 Rights used as a percentage of services ran.

Operator	Percentage
Chiltern	98%
Greater Anglia	93%
c2c	92%
South Western Railway	91%
Great Western Railway	89%
ScotRail	89%
Grand Central	88%
Southeastern	88%
East Midlands Rail	87%
Lumo	86%
Caledonian Sleeper	85%
Northern	85%
Avanti West Coast	85%
Arriva Rail London	84%
Govia Thameslink Railway	83%
Cross Country	82%
TransPennine	76%
Merseyrail	76%
LNER	76%
Hull Trains	75%
Transport for Wales Rail	70%
West Midlands Trains	56%

The same reasons as listed above, will impact the percentage of services ran. However, this data set is also useful to compare against the planned use of rights to assess factors which materialised after the planned timetable was established.

Together, the two data comparisons should support operators in identifying the impact of different factors on capacity use. It should also provide a starting point for discussion between infrastructure manager and operator on unused access or better use of capacity. Where an operator does not intend to use access rights in the future it could be a potential opportunity for other operators to use capacity differently. It is important that operators ensure that all their current operations have the correct contractual framework in place to provide transparency to realise these opportunities.

Most access rights are represented in the timetable by one train service. The following operators have train services which correspond to more than one access right: CrossCountry, Caledonian Sleeper, Scotrail, LNER and TfW. For these services we have adjusted the number of rights held to accurately reflect their use in the planned timetable and the services which operated. For example, one CrossCountry service has 7 access rights, so for an accurate reflection of rights usage we mapped this service to one access right. The other adjustments are contained in Annex 2 below.

The accuracy adjustments mean it is only the level of contingent rights, engineering access, industrial action or non-use of rights which impact on the rights usage reported. The ORR approved access rights held by each operator are available to download from our website.

Operator and Network Rail engagement with the production of this factsheet has identified where greater transparency will be achieved by industry regular monitoring and updating

rights tables. The factsheet and data will be updated in summer 2025 following the May 2025 timetable change. We will identify where Network Rail and operators need to provide further clarity then.

5. Annex 1: Quality and Methodology

Data source

Data sources include applications submitted by train operators and Network Rail, performance data supplied solely by Network Rail and data collated by ORR.

Methodology

As part of track access applications Network Rail and operators submit documentation that ORR Access Executives process through the lifecycle of a case. This forms our casework data.

ORR has collated data from schedule 5 of the Track Access Contract between an operator and Network Rail. This schedule sets out the firm and contingent access rights agreed between the parties. We have collated this onto a workbook and displayed the day and service group to determine how many trains have access rights on the network.

We receive data from Network Rail on how many services were planned to run in the timetable and how many services did run. We have compared the service group data to our schedule 5 access rights data. We work with stakeholders across industry to quality assure this data.

Revisions

Not applicable for the December 2024 publication.

Recent changes to train operators

The Passenger Railway Services (Public Ownership) Act 2024 received Royal Assent in November 2024, allowing passenger train operators with contracts with the Department for Transport (DfT) to be brought into public ownership.

In December 2024, it was announced that South Western Railway would be the first train operator to be nationalised when its existing contract with the DfT expires on 25 May 2025. C2c and Greater Anglia are the next train operators planned to be nationalised, in July and 'autumn' 2025 respectively.

Further information on individual operators, including route maps, can be found via the Rail Delivery Group website.

6. Annex 2: Methodology

Access Regulatory Information

Most track access rights held in contracts across industry correspond to one train service, known as a head code in the timetable. This underpins the methodology we have used to create our planned use and actual use reporting within our regulatory information tool.

There are a small number of operators where this is not the case and there are multiple access rights all tied to a single head code. In some cases, these head codes have an access right for different portions of the journey. Currently we are unable to compare multiple rights on head codes to actual train running data.

In order to present a more accurate reflection of how these operators are exercising their contracted access rights we have accounted for this in the data that feeds our model. We have done this by subtracting the excess rights and matching the rights figure to the head code figure.

The data refers to the working timetable period of 15 December 2024 to 17 May 2025 (inclusive).

Operator	Service Group	Base Weekday	Adj Weekday	Base Saturday	Adj Saturday	Base Sunday	Adj Sunday	Revised Total
Cross Country	EH01	355	142	355	137	270	112	391
Caledonian Sleeper	ES01	10	7	2	2	9	6	15
Scotrail	HA01	325	316	321	311	127	126	753
Scotrail	HA02	293	292	299	298	161	160	750
Scotrail	HA03	71	70	68	67	20	20	157
Scotrail	HA04	127	120	123	116	47	47	283
Scotrail	HA06	440	438	419	417	216	216	1071
Scotrail	HA07	191	190	190	190	78	76	456
LNER	HB02	92	81	82	68	66	53	202
TfW	HL02	213	174	215	170	97	91	435

TfW	HL03	102	100	105	105	32	32	237
TfW	HL04	87	96	89	95	79	66	257
TfW	HL05	495	397	406	403	188	188	988
TfW	HL06	75	78	74	77	51	54	209
TfW	HL07	59	76	73	80	54	52	208
TfW	HL08	143	149	137	144	123	120	413

Annex 3: List of data tables associated with this factsheet

Data tables

Table 1: Number of track access rights, by operator and flow in each service code, for week day and weekends Great Britain, biannual data, December 2024

Table 2: Total Number of track access rights in each service code, by operator, Great Britain, biannual data, December 2024

Table 3: Passenger track access applications, Great Britain, December 2024 timetable

Other related documents

Network Code - Network Rail

ORR track access guidance

ORR guidance on access to regulated networks