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By email only

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28 June 2024

**Network Rail further Representations for the proposed Section 17 application for proposed Track Access Contract between Network Rail Infrastructure Limited and The Wrexham, Shropshire and Midlands Railway Company Limited (WSMR)**

In addition to our letter of representations of 02 May 2024, Network Rail is making its further representations in respect of a Section 17 for a proposed track access contract between Network Rail Infrastructure Limited (we) and The Wrexham, Shropshire and Midlands Railway Company Limited (WSMR).

On 24 April 2024, the Office of Rail and Road (ORR) wrote to the industry regarding 'Competing and/or complex track access applications for December 2024, May 2025 and December 2025 timetable changes'. Network Rail notes that the WSMR Section 17 application falls within the criteria set out in ORR's letter of 24 April 2024 and so will form part of the wider process for competing track access applications.

The ORR letter made clear to industry that "We expect applications received by 20 May 2024 to be of sufficient quality, completeness, and certainty to enable Network Rail, industry and ORR to assess them. A prerequisite for achieving this is that applicants will have discussed their plans with, and sourced information from Network Rail before submission (in line with our guidance)."

It further "...requested that Network Rail produces a high-level plan by 05 June 2024 for ORR and industry. This will set out when it will produce its robust assessment for the applications submitted by 20 May 2024."

Network Rail fulfilled this request on the 05 June 2024 outlining the plan for undertaking capacity and performance assessments to inform both Network Rail and the ORR on the applications received.

That response should be considered alongside this further Representation.

In particular, it should be noted as indicated therein that:

- due to the unprecedented scale of 83 unsupported applications received at one point in time, Capacity Planning plan to phase its analysis,
- assessments will initially focus on applications and geography which do not overlap with the ongoing ECML ESG Development work to mitigate the risk of redundant analysis,
- all ECML ESG related applications will be considered following decisions as to the implementation of the ESG Timetable,

As we set out in the High-Level Plan; “Only those rights which potentially interact, contain the required level of information to inform assessments, were discussed with Network Rail and are intended for the next three timetable changes will be considered by Network Rail.” and that “Applications consisting of rights for geography not impacted or for later timetable changes should be considered separately.”

These factors have shaped the anticipated plan for submission of evidence related to this and other applications, the timings of which are commented on later in this representation.

Whilst Network Rail was previously aware of this application, and has made previous Representations, in light of the other applications received by 20 May 2024, Network Rail has still not yet had an opportunity to fully consider its position on this application in light of ORR’s letter, and whether it can eventually support the proposed access rights.

Network Rail can confirm that we will not be able to provide in this further representation all the necessary information for ORR to make an informed decision at this point in time. However, in this further representation we will address each of the points above as well as provide:

- provide an initial view of the application Form P and Track Access Contract;
- where applicable, highlight if Network Rail believes that some of the access rights sought are outside the scope of the ORR’s letter dated 24 April 2024;
- an indication of how Network Rail will be able to provide its final representations and any intermediate representations so that ORR will then have all relevant information from Network Rail to assist ORR in making an informed decision.

### **Keeping you informed**

As stated in the letter to the ORR on the 05 June 2024 “The plan will need to be flexible and reviewed through the process to consider industry decisions in relation to the ECML ESG along with potentially other changing industry priorities and requirements. For example, recommendations from the East Coast Task Force may impact on industry resources, in particular timetabling resource. This could require changes to the remaining stages of the plan, including impacting when analysis can be completed.”

Please note although this application does not directly interact on the ECML, any decisions relating to the ECML could have consequential impacts on capacity and performance in relation to this application. This is particularly relevant for locations used by services which cross NR Route boundaries.

In the letter we also stated “We propose establishing a change control mechanism to track changes in the plan, when and where required, to retain transparency and clarity. This may also lead to consequential changes to anticipated dates of any resulting representations planned by our customer teams.” Where such changes in timeline occur, we will notify you of any impacts on expected content, volume or timing of forthcoming information.

### **Summary of Rights Sought**

In their application and as a high-level summary WSMR are seeking the following access rights to commence from May 2025 Timetable:

- 5 new return trains per day between London Euston and Wrexham General
- The calling pattern is: Wrexham General, Gobowen, Shrewsbury, Telford Central, Wolverhampton, Darlaston, Walsall, Coleshill Parkway, Nuneaton, Milton Keynes, London Euston

Industry Consultation for this application commenced on 20/11/2023 and concluded on 20/12/2023.

### **The High-Level Plan and Dependencies**

The High-Level Plan submitted on June 5, and our additional engagement with Capacity Planning indicates that the following phases may be relevant for this application:

- Phase 3 – 15/11/24 (see detail Annex A).
- Phase 4a/b – Mid March 2025 (see detail Annex A).
- Phase 5 – December 2025 Production Period (see detail Annex A).

This along with the interacting applications matrix in Annex B, should support Network Rail to in considering application and interacting location dependencies.

We are mindful that the High-Level Plan and its analysis, or other issues indicated, may identify dependencies, risks or changes in risk profiles that could require revision or further review of individual responses.

As stated later in this letter, if interactions occur at different points in time, i.e. different Timetable Change Dates then this could have an impact on when Network Rail will be able to submit its position with regards to the application.

### **Common route / regional identified considerations / constraints**

This request for rights covers a point in the network where it has been identified at a regional level that more than one applications should be considered by ORR at the same time as any one decision

would restrict the ability to accommodate other requests due to the items listed in Annex A. The other affected operators' applications are set out in Annex B.

### **Network Rail's Review of Form P and associated documents**

Network Rail has already performed an initial assessment of the Form P and associated documents submitted with this application.

We have written our comments in our letter of representations of 02 May 2024. This letter has been included in Annex C.

### **Network Rail's Initial Position on the Access Rights Sought prior to necessary assessments being completed in line with the plan**

Network Rail has made every attempt in its assessments to date of this Application to be able to inform the ORR of any early positions it might have on the access rights sought. Whilst, as outlined in this letter, Network Rail has a number of assessments and analysis that needs to be undertaken to inform a position whether Network Rail supports or not the Application that has been submitted by WSMR (detailed later in the letter), we do not have an update to our view on the access rights sought by WSMR.

Our initial position has been explained in our letter of representations of 02 May 2024.

### **Possible Interactions with Other Applications from 20th May 2024**

Annex B to this letter shows where this application could interact with each of the "20 May 2024 Applications" at the previously identified locations.

Please note if the interactions occur at different points in time, i.e. different Timetable Change Dates, then this will have an impact on the dates that Network Rail will be able to submit its position with regards to the application. I.e. if the application submitted for Operator A is to commence December 2024 and there are no concerns or conflicts that does not mean that when Operator B's aspirations are considered which start in May 2025 that both will be able to be accommodated and therefore Network Rail will have to see the outputs of the capacity assessments for the May 2025 Timetable for Operator B before they can give a final position on Operator A's application.

### **Allowing business continuity while preserving freedom of action for ORR in taking its decision**

Our letter of 5<sup>th</sup> June stated that in this interim period Network Rail will have to balance the need for business continuity, so that current services may continue to operate and timetable changes can be made when there is low risk of negative outcomes for passengers and freight users, with the need to avoid prejudicial decisions that could unduly favour one party where aspirations interact.

We note that some operators have split their applications across different timetable periods, which already provides ORR with the ability to deal specifically with the nearer-term applications now, whereas others have combined different timetable periods in a single application.

Should ORR wish to make a single decision on each application it has received, without breaking that application into parts, then, where a single application has been made relating to multiple timetable periods, there is a risk that rights might not be available in time for an operator to commence services as early as it would like, given the need for all of the information set out in our plans to be

available in order for decisions to be made relating to those future timetables.

Where paths associated with some of the quantum rights in this application are included in a New Working Timetable issued under the Network Code Part D process, then Network Rail proposes to work with the applicant on these elements of the application. Our aim, subject to normal governance processes, would be to potentially agree a new s22 application for contingent, time-limited rights for that timetable period with no presumption of continuity – in line with the approach that ORR has supported for applications on the East Coast Main Line in recent years.

This would enable you to reserve your position on future capacity choices, allowing decisions that relate to a later timetable period to be made simultaneously, while making effective use of the railway network in the earlier timetable periods.

### **Conclusion**

Network Rail is aware that this representation letter does not contain all the information needed for this application for the ORR to make a decision.

As explained in our letter of 05 June 2024, these representations letters were mostly expected to reserve our position pending the outcome of the capacity and performance assessments. We are also mindful that the plan and its analysis may identify dependencies, risks or changes in risk profiles that could require revision or further review of this response. However, we hope that the plans we provided give you the reassurance that we will assess this application to inform Network Rail's position in a later representation in line with the plan and letter. In addition, Network Rail wants to give the ORR the confidence that we have made every effort in this letter to give any initial views where we can.

Network Rail asks that while we carry out our assessments, ORR progresses with its own assessments wherever possible to assist in making early decisions/ descoping the scale of applications requiring assessment from Network Rail. Additionally, where we have deemed an application for December 2024 or May 2025 to be unready in the initial representations in this letter, we ask that this be descoped from the analysis requirements as quickly as possible.

Network Rail will continue to keep ORR sighted on the progress of the plan for this application.

Yours sincerely,

Gianmaria Cutrupi

Aspirant Open Access Operators Manager

Network Rail

**Annex A – Plan for Information / Analysis / Assessment**

<b>Details of Information / Analysis / Assessment</b>		<b>NOTES</b>
<b><i>High Level Phases from 5th June Plan</i></b>		
Phase 1 Collation & Scoping	Please see the June 5 Letter for details.	
Phase 2 Risk Identification for May 2025	Please see the June 5 Letter for details.	
Phase 3 May 2025 Production Development Period	Please see the June 5 Letter for details.	
Phase 4a - (ECML confirmed for December 2025) – focusing on December 2025	Please see the June 5 Letter for details.	
Phase 4b - (ECML confirmed for May 2025) – focussing on December 2025	Please see the June 5 Letter for details.	
Phase 5 – December 2025 Production Period	Please see the June 5 Letter for details.	
<b><i>Further Route / Function Analysis / Assessments / Information</i></b>		
Freight & Customer Considerations		Further details of assessment to be carried out found in Appendix A
North West & Central Region Considerations	Informed by Regional / Route plans	Further details of assessment to be carried out found in Appendix B
Wales & Western Region Considerations	Informed by Regional / Route plans	Further details of assessment to be carried out found in Appendix C
Capacity Planning Considerations	Informed by Capacity Planning plans	Further details of assessment to be carried out found in Appendix D

**Appendices for Annex A****Appendix A: Freight & Customer Considerations**

<b><i>Assessment</i></b>	<b><i>Detail</i></b>
<b>Review of Aspirational paths</b>	This proposed Track Access Contract contains a number of Access Rights for aspirational capacity. Where this is the case, we are working through the detail to understand the impact on the network from a safety and operational point of view. In line with CP7 freight growth targets, we are committed to securing capacity in the timetable for future use. Where capacity and suitable capability can be identified, we will consider applications for the Sale of Access Rights.

**Appendix B: North West & Central Region Considerations**

North West and Central (NW&C) Region has several large enhancement projects taking place including TransPennine Route Upgrade, HS2 and Midlands Rail Hub impacting long term capacity utilisation for which we will give consideration to when reviewing this application once all the

necessary assessments have been completed and Network Rail is able to collectively assess the risks and impact this application may have.

In addition to the key interacting locations specified in ORR's letter of 24 April 2024, Network Rail is also aware of other locations for which there are potentially interacting aspirations and capacity constraints. This includes but is not limited to Manchester and the surrounding area, Crewe, and the Wolverhampton corridor. During our assessment of the applications we will be paying particular attention to both the locations identified in ORR's letter and those named above.

In preparation of the December 2022 timetable, Network Rail formed industry workstreams to undertake a strategic review of capacity utilisation on both the West Coast Mainline South and Manchester area including the Castlefield corridor and Manchester Victoria. A separate industry working group (managed under the governance of the Grand Rail Collaboration) assessed options for the service structure on the Wolverhampton – Coventry route through Birmingham New Street. The timetable today still reflects this structure, and the outputs produced for December 2022, which were supported by the industry, remains the strategic plan for capacity utilisation and will help us in assessing this and the other applications.

As ORR is aware passenger flow at London Euston is currently a concern, with the region having been issued an improvement notice in October 2023 in relation to passenger surges and overcrowding. Network Rail therefore intends to undertake an assessment based on the quantum of services within the December 2022 Concept Train Plan. There also remains a restricted number of platforms at London Euston, with no funded plans to reintroduce a 17th and 18th platform. Passenger flow is primarily focused on number of passengers at a station at a given time, with arrivals and departures rather than requiring knowledge of origin or destination. It will therefore be possible to achieve a good understanding of the risk profile based on the quantum of services and associated passenger numbers within the Concept Train Plan, forming a basis which will allow for qualitative assessment of any differences to inform ORR in its decision.

A key consideration included in the plan within Annex A is regarding power supply on NW&C. As previously informed, NW&C has several areas of concern with regards to power supply. For any application utilising electric traction, it is our intention to model the outputs of the capacity assessment to understand the power supply risk both during normal working and in N-1 conditions. In carrying out traction power modelling, NW&C region adheres to the requirements stipulated in NR/L1/ELP/27000 "Policy Requirements for Electrical Power Assets". This policy states that the electrical power supply system shall have sufficient redundancy to support the peak timetable with one key piece of equipment out of service (known as N-1). In addition to fulfilling Network Rail policy requirements, maintaining the required N-1 redundancy levels in the traction power network supports adherence to contractual, performance and safety targets.

In order to accurately assess power supply it is key that we understand any Empty Coaching Stock moves. We will be requesting this information separately from operators if it was not previously supplied as part of the 20 May applications. We will undertake internal consultation of the application following our usual business practices however as a result of ORR letter of 24 April 2024 NW&C has 55 application which it must consider. Therefore our internal consultation will be over a longer period of time, and this has been allowed for in the plan.

Power supply and route performance assessments require additional subject matter support from third party organisations and therefore whilst we have included anticipated timescales within the plan these are currently subject to confirmation.

The current number of new applications received at this point in time is unprecedented, with 83 new applications received. Of these, 55 are seeking capacity on NW&C Region. This volume of simultaneous applications on NW&C Region, with this number of interactions to analyse, involves a level of complexity not previously experienced. As we move through the complexities of assessing the applications the plan may necessarily need to be reviewed and revised.

As stated in our letter of 5 June 2024 to the ORR “Throughout the rights assessment work phases Network Rail intends to communicate with ORR on progress and provide collated information against individual applications as they are assessed through the plan. The intention is to enable decisions during the process, where possible, rather than await a fully completed package of work considering all in-scope applications.”

We also recognised in our letter of 5 June 2024 that “this approach will have to balance the need for business continuity, so that current services may continue to operate and timetable changes can be made when there is low risk of negative outcomes for passengers and freight users, with the need to avoid prejudicial decisions that could unduly favour one party where aspirations interact.”

*North West and Central Plan*

TASK	ASSIGNED TO	
<b>Capacity Assessment</b>		
High Level Plan provided 05 June 2024		
Collating & Scoping	System Operator - CP	Please see June 5 letter for details
Phase 2 Timetable Risk Identification May'25	System Operator - CP	Please see June 5 letter for details
Phase 3 May'2025 Production Development Period	System Operator - CP	Please see June 5 letter for details
Phase 4a ECML confirmed Dec'25 Dec'25 assessment against May'25	System Operator - CP	Please see June 5 letter for details
Phase 4b Dec'25 assessment ECML confirmed May;25	System Operator - CP	Please see June 5 letter for details
Phase 5 december 2025 Production period	System Operator- CP	Please see June 5 letter for details
Other Capacity assessment		
2022 Strategic plan capacity assesment	Regional Timetable Team	
<b>Risk Identification</b>		
May'25 TP-Hazid passenger applications	Regional Timetable Team	
TP-Hazid Upto and including May'25 freight applications	Regional Timetable Team	
May'25 TP RAM - all applications	Regional Timetable Team	
Dec'25 TP Hazid - all applications	Regional Timetable Team	
Dec'25 TP -RAM - all applications	Regional Timetable Team	
Internal consultation of applications	F&A Team	
<b>Planned Assessments</b>		
Ped flow assessment of Euston Station	Station Capacity Team	
Level Crossing assessment		
Mapping of number of services to each ELR	Regional Timetable/F&A team	
ALCRM modelling/assessment	LCM	
ALCRM modelling/assessment - May'25	LCM	
ALCRM modelling/assessment - Dec'25	LCM	
Power Supply Modelling		
Phase 1: Build baseline model		
Phase 2: Navitas provide modelling for baseline model	Asset Management	
Phase 3: Assess baseline + Proposed services	Asset Management	
Phase 4: May'25 Production Development Timetable	Asset Management	
Phase 5:N-1 assessment	Asset Management	
Phase 6: Impact assessment + mitigation assessment	Asset Management	
Phase 6: Re-create modelling CIF file based on Dec'24 actuals	Asset Management	
Phase 7: Dec'25 Production Development Timetable	Asset Management	
Phase 8:N-1 assessment	Asset Management	
Phase 9: Impact assessment + mitigation assessment	Asset Management	
Performance Analysis		
Phase 1: Internal review of existing data	Route performance teams	
Phase 2: Performance assessment of May'25 decisions	Route performance teams	
Phase 3: Performance assessment of Dec'25 decisions	Route performance teams	
<b>Governance</b>		
Potential representations for Dec'24		
Draft Letter	F&A team	
Internal Review	F&A Team	
SOAR review and approval	F&A Team	
Submit to ORR	F&A Team	
Final representations:		
Draft letter	F&A team	
Internal Review	F&A team	
Internal Consultation	F&A team	
SOAR review and approval	F&A team	
Submit to ORR	F&A team	



### Appendix C: Wales & Western Region Considerations

Wales and Western Region will consider any additional access right applications for the region in the context of current performance levels, our ongoing recovery plans, all other known and emerging future service aspirations, and our asset condition and maintenance requirements. Furthermore, we will consider the risks associated with planned enhancement projects, including Old Oak Common, East West Rail, South Wales Metro, MetroWest and others.

### Western Route Plan

Capacity Assessment	
Collating & Scoping	System Operator - CP
Phase 2 Timetable Risk Identification May'25	System Operator - CP
Phase 3 May'2025 Production Development Period	System Operator - CP
Phase 4a ECML confirmed Dec'25 Dec'25 assessment ag	System Operator - CP
Phase 4b Dec'25 assessment ECML confirmed May;25	System Operator - CP
Phase 5 december 2025 Production period	System Operator- CP
Risk Identification	
May'25 TP-Hazid passenger applications (Known at the tim	Timetable Project Manager
May'25 TP RAM - all applications	Timetable Project Manager
Dec'25 TP Hazid - all applications	Timetable Project Manager
Dec'25 TP -RAM - all applications	Timetable Project Manager
Internal consultation of applications	Customer team
Internal consultation Dec'24 applications not previously c	Customer team
Internal consultations May'25 applications	Customer team
Internal consultation Dec'25 applications	Customer team
Planned Assessments	
Level Crossing assessment	
ALCRM modelling/assessment	LCM
ALCRM modelling/assessment - May'25	LCM
ALCRM modelling/assessment - Dec'25	LCM
Performance Analysis	
Phase 1: Internal review of existing data	Route performance teams
Phase 2: Performance assessment of May'25 decisions	Route performance teams
Phase 3: Performance assessment of Dec'25 decisions	Route performance teams
Engineerring Access Assessment	Access Planning/Maintenance
Cardiff Central Capacity study workshop	Wales route
Cardiff Central Capacity Study	Wales route
Governance	
Potential representations for Dec'24	
Draft Letter	Customer team
Internal Review	Customer team
SOAR review and approval	Customer team
Submit to ORR	Customer team
Final representation:	
Draft letter	Customer team
Internal Review	Customer team
Internal Consultation	Customer team
SOAR review and approval	Customer team
Submit to ORR	Customer team

## Wales route plan

<b>Capacity Assessment</b>
Collating & Scoping
Phase 2 Timetable Risk Identification May'25
Phase 3 May'25 Production Development Period
Phase 4a ECML confirmed Dec'25 Dec'25 assessment against May'25
Phase 4b Dec'25 assessment ECML confirmed May;25
Phase 5 december 2025 Production period
<b>Risk Identification</b>
Network Rail Interacting Access Rights - Risks Meeting
Dec'24 TCRAG Process
May'25 TCRAG Process
Dec'25 TCRAG Process
Internal consultation of applications
Internal consultations Dec'24 applications
Internal consultations May'25 applications
Internal consultations Dec'25 applications
<b>Planned Assessments</b>
Level Crossing assessment
ALCRM modelling/assessment
ALCRM modelling/assessment - May'25
ALCRM modelling/assessment - Dec'25
Performance Analysis
Phase 1: Internal review of existing data
Phase 2: Performance assessment of May'25 decisions
Phase 3: Performance assessment of Dec'25 decisions
Engineering Access Assessment
Signaller Workload Assessment Dec'24
Signaller Workload Assessment May'25
Signaller Workload Assessment Dec'25
Cardiff Central Capacity study workshop
Cardiff Central Capacity remit to be agreed and resources identified
Cardiff Central Capacity review
Cardiff Central Capacity study publication
<b>Governance</b>
Potential representations for Dec'24/May'25/Dec'25
Draft Letter
Internal Review
SOAR review and approval
Submit to ORR
Final representation:
Draft letter
Internal Review
Internal Consultation
SOAR review and approval
Submit to ORR

### Appendix D: Capacity Planning Considerations

This application contains services in the May 2025 timetable which will form part of the interacting rights assessments.





**Annex C – Letter of Representations**

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Gianmaria Cutrupi  
Aspirant Open Access Operators  
Manager  
Network Rail Infrastructure Limited  
By email only

02 May 2024

Dear Emyl,

**Application for directions: proposed track access contract between Network Rail Infrastructure Limited and The Wrexham, Shropshire & Midlands Railway Company Limited**

This letter provides the representations of Network Rail regarding the Section 17 application for directions for a proposed track access contract between Network Rail Infrastructure Limited (we) and The Wrexham, Shropshire & Midlands Railway Company Limited (WSMR). WSMR aspire to run five trains per day in each direction between London Euston and Wrexham General from SCD 2025 to SCD 2032 in this application.

We started working on this application in collaboration with WSMR when they first shared their aspirations to run services between London Euston and Wrexham General in February 2023. Since then we have continued to evaluate the feasibility and impact of the proposed WSMR paths throughout 2023, including commissioning our own capacity assessment for which we released our findings on 15 December 2023. We have received the first Form P and draft Track Access Contract (TAC) from WSMR on 30 October 2023.

Unfortunately, we are not willing to support WSMR's application due to our own capacity assessment against the December 2023 timetable demonstrating that 9 out of the 10 proposed paths present conflicts that cannot be resolved through the flexing of other services. Our conclusion is therefore that there is insufficient network capacity to accommodate the access rights sought by WSMR alongside the access rights currently held by other operators.

**Introduction**

The West Coast Main Line (WCML) runs between London Euston and the Scottish border and is the busiest mixed-use railway in Europe. It supports major British cities outside of London and it is central to the business of many UK and international passenger and freight operators.

The southern section of the WCML plays a crucial role in providing commuter rail services into London and it provides connectivity with the West Midlands with services from Birmingham and beyond. HS2 works at Euston are currently paused but, should they be resumed, will be a major factor on the WCML over the coming years.

In early 2020 we had to manage several competing track access applications and we demonstrated that there was no available capacity on the WCML fast lines without impacting performance and reducing the resilience of our timetable. In May 2020, we declared the WCML fast lines between Camden Junction and Ledburn Junction as Congested Infrastructure.

Following the declaration of Congested Infrastructure, we set up an Industry Planning Group (IPG) to explore whether a timetable recast would have the potential to deliver further capacity and/or improved performance and also an Event Steering Group (ESG) to re-cast the timetable to be implemented through the December 2022 timetable. The structure of the ESG Concept Train Plan was successfully implemented from the December 2022 timetable and the ORR granted access rights to applications submitted by Avanti West Coast (AWC) and Grand Union Trains (GUT).

### **The Specified Equipment**

WSMR stated in their Form P that they would like to use off-lease Class 22x rolling stock (diesel traction). The operation of diesel rolling stock would at least nullify any detrimental impact on the current power supply constraints on the WCML, although the introduction of additional diesel traction into London Euston would impact air quality at the station. We described our environmental concerns under 'Additional Considerations' below.

We would request to have sight of WSMR's proposed feasibility studies "into the viability of developing the Class 22X units to enable hybrid operation working on 25kV OHL" and "into the options to fit battery technology to the Class 22x units", if and once available.<sup>1</sup> WSMR mentioned that their proposed rolling stock "will perform the same as, or greater than the characteristics of a Class 222 DMU."<sup>2</sup>

London Euston Station requires careful management of passenger flows due to a constrained footprint. Network Rail would like to understand the expected passenger loading information of the proposed services. London Euston will have to continue to carefully manage passenger flows before and during the Redevelopment of Euston Conventional Station (RECS) scheme, which requires Network Rail to work closely with operators to understand their passenger loadings to inform our assessment of risk.

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<sup>1</sup> The Wrexham, Shropshire & Midlands Railway Company Limited, *Application to the Office of Rail and Road for a Passenger Track Access Contract, or an Amendment to an Existing Contract*, p. 6, 14 March 2023.

<sup>2</sup> *Ibid.*, p. 12.

With RECS not due to be in place until well into the 2030s, Network Rail as the Station Facility Operator of London Euston must understand the passenger loading information within the context of the current capability of the station. To that end, Network Rail has had a well publicised Improvement Notice issued by the ORR which, whilst closed out with the ORR emphasises why it is vitally critical that we understand the volume of additional passengers this will need management of. Without the passenger loading information, Network Rail cannot effectively risk assess the quantum of passengers that need to be managed within London Euston Station and therefore cannot take a view as to whether effective controls can be implemented and agreed with WSMR.

The Class 221 is cleared with some restrictions via the route mentioned in the National Electronic Sectional Appendix (NESA). The Class 222 is not cleared as it only operates East Midlands Railway services. To clear the Class 222s would require a full gauging study, from a recognized gauging company, in the first instance for the complete route which could take a few months – depending on the availability of external suppliers – and then a complete compatibility analysis.

We would require WSMR to engage with us on commissioning works to deliver the required capability and to undertake the Route Clearance processes.

Network Rail requests that WSMR include the correct Specified Equipment in the Track Access Contract, i.e. either Class 221 or Class 222 (rather than Class 22x).

## **Form P Application**

### Safety Risks

#### *Sutton Park Line*

WSMR stated that their application “assumes an increase in the line speed for a section of the Sutton Park Line (ELR – CBR1) from 45 mph to at least 60 mph” and it will involve “reviewing and updating the relevant route risk assessments including for two pedestrian foot level crossings.”<sup>3</sup> WSMR made us aware that they are undertaking a pre-feasibility study to evaluate their proposed line speed increase on the Sutton Park Line. Although this application is not fully reliant on the proposed line speed increase, we would like to review their study to understand the impact on the Line.<sup>4</sup>

#### *Weston Rhyn Level Crossing*

We believe WSMR’s services could increase the level crossing risk at Weston Rhyn level crossing between Wrexham and Shrewsbury. A previous analysis showed that we could run an additional 8 trains per day in each direction over Weston Rhyn level crossing.<sup>5</sup> Should

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<sup>3</sup> Ibid., p. 5.

<sup>4</sup> Ibid., p. 18.

<sup>5</sup> This was in relation to another timetable change which has now been pushed back to 2029 (Cardiff to Liverpool) for Transport for Wales (TfW) which was 27 pathways and requires Manually Controlled Barriers

WSMR's services be approved in addition to the 8 trains previously informed to Transport for Wales (TfW), this would reduce any additional trains we would allow to run to 3 going forward.

We can run a workshop to look at some small enhancements such as rumble strips, road surface renewal, renew the anti-slip coating, renew the crossing lines, barrier extensions or AHB+B. These small enhancements could further mitigate the additional trains pending funding if any additional trains are requested in the interim, but modelling would need to take place. We would also want to run some local awareness safety campaigns and visit schools in the local area ahead of any possible uplift, including additional remedial mitigations.<sup>6</sup> The route level crossing team will require advance notice from any train operating company should train frequency increase for any driver training, route learning and or fault free running prior to the uplift.

### Investment Conditions

We note WSMR referenced "proposals to invest in and deliver new stations, increased capacity at existing stations, as well as train and rail infrastructure enhancements along the route", should the proposed track access contract be extended its proposed seven-year length.<sup>7</sup> We would be interested in understanding the specific investments being proposed by WSMR, the timescales involved and funding requirements.

### **Track Access Contract**

Network Rail acknowledges the TAC that WSMR have included with their application. As Network Rail currently do not support this application, we cannot agree with the terms drafted in the TAC. However, should the ORR direct Network Rail and WSMR to enter into contract, we would like the opportunity to review the terms of the contract.

Specifically, Network Rail would like to highlight, acknowledging that this contract was drafted some time ago, that the contract needs to be in line with the model Open Access track access contract published in April 2024 following the Periodic Review 2023.

### **Capacity**

Analysis was conducted on the proposed paths that had been developed by WSMR using a

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monitored by Obstacle Detection (MCBOD) for these to run, providing MCBOD are in place by this uplift then that additional uplift can go ahead also in 2029. The figure calculated is approximately 16 extra train services in total (8 up/8 down – it does not have to be an even split) between 07:00 and 22:00 hours. These extra 16 services increase the risk from 0.00412745 (G4) 32nd highest risk level crossing in Wales route and 6th based on core type (AHB) to 20th highest risk in the route and 4th on core type 0.005714144 (F3). There are optimal hours for the increased services, 4 or less trains per hour over the level crossing: 06-07, 09-10, 12-13, 14-15, 22-23, 23-00. Intermediate hours where there could be 5 trains per hour over the level crossing: 08-09, 10-11, 16-17, 17-18, 21-22. Higher risk hours where there could be 6-7 trains per hour over the level crossing: 11-12, 13-14, 15-16 (likely to include extra school traverses (pedestrians and vehicles), 18-19, 19-20, 20-21.

<sup>6</sup> Additional remedial mitigations could be: local media campaigns detailing the increased train service prior to timetable change (funding required); letter drops to authorised users, other known users and stakeholders again detailing the increase in service prior to timetable change; temporary signage.

<sup>7</sup> The Wrexham, Shropshire & Midlands Railway Company Limited, *Application to the Office of Rail and Road for a Passenger Track Access Contract, or an Amendment to an Existing Contract*, p. 6, 14 March 2023.



December 2023 timetable base. The work produced found 5 paths in each direction between London Euston and Wrexham. The analysis conducted by the Advanced Timetable Team (ATT) sought to identify the validity of these paths to provide confidence to Network Rail.

For validation, the paths were taken and added to a December 2023 timetable base and the flexes to other services in the timetable suggested by WSMR were made. However, conflicts remained, so further validation was attempted to create compliant paths in line with the validation process used by Network Rail timetable production.

After this, only 1 path of the 10 was conflict-free, the other paths had various conflicts which would require considerable work to resolve or potentially a complete recast. Many of these paths have conflicts in the Water Orton area where trains cross the line from Nuneaton to Park Lane Junction. ATT analysis found that many of these were planned to conflict with trains running to/from Birmingham and on the Sutton Park Line, which at present only contains Working Timetable (WTT) Freight and Infrastructure Monitoring/RHTT services. These paths were unable to be flexed to accommodate the WSMR paths due to the 'knock on' effect of their retiming on the rest of the timetable in the Birmingham area.

It should be noted that, the paths that were found in the December 2023 timetable between Euston and Nuneaton on the WCML do not align with the outputs of the December 2022 NW&C ESG timetable. This is because not all the AWC services are running and included in December 2023. As AWC still retain the rights to run the services within the December 2022 ESG timetable, it is very likely that the WSMR paths would not be able to be accommodated in the proposed paths.

The proposed WSMR paths also contain long turnarounds at Euston which may improve reliability and resilience of the plan but may cause capacity issues there. The long turnarounds planned at Euston Station could potentially not be accommodated due to the uncertainty of the platform footprint at Euston station. There are currently 16 operational platforms, but these may need to be reduced further during HS2 construction. This could be mitigated through ECS moves for the proposed services to free platform space, however this will increase the movements in Euston's station throat adding both to signaller workload and to the risk of causing delay to other services. If these services had to ECS to a different location to turn around, it was not made clear as to where this may be, therefore the validity of this could not be assessed.

The line from Wrexham to Gobowen is capacity constrained. In some hours it is not possible to fit in the passenger services along with freight and Network Services traffic due to the long block section at Gobowen. We would also like to review the *WSMR Capacity Report* that WSMR are undertaking, once available.<sup>8</sup>

### Interacting Applications

As the ORR and WSMR are aware, there are a number of applications and aspirations which are interacting at a number of locations for three consecutive timetable change dates, i.e. December 2024, May 2025 and December 2025. The ORR wrote to the industry on 14 April highlighting the complexity of the interacting applications/aspirations and the need for the

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<sup>8</sup> Ibid., p. 12.

industry to submit as many of those applications by 20 May 2024 for those locations. This proposed application is also interacting specifically between London Euston to Nuneaton and Birmingham area including Water Orton (as detailed above).

Therefore this application needs to be considered alongside those applications submitted by 20 May.

## Performance

WSMR indicated that their Performance Report “shows minimal impact on existing services on the Network”.<sup>9</sup>

Network Rail have undertaken a Quality Assurance exercise of the Performance Report supplied by WSMR as a consequence of our role as the Business Critical Model Owner for Railways – the software used to produce the Report. The Report’s purpose was to “determine the performance impact on existing services and the existing network” given the indicative WSMR train paths modelled and “provide input into future iterations of timetable development with a view to how the WSMR paths (and the wider network) can be made more robust”.

Network Rail disagrees with the Report that “the overall network impact is low, with most service groups being unaffected and even those being affected showing a minimal impact”. The charts and narrative in the Report are focused on Time-to-5 and Average Minutes Lateness. Given the south portion of the West Coast Mainline operates on three-minute Headways, it is more appropriate to describe the impact at Time-to-3 as the least granular, whilst preferably – given the effect Sub Threshold Delay has on the operation – On Time is valid and appropriate. The AWC services running between Liverpool and London Euston show a 5.4% degradation in On Time at Ledburn Junction, which are 8.0% worse off when they terminate at London Euston. It is a similar story for the Manchester Piccadilly to London Euston services which degrade by 1.4% and 2.4% On Time at Ledburn Junction and London Euston respectively.

The introduction of four of the five WSMR services (1C04, 1C08, 1C06 and 1C10) to London Euston now directly impact four of the AWC Liverpool – London Euston services (1A16, 1A58, 1A34 and 1A79 respectively). The Liverpool services approach Nuneaton with minimal punctuality differences between Base and Option. At Attleborough Junction the WSMR services join the WCML in front of the Liverpool services which is causing them to see a drop in On Time and Time-to-3. The Liverpool services are unable to recover from this and once they reach Milton Keynes Central, they have a significant drop in punctuality which is exasperated due to the closely planned headways which now include additional WSMR services. In summary, the punctuality difference for the four AWC Liverpool – London Euston services that follow the WSMR see a collective 18.3% reduction in On Time at Bletchley, resulting in a 33.1% collective decrement in On Time at London Euston. By the time the WSMR reach Wembley Central the 1C04, 1C06, & 1C08 are at the front of a five train flight where these trains are on minimum headway, any delay knocks on from the 1Cs is passed along this flighting cause punctuality drops at London Euston (as described above), resulting in the operation at London Euston becoming less robust and resilient. For reference, the flighting consists of WSMR 1C, AWC Liverpool 1A, AWC Birmingham 1B, AWC Manchester 1A, and AWC Glasgow 1M.

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<sup>9</sup> The Wrexham, Shropshire & Midlands Railway Company Limited, *Application to the Office of Rail and Road for a Passenger Track Access Contract, or an Amendment to an Existing Contract*, p. 12, 14 March 2023.

## WCML Performance Partnership

Our key objective is to share capacity on the network for the safe carriage of passengers and goods in the most efficient and economical manner, in the overall interest of current and prospective users and providers of railway services.

To achieve this, our proposal is the establishment of a full WCML performance partnership to involve all fast line operators and Network Rail. We expect there to be a particular focus on incident/service recovery and the causes of disruptive events. Potential scope includes activities such as: measures to deliver adherence to turnround times; traincrew and catering resourcing; the access regime for maintenance; measures to tackle trespass/fatalities; driving practices; linespeed coasting. Reliable performance requires clear and unequivocal commitment by all parties to an agreed performance improvement programme. It is likely mitigations will be identified with a resource requirement for operators contracted to the Department for Transport; the approval of the Department may be required to enable their delivery.

Network Rail, will commence the timetable, performance and safety risk assurance process at the earliest opportunity in order to effectively manage the risks highlighted within the letter, assess progress and secure delivery of a reliable train service.

### **Additional Considerations**

Network Rail has concerns around the environmental impact of introducing additional diesel traction stock into London Euston station. The train shed monitors in situ demonstrate a clear correlation between AWC Voyager stock being deployed in Euston and exceedances in nitrogen monoxide and nitrogeon dioxide. Introducing additional diesel traction stock into the WTT on a permanent basis, especially at a time where we expected the benefit of the phasing out of Voyager stock to be unlocked, would present air quality issues and Network Rail would like to understand how WSMR can demonstrate how that can be mitigated effectively to remove harm and risk to passengers and public and prevent exceedances in air quality measures.

### **Conclusion**

We are not currently in a position to support WSMR's application. Our own capacity assessment highlighted numerous non-compliances between the proposed WSMR paths and other existing services, which we do not believe can be easily resolved through the flexing of other operators' services. Based on this assessment, our conclusion is therefore that there is insufficient network capacity to accommodate the access rights sought by WSMR alongside the access rights currently held by other operators and taking into consideration the interacting applications for the timetable periods concerned.

We will continue to work with WSMR to facilitate the development of their application in the North West & Central and Wales & Western Regions.

Please do not hesitate to contact me if there is any further information you require.

Yours sincerely,

**Gianmaria Cutrupi**

Aspirant Open Access Operators Manager  
System Operator