

Transport for Wales Rail Limited (TfWRL) response to Network Rail Representations on Proposed 31st Supplemental Agreement

22 July 2024

TfWRL is responding to Network Rail's representations of 29 June on its Section 22A application for changes to access rights to apply from May 2025.

Background

The purpose of this application is for ORR to approve changes to access rights to support incremental timetable improvements that TfWRL wishes to introduce in May 2025.

Since submitting the application to ORR, TfWRL has continued to refine its proposals for May 2025. We will be able to update Network Rail and ORR after the Priority Date on 9 August 2024.

General observations on Network Rail's representations

We appreciate the challenges that Network Rail and ORR have in dealing with many applications from operators, and we realise that Network Rail must be consistent in its approach to all applications. This is no doubt the reason for the obviously templated format of Network Rail's letter which necessarily does not include a detailed plan for next steps at this stage.

There are two parts of Network Rail's letter that we wish to highlight:

1. The expression of the summary of TfWRL's access rights request.
2. An incomplete plan for next steps.

Each of the above points is explained in more detail below.

1. The expression of the summary of TfWRL's access rights request

Network Rail's summary of TfWRL's access rights request is broadly correct but as with their representations on our other two applications they have not emphasised that we are also surrendering some access rights.

Our application to ORR included an Excel table comparing the changes to access rights from the December 2024 position (as set out in our 28th supplemental agreement application).

2. An incomplete plan for next steps

In its representations Network Rail acknowledges that it is not offering any view on TfWRL's application or providing all the information needed for ORR to make a decision. The plan for next steps is high-level with no committed dates or deadlines.