



## APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER TRACK ACCESS CONTRACT, OR AN AMENDMENT TO AN EXISTING CONTRACT

ORR ensures that train operating companies have fair access to the rail network and that best use is made of capacity. If a train operator wants to access the national railway network, it will need a track access agreement with Network Rail which requires ORR's approval under the Railways Act 1993. When determining access to the network, we must have regard to our [statutory duties](#), most of which are set out in section 4 of the Act. We must exercise our functions (which include the approval of access contracts) in a way that we consider best achieves those duties.

Use this form to apply to the Office of Rail and Road (ORR) for a passenger track access contract, or an amendment to an existing contract by a supplemental agreement, under sections 17-22A or the Railways Act 1993.

It sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) (and our [making an application](#) guidance in particular) explains the process, timescales and the issues we will consider. Please read the guidance before completing the contract and this form.

If the facility owner and beneficiary have agreed terms, the facility owner should fill in the form. If not, the beneficiary should fill in the form.

A pre-application industry consultation is usually required before submitting an application. Please see the industry [code of practice for track access application consultations](#) for more information.

This form should be completed up to section 10 and sent to consultees along with a copy of the proposed contract or supplemental agreement. Sections 10 and 11 should be filled in after the consultation and before applying to ORR.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#). Please ensure that you are using the latest version of this form as published on our website. We may ask for applications which have not used the latest version to be resubmitted.

You may also use and adapt this form if necessary to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

## 1. Application Summary

### 1.1 Beneficiary company name:

Transport for Wales Ltd

### 1.2 Facility owner details:

Network Rail:	<input type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input checked="" type="checkbox"/>	Scotland's Railway <input type="checkbox"/>
Other Facility Owner:	<input type="checkbox"/>	Please state:			

### 1.3 Application under the Railways Act 1993 section:

17 <input type="checkbox"/>	18 <input type="checkbox"/>	22 <input type="checkbox"/>	22A <input checked="" type="checkbox"/>
		Supplemental Number:	32 <sup>nd</sup>
		Current contract date:	6 <sup>th</sup> August 2020
		Current contract expiry date:	1 <sup>st</sup> August 2025

### 1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	18 <sup>th</sup> October 2018
	Public service contract end date:	October 2031
	Name of funder (e.g., DfT, Local Authority):	Welsh Government
	Does the funder support this application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Open Access <input type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

### 1.5 Executive summary of the proposed contract or amendment:

This application seeks approval for changes to Firm Rights under the Transport for Wales Rail (TfW Rail) Track Access Contract to apply from SCD 2025 (18<sup>th</sup> May 2025).

The changes are required to ensure continuity of TfW Rail's access rights in the May 2025 Timetable.

TfW Rail has submitted this application directly to ORR in accordance with ORR's letter to industry of 24<sup>th</sup> April 2024. ORR requires operators to submit applications for all relevant changes to access rights (which is those access rights requiring capacity in certain locations) to apply from the December 2024, May 2025 and December 2025 Timetable Change Dates.

This application meets these criteria as it includes changes to access rights in locations specified by ORR.

TfW Rail has submitted three applications directly to ORR:

1. December 2024 (28<sup>th</sup> Supplemental Agreement)
2. May 2025 – HL05 only (32<sup>nd</sup> Supplemental Agreement – this application)
3. May 2025 (31<sup>st</sup> Supplemental Agreement)

TfW Rail does not require to submit an application for December 2025 as no relevant changes are envisaged at the moment.

The expiry date of the existing TAC is 1<sup>st</sup> August 2025 which is during the currency of the May 2025 timetable. TfW Rail expects to enter into a supplemental agreement with Network Rail to amend the expiry date of the TAC (to a date in 2030) following ORR's approval of the applications listed above.

Proposed commencement date:	SCD May 2025 (18 May 2025)
End date:	Expiry of the Track Access Contract (currently 1 August 2025)
Date approval or directions wanted by:	As soon as possible

**1.6 Industry consultation:**

Who carried out the consultation?	No consultation has been carried out.		
Consultation start date:	N/A	Consultation end date:	N/A
Not carried out <input checked="" type="checkbox"/>			

**1.7 Applicant details**

<u>Facility Owner</u>	<u>Beneficiary</u>
Company: Network Rail Infrastructure Ltd	Company: Transport for Wales Rail Ltd
Contact individual: Ewelina Brandao	Contact individual: Chris Dellard
Job title: Customer Manager	Job title: Head of Access Planning
Address: 2nd Floor, St Patrick's House	Address: 1st Floor, St Patrick's House
17 Penarth Road	17 Penarth Road
Cardiff	Cardiff
CF10 5ZA	CF10 5ZA
Telephone number: [REDACTED]	Telephone number: [REDACTED]
E-mail address: [REDACTED]	E-mail address: [REDACTED]

**1.7 Date of application to ORR:**

**1.8 Checklist of documents attached to the application form:**

- Proposed new contract (S17 or S18) or supplemental agreement (S22 or S22A)
- Marked up Schedule 5 (where applicable)
- Marked up comparison to model contract (where applicable)
- All consultation correspondence
- Supporting documentation required for competing services (see section 6.2)
- Other supporting documents, side letters or collateral agreements (please list):


**2. Licence and railway safety certificate**

**2.1 Please state whether:**

1. you intend to operate the services yourself; or
2. have them operated on your behalf. 
  - if so, please name the proposed operating company:

**2.2 Does the proposed operator of the services:**

- (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and**

(b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006.

If the answer to (a) or (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

N/A

### 3. The proposed contract or amendment

**3.1 Application overview:** Please detail the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely, and fully highlight the changes from the previous version of the contract (in the case of an amendment).

TfW Rail's TAC expires on 1 August 2025, during the currency of the May 2025 Timetable. TfW Rail has an expectation that the rights that it holds in the TAC as of May 2025 will be extended along with the TAC.

TfW Rail's 19th and 24th supplemental agreements, where they apply to the HL05 Cardiff Valleys and Local Services Service Group, make changes to access rights to support the new June 2024 Cardiff Valleys timetable. The 19th supplemental agreement was approved by ORR on 18 March 2024; the 24th supplemental agreement (a 'washup' to the 19th supplemental agreement) completed industry consultation on 16 May and will shortly be informally submitted to ORR.

The content of both supplemental agreements was authorised by Network Rail's Sale of Access Rights Panel with a caveat that Network Rail was selling the access rights 'with no expectation of the continuity of rights post the Transport for Wales Track Access Contract expiry date in August 2025 due to competing aspirations around Cardiff Central area from December 2025 TT change.' This statement was included on the Form Ps accompanying the Section 22 applications, but with the additional comment agreed with TfW Rail that 'Network Rail and TfW agree that this application is for changes to access rights in the Track Access Contract which currently expires on 1st August 2025. Network Rail and TfW will work together and with other industry parties to explore potential challenges in the Cardiff Central area for the future, therefore both parties are working in collaboration on the current and proposed enhancement for Cardiff Central which includes additional operational flexibility and some significant passenger benefits in future years.'

While the approved supplemental agreements for June 2024 have 'Expiry Date' as their expiry, thus not preventing the access rights from being rolled forward with an extended TAC, ORR made clear in its approval letter for the 19th supplemental agreement that, in light of Network Rail's position, 'our usual policy of a strong presumption of the continuation of existing rights will not apply for additional service group HL05 rights beyond the expiry of the contract on 1 August 2025'.

This uncertainty is a major risk to TfW Rail as the June 24 timetable change is a fundamental rewrite of the timetable to support the introduction of brand new electric trains and tram-trains that will not be able to operate with the pre-June 2024 timetable structure.

While ORR's usual guidance is clear that it has a strong presumption in favour of the extension of current access rights, this specifically does not apply to all of the June 2024 changes to the HL05 Service Group that were made, and are being proposed, through the 19th and 24th supplemental agreements.

Therefore Network Rail and TfW Rail agree that it is prudent for TfW Rail to submit this application for May 2025 to allow ORR to consider these June 2024 changes to HL05 access rights (which all start, end or pass through Cardiff Central) again for May 2025, to provide TfW Rail with more certainty that these specific access rights can be expected to be rolled forward with an extension to the TAC.

TfW Rail expects the commencement date of this supplemental agreement (which essentially seeks a roll-over of the existing/soon to be informally submitted HL05 access rights minus ORR's disapplication of its position on the continuation of access rights) to be 1 minute before the commencement date of the proposed 31st supplemental agreement (which introduces further changes to the HL05 Service Group to apply from May 2025).

**3.2 Safety risks:** Please explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

None, as these access rights are already included in the 19<sup>th</sup> and 24<sup>th</sup> supplemental agreements, the former of which is approved and the latter of which will shortly be informally submitted to ORR.

**3.3 Contract duration:** For new agreements or extensions to existing agreements, please provide justification for the proposed duration and, if more than 5 years, with reference to the [Railways \(Access, Management and Licensing\) Regulations 2016](#).

Not applicable, as this is not an extension or new agreement.

**3.4 Terms not agreed with the facility owner (for applications under sections 17 or 22A only):** Please explain any areas of the application which have **not** been agreed, the reasons for the failure to agree and the reasons for seeking these provisions.

Terms have not been agreed with Network Rail because of capacity concerns at Cardiff Central.

### 3.5 Bespoke provisions (departures from ORR's model access contracts)

Does the proposed contract include any departures from ORR's model access contract:

Yes  No

If yes, please set out and explain any:

- areas where the drafting of the application changes ORR's published template access contracts (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made.

There are no departures from ORR's model passenger track access contract.

- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model access contracts, including the financial implications (e.g. establishment of an access charge supplement or rebate).

There are no departures from ORR's model passenger track access contract.

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete.

There are no departures from ORR's model passenger track access contract.

### 3.6 Consolidated contract

For amendments to existing contracts, is the version of the consolidated contract on our [website](#) fully up to date? If not, please explain why not.

Yes, the TfW Rail TAC is fully consolidated and available on the ORR website.

## 4. The impacts of the proposal

**4.1 Benefits:** please set out what specific benefits the proposal will achieve. Please describe the benefits to passengers and any impact on other operators, including freight operators.

The access rights in this proposal are contained in two earlier supplemental agreements:

- 19<sup>th</sup> supplemental agreement, approved by ORR on 18 March 2024 (with the caveat that ORR's usual policy of a strong presumption of the continuation of existing rights will not apply to the additional service group HL05 rights beyond the expiry of the contract on 1 August 2025)
- 24<sup>th</sup> supplemental agreement, a 'washup' to the 19<sup>th</sup> to amend several access rights to align with Freight Train Slots, which is due to be informally submitted to ORR and where TfW Rail expects ORR to apply the same caveat as for the 19<sup>th</sup> supplemental agreement

The reasons for these changes, to support the new Cardiff Valleys timetable to be introduced in June 2024, are fully explained in the application forms attached to both above supplemental agreements. Nothing has changed. The summary from the 19<sup>th</sup> supplemental agreement Form P is given below.

### Changes requiring alterations to the quantum of track access rights

Table 2.1. changes are required to the expression of, and the quantum of, track access rights in Service Groups HL05 where they relate to the Network Rail routes of the Core Valleys Line Service and HL02.

The reasons for these changes are:

- To allow the introduction of new fleets. The Cardiff Valleys service will utilise two fleet types: 756 (tri-mode) and 398 (battery-electric tram-trains):
  - In due course 756s will operate between Rhymney/Coryton on the CVL Network and Penarth/Barry Island/Bridgend (via the Vale of Glamorgan (VOG) Line) on Network Rail's Network. They will use overhead wires (OLE) on the CVL Network and battery power (charged as necessary by an onboard diesel generator) on Network Rail's network. From June 2024, only 150s will work between Rhymney and Bridgend via the VOG. This is because only Cardiff Mainline traincrew completed training to work on the VOG (not Cardiff Valleys traincrew) and they will not be trained on 756s until after Cardiff Valleys traincrew are trained, which is currently due for autumn 2025.
  - 398s will operate between Treherbert/Aberdare/Merthyr and Cardiff Central, via both Cardiff Queen Street and the City Line (between Cardiff Central and Radyr). Because of their limited battery range away from the OLE, they will operate on services on a 'loop' via the non-electrified lines on Network Rail's infrastructure through Cardiff – starting at Aberdare or Merthyr and running via Cardiff Queen Street, Cardiff Central and the City Line in one direction and the City Line, Cardiff Central and Cardiff Queen Street in the other direction.
- To prepare for these new fleets, the timetable is being restructured to introduce new start/end locations – particularly for the Aberdare and Merthyr services as above.
- To allow for additional services. The following changes are planned for June 2024:

- +2 trains per hour Cardiff Central to Caerphilly. This is a new standalone service, but it doesn't require additional access rights due to re-routing, the correct number of access rights needed to provide this service is already in place.
- +2 trains per hour Cardiff Bay to Pontypridd. This is a new standalone service and is wholly on the CVL Network.
- The opportunity is being taken to express access rights as through routes on Network Rail's network to/from the relevant CVL Boundary (e.g., "CVL East Boundary to Barry Island via Cardiff Central"). This converts most of the existing access rights that are expressed as only between the relevant CVL Boundary and Cardiff Central, which in most cases are combined with other rights (e.g., to Barry Island).

Currently, in the Network Rail Table 2.1 access rights are expressed as between a CVL Boundary and Cardiff Central, despite many services being through services to/from the Barry and City Line. TfW would now like to express the rights as end-to-end where applicable, to make this clearer to the passenger how the timetable is structured. TfW now would have (for example) rights expressed as between CVL East Boundary and Barry Island, and between both boundaries via Cardiff Central, for those services on the Aberdare/Merthyr loop.

TfW propose to amend the HL05 service group due to different start and end origins. Consequentially, the re-routing will optimise the rolling stocks traction power. TfW would like to provide a service which will operate more frequent and later into the evening (for example, Penarth service 4 tph will finish at approximately 20:00), therefore TfW would like to request additional access rights specified in the table in question 2.

The 'standard hour' in terms of frequency on any given route is unchanged. There are no uplifts to the standard hour on any flow on the Network Rail network.

The reasons for additional quantum are:

- Currently the standard hour TT thins out from early evening as frequencies reduce. From June the standard hour TT will be maintained for longer into the evening, requiring additional quantum.
- There are a few localised instances where there are currently trains 'missing' from the TT in certain hours because of historic (and now non-existent) freight paths. TfW proposes to fill those gaps to provide a consistent hourly pattern of services.
- Later last trains – Section 4 times are also already fully amended.

### Calling patterns

There are amendments to Table 4.1 (Calling Patterns) to align with the expression of access rights in Table 2.1.

### Amendment to the definition of peak services

There is a change to the definition of 'Peak' services on the HL05 service group to include Cardiff Bay as a location where trains can be counted as "Peak" at the specified times.

Currently trains in HL05 are only counted as "Peak" where they arrive or depart at Cardiff Central in the timeframes specified. No services operating between Cardiff Bay and Cardiff Queen Street call at Cardiff Central.

The definition must be changed as this anomaly would be exacerbated from June 2024 when trains shall run between Cardiff Bay and Pontypridd via Cardiff Queen Street.

Such trains would be regarded as off-peak even when operating in the same timeframe as "Peak" trains in the CVL area.

### Benefits

The main benefits of the proposed changes in this application are:



- Passengers will benefit from the additional service from Barry to Bridgend on Saturday evening, which mirrors the weekday service by providing a safe and reliable route home, later in the evening.
- The changes to table 2.1 in the TAC expressing rights end-to-end will provide clarity to passengers and make the timetable more accessible to read, benefitting passengers.
- Re-routing the start and end origins on HL05 will optimise the rolling stocks traction power. On the CVL network, the OLE system will be compatible with the NR Great Western Electrification, ensuring simple operational and electrical interfaces with the mainline network. The traction power system will be operated from the CVLICC with remote switching and protection provided. Although it should be noted that all CVL electrification works stop well short of each CVL to NR infrastructure boundary and no electrification works will be implemented on the NR retained infrastructure.
- The application enables the introduction of new fleet, which will happen in due course. The rolling stock is: class 756 (tri-mode) and class 398 (battery-electric tram trains). The new fleet will provide a more comfortable and reliable service to the passenger, with added comfort and larger capacity for more passengers.

**4.2 Capacity:** How have you satisfied yourself that there is enough network capacity for the services in the proposal? Please include details on all relevant capacity considerations, including but not limited to track, platform availability, and power supply traction.

While nothing has changed from June 2024, information from the Form P submitted with the (now approved) 19<sup>th</sup> supplemental agreement is given below.

The 'standard hour' in terms of frequency on any given route of this application is unchanged. There are no uplifts to the standard hour on any flow on the Network Rail network.

All the relevant Network Rail teams including capacity planning team and performance have been consulted on the requested amendments during the internal consultation and they have authorised the proposed changes.

The Network Rail capacity planning team has advised that currently the Network Rail network has got the capacity to allocate all proposed in this application services/access rights.

Wales Route recognises the performance challenge, to mitigate the impact on performance, the route has a performance improvement plan in place detailing numerous changes around Cardiff.

Wales Route continues to monitor the performance of these services, and that the mitigations being implemented are successful and impactful.

**4.3 Performance:** What is the impact on network performance? Please outline your assurance process that shows that any performance risk is tolerable in comparison to the benefits of the application. Please explain any risk mitigations. Please attach any associated evidence to support your case.

While nothing has changed from June 2024, information from the Form P submitted with the (now approved) 19<sup>th</sup> supplemental agreement is given below.

To mitigate the impact on performance, Wales Route has a performance improvement plan in place detailing numerous changes around Cardiff, focusing on points hose replacements, critical points, axle counter power card replacements, trespass, and vandalism inspections in these areas.

Performance is consistent at or above target for the CVL, although the partial closure of the network due to Transformation work is a contributing factor.



All concepts of timetable and infrastructure enhancements for CVL are designed to deliver the end state timetable and the June 2024 changes constitute some of these services.

To focus on joint contingency and recovery plans, which will facilitate consistent performance both for the June 2024 and the for the end state timetable NR, TfW and AIW have agreed the Tripartite performance strategy concentrating on the following subjects:

- Embedding of tripartite strategy throughout the network.
- Monitoring of performance trends in real time (to include identifying areas of focus from the lesser impacting categories).
- Continued delivery of revised JPIC structure (to include frontline engagement and understanding of targets).
- Route to route working (improved working between Wales, North West & Central Routes).
- Ongoing delivery of OTT3. Localised working groups (focusing on performance improvement).
- Reduce external delay. Fatalities & trespass (refer to Route Crime Delay Strategy).
- Incident learning reviews of major/significant Incidents (>500 minutes).
- Improved service recovery & contingency Planning – Wales Route Control.
- Improve Wales route PIMS maturity.
- On Time off Depot.

A key workstream relating to Cardiff Central Operations has been implemented by Wales Route, this focuses on train dispatch, permissive working, and station communications. There is a newly introduced Pilning to Swansea taskforce which is connecting several performance improvement initiatives from across the business to make this route more resilient to future timetable change. This group is linking together subject matter experts from asset management, maintenance and timetabling amongst others to deal with current performance issues along the SWM2 and future performance risks.

Improvement plans for Network Management/Other, Non-Track Assets & External are focusing on the following:

- External Performance
  - Trespass
  - Flooding
  - De-vegetation
- Other Performance
  - Previously unassessed structures are now fully assessed, and remediation works conducted or planned where required.  
Signalling equipment is being renewed as part of the transformation programme, improving reliability.
  - Previously poor performing assets such as Token Systems are being removed and replaced with more reliable and efficient equipment.
  - DRS integration at the ICC - this replaced ARS for the CVL reducing the signaller workload.
  - DCR (Dynamic Conflict Resolution) is planned for the next financial year, DCR will form traffic management whilst allowing signallers to see 30mins in advance.
  - Remote condition monitors installed across various assets improving asset condition visibility - Rail temps, points heating etc.
  - Introduction of dedicated flight engineers that can assess and identify failure risk prior to asset failure (Point systems etc), FE also support with incident remediation and can potentially identify the root cause of the failure prior to response teams arriving to site.
  - Cabling renewal, previously plug coupled cable is being replaced with a more reliable alternative.
  - TSR's are reviewed frequently and assessed for improvement - i.e., increase speeds, reduce TSR etc.
  - Incident learning reviews are frequently conducted, and incidents assessed for improvement.
  - OTT3 working group is focused on operational level improvements.

- Tripartite Strategy working collaboratively with NR and TFW to improve OTT3 measures.

Performance of the services once the timetable has started shall be monitored. Further details of performance risks/concerns and mitigations are detailed in the later sections and in Appendix 3 of this application.

**4.4 Maintenance and renewals:** Are there any implications for the facility owner's maintenance and renewal activities?

None.

## 5. The expression of access rights

**5.1 Changes to rights:** please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please attach a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

The changes to access rights in this proposal are the combined changes to access rights in Service Group HL05 (Cardiff Valleys and Local Services) made through two earlier supplemental agreements:

- 19<sup>th</sup> supplemental agreement, approved by ORR on 18 March 2024 (with the caveat that ORR's usual policy of a strong presumption of the continuation of existing rights will not apply for additional service group HL05 rights beyond the expiry of the contract on 1 August 2025).
- 24<sup>th</sup> supplemental agreement, a 'washup' to the 19<sup>th</sup> to amend several access rights to align with Freight Train Slots, which is due to be informally submitted to ORR and where TfW Rail expects ORR to apply the same caveat as for the 19<sup>th</sup> supplemental agreement.

The changes to access rights approved in the 19<sup>th</sup> supplemental agreement, which are sought again for May 2025, are set out below.

IM	Day	Access right	Dec-23	Requested quantum	Difference
Network Rail	Weekday	Cardiff Central To Barry Island	44	45	1
Network Rail	Weekday	From Barry Island to Cardiff Central	44	45	1
Network Rail	Saturday	Cardiff Central To Barry Island	45	45	0
Network Rail	Saturday	From Barry Island to Cardiff Central	45	45	0
Network Rail	Weekday	Cardiff Central To Barry	63	63	0
Network Rail	Weekday	From Barry to Cardiff Central	64	63	-1
Network Rail	Saturday	From Cardiff Central To Barry	62	63	1
Network Rail	Saturday	From Barry to Cardiff Central	63	63	0
Network Rail	Weekday	From Cardiff Central To Penarth	56	61	5
Network Rail	Weekday	From Penarth to Cardiff Central	56	61	5
Network Rail	Saturday	From Cardiff Central To Penarth	58	61	3
Network Rail	Saturday	From Penarth to Cardiff Central	58	61	3
Network Rail	Weekday	East Boundary-Central	183	181 (Mon-Thu)192 (Fri)	-2 (Mon-Thu)9 (Fri)
Network Rail	Weekday	Central-East Boundary	183	172 (Mon-Thu)183 (Fri)	-11 (Mon-Thu)0 (Fri)
Network Rail	Saturday	East Boundary-Central	182	190	8
Network Rail	Saturday	Central-East Boundary	180	190	10
Network Rail	Weekday	West Boundary-Central	29	34	5
Network Rail	Weekday	Central-West Boundary	29	33	4
Network Rail	Saturday	West Boundary-Central	29	34	5
Network Rail	Saturday	Central-West Boundary	29	32	3
Network Rail	Sunday	Cardiff Central To Barry Island	24 winter / 30 summer	29	5 (winter time only)
Network Rail	Sunday	From Barry Island to Cardiff Central	24 winter / 30 summer	30	6 (winter time only)
Network Rail	Sunday	From Cardiff Central To Barry	32 winter/38 in summer	37	5 (winter time only)
Network Rail	Sunday	From Barry to Cardiff Central	32 winter/38 in summer	38	6 (winter time only)
Network Rail	Sunday	From Cardiff Central To Penarth	8	13	5
Network Rail	Sunday	From Penarth to Cardiff Central	8	13	5
Network Rail	Sunday	East Boundary-Central	56	63	7
Network Rail	Sunday	Central-East Boundary	57	66	9

IM	Day	Access right	Dec-23	Requested quantum	Difference
Network Rail	Weekday	Cardiff Central To Barry Island	44	45	1
Network Rail	Weekday	From Barry Island to Cardiff Central	44	45	1
Network Rail	Saturday	Cardiff Central To Barry Island	45	45	0
Network Rail	Saturday	From Barry Island to Cardiff Central	45	45	0
Network Rail	Weekday	Cardiff Central To Barry	63	63	0
Network Rail	Weekday	From Barry to Cardiff Central	64	63	-1
Network Rail	Saturday	From Cardiff Central To Barry	62	63	1
Network Rail	Saturday	From Barry to Cardiff Central	63	63	0
Network Rail	Weekday	From Cardiff Central To Penarth	56	61	5
Network Rail	Weekday	From Penarth to Cardiff Central	56	61	5
Network Rail	Saturday	From Cardiff Central To Penarth	58	61	3
Network Rail	Saturday	From Penarth to Cardiff Central	58	61	3
Network Rail	Weekday	East Boundary-Central	183	181 (Mon-Thu)192 (Fri)	-2 (Mon-Thu)9 (Fri)
Network Rail	Weekday	Central-East Boundary	183	172 (Mon-Thu)183 (Fri)	-11 (Mon-Thu)0 (Fri)
Network Rail	Saturday	East Boundary-Central	182	190	8
Network Rail	Saturday	Central-East Boundary	180	190	10
Network Rail	Weekday	West Boundary-Central	29	34	5
Network Rail	Weekday	Central-West Boundary	29	33	4
Network Rail	Saturday	West Boundary-Central	29	34	5
Network Rail	Saturday	Central-West Boundary	29	32	3
Network Rail	Sunday	Cardiff Central To Barry Island	24 winter / 30 summer	29	5 (winter time only)
Network Rail	Sunday	From Barry Island to Cardiff Central	24 winter / 30 summer	30	6 (winter time only)
Network Rail	Sunday	From Cardiff Central To Barry	32 winter/38 in summer	37	5 (winter time only)
Network Rail	Sunday	From Barry to Cardiff Central	32 winter/38 in summer	38	6 (winter time only)
Network Rail	Sunday	From Cardiff Central To Penarth	8	13	5
Network Rail	Sunday	From Penarth to Cardiff Central	8	13	5
Network Rail	Sunday	East Boundary-Central	56	63	7
Network Rail	Sunday	Central-East Boundary	57	66	9

The changes sought in the 24<sup>th</sup> supplemental agreement (the 'washup' to the 19<sup>th</sup> supplemental agreement, to be informally submitted to ORR shortly), and which are sought again for May 2025, are set out below. This builds on the above.

Service group: HL05						Passenger Train Slots							
Service Description: Valley Lines and Cardiff Local Services						OFFICIAL Total Weekday	Peak Times		Off-peak times	Total Saturday	Saturday		Sunday
From	To	Via	Description	TSC	Timing Load		Morning Peak	Evening Peak			Peak	Off-peak	
Cardiff Central	Cardiff East Boundary	-	5.1.3	25445000	150	<del>63</del>	0	0	<del>63</del>	<del>42</del>	<del>01</del>	1	0
Cardiff Central	Penarth	Grangetown	5.1.4	25443000	150	7 (Mon-Thu) 2 (Fri)	0	0	7 (Mon-Thu) 2 (Fri)	2	0	2	0
Cardiff East Boundary	Penarth	Grangetown	5.1.5	25443000 / 25445000	150	29 (Mon-Thu) 24 (Fri)	5	5	19 (Mon-Thu) 14 (Fri)	33	16	17	0
Cardiff East Boundary	Penarth	Grangetown	5.1.6	25443000 / 25448000	150	<del>25</del> 24 (Mon-Thu) <del>25</del> 25 (Fri)	5	5	<del>15</del> 14 (Mon-Thu) <del>15</del> 15 (Fri)	25	<del>15</del> 15	<del>10</del> 10	0
Cardiff East Boundary	Penarth	Grangetown	5.1.7	25447000 / 25443000	150	0	0	0	0	0	0	0	13
Cardiff East Boundary	Penarth	Grangetown	5.1.8	25448000 / 25447000	150	0	0	0	0	1	0	1	0
Penarth	Cardiff Central	Grangetown	5.1.9	25443000	150	<del>0</del> 11 (Mon-Thu) <del>46</del> 46 (Fri)	<del>01</del>	0	<del>0</del> 10 (Mon-Thu) <del>45</del> 45 (Fri)	<del>46</del>	<del>01</del>	<del>45</del> 45	1
Penarth	Cardiff East Boundary	Grangetown	5.1.10	25443000 / 25445000	150	<del>28</del> 27 (Mon-Thu) <del>33</del> 31 (Fri)	5	5	<del>17</del> 17 (Mon-Thu) <del>21</del> 21 (Fri)	<del>32</del>	<del>15</del> 15	17	0
Penarth	Cardiff East Boundary	Grangetown	5.1.11	25443000 / 25447000	150	0	0	0	0	0	0	0	12
Penarth	Cardiff East Boundary	Grangetown	5.1.12	25443000 / 25448000	150	24	4	5	15	24	16	8	0
Barry	Cardiff Central	Cogan	5.2.8	25442000	150	4	0	0	4	2	0	2	8
Barry	Cardiff East Boundary	Cogan	5.2.9	25442000 / 25448000	150	14	3	2	9	16	8	8	0
Barry Island	Cardiff Central	Cogan	5.2.10	25442000	150	6	0	0	6	3	0	3	8

Together, the changes in the 19<sup>th</sup> and the 24<sup>th</sup> supplementals are requested again in this application.

**5.2 Flexing rights:** Please explain any limitations on the facility owner's flexing rights in the proposal and the rationale for such limitations.

N/A

**5.3 Specified equipment:** Please explain any changes to specified equipment (rolling stock). Has the vehicle and route acceptance procedure in the Network Code (Part F) has been completed? Please explain whether you have, or will have, the rolling stock necessary to exercise the rights.

changes are being made to existing rolling stock. This application does not depend on the new rolling stock.

Cardiff Valleys service will utilise two fleet types: 756 (tri-mode) and 398 (battery-electric tram-trains):

- In due course 756s will operate between Rhymney/Coryton on the CVL Network and Penarth/Barry Island/Bridgend (via the Vale of Glamorgan (VOG) Line) on Network Rail's Network. They will use overhead wires (OLE) on the CVL Network and battery power (charged as necessary by an onboard diesel generator) on Network Rail's network. From June 2024, only 150s will work between Rhymney and Bridgend via the VOG. This is because only Cardiff Mainline traincrew completed training to work on the VOG (not Cardiff Valleys traincrew) and they will not be trained on 756s until after Cardiff Valleys traincrew are trained, which is currently due for autumn 2025.

398s will operate between Treherbert/Aberdare/Merthyr and Cardiff Central, via both Cardiff Queen Street and the City Line (between Cardiff Central and Radyr). Because of their limited battery range away from the OLE, they will operate on services on a 'loop' via the non-electrified lines on Network Rail's infrastructure through Cardiff – starting at Aberdare or Merthyr and running via Cardiff Queen Street, Cardiff Central and the City Line in one direction and the City Line, Cardiff Central and Cardiff Queen Street in the other direction.

**5.4 Contractual obligations:** Are the proposed services necessary to fulfil obligations under a public service contract? For publicly contracted operators seeking additional access rights, we will expect to see evidence of funder support for the specific rights and of operators' intent and ability to operate the new services.

TfW Rail is required by the Welsh Ministers to provide these services.

**5.5 Public funding:** Other than the DfT, Welsh Government or Transport Scotland, are the proposed services subject to financial support from central or local government including PTEs. If so, please give details.

None.

**5.6 Long Term Planning Process:** Is the Long Term Planning Process (or similar devolved authority or regional service delivery project) relevant to this application? If so, please explain how the proposed rights are consistent or inconsistent with this.

As part of the new Wales & Borders rail concession awarded by Transport for Wales in 2018, commitment was made to a series of passenger service improvements across the Wales & Borders network.

**6. Competing passenger services:**

We would expect to apply the 'not primarily abstractive' test to:

- (i) a new open access service which would compete with franchised services and so impact on the public sector funder's budget;
- (ii) a new franchised service which would compete with an existing franchised service, where we would expect to focus the test on areas where the competing franchised services are operated on behalf of different funders or where for some other reason there are particular concerns over the impact on a funder's budget; and
- (iii) a new service, which might be open access or franchised, which would compete with an existing open access service and which, if it caused the existing open access operator to withdraw from the market, could reduce overall competition on the network.

**6.1** Please state if your application is for a competing passenger service, and if so please describe the nature of the competition:

TfW Rail has submitted this application directly to ORR in accordance with ORR's letter to industry of 24<sup>th</sup> April 2024. ORR requires operators to submit applications for all relevant changes to access rights (which is those access rights requiring capacity in certain locations) to apply from the December 2024, May 2025 and December 2025 Timetable Change Dates. This application meets these criteria as it includes changes to access rights in locations specified by ORR.

**6.2** For competing services, please also confirm that you have attached as part of your submission to ORR the following:

- Business plan, including details of:
  - forecasts of passenger traffic and revenues, including forecast methodology;
  - pricing strategies;
  - ticketing arrangements;
  - rolling stock specifications (e.g. load factor, number of seats, wagon configuration);
  - marketing strategy;
  - estimated elasticities of the services (e.g. price elasticity, elasticity with respect to quality characteristics of the services).
- Demand forecasting (including associated spreadsheet models) demonstrating modelled generation : abstraction ratio.
- Indicative timetables, including associated .spg files

## 7. Incentives

**7.1 Train operator performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving operator performance.

The timetable that is supported by these access rights is being introduced in June 2024

**7.2 Facility owner performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

The timetable that is supported by these access rights is being introduced in June 2024.

**7.3 Monitoring of services:** Will all proposed services be monitored for performance throughout their journey? If not, please explain.



Yes, the proposed services will be monitored for performance throughout their journey.

**7.4 Performance regime changes (for applications under sections 17 or 22A only):** where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed.

N/A

## 8. Enhancement

**8.1 Enhancement details:** where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

No network enhancements are required to deliver the proposed timetable.

**8.2 Enhancement charges:** please confirm that the arrangements for the funding of any network enhancements are consistent with the [investment framework](#), and summarise the level and duration of payments, and the assumed rate of return.

N/A

## 9. Other

**9.1 Associated applications to ORR:** please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). Where the application is being made in parallel with any other application from the same operator, please ensure the applications are consistent with one another. Where the application relies on another operator relinquishing access rights, please provide evidence that this process has been completed.

N/A

**9.2 Side letters and collateral agreements:** please confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

I can confirm that the whole of the proposal has been submitted with this application and that there are no side letters or other documents which affect it.

**9.3 Confidential redactions:** please list any information that you have redacted from any documentation sent to consultees. If there has been no pre-application consultation, please list any information you want us to exclude from publication. Please provide full reasons for any redactions.

TfW Rail has no requirement to redact any content of this application and appendices prior to consultation.





Network Rail
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List all consultees who responded and include their responses and any associated documentation or correspondence between the parties.

Rob Holder	GWR
Andy Doyle/Sue Rhymes	Avanti West Coast
Quentin Hedderly	DB Cargo
Martin Clarke	Transport Focus
Chris Matthews	Freightliner

Responses are summarised in the attached Network Rail spreadsheet and provided in full in the attached emails.

**10.2 Resolved issues:** please explain any issues raised by consultees which have been resolved.

GWR – request for details of Network Rail’s capacity concerns raised in response to this application. Awaiting Network Rail analysis, but resolved as GWR has not objected.  
 GWR – question about ‘through’ access rights theoretically fixing paths either side of a node. Resolved.  
 Freightliner – Objection. Do not understand how TfWRL aspirations align with those of Freightliner. Awaiting Network Rail analysis. Unresolved.

**10.3 Unresolved issues:** Please explain any issues raised by consultees which have **not** been satisfactorily resolved and why you think these issues should not stop ORR approving the application.

Freightliner – Objection. Do not understand how TfWRL aspirations align with those of Freightliner. Awaiting Network Rail analysis. TfWRL cannot do anything further to assist Freightliner as it is dependent on Network Rail’s analysis being completed and shared with Freightliner. No information provided by Freightliner about specific access rights or Train Slots so nothing for TfWRL to look into.

**10.4 Subsequent Changes:** Have any changes been made to the proposal following consultation?

No.

**11. Certification**

*Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution.*

**For agreed applications under section 18 or 22, Network Rail should complete the information below. For disputed applications under section 17 or 22A, the beneficiary should complete it.**

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed Chris Dellard

Date 20 May 2024

Name (in caps) CHRIS DELLARD

Job title Head of Access Planning

For (company) Transport for Wales Rail Ltd

**12. Submission**

**12.1 What to send:** please supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form by e-mail, **in plain Microsoft Word or Open Document Text format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting).

**12.2 Where to send it:**

Email: [REDACTED]