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By email only

28 March 2025

Dear Emyl,

Network Rail Infrastructure Limited Representations for a New Track Access Contract submitted under Section 17 of the Railways Act 1993 between Network Rail Infrastructure Limited and Alliance Rail Limited

This letter provides the final representations of Network Rail for a new Track Access Contract (TAC) submitted under Section 17 of the Railways Act 1993 between Network Rail Infrastructure Limited (we) and Alliance Rail Limited (Alliance Rail). These representations are final and follow the representations submitted by Network Rail for this application on 28 June 2024.

Alliance Rail aspire to run five trains per day in each direction between Cardiff Central and Edinburgh Waverley from the Principal Change Date (PCD) in 2025 to the Principal Change Date in 2032 in this application.

The application was submitted to the Office of Rail and Road (ORR) on 02 October 2023, which included the submission of the Form P and a draft Track Access Contract. We commissioned our own capacity assessment, which concluded on 09 May 2024. The capacity work that is part of the Complex and Competing Applications workstream continues as per our high-level plan which we published on 05 June 2024 and August 2024, but has relevant outputs included in this representation.

Where there are a number of applications seeking capacity at the locations referred to in this letter, and as detailed in Appendix 3, the basis of our support of applications either in total, or in part (as can be determined by reading the relevant representations), may have a connection to our position on all other applications at that location. You may wish to wait for final representations on related applications and the information provided therein prior to making your decision.

We cannot support this application. Our rationale for not supporting this application is explained in the

following sections of this letter.

Form P Application

We will expect Alliance Rail to have the necessary licences and safety certificates in place prior to running their services, should the application be approved.¹

Track Access Contract

Network Rail acknowledges the TAC that Alliance Rail have included with their application. As we do not support this application, we cannot agree with the terms drafted in the TAC. We shared our key findings on the submitted TAC in our previous letter of representations of 28 June 2024.

Acknowledging that this contract was drafted some time ago, we would like to highlight that the TAC would need to be in line with the latest version of the model Open Access track access contract published in March 2024 following the Periodic Review 2023.

The Specified Equipment

We would like to highlight to ORR that there have been numerous applications both directed by ORR or currently being considered by ORR which state the intention to use either Class 221s or Class 222s. ORR should consider whether there is enough rolling stock availability for any application directed in support of the requested access rights.

Timetable Capacity

Alliance Rail did not submit an Advance Notice of Timetable Change for PCD 2025 and confirmed during a Train Planning Forum in Wales and Borders on 19 November 2024 that, if approved, they would be looking to start running their services in the Subsidiary Change Date (SCD) in 2026. Should ORR accept a postponed start date, we would ask for an updated application to be shared with us.

Analysis Prior to the Complex and Competing Applications Workstream

Network Rail completed a joint analysis with Alliance Rail between January and April 2024 - prior to the beginning of the Complex and Competing Applications workstream. Key findings of this assessment are included below and further details of the Joint Analysis have been shared in Appendix 1.

Analysis was completed on Monday-to-Friday (SX) services against a base of the June 2024 timetable, combined with the development timetables of the (at the time) not-yet implemented Wales and Borders Event Steering Group (ESG) and East Coast Main Line (ECML). This analysis concluded the following findings:

- The analysis found that during the remitted assessment timeline, timetable capacity for Alliance Rail's current proposed paths could not be found because they are not conflict-free against the base timetables.

¹ Alliance Rail Limited, *Application to the Office of Rail and Road for a Passenger Track Access Contract, or an Amendment to an Existing Application*, 13 October 2023 (industry consultation), p. 4.

- 110 conflicts remained across the aspired paths at completion of the analysis; all assessed paths remained non-compliant. 218 changes were required to other paths to achieve this conflict level.
- Key locations used by the proposed route perform poorly in existing timetables and there were unresolved conflicts between the base timetables and the proposed Alliance paths. This evidences a lack of capacity and demonstrates both the performance risk of Alliance services which may be affected by reactionary delay, but also risk Alliance paths causing reactionary delay further along the route and transporting performance degradation across the network.
- Cardiff and Edinburgh platforming was considered but not fully validated as unit diagrams were not provided for assessment.

More details are given in the findings section of the attached note, both for each relevant Alliance schedule and at key locations. Locations identified as significant for this work, both in terms of presenting significant constraints and for the number of unresolved conflicts, are Cardiff Central, Gloucester, Cheltenham, Birmingham New Street, Water Orton, Sheffield, York and Edinburgh. All but Cheltenham were interacting locations identified in ORR's letter to the Industry dated 24 April 2024.

For most calling locations a 5-car formation of 117 metres does not present an issue for the lengths of the available platforms, with the exception of Cardiff platform 0. Severn Tunnel Junction platform 1 would also become too short which significantly reduces platform options.

Conflicts with three strategic capacity paths could not be resolved, meaning a decision to trade-off future capacity most likely provisioned for freight services would need to be made if seeking to include Alliance Rail in a future timetable.

There is a future network change at Darlington, expected to be commissioned for September 2025, before the Alliance Rail's expected service introduction in December 2025. This is anticipated to have a positive impact on the 7 potential conflicts with Alliance Rail services here, however this change would not result in any of the SX Alliance Rail services being identified as conflict free end-to-end.

To achieve the conflict level identified following the completion of this analysis a total of 218 other schedules would have to be amended across all three databases – all paths remained non-compliant. A summary of the number of each type of schedule changes is shown in Figure 2.

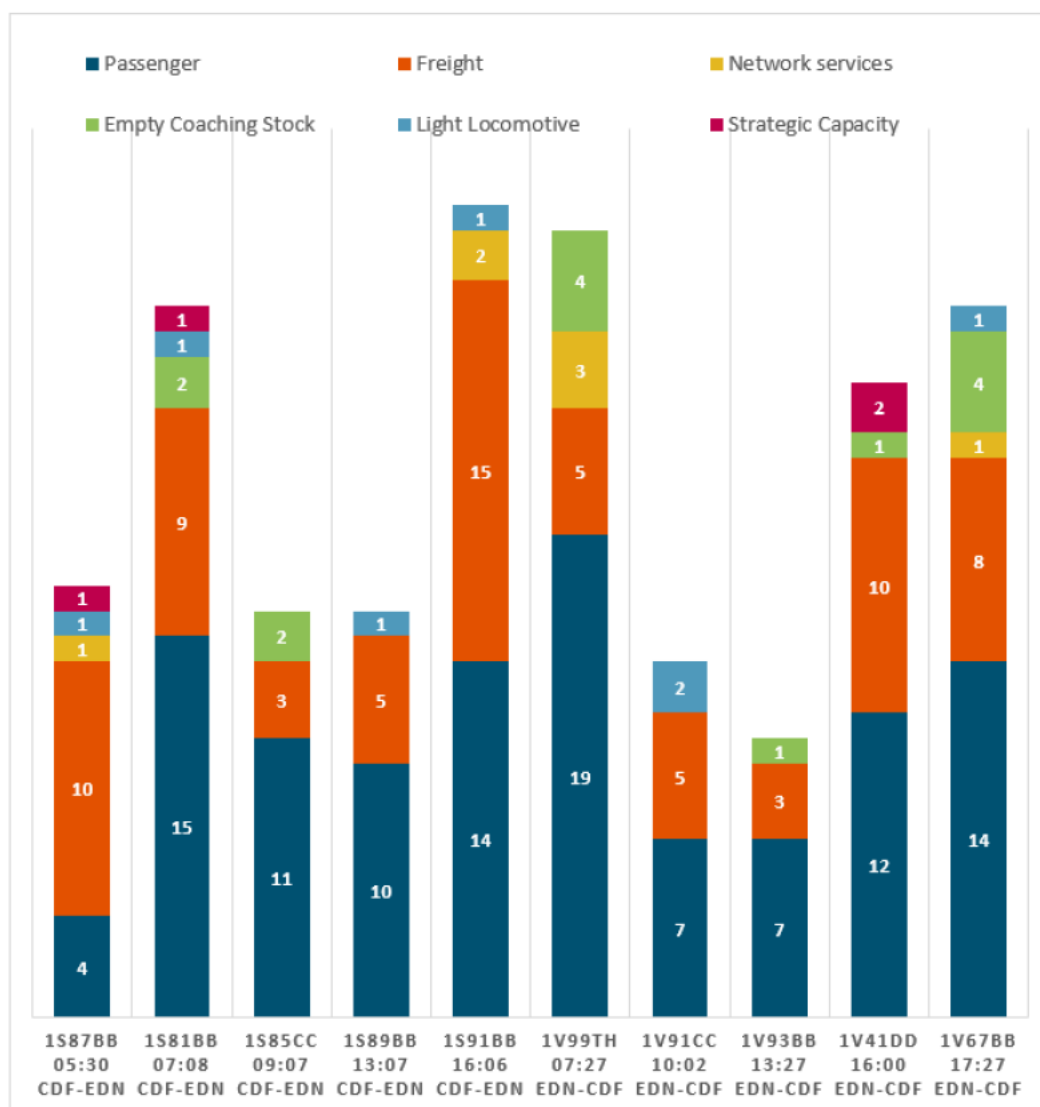


Figure 2: Overview of changed schedules by type, per Alliance schedule

Full unit diagram information at the two terminal stations (Edinburgh and Cardiff Central) was not provided, however arrival and departure times of the schedules would require all or most of these services to be formed from Empty Coaching Stock (ECS) moves from either depot or sidings (and vice versa).

Complex and Competing Applications

Network Rail has continued to assess the Alliance Rail applications in line with the High-Level Plan for Complex and Competing Applications. This analysis has re-iterated the conclusions of the previous analysis - a significant number of conflicts identified for Alliance Rail remain unresolvable through this process.

Currently, Alliance Rail's aspired paths present unresolvable conflicts against 123 schedules when reviewed with the base timetable (May 2025) and against 2 indicative schedules for the Paddington to Carmarthen rights already awarded to First Rail Wales & Western. Additionally, there are unresolvable conflicts between Alliance Rail's aspirations and more than 200 services aligned to the below unsupported applications. This means that trade-off decisions would be required to support either an Alliance Rail aspiration or multiple other operator aspirations.

CrossCountry 38 th
DB Cargo 71 st
DB Cargo 79 th
DB Cargo 81 st
DB Cargo 87 th
Direct Rail Services 17 th
Freightliner Heavy Haul 25 th
Freightliner Heavy Haul 26 th
Freightliner Heavy Haul 27 th
Freightliner Intermodal 26 th
GB Railfreight 25 th
GB Railfreight 34 th
Grand Central 28 th
Great Western Railway 202 nd
London North Eastern Railway 34 th
Northern 59 th
Northern 60 th
Scotrail 51 st
Transport for Wales 28 th
Transport for Wales 31 st
Transport for Wales 32 nd
TransPennine Express 65 th
Varamis 2 nd
West Midlands Trains 22 nd
West Midlands Trains 30 th

Performance

Performance data and commentary relevant to Cardiff Central, Newport, Gloucester, Birmingham New Street, Derby and Sheffield can be found in Appendix 2. This evidence demonstrates that performance is an existing challenge in these locations prior to the inclusion of Alliance Rail. Alliance Rail services would travel through multiple areas of current poor performance increasing the risk of transporting delay across the network.

A performance assessment for the North of England was included in the 'General Representation on Complex and/or Competing Applications Interacting on Location ECML Kings Cross - Edinburgh and Leeds' (Annex L), provided by Network Rail to ORR on 14 March 2024. The assessment identifies York station as a critical point on the network that contributes to the delivery of high performance outcomes across both the East Coast Mainline and cross-Pennines / services towards Birmingham. Data shows that during the current December 2024 timetable long distance services are causing congestion and further delays to other services at York. Furthermore, the final round of ECML timetable performance modelling saw On Time punctuality drop at York by 4.4 percentage points. Any quantum of services above that included in the ECML ESG quantum would further increase the pressure that York station is under and will further undermine the successful delivery of performance outcomes in the future. Alliance Rail services were not included in the ECML ESG performance modelling.

Noting that ORR requested performance improvement plans from Wales & Western and Eastern Regions, Alliance Rail's aspirations would be additional to the quantum that has previously run in all

these locations indicated above and therefore they are likely to deteriorate performance and reduce resilience. Performance risks would be carried across multiple Routes and Regions.²

Eastern

Network Rail can confirm that this application is seeking the proposed access rights at the interacting location ECML: Kings Cross – Edinburgh and Leeds and therefore the General Representation to ORR on the ECML dated 14 March 2025 is relevant to this application.

We shared our 'General Representation on Complex and/or Competing Applications interacting on Location ECML Kings Cross - Edinburgh and Leeds' on 14 March 2024. Alliance Rail's track access application has been mentioned in the annexes of that letter, given that it contains access rights pertaining to the ECML. The considerations made in the letter and its annexes are relevant for Alliance Rail and we would ask ORR to take them into account when assessing Alliance Rail's proposal.

Section 11 ('ECML Power Supply Modelling') of the letter as well as Annex L ('Timetable Performance Analysis') and Annex M ('Eastern Region ESG Timetable & Train Operator Aspirations Traction Power Summary Report') are particularly relevant for Alliance Rail, given that their quantum would introduce additional traffic and they indicated in their Form P that they may use electric traction in the future. Performance challenges in the North of England and at York should also be considered.³

Congested Infrastructure

As stated in the ECML General Representation letter dated 14 March (paragraph 6) Network Rail has declared Congested Infrastructure for the December 2025 New Working Timetable for three lines of route on the ECML.⁴

One line of route that this application is proposing access rights for is:

- Between Northallerton Longlands Jn and Newcastle King Edward Bridge South via ECML

ECML Power Supply Modelling

Network Rail can confirm that this application directly relates to paragraph 11 of Network Rail's General Representation to ORR on the ECML dated 14 March 2025 and is included in the power modelling report which is an Annex (Annex M) to the 14 March 2025 General Representation.

ECML Proposed December 2025 Timetable

As referred to in the ECML General representation letter dated 14 March 2025, in February 2024 the ESG closed following an ECML Programme Board endorsement on 17 January 2024 to deploy the new ECML Timetable in December 2024, subject to the outputs of the completed performance modelling.

² For example, Alliance Rail's services would operate over the East Coast which has shown a performance detriment from the ESG. The detriment would be worse with the inclusion of additional trains, given that resilience would be reduced if capacity is utilised by a cross-border service.

³ Network Rail, *Network Rail General Representation on Complex and/or Competing Applications interacting on Location ECML Kings Cross - Edinburgh and Leeds*, Annex L, 14 March 2025.

⁴ For more information on the ECML Policy and the ECML Timetable Development, please see Section 4 of *Network Rail General Representation on Complex and/or Competing Applications interacting on Location ECML Kings Cross - Edinburgh and Leeds*.

At the point in time of ORR's letter to the Industry on 24 April 2024, the Department for Transport (DfT) had accepted a recommendation from the Industry Timetable Assurance Project Management Office (PMO) to funders that the ECML ESG Timetable should be deferred from the December 2024 timetable change.

An ECML Industry Task Force (herein referred to as "the Task Force") commenced in June 2024 as an independently led executive-level cross-industry meeting that provides strategic direction for the work programme. The Task Force develops solutions to the problems of the new ECML Timetable, drives consensus on the outcome(s), and delivers recommendations for industry funders and specifiers.

On 17 October 2024 the Independent Chair of the Task Force wrote to the DfT to advise that the Task Force met on 10 October 2024, reviewed the considerations, issues, and risks, and recommended proceeding with implementation of the new timetable for ECML in December 2025. This was on the basis that the timetable is deliverable and meets the Task Force objectives that were set. Concerns were noted from GB Railfreight (representing themselves and other Freight Operating Companies), ScotRail and Transport Scotland. The Task Force recommendation was accepted by the DfT and subsequently endorsed by the Secretary of State in December 2024.

The Task Force had worked collaboratively up to 31 January 2025 to further de-risk the transition of the ECML ESG timetable from development to timetable production.

Advanced work completed by Network Rail Capacity Planning, to inform the December 2025 timetable risk, involved aligning cross boundary paths in the ECML ESG developed timetable with the latest developments in the wider National Working Timetable (WTT) and associated Rolling Spot Bids (RSB). This process has highlighted that, despite previous timetable development work, the national freight and passenger timetable has evolved and this work has been necessary to reduce the risk that capacity decisions may need to be made during the timetable production period between D-40 to D-26.

Therefore, where in this letter and in the ECML General Representation letter we have referred to the proposed ECML December 2025 Timetable, we are referring to the timetable work above namely, either full or in part, the:

- timetable which was developed by the ECML ESG and later deferred in April 2024;
- Timetable where solutions were developed to the problems of the ECML Timetable as part of the Task Force;
- Advanced Timetable Work (undertaken between April and October 2024) to de-risk the transition of the ECML ESG timetable from development to timetable production; and
- Advanced work to inform timetable risk including aligning cross boundary paths in the ECML ESG developed timetable with the latest developments in the wider National Working Timetable and associated Rolling Spot Bids.

So where Network Rail highlight in this representation and the ECML General Representation letter (in the relevant annexes to that letter) whether the access rights sought on ECML in each application are as Network Rail expects in the proposed ECML December 2025 Timetable, we are referring to whether the access rights align to the above Timetable work.

Network Rail can confirm Alliance Rail's application was not as we expected for the proposed ECML December 2025 Timetable as it was not included in any of the Timetable work referred to above.

Capacity

The ECML December 2025 specification developed by the ECML ESG and subsequent ECML Industry Task Force took a holistic view of capacity and performance whilst considering service specifications, service aspirations and journey time outputs from ECML ESG and Task Force members. ORR in awarding the capacity to one of the operators identified as interacting within Appendix 3, in line with the proposed ECML December 2025 specification, would be allocating a proportion of the capacity that could otherwise be available to other Operators' applications, or elements of applications, which were not included in the ESG specification and that have additional capacity requests at that location.

In the case of any application that is related to the proposed ECML December 2025 Timetable, which was developed, modelled and recommended for progression into the development period - the most applicable alternative option, if the rights sought were not directed, in full or part, would be to allocate capacity to an Operator who has aspirations for an access right with similar characteristics, i.e. Long Distance High Speed services. Consequentially, ORR may wish to consider the impact on the forecast operation and performance of the Timetable and the basis on which The Taskforce recommended the timetable for implementation and the modelling undertaken to assure it.

Level Crossings

The Alliance application triggers the level crossing barrier down time threshold which is 35 to 45 minutes in the hour at Holmes and Denaby level crossings. Network Rail's level crossing team cannot support this increase (on top of the ESG timetable) and further investigation would be needed to look at any options to mitigate if ORR directed rights.

North West & Central

We have not been able to determine possible rescue options in North West and Central and we are concerned about Alliance Rail's Sectional Running Times on either side of Birmingham New Street and Proof House carrying additional performance risks.

Wales & Western

Cardiff Central

Network Rail identified a piece of work on Cardiff Central as a priority strategic planning workstream for Control Period (CP) 6 due to the large number of commitments and aspirations from different stakeholders for the immediate Cardiff area and we wanted to have a holistic view of the impact of these. The Sprint Phase was an addition to help support some of the immediate concerns around performance at Cardiff and paves the way for the medium- and long-term review.

We continue to work with a wide range of stakeholders which does include Train Operating Companies (TOCs), Freight Operating Companies (FOCs), Local Authorities and Welsh Government and varying aspirations, all at various stages in the funding lifecycle, will be used to test capacity trade-offs in several Indicative Train Service Specifications (ITSS) in the second and third phases of the study. As part of the preparatory work for these phases, a number of meetings have already been held with operators and TfWRL has already been a part of those conversations.

The Sprint Phase outputs will be shared by the end of the financial year and will include a review of analysis from Network Rail's Advanced Timetable Team (ATT) which will begin following the outputs from the Performance Board on 04 December. A stakeholder session was arranged for 05 February with a vast range of stakeholders invited (c. 50) and an update will be provided on some of the short-term performance assessments as well as an overview of each ITSS to be tested.

The Economic Analysis remit is currently being finalised and analysis of each ITSS will take place following the completion of the ATT analysis for each ITSS. The analysis will vary depending on which ITSS is being tested and how much development the individual aspirations have had.

The next steps are as follows (all dates are indicative):

- Develop ITSS phases: complete – agreed during stakeholder forum on 05 February. For context, there are five phases as part of the ITSS featuring infrastructure changes and service enhancements from across the industry, ranging from committed through to aspirant.
- Summary Report (Short-term work): March 2025
- Capacity analysis of ITSS all phases completed: July 2025
- Final Report: January 2026

Further stakeholder forums to be arranged in mid-2025 and end of 2025.

We expect that the Cardiff Central workstream will not improve outcomes for Alliance Rail, given the existing capacity and performance constraints for their proposed paths.

Gloucester

The Gloucester area is highly constrained, and any application for this area also needs consideration of services via Cheltenham which bypass it but interact with the wider Gloucester area. Service levels are limited by the complex interacting crossing movements at Gloucester Yard Junction, Gloucester Barnwood Junction, Gloucester station area and the shunt moves required at Cheltenham for services terminating there. The long-distance nature of many of the passenger and freight services in this area further restrict flexibility due to the need to align with paths through Bristol, South Wales and the West Midlands.

To assist in informing on capacity, Network Rail have assessed the number of conflicting moves between the December 2024 timetable and the assessment database being used to complete timetable capacity analysis to support the Complex/Competing Rights workstream. The exercise demonstrates:

- A slight increase in potentially conflicting moves at Gloucester Yard Junction
- More significant increase of 11% at Barnwood Junction and 7% at Horton Road Junction
- Increase in movements across Horton Road level crossing would also be a concern (currently c. 330 per day)

Comparison of Gloucester area conflicting movements

	December 2024	With IR applications
Barnwood Jn Down Main towards Gloucester	91	101
Gloucester Yard Jn Up Main from Gloucester	60	61
Horton Road Jn from Barnwood Jn and towards Gloucester Yard Jn	151	162

In addition to the conflicting routeings referred above, there are many other constraints in the Gloucester area:

- Restricted routing of services at the east end of the station results in conflicts when platform 1 is occupied (Figure 1)
- Platform length limitations affect platforming of longer Intercity Express Train (IET) formations
- Services terminating and shunting at Cheltenham Spa restrict capacity to / from the West Midlands
- Severn Tunnel Junction layout also impacts on availability of paths towards Gloucester

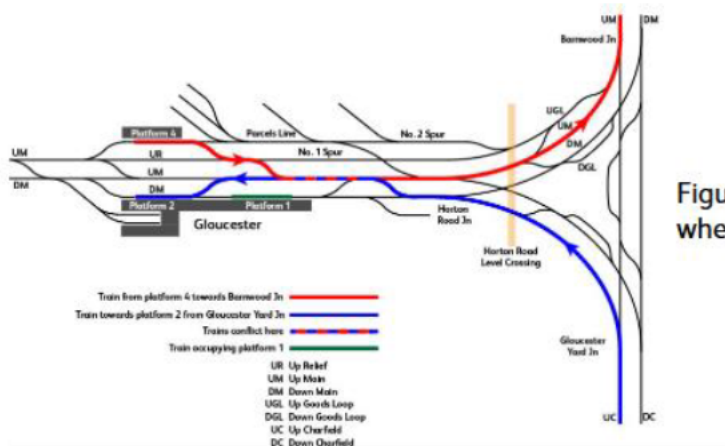


Figure 1 – routing constraints when platform 1 is occupied

Frequency increases affecting Gloucester are envisaged by the promoters of both the MetroWest and the South Wales Metro projects. We published our Greater Bristol rail strategic study in February 2023, with recommendations for this interacting major nearby area, including consideration of the Bristol to Gloucester route.

Furthermore, there is a major level crossing located close to Gloucester station (Horton Road Level Crossing). Our assessment of this application suggests that we have concerns with barrier downtime at Horton Road Level Crossing. Our rationale is as follows:

At Manually Controlled Barrier (MCB) type crossings, the barrier down time per train is often in the 3-minute area, as opposed to Automatic Crossings which are often around the 30 second area. This provides a different risk to consider. Essentially there is a collision risk and convenience risk.

When we look at smaller freight applications, which may be fewer and less frequent trains, these will often be sporadic in the days they run and often, overnight running is involved. This means there is both less collision risk introduced and significantly less convenience risk. Therefore, additional few freight trains traversing Horton Road Level Crossing and dropping the barriers in the middle of the night a couple of times a week is less intrusive than a new regular passenger service which drops the barriers at frequent times.

Due to the length of barrier down time at MCB type crossings, an additional train can end up more than doubling the time a user waits at the crossing as this train may fit in a slot where the barriers were previously raised for a few minutes, affecting road commuter's plans.

Please see further commentary below that also includes further reference to Horton Road level crossing.

Western Level Crossings

There are 34 level crossings on the BAG and SWM routes within Western that are affected by the

application. The safety risk increase at all these crossings has been modelled through the All Level Crossing Risk Model (ALCRM), and shows that the additional 10 trains per day will increase risk at all crossings on the line of route. The risk increases range between 6% and 16%, and the average risk increase across all crossings is 10%. Horton Road's ALCRM Risk increases by 6%, but it is important to note that ALCRM does not consider the convenience impact to the road user, only the safety risk to road users and rail users and infrastructure. The convenience impact is where our concern predominantly lies in respect of Horton Road level crossing in particular, and assessment of the current timetable and barrier down time is underway to ascertain the impact of the additional regular service proposed by the applicant.

Conclusion

Our final view is that we cannot support Alliance Rail's application and accommodate their requested services alongside the access rights currently held by other operators due to insufficient network capacity and regional performance challenges.

Two timetable capacity assessments have been completed on the Alliance Rail aspirations and both have concluded that capacity does not exist. Conflicts remain unresolved against the base timetable and across the geography of the Alliance application, despite flexing attempts. Additionally, capacity trade-offs would be required against multiple other current access applications.

The application is intended to operate through multiple locations which already experience performance challenges. The introduction of the Alliance Rail services would add risk into the plan - both to the performance of Alliance Rail services and surrounding services. There would also be an increased risk of transporting delay across the network.

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

List of Appendices

Appendix 1 – *Alliance Rail Edinburgh to Cardiff – Technical Note V1.0*

Appendix 2 – *Competing/Complex Access Applications – Alliance Rail, Performance Commentary at Key Locations*

Appendix 3 – *Summary of Applications at Interacting Locations and Status*