Grand Union

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Office of Rail and Road

via email:

Copy:

9 August 2022

Dear Gareth

Network Rail Further Representations to the ORR with regards to Grand Union Trains Limited (GU) and First Trenitalia West Coast Limited (Avanti West Coast) access applications on the WCML

Thank you for sight of Network Rail's further representations to you on Grand Union's and Avanti West Coast's (AWC) track access applications on the West Coast Main Line (WCML).

Network Rail provides a 'conclusion' at the end of its letter which sets out its position in respect of these track access application, which are that:

- It supports the AWC application for the December 2022:timetable
- It does not support AWC's application for additional off-peak Euston – Liverpool services
- It does not support Grand Union's application for Euston – Stirling services
- It is willing to 'work with both operators to continue to review their aspirations'
- And this is dependent on the conclusion of 'updates on the Bushey PSU and performance modelling work',
- It notes that AWC are proposing to operate 'an additional service to/from Glasgow plus a number of services running there instead of Blackpool'.

The attachment to this letter contains a fully detailed response to the points that Network Rail is making to support its conclusions.

Our response to this conclusion is to point out that the delays to our track access application now mean that we are unlikely to be able to operate a train service, were we to be granted access in the near future, before later in 2024, so both Bushey PSU and the more severe HS2 driven platform reductions at Euston constraints (to 14 platforms) will have passed. Consequently, we are prepared to agree that Grand Union services will not be operating before May 2024, which covers both the Bushey PSU and 14 platform Euston requirements.

This removes one of the conditions that Network Rail set to support our service, leaving three :

- Further performance analysis for the WCML, to model medium and heavy perturbation scenarios and 15 platform operation of Euston – **this is needed to inform our position on access rights post May 2024**
- Further performance analysis for the WCML, to model medium and heavy perturbation scenarios and 16 platform operation of Euston – **this is needed to inform our position on access rights post May 2025**
- Review of actual timetable performance once in operation (Note that the letter is not explicit as to which timetable, but realistically we assume that is post December 2022, so the review will be in the first part of 2023.)

The requirement that Network Rail is proposing to model - 'medium and heavy perturbation' (which are not defined in any way) - is a new and as far as we are aware, untried modelling process. Whilst we understand the sentiments behind this, we suggest that this is a challenging task and that the inputs will be difficult to define and the outputs very highly dependent on the inputs to the process. If Network Rail feel that this is a worthwhile exercise then they can develop it and present it to operators, who will need to be heavily involved if they are to both contribute to the development of the modelling and to accept the outputs. The Tracsis report is quite clear on the limitations of modelling to reflect the real life decisions made to manage relatively minor perturbation, so modelling of this nature is a big challenge and of questionable value.

This proposal for a new and untried concept is being used as a form of procrastination to justify Network Rail's unwillingness to agree to running more trains on the WCML, and indeed reducing what is already there.

It appears that the only reason why Network Rail is not willing to support the Grand Union application for track access is over the lesser constraint between May 2024 and May 2025. Tracsis modelled the impacts of a 15 platform Euston and it showed that the reduction to 15 platforms has little impact on the December 2022 timetable which had been planned over 16 platforms.

This shows that there is considerable resilience in the full timetable operating with 16 platforms which will present opportunities to mitigate some of the impacts of medium and heavy perturbations operation.

This has demonstrated that the planned Grand Union services can be operated without material increase in risk to the performance of the WCML.

To put this in context our original track access application, for paths that we had found was made in November 2019, almost 3 years ago. Network Rail refused to accept that there were paths claiming that they had been eroded: i.e. other trains in the standard pattern had been allowed to stray into the paths which should have been available in the hours that the Grand Central Euston – Blackpool services were not planned to operate. Since then, Network Rail declared the south end of the WCML congested infrastructure and arranged and conducted an Industry Planning Group (IPG) to design, if possible, a timetable to accommodate all the access requests and other planned changes. A most satisfactory timetable resulted and the IPG morphed into an Event Steering Group (ESG) for the December 2022 timetable change.

The IPG and ESG were model processes and illustrate how the future might develop.. They were conducted competently, professionally and transparently by the Network Rail participants who acted impartially and sought out the best timetable outcomes. All operators worked cooperatively to deliver solutions to the numerous requirements that were included in the remit; including the AWC change of traction and the reduction of Euston station to 16 and 15 platform operation, at the same time delivering a timetable that improved performance in spite of containing more trains.

The outcome is a timetable, which, while not perfect for Grand Union, is one we can live with and having achieved all that the IPG/ESG process had been required to deliver, it is not unreasonable to expect Network Rail to now support our track access application.

We recognise that there are potentially good reasons for phasing in the extra services to allow the timetable to 'bed-in' and we have already recognised that. We are happy to discuss the detail of that in the planning of our service introduction.

We can only conclude that a policy decision has been taken by others within Network Rail to overrule the outcome of the industry processes, processes which have delivered on the requirements of all parts of the industry, and which, in this instance was instigated by the ORR. This is damaging trust in Network Rail as a reasonable and competent network operator, trust which had been built during the prolonged and effective IPG/ESG process. It also represents a disrespect to the huge effort made by all participants in the IPG/ ESG that their contributions can be dismissed so lightly and in the context of performance, in the face of the clear evidence.

The reasons for Network Rail not supporting our track access application is very weak and we believe that, given good will by both parties, a solution can be found to this final point and that Network Rail will then have no reason why it should not support our application.

However, if no agreement can be reached with Network Rail so that it can support our track access application, we can only conclude that they will continue to never support an open access application and, as we have seen on the Great Western Main Line (GWML), is in breach of its legal obligations as proscribed in The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016. The Infrastructure Manager must also ensure that infrastructure capacity is allocated on a fair and non-discriminatory basis.

This has serious consequences for the way in which access is proposed to be managed in the future in a 'rules based access system' as set out in 'The Williams-Shapps Plan for Rail - A Consultation on Legislation to Implement Rail Transformation Section 2.28 issued in June 2022.

Grand Union

Yours sincerely

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Grand Union

Detailed Response to Points raised in Network Rail letter of 15 July 2022

This letter appears to cover the same points in different places, but we will try and group them in our response. We will not comment on the AWC application other than to note that the letter generally refers to the AWC application, with only passing reference to Grand Union's application. We are assuming that the same reasoning applies for their refusal to support our application.

However, we would note that Network Rail has agreed the AWC traction change from the diesel Class 221 Voyagers to class 807 all electric Hitachi Intercity Express (IEP) units and class 805 bi-mode (diesel and electric) IEPs, in spite of the considerable increase in the electric load on the Bushey/Acton Feeder Stations that will result.

Euston Remodelling

14 platform operation

We note that Network Rail has already circulated the final report on Euston operating with only 14 platforms and has found that the full IPG timetable (i.e, including the new Grand Union services and the additional Avanti Liverpool services) can largely be accommodated in the station, with only two pairs of Avanti trains removed and one Grand Union or Avanti Liverpool train not able to be platformed in the evening due to a clash with the sleeper service.

As this track application has taken so long to process, Grand Union recognises that it is unlikely, even in the best of circumstances, to be in a position to operate a service until later in 2024. Consequently we are prepared to forgo any planned operation during the 14 platform period to provide certainty to the project and other operators. This is on the condition that the paths identified for Grand Union services are protected in the planning of the December 2023 timetable.

In making that decision we are also taking the earliest start date of Grand Union services beyond the planned delivery of the Bushey Power Supply Upgrade expected in Spring 2024.

15 platform operation

Network Rail does not appear to have tested the operation of Euston with 15 platforms but given the relatively little disruption with the 14 platform station and the excellent performance of the 16 platform station (which is not surprising as it was a requirement included in the IPG/ESG outputs), there is no reason to suppose that a 15 platform Euston cannot accommodate the IPG/ESG timetable.

Network Rail has set a high bar for approving the new access applications, which whilst having four points appears to come down to significantly post May 2025 when the 16 platform Euston is operational again and, no doubt, it has reviewed the actual performance - or put simply in another 3 years time.

Network Rail's other performance measures are new ones. We are familiar with the performance modelling that is currently used – which reflects an average day which is somewhat different to a 'good' day as Network Rail suggest, i.e. a day in which there are random minor perturbations but no concentration of delays through a specific or major incident. Network Rail has been clear to stress that it is a comparative tool, so reflects the general direction of performance in a revised timetable rather than predicting the likely PPM figure. But even this tool has limitations, and it is accepted that it does not reflect real life delay mitigation activity that signallers, controllers and others will undertake to reduce delays. This is not surprising as it is very difficult to codify into rules for the performance model as it will frequently depend on the specific circumstances prevailing at the time and place.

We note Network Rail's reason for opposing any contract that expires after December 2030 due to the introduction of new HS2 services both on the dedicated HS2 line and on the wider network. We do not think that this is a reasonable interpretation of the ORR position nor a reasonable view for the network operator to take, particularly given the less specific contracts now awarded.

The ORR Statement on Track Access issues arising from HS2 is very helpful, especially as it specifically covers the circumstances in which Grand Union finds itself. The nature of HS2 services on the network at Crewe and north thereof is still in a state of flux especially as the Golborne Link has been removed (or at least postponed for

re-evaluation). We are also aware that HS2 services are not able to be simply accommodated on parts of the network. We suggest that HS2 planning for use of the network north and east of Crewe is still in its early stages and that considerable expenditure on infrastructure will be required to enable HS2 services to deliver the benefits that they are being predicted to offer.

Network Rail's position is effectively trying to put planning blight on future access applications, which is unacceptable as HS2 (in whatever form) has not made a track access application nor is it in a position to do so to the standard that others are required to do.

The services that we are planning are for a different market to the short journey time, limited stop, HS2 offer, although the end to end time savings 'proposed' by HS2 are constantly changing. There are many people who prefer a direct journey in comfort, and while HS2 will undoubtedly grow parts of the Anglo-Scottish rail market, Grand Union's direct services will complement HS2 fast services.

We fully accept that when HS2 finally applies for track access north of Crewe that we may need to flex our services to accommodate them and are happy to discuss with ORR how that might be expressed, noting our record on co-operation in the WCML (South) IPG/ERG processes.

Performance (more widely)

We note Network Rail's grudging acceptance to release the more granular results at T-3 to which they have added caveats. All of its comments remind us that performance modelling is inexact and only a tool to aid decision making. The notes on simulation software – RailSys – completely undermine the concept of planning to model 'medium and heavy perturbation scenarios that Network Rail is planning to do around Euston 14,15 & 16 platform configurations

We are pleased to see that Network Rail has seen sense and removed the spurious comparison between the December 2022 and the May 2021 timetable which was much reduced because of Covid. It should be of concern to the whole industry that it was done in the first place.

Fast Line Quantum Limit

The fast line Quantum limit is a simplification and conjoining of two separate issues - Power Supply and Performance. As we have already accepted that Grand Union services will not start operating until later in the 2024 timetable we have assisted Network Rail in reducing the quantum to the level that they desire.

We do not agree with depressing the capacity of the route purely on the basis of a perception that our trains are going to reduce performance. We would refer again to Network Rail's legal obligations as proscribed in The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016. The behaviour is clearly discriminatory, and, as on the GWML, Grand Union would invite the ORR to investigate this behaviour. Grand Union's services have one of the lowest delay seconds per kilometre of any service group (Tracsis report Table 6 Delay Minutes by TOC) and least trains of all operators except Caledonian Sleepers and the smallest number of train kilometres, more in line with the Southern Trains between Willesden and Milton Keynes. (Table 2)

Moreover, Network Rail has been extremely selective on the parts of the Tracsis Report that it uses as evidence. (The Executive Summary is reproduced in full at the end of this note.)

Key points are:

- Tracsis proposed mitigation for the delays that are caused by AWC's up additional Liverpool train. These mitigations are minor changes and just the kind of output that would be expected of a performance report – identifying weak points and proposing corrective action. They will almost certainly remove the minor adverse outcomes to AWC trains on to Up fast line
- There is no mention of Grand Union in the Executive Summary, so our trains have such a low impact as to not even merit a mention
- The report is quite clear that the removal of Platform 16 does not result in trains waiting for a platform, which rather undermines Network Rail's requirement to undertake further performance modelling

In any other context this would be taken as a glowing endorsement of the timetable that has resulted from the IPG/ESG process.

In the full report there are very occasional mentions of Grand Union's trains, but some, even at a cursory look, will probably be able to be resolved by the redistribution of pathing time.

The conclusion must be that Grand Union's trains have no material impact on the performance of the full December 2022 timetable as already noted by Network Rail colleagues in Scotland.

Power Supply

We are pleased to see that Network Rail has now presented the current position with regard to Gowkthrapple feeder station but are concerned that it has used an erroneous position to justify its refusal to support our application.

We now see that another site, Harker feeder station, just north of Carlisle, is being presented as a limitation on power supplies on the WCML in Scotland and north west England,

The WCML is the main freight rail route into Scotland as well as an important passenger route. As there is full public knowledge about the operation of HS2 trains in the future and the delivery of two new fleets of electric locomotives is now well under way. One wonders why Network Rail is only now mentioning a combined Scotland and NW&C programme. Traction power seems to feature little in current investment review meetings with operators, in spite of it being fundamental to the future traffic requirements of the route and especially in delivering freight net zero by taking long distance lorries off the roads.

We note the need to mitigate the risks with Harker and believe that Grand Union's planned use of bi-mode traction will enable it to work with Network Rail to reduce power draw if required, as Avanti is said to have done. No approach has been made by Network Rail to initiate that discussion.

Rolling Stock

Network Rail has made no comments about Grand Union's rolling stock. The long delay in securing our track access contract has resulted in a need to revisit our traction requirements with a result that the current proposal is to make use of class 93 tri-mode locomotives in place of the class 91 electric locomotives. The class 93s will offer significantly improved acceleration compared with the class 91s as well as the ability to operate without overhead electric traction power, so provide further resilience in the daily operation of our trains. We did not attempt to introduce this change during the IPG/ESG process as it would have made the train planning task more challenging, and it is a 'right side' failure as the performance is better. We consider that there will be no problem in operating in the planned paths.

Complete Executive Summary from Tracsis Report

The Industry Planning Group (IPG) for the North West and Central (NW&C) region are looking to rewrite the West Coast Main Line (WCML) timetable to introduce new rolling stock for Avanti West Coast services, change quantum service levels along the WCML, introduce Open Access paths and increase freight service lengths and weights. To this end performance modelling has been requested to understand the possible impact that this re-write may have on train service performance levels.

The primary objective of this study is to assess the quality and robustness of the proposed December 2022 timetable. The assessment and evaluation of the timetable quality and robustness has been undertaken using RailSys, which is a microscopic simulation tool, to compare the December 2022 variant timetable against the December 2019 base timetable.

In Dec22 compared to Dec19:

- There is a reduction (of approximately 15%) in overall delay minutes within the full scope model area in Dec-22 compared to Dec-19 for a slight increase in overall train km. Delay seconds per Km decreased by around 16% in Dec-22 compared to Dec-19.
- Delay minutes within the model area reduce by 44 minutes for Avanti Class 1 despite an additional 1tph to/from Liverpool and thus additional train km, with a small decrease (15 minutes) for Avanti Class 9 for the same number of trains.
- In terms of punctuality, in Dec-22 compared to Dec-19, Avanti shows a 3.6% increase in punctuality at T-1, with smaller increases at T-3, T-5 and T-10.
- There is a reduction in delay minutes for WMT Class 1 and Class 2 (of approximately 20%), although both have a significant reduction in train km within the model area, including 1 tph less on the Coventry Corridor.
- WMT shows a 9% increase in punctuality at T-1 and 2.1% at T-3, with small increases at T-5 and T-10.

Overall, there is the same average lateness for Avanti services into London Euston for Dec-22 compared to Dec-19. There is increased delay at Milton Keynes which is caused by the stop in the Manchester via Stoke service and the additional Liverpool

service following close behind it. This causes knock-on delay in some following services.

Overall, there is less delay arriving at London Euston, which shows that the loss of platform 16 is not causing delay waiting for a platform.

Overall, the delays at Rugby Trent Valley and Milton Keynes cause a reduction in punctuality for Avanti services into London Euston at T-1, as these delays are spread across many services.

Overall, there is an increase in punctuality at T-5 and T-10 for Avanti services into London Euston due to lower delays earlier in the route (see specific AMLs).

Overall, in the Down direction there is much less delay in both timetables compared to the Up direction. Lateness from London Euston is much lower due to the turnarounds. Avanti turnarounds use TPR value minus 5mins as a minimum during perturbations (for Base and Variant), meaning all services are allowed to recover some lateness from late arriving stock.

There is a similar level of lateness on average in Dec-22 as in Dec-19 on departure from London Euston. This shows the loss of platform 16 did not lead to a significant loss of robustness in the turnarounds.

We recommend:

- Add recovery time into the Avanti services from Chester/Holyhead, class 1 from Glasgow and the Manchester via Stoke services, to reduce lateness and knock-on delay at Rugby Trent Valley Jn and Milton Keynes, which are pinch points in the route.
- Increase the margin at Milton Keynes following a stop to reduce delays in the following service