



System Operator

# Interacting Rights

**Plan of work**

**Version 1.0**

**12 August 2024**



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# Progressing our assessments

Our aim is to enable ORR to make its decisions as appropriate, where and when possible, rather than await a fully completed package of work considering all in-scope applications.

## The Applications

On 24 April ORR wrote to current and prospective train operators requesting submission by 20 May of any aspirations for rights for December 2024, May 2025 and December 2025 at nine locations highlighted in the letter. A total of 82 unsupported applications were submitted to ORR – a record number of Disputed Applications, with only 55 recorded over the past 12 years.

The ‘tapestry’ of applications means few can be considered without much wider reference to other applications – both in terms of geography and across the various time periods an applications relate to.

Each application represents a request for anything between single digits or hundreds of paths in the timetable. The majority of applications are ASAP or Dec 24 and continue thereafter. Almost all are seeking additional rights by Dec 25. ECML & Leeds is the dominant area of interaction – with around a quarter of applications both here and at multiple other locations.

Network Rail is undertaking the necessary assessments to come to a position on each application & provide ORR evidence to inform their decisions and directions. However, in most cases this can be expected to take some time and it is necessary to maintain normal business as far as possible during this interim period.

Intended Timetable Change Date	Dec-24	May-25	Dec-25	A WCML south	B Birmingham	C BHM-Derby	D Derby- Sheffield	E Sheffield	F ECML&Leeds	G Oxford	H Gloucester	I Cardiff
ASAP												
Dec-24; May-25												
Dec-24; May-25; Dec-25												
Dec-24												
May-25												
Dec-25												
May-27												
May-28												

The unprecedented volume and complexity of applications creates significant workload and risks on internal teams and external organisations, requiring sufficient time to allow due consideration to be given to every application and its associated interlinkages. All of this is within the wider context of the focus of the industry on the need for performance improvement on the network, meaning swift decisions on new access at congested locations carries significant risk.



### Our Approach

We do not want to take longer than is needed to provide our final representations to ORR on any application. We will seek to decide on our final representations for any application as soon as reasonably practical to allow the ORR's progressive resolution of the access applications in a timely manner.

We note that ORR has suggested a categorisation that supports this as a way in which access applications can be considered to expedite decisions. It expects Network Rail to consider;

*“a. Full or partial rights within applications which Network Rail considers can be accommodated on the network without conflicting with existing rights or alternative applications submitted by 20 May. Network Rail should aim to agree these applications and expedite them for decision by ORR (not withstanding any additional considerations on an individual basis, such as economic analysis for open access applications)”*

Where we can make our final representation on all the rights sought in any application we will do so (and have in one instance already done this).

We will continue to look for opportunities to expedite our assessment of the unsupported applications, and wherever we are able to reach a conclusive position we will provide those final representations to ORR at once so that it may reach a decision consistent with its statutory duties.

This might relate to a single application or a number that interact in a relatively contained way; but we will only be able to do this before the end of the assessment programme if we are able to reach a position of confidence about the way these applications interact with others, especially those relating to later time periods including applications for after December 2025 received on 20 May.

It should therefore not be assumed that the indicative timelines provided in the Capacity & Performance, and in the Regional Activities sections of this document would necessarily need to apply to all applications. It may also be the case that not all of the assessments indicated in regional chapter would be relevant to all the applications that are being assessed by that customer team / function.

As we progress our assessments of the applications we will continue, to inform the ORR of any early positions that it might have on the access rights sought.

Equally, where we are clear that we are unable to support an application we will do so as soon as we are able to provide all the relevant representations to ORR.

The end of each phase of the high-level plan, and at the conclusion of key regional assessments may provide some opportunities for positions to crystallise.

Where interactions occur at different points in time, i.e. different Timetable Change Dates then this will have an impact on the dates that Network Rail will be able to submit its position with regards to the application.

*For example: If the application submitted for Operator A is to commence December 2024 and there are no concerns or conflicts, that does not mean that when Operator B's aspirations are considered which start in May 2025 that both will be able to be accommodated and therefore Network Rail will have to see the outputs of the capacity assessments for the May 2025 Timetable for Operator B before they can give a final position on Operator A's application.*



With most applications seeking capacity including beyond December 2025 and with many of these on a small sub-set of the key interacting locations - the number of applications that can be separated will only be fully understood as our analysis progresses.

### **Decisions during Phase 3-5**

If services are not impacted by aspirations for December 2025 (notwithstanding consideration of later aspirations that are known), then firm rights decisions can be made.

### **Dealing with rights not in scope**

We will through Phase 2 for December 2024 and May 2025 applications identify those access rights sought which are not at an interacting location.

If Network Rail does identify access rights (or part of the access rights) which are not at an interacting location, then (as it is our understanding that ORR is now clear that it is not possible for applications to be split or for ORR to make separate decisions from the same application) we will consider the proposed rights as per business as usual.

A Section 22 or Section 17 application if agreeable requires both ourselves and the beneficiary to jointly make a submission – which means that this approach will be dependent on the relevant applicants.

Where immediate rights are required for operating the timetable we have a Interim approach (see separate section) that is intended to work alongside the ongoing work to fully or partially agree applications when we are in a position to do so.

We anticipate that some operators may wish to use applications submitted for rights for the Dec 24 TT to also progress any rights identified as not being within scope at an interacting location, and applications may therefore be for a combination of changes in order to reduce workloads.

### **ORR decisions may descope our work**

Where ORR progresses with its own assessments these may assist in making early decisions / de-scoping the scale of applications requiring assessment.

We also note that ORR has stated in its response that “Where ORR has the necessary information to expedite decisions for each timetable it will do so. This includes undertaking any required economic analysis in a timely manner so that decisions can be incorporated into Network Rail’s timetable production.” Where such decisions remove interactions and enable us to move forward with other remaining applications we will seek to do so.

ORR’s progresses with its own assessments wherever possible to assist in making descopeing the scale of applications requiring assessment from Network Rail.

### **Resourcing and flexibility**

Our plans need to be flexible and be reviewed through the process to consider industry decisions – not least in relation to the ECML ESG (East Coast Main Line Event Steering Group), along with potentially other changing industry priorities and requirements (for example, recommendations from the East Coast Task Force may impact on industry resources, in particular timetabling resource).



This could require changes to the remaining stages of the plan, including impacting when analysis can be completed.

Our approach has needed to take into account that:

- due to the unprecedented scale of unsupported applications received at one point in time, Capacity Planning plan to phase its analysis,
- assessments have initially focused on applications and geography which do not overlap with the ongoing ECML ESG Development work to mitigate the risk of redundant analysis,
- all ECML ESG related applications will be considered following decisions as to the implementation of the ESG Timetable,
- key milestone dates, in particular Priority Date Notification Statement (PDNS) bid and New Working Timetable (D-26) dates for May 25 and Dec 25, will provide points where changes in operator's plans and requirements may evolve and lead to changes in the assessments required to be undertaken, and
- these, and other decisions could require changes to the remaining stages of the plan, including impacting what analysis can be completed and when. This may also lead to consequential changes to anticipated dates of any assessments and resulting representations planned by our customer teams.

### Plan dates

The timelines associated with the phases in Capacity Planning's high-level plan are the key milestone dates for the production of the timetable as outlined in the Network Code – they are not set out as deadlines for completion or outputs of the analysis and assessment of access applications. Network Rail is clear that capacity analysis may need to continue beyond these points.

The 05 June plan (see next Chapter) does not guarantee that analysis will not have to continue beyond the timetable development process. Where this is the case we will have provided a range of indications here and will communicate these with the Operator and ORR.

We are mindful that our planned activities, assessments and analysis, or other issues indicated, may identify dependencies, risks or changes in risk profiles that could require revision or further review of individual responses. In particular, our understanding of the May 25 Timetable once PDNS (9/8/24) has passed, is likely to require updates to our plans and processes.



## Our representations to date

On June 28th 2024, Network Rail made representations as requested by ORR in respect of the various applications made under Section 22A and Section 17 of the Railways Act 1993.

Although our representations to date do not (except in the one instance relating only to the Dec 24 Timetable) contain all the information needed for the for the ORR to make a decision on the applications, we have made every effort to give any initial views where we can.

We have sought to provide an initial view of the application Form P / Form and supplemental / Track Access Contract and where applicable, highlight if Network Rail believes that some of the access rights sought are outside the scope of the ORR's letter dated 24th April 2024. Otherwise, these representations reserved our position pending the outcome of the capacity and performance analysis.

Network Rail also produced a high-level plan on 05 June 2024 for ORR and industry, this is referred to in our representations to date, and outlines the plan for undertaking capacity and performance assessments to inform both Network Rail and the ORR on the applications received. Where there are capacity or performance aspects of an application that will not be addressed through the High-Level plan (due to lack of necessary information as indicated by ORR, or due to the focused areas of analysis being provided by the High Level Plan) please refer to the relevant representations to understand how we propose to provide the necessary information that will be required by ORR to take a decision.

### Our information requirements

In most cases our initial view has been able to outline the necessary assessments / analysis that we understood at the time that needed to be undertaken to inform a view.

Where there has been a lack of information for part or all of the application to carry out Capacity / performance assessment for all of the application (including where applicable for the capacity / performance assessment as requested by a letter from Capacity Planning to the Operators dated 8th May 2024)

Network Rail will have already approached the operator/applicant for this information. Where additional information has not been provided by the dates requested, it may be possible to assess this from phase 3, but that will be dependent on any factors which may impact the plan as indicated in the 5th June letter to ORR. Applications which are not supported by the requested information by 09 August 2024 will not be included in Phase 3 assessments; this was communicated by customer managers via email.



Throughout our assessment processes we will look to identify any cases where it is appropriate to de-scope applications, or parts of applications, which do not meet the required quality/level of completeness, or which have no interaction.

Any applications which are deemed operationally unready by ORR and/or Network Rail or otherwise deemed un-ready by their lead regional or national customer function for May 2025 and/or December 2025 should be descope as early as possible.

Throughout the rights assessment work phases Network Rail intends to communicate with ORR on progress and provide collated information against individual applications as they are assessed through the plan.



## Capacity & Performance Assessment

The High-level plan set out the work of Capacity Planning in developing the assessments and information to support Regions, through our national governance process, and inform on Network Rail's positions on the applications.

### The High-Level Plan

Due to the unprecedented scale and volume the applications received at one point in time, Capacity Planning is phasing its analysis, initially prioritising applications for December 2024, followed by May 2025 and then December 2025.

We recognise the reality of the constrained timescales that we are having to work to, and we are not able to commit to concluding all necessary access application phases of work before the timetables enter the D40 development periods.

This is no different to how the access rights assessment and timetable development processes typically interact today (Part D of the Network Code does not currently require completion of all analysis supporting applications by D40). These dates are identified to show what analysis could pass between the Advanced Timetable Team, Performance and Simulation team, and the Production team in Capacity Planning.

Our approach has been to initially focus assessments on applications and geography which do not overlap with the ongoing ECML ESG development work to mitigate the risk of redundant analysis. Now the Task Force has set out a December 2025 'subject to 'working assumption' we will start that phase of analysis at Phase 4 of the High Level Plan. All ECML ESG related applications will be considered following decisions as to the implementation of the ESG Timetable.

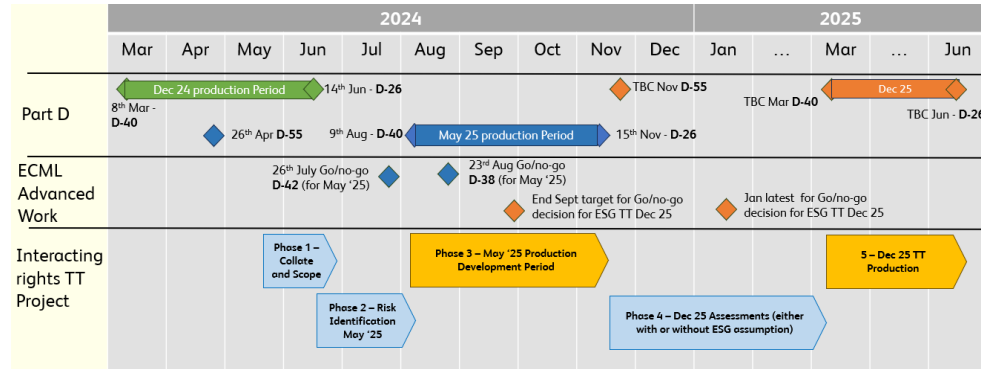
A joint team will continue the analysis and assessment work into the development windows in order to maximise the level of work completed. Where necessary we will escalate issues and progress reports to the East Coast Industry Task Force.

Where applications have been submitted outside of the timetables under review we will discuss how these should be treated on a case-by-case basis with ORR. Our assessments may include a small number of existing (pre-May 20th) applications already being considered by ORR and to which we may have already submitted representations.

The plan is cognisant of the relation to the ECML ESG along with potentially other changing industry priorities and requirements. For example recommendations from the East Coast Task Force may impact on industry resources, in particular timetabling resource.



### High Level Plan key dates



### Phase 2 (17 June 2024 – 09 August 2024)

This phase will overlay in-scope May 2025 applications on December 2024 D-26 Timetable offer and identify key areas of constraint and risk; focussing on geography off the East Coast Main Line Event Steering Group geography. This enables an initial look at areas not impacted by an ECML ESG decision.

We will look to identify any cases with the ORR where it is appropriate to de-scope applications, or parts of applications, which do not meet the required quality/level of completeness, or which have no interaction.

The phase will seek to prioritise applications that are not dependent on an ECML ESG implementation decision first, to inform a view for rights applications in December 2024 and May 2025 initially.

Performance Intelligence at identified key locations will commence to provide performance context to aspirant applications. This Performance Intelligence will be constrained by the time available.

High level capacity assessments at identified key locations may be undertaken if suitable but only in exceptional situations as these assessments will not provide a robust output which also considers the feasibility of the entire origin to destination of services included in an application.

### Phase 3 (12 August 2024 – 15 November 2024)

During this phase we will assess May 2025 applications, where bid, through the subsequent Timetable Production Development Period with a view to alignment with Advanced Notice of Timetable Changes (ANTCs). Capacity Planning will identify which of the December 2025 applications may conflict with May 2025 applications and/or other December 2025 applications.

East Coast Task Force recommendations may need to be taken into account at this stage. Network Rail may descope applications which do not align with Advanced Notice of Timetable Changes (ANTCs) submitted for May 2025.

Where applicable, performance insights and intelligence will be used to support the development period. In phase 3 we will support, where applicable, the development period by providing performance insights and intelligence of valid applications to Production.

If services are not impacted by future aspirations (e.g. for December 2025), then firm rights decisions can be made at this point and assessment of applications be completed.



#### **Phase 4 (15 November 2024 – 07 March 2025)**

In Phase 4 we will assess December 2025 applications against May 2025 D-26 Working Timetable in combination with outputs of ECML ESG sprint work. Provide Performance Intelligence at identified key locations to provide performance context to aspirant applications.

#### **Phase 5 (07 March 2025 – 13 June 2025)**

In Phase 5 we will continue to assess December 2025 applications, where bid, through December 2025 Timetable Production Development Period with a view to alignment with ANTCs. NR may descope applications which do not align with Advanced Notice of Timetable Changes (ANTCs) submitted for December 2025.

#### **Planned Approach - Capacity Planning Assessments**

Capacity Planning are completing capacity assessments and performance insights based on information that has been submitted by freight, passenger and open access operators.

Where NR do not have sufficient information, we have set a date of 09 August 2024 for operators to provide detailed timing information and unique service identifiers, where possible, to enable inclusion in Phase 3 of the capacity and performance assessments. This date also corresponds with the Network Code PDNS date for the May 2025 Timetable by which time operators submitting request will have developed their information.

This is relevant to aspirational services and for applications which include tonnage uplifts, timing load changes or the addition of intermediate calls/operational stops. Some of the information shared to date has been provided by operators as confidential and therefore we cannot widely share detailed outputs.

Capacity Planning intends to follow a blended approach to assess capacity for the access applications. This includes timetable analysis, high-level quantum capacity assessments as well as validation during Timetable Production for each timetable change, whereby NR endeavour to accommodate operator aspirations by attempting multiple solutions as per standard industry processes.

The timetable analysis completed outside of the Timetable Development process will assess three categories of interaction to provide a range of evidence to inform ORR access decisions and Network Rail's final responses.

These categories are: –

- The aspirations that run through the locations specified in the ORR's letter to industry on 24 April 2024,
- The services that are timed within 6 minutes of each other at the same location (looking currently at Wednesdays, Saturdays and Sunday. This is relevant to all locations, end to end, and not limited to the initial 9 locations listed in the 25 April ORR letter.
- The conflicting moves between services in each application based on the Timetable Planning Rules.

High level quantum capacity assessments for the key locations outlined in the ORR's letter to industry on 24 April 2024 will also assist in informing on what potential capacity opportunities exist to accommodate Operator aspirations.

The largest single risk to the process is sufficient time to undertake necessary performance impact assessments. This is one of the key reasons why at this point Network Rail is not able to commit to fixed final dates for analysis completion. This is not a result of the tools not being available. It is a function of the concentrated volume of applications and the need for detailed timetable inputs to be available to produce reliable performance forecasts.



### Indicative interim status/progress updates

Capacity Planning intends to share high level summary outputs of Phase 2, providing draft commentary on the above, with wider NR and ORR by the end of October 2024. This will only be for those applications, or parts of applications, for which we have the required information and will be an interim output to assist in indicating the level of interaction between applications, it will not inform final NR representations. Time is factored into the draft output dates for NR Regions to review prior to sharing with ORR.

Through the Timetable Production periods, and in line with the Network Code, operator bids submitted at D-40 (PDNS) for the May 2025 and December 2025 timetables will be worked through as per normal industry processes with the New Working Timetable (NWTT) being produced at D-26 for both timetable changes.

Time will be required post D-40 and D-26 for each timetable change to enable Network Rail to review how bids and the NWTT align to the 82 rights applications submitted by 20 May 2024 and subsequently how this impacts the plan. The scale of new access bids may require the industry PMO and/or the ECML Task Force to assist the industry in prioritising workload.

Applications that seek the implementation of services from as soon as possible or from December 2024, and for which the required information has been provided, will be reviewed against a base of the Dec 2024 D-26 NWTT.

For applications seeking implementation from May 2025, these will initially be reviewed against the same base as Phase 2. Advance Notices of Timetable Change (ANTCs) for May 2025 will be compared against the relevant unsupported rights applications to identify alignment. The ESG has been confirmed as not for implementation in May 2025; it is still being determined if the ESG can be implemented for December 2025. There will be some applications assessed against the Dec 24 base into May 25 which are for non-ESG scenarios and others which are for the ESG structure specifically.

Assessments will also include a comparison of applications against the published May 2025 NWTT timetable post D-26. This will require time post D-26 to collate and we expect to have this in place to inform Network Rail customer teams for their consideration and use for mid-December 2024.

This process will be repeated for December 2025 applications, with assessments being conducted on a May 2025 D-26 base likely combined with the outputs of the ECML ESG Advanced Timetable work. Analysis should be cognisant of the December 2024, May 2025, December 2025 aspirations and other existing rights. The applications will again be compared against the published December 2025 NWTT post D-26. The December 2025 Development Period runs from 07 March 2025 (D40) to 13/06/2025 (D-26) / 11/07/2025 (D-22).

Following the December 2025 Timetable Development period there may need to be a period of assessment to identify any work packages that could need to continue; this could be due to deferral of aspirations or outstanding fundings decisions for example. Network Rail will remain open with ORR where these situations arise.

Performance intelligence and insights will be produced when and where relevant to support application assessments. The intelligence will focus primarily on key locations rather than by specific application. This will, in many cases, be supported by additional Route led performance assessments.

Capacity Planning will share any outputs that can enable expedited decisions on applications as soon as reasonably practical. This could relate to a single application or a number that interact in a relatively contained way; but we will only be able to do this before the end of the assessment programme if we are able to reach a position of confidence about the way these applications interact with others, especially those relating to later time periods including applications for after December 2025 and received on 20 May.

## Capacity Planning Phases and Assessments

## Indicative Timeframes (subject to revision)

Phase 2	17/06/24 - 9/8/24
Phase 3	12/8/24 - 15/11/24
Phase 4	15/11/24 - 07/3/25
Phase 5	07/3/25 - 13/6/25
Share Phase 2 high-level draft summary with ORR (subject to confidentiality requirements) *	31/10/24
Collate alignment of May 2025 D-26 NWTT to May 2025 applications to inform NR and NR Route consultations	19/12/24
Share Phase 3 non-ECML high-level draft summary with ORR (pending confidentiality)*	28/03/25
Share Phase 3 ECML high-level draft summary with ORR (pending confidentiality)*	25/04/25

\*Dates allow for Network Rail regions c.4weeks to review information prior to wider sharing.

## Congested Infrastructure

In August 2024 we will re-assess the status of previously identified relevant route sections and publish Declarations of Congested Infrastructure notices for any sections where a full notice is now required.

### Background and Regulations

Declarations of Congested Infrastructure were originally transposed from 2016 EU Rail Legislation. This legislation requires infrastructure managers to identify and highlight areas of the network where requests for capacity could not or cannot be fully satisfied - and identify opportunities for alleviation of that congestion.

Following a declaration, a Capacity Analysis must be undertaken to identify the reasons for the congestion. This must be published within 6 months of the date that the notice was issued. A Capacity Enhancement Plan must be published within 6 months from the date that the Capacity Analysis is issued. Regulations also provide for scarcity charging and prioritisation rules to be deployed, but these provisions have not been incorporated into the charging framework or Network Code.

The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 <sup>1</sup>(the A&M Regs) require Network Rail to make a declaration of congestion:

- (a) Where, after co-ordination of requests for capacity and relevant consultation with the applicants (“in accordance with regulation 23(4)” – i.e. that part of the process of consulting and coordinating requests during the preparation of a timetable), it is not possible to satisfy all those requests adequately; or
- (b) Where, during timetable preparation, Network Rail considers that an element of the infrastructure is likely to become congested during the next timetable period.

In addition to the above, where likely congested infrastructure is identified arising from an application for new or amended access rights, Network Rail has adopted a policy of publishing a non-binding ‘Early Indicator of Likely Congestion’ as an advisory notice to the Stakeholders.

This process is set out in our Code of Practice (most recently consulted in March 2024).

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<sup>1</sup> Regulation 26 (1) and (2)



### Planned Approach

There is no benefit to operators or our regions of a declaration of congestion that is too broad and covers sections or time windows that prove irrelevant following the July 2024 ESG work completing. Advance notices allow that work to complete – and any necessary CI declarations to be issued as required in the A&M Regs and before the December 2024 Timetable Change Date. We have published Early Warning Indicator letters on Congested Infrastructure in line with our established policy for the following sections of the ECML:

- Between Huntington North Jn and New England North Jn (Peterborough)
- Between Doncaster Marshgate Jn and Leeds Copley Hill West Jn
- Between Northallerton Longlands Jn and Newcastle King Edward Bridge South Jn
- Between Newcastle East Jn and Monktonhall Jn (Edinburgh)
- London Euston to North Wembley (all lines)
- Crewe to Liverpool (all lines)
- Willenhall

In August 2024 we will refine our definition of relevant route sections and publish Declaration of Congested Infrastructure for any sections if and where our analysis shows a full declaration is required.

In Phase 3, due to limited opportunity to assess applications and for decisions to be made in advance of D40, there is potential for rejections through the Development period and possible consequential Congested Infrastructure declarations if capacity is the primary reason for rejection.

### Feeding into our plan

As part of any work on Congested Infrastructure we will analyse options to solve conflicts currently identified in the ESG plan – possibly reducing the number of sections that would be correctly designated congested. We will allow the East Coast Industry Task Force to assess any trade-offs and if necessary, recommend alterations to the service specification that could remove conflicts on a given section or sections.

### Congested Infrastructure planned approach

### Indicative Timeframes (subject to revision)

#### Early Warning Indicators

Issue letters

Done

#### Assessments

Go / No-Go analysis to inform decisions

July 2024

Identify any triggering of requirements

July – August 2024

Define sections and publish declarations – if relevant

August 2024

Development period (Phase 3) leading to further rejections (*publication dates below to be adjusted accordingly*)

August – November 2024

#### Analysis and Capacity Enhancement Plan

Undertake and publish Congested Infrastructure Analysis

August 2024 – February 2025

Undertake and publish Capacity Enhancement Plan

February - August 2025



## Our Interim Approach

**Permitting business as usual to continue as far as possible, without prejudicing decisions for later timetable periods.**

**Network Rail is undertaking the necessary assessments to come to a position on each application and provide ORR evidence to inform their decisions and directions, but in most cases this can be expected to take some time and it is necessary to maintain normal business as far as possible during this interim period.**

### Communicating our approach

Our approach addresses a requirement from the ORR in its July 22 response to our High-Level Plan that “Where access rights are required to support continuity of service pending Network Rail’s final decisions, ORR expects Network Rail to set out how it will expedite the parts of the 20 May applications it supports for ORR to consider.” Our approach as set out here is consistent with that expectation and is in line with our individual Representations of June 28 to the ORR’s Statutory Consultations.

In its response, ORR has also noted that among the categories in which access applications can be considered to expedite decisions it expects Network Rail to consider “a. Full or partial rights within applications which Network Rail considers can be accommodated on the network without conflicting with existing rights or alternative applications submitted by 20 May. Network Rail should aim to agree these applications and expedite them for decision by ORR (notwithstanding any additional considerations on an individual basis, such as economic analysis for open access applications)”

Our Interim approach is intended to work alongside the ongoing work to fully or partially agree applications when we are in a position to do so as set out below.

### Continuity of operations

As set out in Representations made on June 28 on all applications, in this interim period Network Rail will have to balance the need for business continuity, so that current services may continue to operate and timetable changes (in line with our obligations in Regulation 19 of the Access and Management Regulations and Part D of the Network Code). Doing so when there is low risk of negative outcomes for passengers and freight users and avoiding prejudicial decisions that could unduly favour one party where aspirations interact.

Decisions arising in the preparation of a new working timetable will be taken according to the Network Code - including the priority order in Part D4.2 and the Decision Criteria in Part D4.6. This encompasses any expectation of rights of any Timetable Participant which have been Exercised, provided Network Rail considers (acting reasonably) they will be Firm or Contingent Rights in force during the Timetable Period.

This will place timetable applications bid in expectation of rights on the same (third) priority level as Contingent Rights supporting the requirement to not unduly prioritize applications at different stages of assessment during the process.



## Extension of existing rights

Access rights aspirations which are not at interacting locations will continue to be processed as normal. Extension of existing rights (where there is no increase in, or amendment to existing rights) will continue to proceed as normal at any location (including application of East Coast Mainline Policy), in line with ORR's policy to presume continuity of rights as referenced in its 24 April letter.

## New / amended rights applications

For the nine interaction locations listed in ORR's letter, and any other locations identified by ORR subsequently as a result of the applications made, until ORR reaches its final decision on the application Network Rail will review allocation decisions made through the Network Code Part D timetable production process for each timetable period.

Where paths associated with some of the quantum rights in one of the unsupported applications are included in a New Working Timetable issued under the Part D process, then Network Rail will seek to work with the applicant on these elements of the application for the timetable period. This would therefore apply from the D-26 timetable production dates (already applicable for the December 2024 timetable) where relevant applications are still to be decided upon by ORR and rights are required for that particular timetable period.

While dealing with each application on a case-by-case basis, our aim, subject to normal governance processes including regional assessments of any relevant considerations, will be to potentially agree a new supported application for contingent, time-limited rights for that timetable period with no presumption of continuity.

Supported applications will then be progressed in the normal way, noting that for freight applications contingent rights may be progressed under the ORR's General Approval for Freight Track Access Contracts 2024 without the need for industry consultation.

## East Coast Mainline

On the East Coast Main Line (ECML), a similar approach has been in place for several years so that services introduced after ORR's rights decision in 2016 cannot preclude the delivery of the rights directed in that decision. A decision was taken on 22 July 2024 that a future ECML ESG timetable (as referenced in paragraph 6 of ORR's 24 April letter) would not be introduced before December 2025.

The ECML local access policy, which currently expires at the December 2024 Timetable Change Date, is therefore extended to the December 2025 Timetable Change Date.

The need to preserve the protection provided by the ECML policy until the 2016 directed rights are delivered or surrendered gives rise to a multi-tier approach:

1. operators with firm rights on the ECML (whether pre-dating 2016 or directed in 2016) have a presumption of continuity and those rights may be extended in the normal way;
2. operators with contingent rights under the ECML policy may also extend those rights in line with the policy until the Timetable Change Date in December 2025; and
3. operators whose applications were noted in ORR's 24 April letter or submitted in response to it will be considered for contingent rights for each



timetable period in line with the standard interim approach to interacting applications outlined above.

### Final positions

We will continue to look for opportunities to expedite our assessment of the unsupported applications, and wherever we are able to reach a conclusive position we will provide those final representations to ORR so that it may reach a decision consistent with its statutory duties.

This might relate to a single application or a number that interact in a relatively contained way; but we will only be able to do this before the end of the assessment programme if we are able to reach a position of confidence about the way these applications interact with others, especially those relating to later time periods including applications for after December 2025 received on 20 May.

Similarly, we also note that ORR has stated in its response that “Where ORR has the necessary information to expedite decisions for each timetable it will do so. This includes undertaking any required economic analysis in a timely manner so that decisions can be incorporated into Network Rail’s timetable production.” Where such decisions remove interactions and enable us to move forward with other remaining applications we will seek to do so.

### Bidding in expectation

We recognise that Part D of the Network Code allows operators to bid in expectation of rights.

We will therefore apply this policy where paths bid in expectation are subsequently included in the New Working Timetable and / or Working Timetable and therefore require rights for one of the timetables identified in the ORR letter.

This will allow ORR to take decisions in due course, noting that the ORR’s Letter of April 24 stated that “ORR plans to approve or direct access applications received after 20 May in the identified locations for December 2024, May and December 2025 only where there is clear evidence they do not interact/conflict with the applications which have already been received. It is therefore less likely that we will be able to assess and determine applications for additional capacity in the identified locations received after 20 May, for inclusion in timetables before the end of 2025.”.

### Keeping our approach under review

This approach will be continuously reviewed, with particular attention to the milestone dates for each timetable production cycle, and may be amended if it would be beneficial, but the guiding principle will remain that we should apply the standard industry processes in order to achieve the balance of needs set out above.



## Regional Assessments

Regions are processing responses to the Statutory Consultations and information requests from ORR.

### Reviewing applications

Network Rail responded to the Statutory Consultations issued by the ORR on June 28 – in most cases given the large number of interacting applications and the analysis required these reserved Network Rail's position pending the outcome of our analysis. Where required the customer teams will initiate their usual business review process for their regional consideration of applications and identify time needed for considerations to be built into own plans.

They will identify when Capacity Planning's outputs will be available in respect of their applications, how long they need to consider this and when region will be able to submit evidence / advice to ORR. Customer Teams will seek to indicate as far as reasonably practicable the timing of the availability of evidence and information identified and in due course the results will be shared with ORR.

Network Rail customer teams have already started this process in the statutory consultation representations and all parties should be mindful that the wider plan and its analysis may identify dependencies, risks or changes in risk profiles that could require revision or further review of individual responses.

### Other activities

Customer teams will also assist Capacity Planning with sourcing of additional information from customer / review Capacity Planning assessments on each application in terms of scope, TT, information level.

### Out of scope applications

Customer Teams will continually look to identify opportunities to split-out out-of-scope elements that could be separately pursued with applicants as a s.22 application (allowing applicant to ultimately withdraw those elements if agreed)

### Risk assessments

Wider Network Rail Region Timetable Change Risk Assessments will take place as per standard processes in preparation for the May 2025 and December 2025 timetables, regional plans indicate the meetings and dates that are planned to be part of their assessments processes.

Network Rail customer teams will coordinate further representations, which as usual may raise specific local issues or concerns with each application.

These may include, but are not limited to, matters that might be identified by regional internal consultees including Regional technical experts such as Heads of Departments including Performance, Asset Management / Maintenance, Operations, Heads of Strategic Planning, and Safety. Power supply assessments in places may need to be dependent on the planned operations – therefore likely to be a final element to many considerations. There is limited time for these and other later regional assessments between Dec 25 publication (13/6/25) and before the priority date for the May 26 timetable (8/8/25).



## North West and Central Region's Activity

Most of the interacting applications submitted by May 20<sup>th</sup> either operate on, or interact with the Region; power supply and performance are key considerations in the region's geography.

The Region will undertake internal reviews of applications following usual business practices. However with 55 applications to be considered locally, these need to be planned over a suitable (longer) period of time in the plan.

### Complexity of considerations

North West and Central (NW&C) Region has several large enhancement projects taking place including TransPennine Route Upgrade, HS2 and Midlands Rail Hub impacting long term capacity utilisation for which we will give consideration to when reviewing applications to collectively assess risks and impacts.

Although not identified in ORR's 24 April 2024 letter, other locations for which there are potentially interacting aspirations and capacity constraints (including areas previously declared as congested) requiring careful consideration including but not limited to Manchester and the surrounding area, Crewe, and the Wolverhampton corridor.

During our assessment of the applications we will be paying particular attention to both the locations identified in ORR's letter and those named above.

### Local geographic considerations

#### **Birmingham area:**

Birmingham and the surrounding area is one of the key interacting locations highlighted in ORR's letter of 24<sup>th</sup> April 2024. It is our intention to develop a strategic plan for passenger services in the West Midlands area in order to optimise capacity in the medium and long term, taking cognisance of the

Midlands Rail Hub project in order to realise the investment benefits of this project. We will do this in consultation with all affected operators and stakeholders.

#### **WCML or Manchester area interactions:**

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

#### **London Euston:**

Passenger flow at London Euston is currently a concern, with the region having been issued an improvement notice in October 2023 in relation to passenger surges and overcrowding. Network Rail therefore intends to undertake an assessment based on the quantum of services within the December 2022 Concept Train Plan.



There also remains a restricted number of platforms at London Euston, with no funded plans to reintroduce a 17<sup>th</sup> and 18<sup>th</sup> platform. Passenger flow is primarily focused on number of passengers at a station at a given time, with arrivals and departures rather than requiring knowledge of origin or destination.

It will therefore be possible to achieve a good understanding of the risk profile based on the quantum of services and associated passenger numbers within the Concept Train Plan, forming a basis which will allow for qualitative assessment of any differences to inform ORR in its decision.

### Power Supply

NW&C has several areas of concern with regards to power supply.

For any application utilising electric traction, the Region intend to model the outputs of the capacity assessment to understand the power supply risk both during normal working and in N-1 conditions.

In carrying out traction power modelling, NW&C region adheres to the requirements stipulated in NR/L1/ELP/27000 “Policy Requirements for Electrical Power Assets”. This policy states that the electrical power supply system shall have sufficient redundancy to support the peak timetable with one key piece of equipment out of service (known as N-1). In addition to fulfilling Network Rail policy requirements, maintaining the required N-1 redundancy levels in the traction power network supports adherence to contractual, performance and safety targets.

In order to accurately assess power supply it is key to understand any Empty Coaching Stock moves. We will be requesting this information separately from operators if it was not previously supplied as part of the 20 May applications.

### Resource constraints / dependencies / variables:

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

The volume of simultaneous applications with potential interactions to analyse, involves a level of complexity not previously experienced. As we move through the complexities of assessing the applications the plan may necessarily need to be reviewed and revised.

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

### Regional Assessments (see over)

A number of the regional assurance workstreams are timed around standard Route Risk Assessment process timelines. The unprecedented volume of new applications means the timescales above can still only be regarded as indicative.

A number of the regional assurance workstreams are also based on the current working assumption of a D-26 Timetable plan being available. As highlighted in the Capacity Planning section, the volume of interacting applications is such that there is no commitment at this point to completion of all relevant timetable and performance analysis by D-26. It is therefore recognised by all Regions that the timelines for these follow up activities do not yet represent firm commitments for completion of work.



## Regional Assessments

## Indicative Timeframes (subject to revision)

### Other Capacity Assessments

2022 Strategic plan capacity assessment	May – September 2024
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### Operational Risk

Operational assurances (may use internal consultations, existing forums such as TP Hazid, TP-RAM, or other assessments)	Ongoing (key assessments – see Standards)
Internal consultations of applications	July - September 2024

### Pedestrian Assessments

Pedflow Assessment of Euston Station	July - September 2024
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### Level Crossing assessment

Mapping of services to each ELR	June – July 2024
ALCRM modelling/assessment	July – August 2024
ALCRM modelling/assessment - May'25	October – November 2024
ALCRM modelling/assessment - Dec'25	May – June 2025

### Power Supply Modelling

Build baseline model	August 2024
Navitas provide modelling for baseline model	September – November 2024
Assess baseline + Proposed services	November 2024
May'25 Production Development Timetable	November 2024
N-1 assessment	November 2024
Impact assessment + mitigation assessment	November 2024 – February 2025
Re-create modelling CIF file based on Dec'24 actuals	January – April 2025
Dec'25 Production Development Timetable	June – July 2025
N-1 assessment	June 2025
Impact assessment + mitigation assessment	July – October 2025

### Performance Analysis

#### Phases follow outputs from High-Level Plan

Phase 1: Internal review of existing data	July – October 2024
Phase 2: Performance assessment of May'25 decisions	October 2024 – February 2025
Phase 3: Performance assessment of Dec'25 decisions	May 2025 - August 2025 (?)

## Timelines for any Dec 2025 final assessments

Where possible Network Rail will provide information to enable earlier decision making however representations for the December 2025 timetable, or for applications intended for an earlier timetable which interact with December 2025 applications require completion of the workstreams assessing December 2025 capacity, and inter dependent workstreams which are due for completion October 2025 with submission of final representation to ORR shortly thereafter.



## Wales and Western Regional Activity

### The Region's two routes are managing a lower number of applications directly than Eastern and West Coast & Central

There are 27 interacting applications for freight services for December 2024, May 2025 and December 2025 which include Freight, Passenger and passenger aspirant Open Access operators. The applications seek to either amend or introduce new services on Wales and Western Region. The plan for assessment of these applications is to follow Business as Usual processes including TCRAAG (Timetable Change Risk Assessment Group). Industry consultations have been completed and the Region continues to assess the applications with a view to closing out queries and feedback from internal and external consultations.

#### Applications

The two routes in the region are managing a lower number of applications directly (Cross Boundary Passenger, Freight and services for Wales – mostly from Freight operators, and Western – mostly from GWR). There are a significant number of applications, particularly those being managed by the national Freight and Customer team that relate to the Region and are part of their considerations.

#### Local geographic considerations

##### Gloucester

The Gloucester area is highly constrained, and any applications 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.

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.

##### Cardiff

We plan to commence the Cardiff Area Capacity Study late this summer.

##### Level Crossings (Gloucester)

There is a major level crossing located close to Gloucester station (Horton Road Level Crossing). Network Rail will assess the impact of operators' applications in line with the Western route plan. We expect to highlight Network Rail concerns around level crossing barrier downtime at this location.

##### Lydney Route

There are multiple level crossings on the Lydney route which would require upgrades to support additional train services on this line.



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### **Oxford**

The Didcot – Oxford – Birmingham route is busy mixed traffic railway, with long-distance passenger, local passenger and freight. Traffic in the Oxford area increased significantly with the introduction of the London Marylebone to Oxford service and will increase again as a result of East West Rail. There are also multiple operational constraints in the area i.e. Sandy Lane and Yarnton Level Crossings.

Network Rail has significant concerns with level crossings north of Oxford on the grounds of safety, and we anticipate providing further information for the ORR to consider when assessing operator applications in this area.

### **Interacting Location: Cardiff**

Cardiff Central and the surrounding area is one of the interacting locations highlighted in ORR's letter of 24 April 2024.

Several applications are seeking additional rights in Cardiff Central and surrounding areas. It is our intention to develop a strategic plan for passenger services in the Cardiff Central area to optimise capacity in the short, medium, and long term. We will do this in consultation with all affected operators and stakeholders.

The plan for the Cardiff Area Capacity Study is to commence late summer 2024 and this will initially look to assess all live and aspirational proposals impacting on capacity through Cardiff Central; identify the gaps in analysis that has been done; then if it's deemed necessary, carry out some further analysis to bring it all together, assess different potential service scenarios – this work could take until March 2026

We have started to do some preliminary exploration now to consider what the scope and study remit is likely to look like and will have a workshop in late September to review and discuss. The draft provisional timescales are to be agreed at a later date with the strategic planning team.

### **Other considerations**

The ability to support, or not, some applications will be dependent on the solutions for accommodating the capacity aspirations in a viable way as determined by Capacity Planning and a number of key considerations may only be able to be fully undertaken once capacity solutions have been identified.

### **Performance**

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

### **Asset condition and impact**

Applications need to be assessed through detailed assessment in line with the Wales and Western plans, including demonstrating acceptable impacts on our asset condition and maintainability.

### **Capacity**

Network capacity will be informed by the outputs of Capacity Planning's high-level plan. It will be a required input into a number of regional assessments.



## Regional Assessments

## Indicative Timeframes (subject to revision)

### Operational Risk

Operational assurances (may use internal consultations, existing forums such as TP Hazid , TP-RAM, or other assessments)	Ongoing (key assessments – see Standards)
Internal consultations of applications	July - September 2024

### Level Crossing assessment

ALCRM modelling/assessment	August – September 2024
ALCRM modelling/assessment - May'25	October – November 2024
ALCRM modelling/assessment - Dec'25	May – June 2025

### Performance Analysis

#### Phases follow outputs from High-Level Plan

Phase 1: Internal review of existing data	July – October 2024
Phase 2: Performance assessment of May'25 decisions	October 2024 – January 2025
Phase 3: Performance assessment of Dec'25 decisions	May 2025 – August 2025

### Engineering Access Assessment

Cardiff Central Capacity study workshop	1/10/2024
Cardiff Central Capacity Study – if deemed necessary (Indicative timescales - can take between 12 - 18 months) covering remit, review and finalisation	31/3/2026

A number of the regional assurance workstreams are timed around standard Route Risk Assessment process timelines. The unprecedented volume of new applications means the timescales above can still only be regarded as indicative.

A number of the regional assurance workstreams are also based on the current working assumption of a D-26 Timetable plan being available. As highlighted in the Capacity Planning section, the volume of interacting applications is such that there is no commitment at this point to completion of all relevant timetable and performance analysis by D-26. It is therefore recognised by all Regions that the timelines for these follow up activities do not yet represent firm commitments for completion of work.

## Eastern Regional Activity

Eastern Region has commenced its internal assurance reviews of the 59 applications that fall within the scope of the ORR letter dated 24th April 2024.

Industry external consultations and internal Network Rail consultations have been completed and the Region continues to assess all aspects of the applications and feedback from internal and external consultations.

### Complexity of considerations

In the ORR 24 April 2024 letter there are specific locations identified where the potential for multiple interactions on capacity exists. For Eastern Region these are:

- Birmingham–Derby
- Derby–Sheffield
- Sheffield area
- ECML Kings Cross – Edinburgh and Leeds

### East Coast ESG

On the East Coast Main Line (ECML), an access policy has been in place for several years so that services introduced after ORR's rights decision in 2016 cannot preclude the delivery of the rights directed in that decision. A decision was taken on 22 July 2024 that a future ECML Event Steering Group timetable (as referenced in paragraph 6 of ORR's 24 April letter) would not be introduced before December 2025.

The ECML local access policy, which currently expires at the December 2024 Timetable Change Date, is therefore extended to the December 2025 Timetable Change Date.

The need to preserve the protection provided by the ECML policy until the 2016 directed rights are delivered or surrendered gives rise to a multi-tier approach:

1. operators with firm rights on the ECML (whether pre-dating 2016 or directed in 2016) have a presumption of continuity and those rights may be extended in the normal way;
2. operators with contingent rights under the ECML policy may also extend those rights in line with the policy until the Timetable Change Date in December 2025; and
3. operators whose applications were noted in ORR's 24 April 2024 letter or submitted in response to it will be considered for contingent rights for each timetable period in line with the standard interim approach to interacting applications.

The Region will also align with recommendations and decisions from the ECML Task Force.



### Power Modelling

Where an application has any additional rolling stock requirements, these will need to be fully assessed as part of the Eastern Region power modelling workstream and align with cross-route power modelling in other Network Rail regions.

The Region has facilitated initial power requirement sessions with each of the relevant operators. The outputs from the initial power requirement meetings will help to clearly define the scope of the power modelling required.

### Capacity

Network capacity will be informed by the outputs of Capacity Planning's high-level plan. It will be a required input into a number of regional assessments.

### Performance

Eastern Region will undertake performance assessments of each application and align these with any existing performance modelling or intelligence where appropriate.

### Other considerations

The ability to support, or not, some applications will be dependent on the solutions for accommodating capacity aspirations in a viable way as determined by Capacity Planning - and key considerations may therefore only be able to be fully undertaken once solutions have been identified.

As previously highlighted through our 28 June 2024 representations letters and the 05 June 2024 letter to the ORR, we may as we progress, identify dependencies, risks or changes that could result in a change to the plans or activities identified.



## Regional Assessments

## Indicative Timeframes (subject to revision)

### Operational Risk

Operational assurances (may use internal consultations, existing forums such as TP Hazid , TP-RAM, or other assessments)	Ongoing (key assessments – see Standards)
Internal consultations of applications	June 2024 – August 2024

### Level Crossing assessment

ALCRM modelling/assessment - Dec 24	July – August 2024
ALCRM modelling/assessment - May'25	October – November 2024
ALCRM modelling/assessment - Dec'25	May – June 2025

### Signaller Workload

July 2024 – April 2025

### Platform-Train Interface assessments

July 2024 – April 2025

### Route opening and Engineering Access Statement Section 4 check

July 2024 – April 2025

### Track Maintenance Impact

July 2024 – April 2025

### Power Supply Modelling

Build model based on ESG timetable (with additional proposal submitted to ORR included) and finalise remit.	August 2024
Engineering Services Design Delivery (ESDD) to undertake work over four periods.	September – December 2024
Outputs provided by ESDD to enable decisions.	January 2025

### Regional Performance View

Route and regional performance assessments	June 2024 – April 2025
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A number of the regional assurance workstreams are timed around standard Route Risk Assessment process timelines. The unprecedented volume of new applications means the timescales above can still only be regarded as indicative.

A number of the regional assurance workstreams are also based on the current working assumption of a D-26 Timetable plan being available. As highlighted in the Capacity Planning section, the volume of interacting applications is such that there is no commitment at this point to completion of all relevant timetable and performance analysis by D-26. It is therefore recognised by all Regions that the timelines for these follow up activities do not yet represent firm commitments for completion of work.

## Timelines for any Dec 2025 final assessments

Any final decisions will need to be cognisant of Capacity Planning phases and assessment indicative timeframes. We will also look for opportunities where to make earlier decisions where appropriate.



## Southern Regional and Scotland Activity

Compared to other Regions there are a limited number of applications that affect these Regions, their interactions however are on other Regions – including Eastern, NW&C and Wales and Western.

### Scotland

East Coast Main Line to Edinburgh is one of the identified areas of potential interaction identified in ORR's letter of 24th April. In total there are 27 Section 22A applications that touch the Route in some way, with Glasgow Central / Queen Street a particular area of interest for applicants.

The Region's Plan for assessment of potentially interacting applications is based on using Business as usual processes to undertake assessments, informed additionally by Capacity Planning's High Level Plan outputs and input from other Regions where the proposed rights would operate.

Planned activities include:

- Train Plan Assessment
- Power expert opinion (This will include looking at previous modelling exercises to see if specific applications have been included.)
- Route led Performance Intelligence Including Platform Docking at Edinburgh Waverley.
- Train Plan Evaluation (TP-REP)
- Operational Risk Assessment e.g. Level Crossing ALCRM, SPAD Risk
- Operational Risk - e.g. Signaller Workload
- Infrastructure Risk – e.g. Maintenance Access, Asset reliability
- Power Modelling

### Southern

While Southern Region is the lead Region for GTR, who are impacted by the ECML ESG TT, the locations where competing applications occur are all off-Region.

The Region is mindful of the potential performance impact that the ECML ESG TT may have on Sussex and Kent routes.

Further information will be available in due course and will be dependent on the ECML Taskforce recommendations.

There are several potentially interacting applications for freight services seeking to operate on Southern Region. The plan for assessment of these applications is to follow Business as Usual processes.

A TCrag review of the applications, with the support of Freight and National Passenger Operator, is arranged for 20th August, after which Southern Region will share the outputs, including which services it is able to support.



### Regional Assessments (Scotland)

### Indicative Timeframes (subject to revision)

<b>TCRAG</b>	(Key assessments – see Standards)
Train Plan Evaluation (May 25)	September 2024
Train Plan Evaluation (Dec 25)	April 2025
<b>Operational Risk Assessments (Route HSE and Route Ops) and Infrastructure</b>	
May'25	September 2024 – January 2025
Dec'25	April – June 2025
<b>Access rights Compliance Check (Scotrail only)</b>	
May'25	August – September 2025
Dec'25	March 2025 – April 2025
<b>Internal Consultation (22As) May &amp; Dec</b>	June 2024
<b>Power Expert Opinion</b>	
May 25	August - September 2024
May 25 Power Modelling (if required)	November 2024 – January 2025
Dec 25	March – April 2025
Dec 25 Power Modelling	June 2025 – September 2025
<b>Route led Performance intelligence (all applications)</b>	
May 25	September 2024 – January 2025
Dec 25	April – June 2025

A number of the regional assurance workstreams are timed around standard Route Risk Assessment process timelines. The unprecedented volume of new applications means the timescales above can still only be regarded as indicative.

A number of the regional assurance workstreams are also based on the current working assumption of a D-26 Timetable plan being available. As highlighted in the Capacity Planning section, the volume of interacting applications is such that there is no commitment at this point to completion of all relevant timetable and performance analysis by D-26. It is therefore recognised by all Regions that the timelines for these follow up activities do not yet represent firm commitments for completion of work.



# Railfreight & National Passenger Operators

Freight applications make up around half of the applications submitted to ORR.

### Timelines for freight-specific assessments

Any schedules bid as part of the Interacting Aspirations submissions to ORR on 20 May that have Heavy Axle Weight restrictions are being assessed now, irrespective of their timetable implementation date. As the Railfreight and National Operators Route has no physical assets, we are reliant on other Routes and Regions plans to guide our responses on factors such as power supply, level crossing risk and timetable, and performance, capability.

### Railfreight Operators

All operators are being encouraged to submit parallel S22 application to Network Rail for anything submitted to the ORR as a S22A on 20 May. All 22A’s have or are being consulted internally and to industry. Any schedules currently in the WTT and running, are to be considered for Access Rights for December 2024. The Interim Approach sets out how these will be progressed using the Freight General Approval. Aspirational bids are being assessed for May 2025 with some exceptions where operators have now informed us that these aspirations will not happen until the December 2025 timetable.

### National Passenger Operators

The two existing National Passenger Operators (Cross Country Trains and Caledonian Sleeper) submitted aspirations to the ORR on 20 May. The assessment of these applications is expected to begin during Phase 3 of the 05 June Plan for May 2025 aspirations. Where aspirations are to start in December 2024, Network Rail is looking to support as Contingent Rights for one timetable period only with no expectation of continuity.

### Aspirant Open Access Operators (AOAO)

There were four AOAO who submitted aspirations to the ORR on 20 May. All of these operators have now responded to Network Rail’s 28 June letter of representations to the ORR. The assessment of these applications is expected to begin during Phase 3 of the 05 June Plan for May 2025 aspirations and Phase 4 of the 05 June plan for December 2025 aspirations.

Freight Assessments	Indicative Timeframes (subject to revision)
Heavy Axle Weights	
Assessments of Heavy Axle Weights	August 2024

## Governance

**We are following our established governance mechanism for both agreeing sales and confirming Network Rail's representations on disputed access rights.**

Our Capacity Allocation Process (CAP) aims to deliver network-wide governance of the process to allocate network capacity through contractual and timetabling processes.

It supports fair, consistent and transparent treatment of customers within a national framework beginning at Route level and overseen at national level by the Sale of Access Rights Panel; delivers a licence requirement; complies with regulatory and contractual obligations; provides transparency to applicants and operators, considers overall use of capacity with network performance risks / mitigations; provides cross-regional input; and approves industry consultation ahead of ORR consideration.

### Sale of Access Rights

Our customer teams in the Regions – along with the Freight Team and National Passenger Team, are required (as specified in our Network Licence) to follow a national access framework managed by the System Operator.

The framework is overseen by the Sale of Access Rights (SoAR) Panel and provides:

- An internal process governed by the Sale of Access Rights Panel used to decide whether Network Rail does, or does not, support the selling of access (and in

effect, therefore indirectly determines under which Section of the Railway Act 1993 an access application will be made to the Office of Rail and Road (ORR) as a result should an operator wish to proceed should Network Rail not support a sale).

- An activity that is largely delivered by customer teams in routes, regions and the Freight and National Passenger Operators team, and supported and managed by the Network Reform Team.
- Support for Network Rail's participation in the regulated access rights processes managed by the ORR.

The panel provides network-wide oversight of Network Rail's decision making in relation to the sale of access to train operators, applying a consistent approach across the network.

The Panel's decision making powers are established in the Network Rail Board's Delegation of Authority Policy and its Terms of Reference confirmed by the Executive Committee including 'To authorise the sales of track, station, and depot access rights and connection agreements (and access options) including any decision not to sell rights when sought through the Section 17/22A process'.



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## Customer engagement and internal reviews

This RACIs provides an indication of the range of business areas involved in the development and assessment of access rights aspirations.

This grids provides a non-exhaustive, indications of decision makers and likely process used by each Region to consider agreeing applications.

Region	Responsible	Accountable	Consulted	Informed
<i>General approach</i>	Customer executives	Head of team / activity that includes Customer Management (Regional roles vary)	Regional internal consultees, plus mandatory national consultees; Railfreight and National Operators, Capacity Planning & Network Reform. It may be appropriate to consult other affected Regions.	Regional technical experts (E.g. Heads of Departments including Performance, Asset Management / Maintenance, Operations, HOSPs, Safety)
<b>Scotland</b>	NR Customer Manager / ScotRail Regulated Contracts Manager	Head of Passenger Experience/ScotRail	Internal functions e.g. Operations, Maintenance, Ops Risk through TCRAg discussions (starts at D65 weeks from Timetable change) If not associated with timetable change would still be consulted with functions via correspondence as a "TCRAgLite" to flush out any associated operational risks.	ORR / SOAR Panel / Regulatory Reform – through weekly Action Trackers. RD.
<b>Southern</b>	Head of Franchise Management	Franchise & Access Executive	Regional internal consultee lists (see also informed). Other affected Regions, and from FNPO, Capacity Planning and Network Reform.	Regional technical experts (e.g. Heads of departments including Performance, Asset Management / Maintenance, Ops, HOSPs, Safety)
<b>Eastern</b>	Customer Manager	Head of Commercial	The relevant Route Director and SMEs	The relevant Route Director and SMEs, Head of Legal and Commercial, (Regional Finance Director / Regional Managing Director for contentious, novel or complex matters with the potential for adverse Stakeholder impact)
<b>North West &amp; Central</b>	Franchise & Access Managers	Head of Franchise management	Regional Internal consultee lists of SME's, other affected Regions, FNPO, Capacity Planning and Network Reform	Regional technical experts, Strategic Commercial Director, Regional Finance Director
<b>Wales &amp; Western</b>	Customer Manager	Head of Passenger experience	Heads of each department	Route or Regional Exec teams
<b>FNPO</b>	CRE	Freight & Customer Director	Regional internal consultee lists (see also informed) Other affected Regions, and from FNPO, Capacity Planning and Network Reform	Regional technical experts (e.g. Department Heads inc. Performance, Asset Management / Maintenance, Operations, HOSPs, Safety)

*These lists are intended to provide a general understanding of the likely RACI roles at this stage - applications will be progressed as appropriate on a case-by-case basis which may involve some, all or none of the above as relevant and appropriate.*