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Dear Brian,

## **East Coast Main Line Capacity – Network Rail’s Second Report**

This letter provides the DfT’s comments on Network Rail’s second ECML Capacity Report dated 18th December 2008, and the conclusions that we draw from it. We will reply separately to David Robertson’s letter of 24<sup>th</sup> December 2008 regarding NXEC’s franchise commitments and their effect on the funds available to the Secretary of State.

### **Main conclusions**

Our letter to ORR dated 6<sup>th</sup> October 2008 concluded that Network Rail’s previous report had shown that it is possible to produce a satisfactory repeating pattern timetable for the East Coast Main Line containing 6 passenger trains and 1 freight train per hour that can include services to/from most of the proposed origins/destinations and that such a timetable is not inconsistent with an acceptable level of future performance. However, we said that there were some serious flaws in the outline timetable that had been prepared and that significant further development would be necessary to create a satisfactory production timetable.

Network Rail’s second report has addressed most of the issues raised by the DfT and other industry parties and, subject to certain reservations detailed below, the Department is satisfied that it is possible to develop and implement a satisfactory ‘6+1’ off-peak timetable for the ECML. We note that in addition to the passenger service benefits, such a timetable would deliver increased freight capacity, performance that is similar to that achievable with the current timetable and a reduced platforming requirement at Kings Cross to assist the redevelopment project.

As franchising authority for most services on the ECML and as the principal funder of the rail network, the Department wishes to see the early implementation of an improved ECML timetable, based on our SLC2 specification for NXEC’s franchised services, to enable the route to handle growing volumes of passenger and freight traffic within the available level of public funding. Network Rail has advised us that it is possible to develop a new ECML timetable for implementation at the December 2009 Change Date provided that consequential changes off the ECML, particularly in West Yorkshire, are kept to a minimum. Therefore we conclude that it would be sensible to defer introduction of any additional services to destinations in West Yorkshire to a future timetable change date

and that some temporary compromises on journey times and calling patterns may be necessary to secure the benefits of implementing the basic structure of the new timetable in December 2009. We would expect to see further improvements developed for delivery in December 2010 when a greater level of retiming of off-route services would be possible.

We understand that ORR is likely to reach its decisions on capacity allocation before the Priority Date on 30th January 2009 but we do not expect that new access rights will have been agreed and approved by then. Therefore it is likely that a substantial part of the new timetable would need to be developed under the provisions of Part D3.2.3(c)(i) of the Network Code which would avoid the possibility of conflict with train operators' existing Firm Rights, whether or not ORR chooses to approve new Firm Rights for the December 2009 timetable. Whilst it is important that train operators have the security of Firm Rights to new services as soon as possible, we believe that it is important that the detailed characteristics of new access rights can be refined in future years to reflect the benefits of future timetable development, e.g. to secure improved journey times.

Although the introduction of a new timetable in December 2009 would be an important step in improving services on the ECML, the DfT remains committed to providing capacity for further growth of passenger and freight traffic on the route which is dependant on the timely delivery of the infrastructure enhancements proposed for CP4.

### **Whether the aspirations of NXEC, as expressed in its track access application, can be accommodated in full**

The DfT's service specification, which is encapsulated in NXEC's franchise as Service Level Commitment 2 (SLC2), requires a fifth off-peak service per hour to be introduced between Kings Cross and York or Lincoln in alternate hours. These services are intended to provide additional train capacity at the southern end of the ECML and to call at intermediate stations, allowing some calls to be removed from longer-distance services, with consequent improvements in journey times to cities in the north. We believe that Network Rail's work has demonstrated the feasibility of this specification.

Subject to agreement of commercial terms, the DfT is content for NXEC to extend some of its off-peak services to/from other locations including Bradford and Harrogate (this enhanced specification is known as SLC2b), and Network Rail's report appears to confirm that it is feasible to extend NXEC's services in this way. However, because a complete recast of other services on the routes would seem to be necessary, and because this has not yet been developed in any detail, we suggest that these developments should be postponed, at least until the December 2010 Change Date.

Indeed, it is probable that local services between Leeds and Bradford, Skipton, Ilkley and Harrogate will need to change in the next few years to provide the capacity increases that we are buying as part of our High Level Output Specification (HLOS) and this could provide an opportunity to incorporate extensions of NXEC services. Similarly we anticipate that some timetable changes will be needed to deliver HLOS capacity increases on the Leeds – York / Selby route which might enable the difficulties in pathing NXEC services via Hambleton to be resolved. Therefore the DfT concludes that it might be sensible to defer introduction of the SLC2b specification so that it can be coordinated with other changes to services in West Yorkshire. This would not preclude earlier introduction of the original SLC2 service enhancements and would enable Network Rail and the industry to focus its efforts on production of a satisfactory ECML timetable separately from, and in advance of, major recasts of local services.

## **Clarification of the likely impact of additional passenger services on the capacity available for freight**

Network Rail has demonstrated (Annex B Items 31-36) that the SLC2 repeating pattern timetable provides significant additional capacity for freight trains where there is virtually none in the current timetable. The current off-peak freight trains that were missing from the analysis in the previous report appear to have been accommodated insofar as they run on the Stoke Jn - Doncaster route section during the 1000-1600 period. In the up direction there would be 3 spare paths where there is only 1 in the current timetable and in the down direction there would be 4 spare paths where there are none in the current timetable. Timing loads appear to be adequate for current traffic levels and to provide some scope for increased train loads in the future. It is clear that sufficient freight capacity exists over Newark Flat Crossing and freight capacity north of Doncaster and south of Stoke Jn appears to be effectively unchanged. Although the limited opportunities for class 6 trains remains a cause for concern, this needs to be balanced against the overall increase in freight capacity and the DfT concludes that the SLC2 specification is consistent with our aspirations to protect current traffic flows and to provide capacity for freight growth on the ECML.

## **Impacts on other passenger operators**

Network Rail appears to have deliberately avoided retiming of other operators' services wherever possible and some further adjustments might be desirable during production timetabling to maintain connections and to optimise ECML journey times.

The report highlights two services that would require retiming: York – Hull which might benefit from a more regular pattern and Liverpool – Norwich which seems to present significant pathing problems that have not yet been resolved. Network Rail needs to develop an acceptable solution as a matter of urgency otherwise this issue could place implementation of a new ECML timetable in jeopardy.

Extension of NXEC's services to Bradford and Harrogate and routing of Leeds services via Hambleton would require a recast of local services on those routes and, as stated earlier, we believe that it might be sensible to coordinate this with other changes to deliver HLOS capacity increases. This would also apply to any extension of open access operations in West Yorkshire.

The DfT expects that the ECML timetable proposal will generate additional revenue for the industry as a whole, but we recognise that it might affect the distribution of revenue between train operators. If it is proved to be necessary, we will address this issue with affected franchised operators through the Change mechanism in their franchise agreements.

We are aware that Route Utilisation Strategies are considering several proposals for service changes on routes that would be affected by a new ECML timetable. Whilst we would not wish to see sensible service options closed off unnecessarily, it is important that ORR reaches a timely decision on future ECML access rights. Where future service options do not yet form part of an established RUS they have no formal status in the industry's planning processes and therefore we believe that they should not be an obstacle to implementation of a new ECML timetable. Once ORR has indicated which new ECML access rights it is likely to approve, it will be for the various RUSs to take account of the emerging situation in their recommendations.

As always, the DfT is happy to work with ORR to oversee the further work required to deliver improved services on the ECML.

Yours sincerely,

**Geoff Appleby**

## **ADDITIONAL COMMENTS**

### **Performance Issues**

The DfT is pleased to have had the opportunity to attend a cross-industry workshop and to comment on a draft of the performance section of the report. We believe this process has ensured that most of the flaws in Network Rail's methodology have been corrected.

The updated analysis in Annex A of the report shows that there is not likely to be a significant impact on overall ECML performance from the increased number of trains running (paragraph 4.1), extra conflicting moves at junctions (paragraph 4.2) and reduced turnround time (paragraph 4.6). We are particularly pleased that Network Rail has accepted that there is scope to reduce the current turnround allowances at Kings Cross and Leeds which will enable more efficient use of platforms at those locations.

There is some evidence that trains departing from Kings Cross on minimum headways will perform worse than average, though historic data which relates mainly to peak periods and operation of Grand Central services may overstate the effect of minimum headway departures in a regular interval off-peak timetable.

Network Rail's analysis focuses mainly on the Peterborough – Doncaster section (paragraphs 4.3 and 5.1 to 5.3) and predicts that there will be a 1% performance worsenment. The DfT agrees that this section is critical to overall performance on the route but we believe that the predicted worsenment will not arise in practice for the following reasons:

- (i) NR's prediction assumes 1 freight train per hour. A worsenment of 0.2% is predicted if freight traffic is 0.5 trains per hour and at the current level of 0.35 freight trains per hour their figures suggest that there would be no worsenment due to the additional passenger trains.
- (ii) NR's prediction assumes no benefit from use of a repeating pattern timetable. They acknowledge (paragraph 4.7) that a benefit is likely, particularly if the change in timetable structure is linked to a review of Rules of the Plan.
- (iii) NR's prediction does not make any allowance for mitigating action although they recognise (paragraph 4.8) that there is scope for this.

*Also we note that the report states (paragraph 1.4) that NR's Strategic Business Plan includes an allowance for a fifth franchised long distance passenger train path and a small increase in freight traffic. Therefore we assume that NR's plans to meet regulatory targets have already factored in some additional services.*

## **Whether the apparent negative impact on NXEC Anglo-Scottish services and internal ScotRail Scottish services can be mitigated**

The DfT has met Transport Scotland and Network Rail to discuss changes to Network Rail's previous Anglo-Scottish timetable proposal. The revised proposal, which retains the current pattern of ECML paths to/from Aberdeen and Inverness, addresses many of our concerns, though we believe there is scope for further refinement of calling patterns, dwell times and pathing time to improve journey times and to provide broadly symmetrical calls and journey times to/from stations in Scotland in up and down directions. A particularly undesirable feature of the present proposal is the use of the slower path south of Edinburgh for services from Glasgow and we would want Network Rail to carry out further examination of the alternatives as a matter of urgency.

## **Platinum Trains**

We note that the Platinum Trains proposal does not appear to be compatible with Transport Scotland's franchised service specification between Aberdeen and Edinburgh, and we find it difficult to see how a non-stop path could be achieved south of Edinburgh without use of excessive pathing time which could present operational difficulties due to persistent early running.

## **Whether the implied non-compliant turnrounds can be addressed**

We note that Network Rail has accepted that reduced turnrounds for NXEC services at Leeds and Kings Cross would be achievable. Some concern remains about the 15 minute Hull Trains turnround at Hull even though this is longer than some of the Hull Trains turnrounds in the current timetable.

## **Impact of Kings Cross redevelopment and First Capital Connect (FCC) service changes on platform availability**

Network Rail's report shows that the SLC2 specification is compatible with FCC's May 2009 timetable, including its enhanced peak services. The repeating pattern of the SLC2 specification makes more efficient use of platforms at Kings Cross and actually leads to a reduction in the platform capacity required which will assist implementation of the redevelopment project.

## **Timetable structure outside the inter-peak period**

In the peak periods the DfT believes that the current pattern of long distance services and the May 2009 FCC timetable represent the best use of available capacity to meet peak demands. We would not expect peak services to be amended to adopt the off-peak repeating pattern and we note that Network Rail expects to be able to plan the transition between peak and off-peak timetables without any particular difficulties. In the longer term we support the ECML Route Utilisation Strategy's recommendations that there should be 8 long distance services per peak hour and that peak outer suburban services should be lengthened to 12 vehicles. We recognise that this will require implementation of infrastructure enhancements at the south end of the ECML as set out in the RUS.

## **The scope for splitting and joining**

Our SLC2 specification does not require splitting and joining, and the locations where it could be used by open access operators appear to offer very limited benefits.

## **Calling patterns and journey times**

Whilst the DfT supports the broad principles of a repeating pattern and symmetrical calls in up and down directions that have been adopted by Network Rail in its outline timetable, we believe there is scope for further refinement of calling patterns, dwell times and pathing time to improve journey times and to retain an acceptable level of through journey opportunities. We would expect this to happen during development of a production timetable. For example, we would expect Stevenage to have a range of northbound journey opportunities in the morning peak and a corresponding range of opportunities for return journeys in the evening. This would not require journey time extensions within the repeating pattern off-peak timetable. In some cases it might be appropriate to adjust the strict repeating pattern to obtain the right level of service at intermediate stations. For example we would expect NXEC to specify a suitable balance between Durham and Northallerton calls in the slower Kings Cross – Newcastle / Scotland services.

## **Safety Assessment**

Network Rail's report states that their Area General Manager is "happy to agree with the risks identified" but it does not make clear whether suitable mitigation of the risks has been agreed. We assume that ORR will want to satisfy itself on this point.

## **Maintenance Access**

We note that the additional passenger trains are not expected to affect engineering access arrangements but that increased freight traffic could require a review of maintenance requirements.