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Dear Feras

Simultaneous closure of both cross-border routes (WCML and ECML) on the weekend of 18/19 February 2023

Thank you for your letter dated 7 March 2023. We are very conscious of our obligations to use reasonable endeavours to maintain availability of at least one cross-border route to Scotland and to ensure journey times are kept as short as possible when there is disruption caused by planned engineering works. When there is disruption, we remain acutely aware of our requirement to ensure passengers, train and operators, funders and ORR are alerted to any variations as far in advance as possible.

Chris Rowley (Director Capacity Planning) and Paul Rutter (Route Director East Coast) and their teams met with Martin Jones and members of the ORR team on 20 February 2023 to discuss this issue. At that meeting we were fully open about the underlying issues including:

- Human error led to the original plans for the Preston block not being included on the maps put forward for use in August 2021 (at D68) to inform a national (Route and Operator) de-confliction meeting. Note that at this stage the Eastern plans were not full line blocks, so this would not have triggered an alarm anyway as there was still a line open to Scotland from Kings Cross. The present process for establishing conflicting cross Region blocks is set out in Appendix 1.
- When the Eastern plan changed to an all line block the clash with the Preston blockade was not identified as it involved a different Region, and different Operators and by this point the National level deconfliction process had concluded. This possession was also planned as a five-hour non-disruptive Section 5 possession opportunity in the first instance, meaning that it would not have been flagged on the national maps which focus on disruptive possessions greater than eight hours only.

- Whilst there was practitioner knowledge of this North West and Central (NW&C) and Eastern simultaneous blockade at a local level there was an expectation from each of them that the other would amend their plans to resolve the issue. This knowledge within Route teams did not get escalated as we would have expected given the predictable impact to passengers and freight customers.

Once the situation was escalated in January 2023, the Regions and System Operator acted quickly to create additional journey opportunities to those already available through interchange. Additional services were operated over the weekend in question between London Liverpool Street and Peterborough offering good interchange with through services to/from Scotland. Eight services were operated with 1329 people taking advantage of the link. Options for travel via the Midland Main Line with interchange were also available on both days.

Since this incident, the Head of National Access Planning has met with the Heads of Planning from the Routes, and worked through the issue, lessons learned and opportunities for improvement further.

I can now confirm that the following steps have already been put in place:

1. National maps will now be produced to inform a further national de-confliction from TW30 – TW26 as part of the Draft Period Possession Plan (at TW30) into the Confirmed Period Possession Plan (at TW26).
2. This process for National Conflict Resolution has already been introduced. This introduces the additional national de-confliction opportunity between TW30 – TW26. The previous and new processes are attached under Appendix One and Two respectively.
3. The Late Change (post-TW26) process has been re-tested to assure that the risk of conflict to the national principles are tested consistently.

The following further improvement opportunities to the above have been identified since our teams met in February:

1. Establish an annual review of the National Principles to suit today's railway. Develop a System Operator led assurance review to confirm that this has been undertaken in time for relevant timing points in the Engineering Access review and publication process.
2. Scotland's Railway have identified an opportunity to create a 'simplifier' to include cross-route services in advance of the D68 national deconfliction meeting. This will further improve identification of parallel engineering plans to inform the decision making.

This event has put a spotlight on the national principles in a way that has not been seen for some time and I welcome the opportunity to strengthen and improve the industry capabilities in this regard. As part of that I believe there will inevitably be future instances where the best interests of the rail system, and ultimately its customers (for cost, safety, or performance reasons), will be to decide to progress work that leads to a non-compliance with a national principle.

If this scenario arises, I would absolutely expect to be able to justify the decision and provide the supporting facts as to why that has been the case. We need to work this through with your team and the Regions and Operators over the coming weeks.

I suggest that Chris Rowley's Capacity Planning team provide supporting evidence of closure of the items that have been progressed already, and share thinking on the detailed plans for the remaining items with you.

For completeness a copy of this letter has been copied to Andrew Haines and the Eastern and Northwest and Central Regional Managing Directors, Planning & Regulation Director at Network Rail, Bill Reeve, Transport Scotland and Dan Moore, Department for Transport.

Yours sincerely

Jake Kelly
Group Director, System Operator