

## APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER TRACK ACCESS CONTRACT, OR AN AMENDMENT TO AN EXISTING CONTRACT

ORR ensures that train operating companies have fair access to the rail network and that best use is made of capacity. If a train operator wants to access the national railway network, it will need a track access agreement with Network Rail which requires ORR's approval under the Railways Act 1993. When determining access to the network, we must have regard to our [statutory duties](#), most of which are set out in section 4 of the Act. We must exercise our functions (which include the approval of access contracts) in a way that we consider best achieves those duties.

Use this form to apply to the Office of Rail and Road (ORR) for a passenger track access contract, or an amendment to an existing contract by a supplemental agreement, under sections 17-22A or the Railways Act 1993.

It sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) (and our [making an application](#) guidance in particular) explains the process, timescales and the issues we will consider. Please read the guidance before completing the contract and this form.

If the facility owner and beneficiary have agreed terms, the facility owner should fill in the form. If not, the beneficiary should fill in the form.

A pre-application industry consultation is usually required before submitting an application. Please see the industry [code of practice for track access application consultations](#) for more information.

This form should be completed up to section 10 and sent to consultees along with a copy of the proposed contract or supplemental agreement. Sections 10 and 11 should be filled in after the consultation and before applying to ORR.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#). Please ensure that you are using the latest version of this form as published on our website. We may ask for applications which have not used the latest version to be resubmitted.

You may also use and adapt this form if necessary to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

# 1. Application Summary

## 1.1 Beneficiary company name:

First Trenitalia West Coast Limited

## 1.2 Facility owner details:

Network Rail:	<input checked="" type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input type="checkbox"/>	Scotland's Railway <input checked="" type="checkbox"/>
Other Facility Owner:	<input type="checkbox"/>	Please state:			

## 1.3 Application under the Railways Act 1993 section:

17	<input type="checkbox"/>	18	<input type="checkbox"/>	22	<input type="checkbox"/>	22A	<input checked="" type="checkbox"/>
Supplemental Number:						03	
Current contract date:						1 December 2022	
Current contract expiry date:						14 December 2030	

## 1.4 Applicant status:

Public Service Operator <input type="checkbox"/>	Public service contract start date:	1 December 2022
	Public service contract end date:	14 December 2030
	Name of funder (e.g. DfT, Local Authority):	DfT
	Does the funder support this application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Open Access <input type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

## 1.5 Executive summary of the proposed contract or amendment:

This Application, made under Section 22A of the Railways Act 1993, is for Firm Rights to run from 14 December 2025, and will reinstate services that were temporarily removed during Covid, for which Avanti West Coast previously held Access Rights for.

This S22A application is being consulted in parallel with Avanti's 14<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> SAs (also S22As for 14 December 2025). Insufficient time was available to complete the S22 application ahead of the ORR deadline of 20<sup>th</sup> May 2024 to receive applications, as per ORR's '*Competing and/or complex track access applications for December 2024, May 2025 and December 2025 timetable changes*' letter dated 24<sup>th</sup> April 2024.

AWC and NR consider this application meets ORR's criteria for the 20<sup>th</sup> May submission.

Proposed commencement date:	14 December 2025
End date:	14 December 2030
Date approval or directions wanted by:	As soon as possible

## 1.6 Industry consultation:

Who carried out the consultation?	Network Rail on behalf of FTWCRL		
Consultation start date:	22/05/24	Consultation end date:	24/06/24
Not carried out <input type="checkbox"/>			

## 1.7 Applicant details

<b>Facility Owner</b> Company: Network Rail Contact name: Paul Harris Job title: Franchise & Access Manager Address: 2 <sup>nd</sup> Floor, Baskerville House, Centenary Square, Broad Street,	<b>Beneficiary</b> Company: First Trenitalia West Coast Rail Ltd Contact name: Sue Rhymes Job title: Track Access Manager Address: Ground Floor, Victoria Square House, Victoria Square, Birmingham, B2 4DN
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Birmingham B1 2ND	Phone: [REDACTED]	Phone: [REDACTED]
Phone: [REDACTED]	E-mail: [REDACTED]	E-mail: [REDACTED]

**1.7 Date of application to ORR:**

**1.8 Checklist of documents attached to the application form:**

- Proposed new contract (S17 or S18) or supplemental agreement (S22 or S22A)
- Marked up Schedule 5 (where applicable)
- Marked up comparison to model contract (where applicable)
- All consultation correspondence
- Supporting documentation required for competing services (see section 6.2)
- Other supporting documents, side letters or collateral agreements (please list):


**2. Licence and railway safety certificate**

**2.1 Please state whether:**

- you intend to operate the services yourself; or
- have them operated on your behalf. 
  - if so, please name the proposed operating company:

**2.2 Does the proposed operator of the services:**

- (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and**
- (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006.

If the answer to (a) **or** (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

**Train operating licence:** First Trenitalia West Coast Rail Limited (the "Train Operator") holds a valid train operating licence under section 8 of the Railways Act 1993 and a European licence for the purposes of the Railways (Licensing of Railways Undertakings) Regulations 2006.

**Railway Safety Case:** The Train Operator holds a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006

**3. The proposed contract or amendment**

**3.1 Application overview:** Please detail the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed.

This information should be laid out clearly and concisely, and fully highlight the changes from the previous version of the contract (in the case of an amendment).

This Application, made under Section 22A of the Railways Act 1993, is for Firm Rights to run from 14 December 2025. These services were incorporated in the timetables developed by the WCML Industry Planning Group (IPG) and Event Steering Group (ESG) workstreams.

This Application will reinstate services that were temporarily removed during Covid, for which Avanti previously held Access Rights for.

This restores an hourly service from Birmingham to Scotland, which is important to the leisure market and improves connectivity. The Blackpool service will help to ease overcrowding on some of our busiest Anglo-Scottish services, which have seen strongest recovery in demand.

The original 3<sup>rd</sup> Supplemental was for May 25, and we are now submitting this 3<sup>rd</sup> SA to supercede all previous versions, with a revised start date of 14<sup>th</sup> December 2025.

NR advised that due to the time elapsed since the previous NR internal consultation and SoAR panel, we were required to begin the consultation process again. This has now been completed (see dates in section 1.6)

## Summary of Changes

### Weekdays

#### **Up**

9A53EU 11:51 Blackpool North to Euston starts from Glasgow Central calling at Motherwell, Carlisle, Penrith, Preston and forward as booked to Euston.

9A84EU 15:51 Blackpool North to Euston starts from Glasgow Central calling at Carlisle, Lancaster, Preston and forward as booked to Euston.

1A92EU 12:51 Blackpool North to Euston new service calling at Preston, Wigan North Western, Warrington Bank Quay, Nuneaton, Milton Keynes Central, Watford Junction and Euston.

#### **Down**

9P47FU 07:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.

9P65FU 11:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.

1P92FU 09:20 Euston to Blackpool North new service calling at Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Warrington Bank Quay, Wigan North Western, Preston and Blackpool North.

### Saturdays

#### **Up**

9A53EV 11:51 Blackpool North to Euston starts from Glasgow Central calling at Motherwell, Carlisle, Penrith, Preston and forward as booked to Euston.

9A84EV 15:51 Blackpool North to Euston starts from Glasgow Central calling at Carlisle, Lancaster, Preston and forward as booked to Euston.

1A92EV 12:51 Blackpool North to Euston new service calling at Preston, Wigan North Western, Warrington Bank Quay, Nuneaton, Milton Keynes Central, Watford Junction and Euston.

#### Down

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9P65FV 11:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.

1P92FV 09:20 Euston to Blackpool North new service calling at Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Warrington Bank Quay, Wigan North Western, Preston and Blackpool North.

**3.2 Safety risks:** Please explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

N/A

**3.3 Contract duration:** For new agreements or extensions to existing agreements, please provide justification for the proposed duration and, if more than 5 years, with reference to the [Railways \(Access, Management and Licensing\) Regulations 2016](#).

Proposed commencement date:	14 December 2025
End date:	14 December 2030

**3.4 Terms not agreed with the facility owner (for applications under sections 17 or 22A only):** Please explain any areas of the application which have **not** been agreed, the reasons for the failure to agree and the reasons for seeking these provisions.

These timetable changes were discussed at the Dec '22 Risk Joint Virtual Team on the 22<sup>nd</sup> September 2022, and early indications suggested that the change wouldn't cause significant issues for Scotland, unless there was a notable change in the volume of electric freight services operating.

We continue to work closely and collaboratively with Network Rail on development of our plans.

### 3.5 Bespoke provisions (departures from ORR's model access contracts)

Does the proposed contract include any departures from ORR's model access contract:

Yes

No

If yes, please set out and explain any:

- areas where the drafting of the application changes ORR's published template access contracts (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made.

- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model access contracts, including the financial implications (e.g. establishment of an access charge supplement or rebate).

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete.

### 3.6 Consolidated contract

For amendments to existing contracts, is the version of the consolidated contract on our [website](#) fully up to date? If not, please explain why not.

Yes

## 4. The impacts of the proposal

**4.1 Benefits:** please set out what specific benefits the proposal will achieve. Please describe the benefits to passengers and any impact on other operators, including freight operators.

This proposal restores an hourly service from Birmingham to Scotland, which is important to the leisure market and improves connectivity. The Blackpool service will help to ease overcrowding on some of our busiest Anglo-Scottish services, which have seen strongest recovery in demand.

Regarding the potential impact on other operators, we have done a preliminary assessment of this, and there is likely to be some retiming of freight and postal services required. End to end times are likely to be unaffected, and would be mostly a case of regulating trains differently during their journey.

**4.2 Capacity:** How have you satisfied yourself that there is enough network capacity for the services in the proposal? Please include details on all relevant capacity considerations, including but not limited to track, platform availability, and power supply traction.

These services were incorporated in the timetables developed by the WCML Industry Planning Group (IPG) and Event Steering Group (ESG) workstreams. We know the capacity exists for these services as they were included in the Dec 22 ESG.

AWC has worked closely with Network Rail in collaboration with other Operators, and has built its timetable on conclusions from the WCML IPG Final Report published in February 2021. The resulting Concept Train Plan, developed through the ESG, delivers a timetable structure that incorporates the services detailed in 4.1.

Power supply capacity modelling is currently being undertaken by Network Rail.

**4.3 Performance:** What is the impact on network performance? Please outline your assurance process that shows that any performance risk is tolerable in comparison to the benefits of the application. Please explain any risk mitigations. Please attach any associated evidence to support your case.

The rights sought reflect commitments to the Secretary of State on award of the West Coast Franchise.

Changes being proposed shown below:

**Weekdays**

**Up**

**9A53EU 11:51 Blackpool North to Euston starts from Glasgow Central calling at Motherwell, Carlisle, Penrith, Preston and forward as booked to Euston.**

The current 9A53 SX service from Blackpool North has an average On Time percentage of 53.0% and average T-3 percentage of 70.8% (between periods 2403 and 2412). It is the 2nd best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 14).

Pre-Covid, the equivalent Glasgow starting train was 9M53 10:00 Glasgow-Euston via Birmingham service (both are the 12:18 departure from Preston). This service had an average On Time percentage of 32.8% and an average T-3 percentage of 52.8% (between periods 2003 and 2012). It was the 9<sup>th</sup> best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 14).

The two closest services from Glasgow to Euston via Birmingham in the current timetable are 9M51 (08:00 GLC-EUS) and 9M55 (11:56 GLC-EUS).

9M51 has an average On Time percentage of 51.8% and average T-3 percentage of 69.6% (over periods 2403-2412), compared to pre-covid equivalent of 29.4% OT and 49.9% T-3 (for periods 2003-2012)

9M55 has an average On Time percentage of 38.2% and an average T-3 percentage of 57.9% (over periods 2403-2412), compared to pre-covid equivalent of 25.8% OT and 49.9% T-3 (for periods 2003-2012)



It's reasonable to expect that the reinstated performance of 9A53/9M53 would be better than the performance of 9M53 pre-covid, with a similar scale of improvement to that seen by 9M51 and 9M55. This would give an estimated On Time of between 48.6% and 57.8% and an estimated T-3 of between 61.3% and 73.6%, likely similar On Time and slightly lower T-3 performance than the current 9A53.

Another reason that performance of 9M53 could be expected to be improved compared to pre-covid is more planned dwell time at Birmingham New Street. Pre-covid T-3 of 9M53 south of Birmingham for trains that departed New Street on time was 60.7%, with average lateness of 5.2 minutes at Euston (compared to 45.5% with average lateness at Euston of 8.3 minutes for all 9M53). Current T-3 of 9A53 south of Birmingham is 66.4% with average minutes lateness of 7.7 minutes at Euston.

**9A84EU 15:51 Blackpool North to Euston starts from Glasgow Central calling at Carlisle, Lancaster, Preston and forward as booked to Euston.**

The current 9A84 SX service from Blackpool North has an average On Time percentage of 53.3% and average T-3 percentage of 70.8% (between periods 2403 and 2412). It is the 3rd best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 14).

Pre-Covid, the equivalent Glasgow starting train was 9M84 14:00 Glasgow-Euston via Birmingham service (the 16:17/ 16:18 departure from Preston). This service had an average On Time percentage of 30.8% and an average T-3 percentage of 54.8% (between periods 2003 and 2012). It was the 4<sup>th</sup> best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 14).

The two closest services from Glasgow to Euston via Birmingham in the current timetable are 9M55 (11:56 GLC-EUS) and 9M59 (15:57 GLC-EUS).

9M55 has an average On Time percentage of 38.2% and an average T-3 percentage of 57.9% (over periods 2403-2412), compared to pre-covid equivalent of 25.8% OT and 49.9% T-3 (for periods 2003-2012)

9M59 has an average On Time percentage of 43.2% and average T-3 percentage of 59.8% (over periods 2403-2412), compared to pre-covid equivalent of 32.8% OT and 53.3% T-3 (for periods 2003-2012)

It's reasonable to expect that the reinstated performance of 9A84/9M84 would be better than the performance of 9M84 pre-covid, with a similar scale of improvement to that seen by 9M55 and 9M59. This would give an estimated On Time of between 40.6% and 45.6% and an estimated T-3 of between 61.5% and 63.6%, likely slightly lower On Time and T-3 performance than the current 9A84.

Another reason that performance of 9M84 could be expected to be improved compared to pre-covid is more planned dwell time at Birmingham New Street. Pre-covid T-3 of 9M84 south of Birmingham for trains that departed New Street on time was 53.9%, with average lateness of 5.6 minutes at Euston (compared to 37.7% with average lateness at Euston of 11.5 minutes for all 9M84). Current T-3 of 9A84 south of Birmingham is 61.9% with average minutes lateness of 7.2 minutes at Euston.

**1A92EU 12:51 Blackpool North to Euston new service calling at Preston, Wigan North Western, Warrington Bank Quay, Nuneaton, Milton Keynes Central, Watford Junction and Euston.**

This service is not in the current timetable. The two closest services between Preston and Euston via the Trent Valley in the current timetable are 1M11 (10:38 GLC-EUS, departing Preston at 13:01) and 1M12 (11:36 GLC-EUS, departing Preston at 14:01).

Current services from Blackpool to Euston have a Preston arrival T-3 of 90.4%



When arriving at Preston within T-3, 1M11 has an average south of Preston On Time percentage of 63.5% and an average south of Preston T-3 percentage of 79.9% (over periods 2403-2412), compared to pre-covid equivalent of 34.7% OT and 71.2% T-3 (for periods 2003-2012)

When arriving at Preston within T-3, 1M12 has an average south of Preston On Time percentage of 60.5% and average south of Preston T-3 percentage of 82.1% (over periods 2403-2412), compared to pre-covid equivalent of 28.4% OT and 62.2% T-3 (for periods 2003-2012)

Pre-Covid, the 1A92 13:03 Blackpool North - Euston via Trent Valley service (13:29 departure from Preston) had an average On Time percentage of 59.5% and an average T-3 percentage of 78.5% (between periods 2003 and 2012). It was the 4<sup>th</sup> best performing Euston terminating train for T-3 in the Euston-Scotland (direct via Trent Valley) service group on SX days (out of 20).

It's reasonable to expect that the reinstated performance of 1A92 would be slightly better than the performance of 1A92 pre-covid, with 90.4% of services seeing similar performance to that of 1M11 and 1M12 south of Preston. This gives an estimated On Time performance of 61.8% and an estimated T-3 performance of 81.2%.

## Down

### **9P47FU 07:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.**

The current 9P47 SX service has an average On Time percentage of 40.3% and average T-3 percentage of 69.9% (between periods 2403 and 2412). It is the best performing Euston origin train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 13).

Using 9P47's arrival times at Preston and estimating arrival times at stations north of Preston using other Euston origin trains in the Birmingham Scotland service group gives an estimated On Time performance of 37.4%% and an estimated T-3 percentage of 63.6% for the new service. This would make the new 9P47 the best performing Euston-Scotland train in the service group (out of 12).

### **9P65FU 11:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.**

The current 9P65 SX service has an average On Time percentage of 42.4% and average T-3 percentage of 68.1% (between periods 2403 and 2412). It is the 2<sup>nd</sup> best performing Euston origin train for T-3 in the Euston-Birmingham-Scotland service group on SX days (out of 13).

Using 9P65's arrival times at Preston and estimating arrival times at stations north of Preston using other Euston origin trains in the Birmingham Scotland service group gives an estimated On Time performance of 38.9% and an estimated T-3 percentage of 62.1% for the new service. This would make the new 9P65 the 3<sup>rd</sup> best performing Euston-Scotland train in the service group (out of 12).

### **1P92FU 09:20 Euston to Blackpool North new service calling at Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Warrington Bank Quay, Wigan North Western, Preston and Blackpool North.**

This service is not in the current timetable. The closest service from Euston to Preston via the Trent Valley in the current timetable is 1S48 (0930 EUS-GLC service). On SX days, this has an average On Time percentage of 47.5% between Euston and Preston, and an average T-3 percentage of 60.4%. Pre-Covid, the equivalent Euston-Preston figures were 42.1% for On Time and 62.6% for T-3 (for periods 2003-2012).

Pre-Covid, the 1P92 08:54 Euston – Blackpool North via Trent Valley SX service had an average On Time percentage of 44.7% and an average T-3 percentage of 66.0% (between periods 2003 and

2012). It was the 4<sup>th</sup> best performing Euston origin train for T-3 in the Euston-Scotland (direct via Trent Valley) service group on SX days (out of 22).

It's reasonable to expect that the reinstated performance of 1P92 would be similar to the performance of 1P92 pre-covid, as it is for 1S48 between Euston and Preston.

### **Saturdays**

#### **Up**

**9A53EV 11:51 Blackpool North to Euston starts from Glasgow Central calling at Motherwell, Carlisle, Penrith, Preston and forward as booked to Euston.**

The current 9A53 SO service from Blackpool North has an average On Time percentage of 47.5% and average T-3 percentage of 79.3% (between periods 2403 and 2412. It is the 2<sup>nd</sup> best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays (out of 14).

Pre-Covid, the equivalent Glasgow starting train was 9M53 10:00 Glasgow-Euston via Birmingham service (both are the 12:18 departure from Preston). This service had an average On Time percentage of 33.1% and an average T-3 percentage of 55.3% (between periods 2003 and 2012). It was the 6<sup>th</sup> best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays (out of 13).

The two closest services from Glasgow to Euston via Birmingham in the current timetable are 9M51 (08:00 GLC-EUS) and 9M55 (11:56 GLC-EUS).

9M51 has an average On Time percentage of 47.6% and average T-3 percentage of 67.6% (over periods 2403-2412), compared to pre-covid equivalent of 27.5% OT and 47.3% T-3 (for periods 2003-2012)

9M55 has an average On Time percentage of 47.8% and an average T-3 percentage of 69.0% (over periods 2403-2412), compared to pre-covid equivalent of 19.6% OT and 35.1% T-3 (for periods 2003-2012)

It's reasonable to expect that the reinstated performance of 9A53/9M53 would be better than the performance of 9M53 pre-covid. The scale of improvement seen by 9M51 and 9M55 would suggest the performance of 9M53 would be similar to the current performance of 9A53.

**9A84EV 15:51 Blackpool North to Euston starts from Glasgow Central calling at Carlisle, Lancaster, Preston and forward as booked to Euston.**

The current 9A84 SO service from Blackpool North has an average On Time percentage of 54.5% and average T-3 percentage of 71.7% (between periods 2403 and 2412. It is the 5<sup>th</sup> best performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays (out of 14).

Pre-Covid, the equivalent Glasgow starting train was 9M57 14:00 Glasgow-Euston via Birmingham service (the 16:17/ 16:18 departure from Preston). This service had an average On Time percentage of 21.2% and an average T-3 percentage of 40.2% (between periods 2003 and 2012). It was the 2<sup>nd</sup> worst performing Euston terminating train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays (out of 13).

The two closest services from Glasgow to Euston via Birmingham in the current timetable are 9M55 (11:56 GLC-EUS) and 9M59 (15:57 GLC-EUS).

9M55 has an average On Time percentage of 47.8% and an average T-3 percentage of 69.0% (over periods 2403-2412), compared to pre-covid equivalent of 19.6% OT and 35.1% T-3 (for periods 2003-2012)

9M59 has an average On Time percentage of 37.6% and average T-3 percentage of 51.5% (over periods 2403-2412), compared to pre-covid equivalent of 30.7% OT and 47.0% T-3 (for periods 2003-2012)

It's reasonable to expect that the reinstated performance of 9A84/9M57 would be better than the performance of 9M57 pre-covid. If a similar scale of improvement to that of 9M55 was seen, 9M57 could be expected to have a similar On Time and T-3 % as the current 9A84. However, if a similar scale of improvement to that of 9M59 was seen, 9M57 could only expect On Time levels of approx. 26% and T-3 levels of approx. 44%, which is lower than the current worst performing Euston terminating Saturday train (by approx. 9% and 4% respectively).

**1A92EV 12:51 Blackpool North to Euston new service calling at Preston, Wigan North Western, Warrington Bank Quay, Nuneaton, Milton Keynes Central, Watford Junction and Euston.**

This service is not in the current timetable. The two closest services between Preston and Euston via the Trent Valley in the current timetable are 1M11 (10:40 GLC-EUS, departing Preston at 13:01) and 1M12 (11:36 GLC-EUS, departing Preston at 14:01).

Current services from Blackpool to Euston on Saturdays have a Preston arrival T-3 of 81.8%.

Pre-Covid, the 1A92 13:03 Blackpool North - Euston via Trent Valley service (13:29 departure from Preston) had an average On Time percentage of 57.4% and an average T-3 percentage of 75.0% (between periods 2003 and 2012). It was the 3<sup>rd</sup> best performing Euston terminating train for T-3 in the Euston-Scotland (direct via Trent Valley) service group on Saturdays (out of 18).

Looking at the current distribution of lateness at Preston for trains from Blackpool on Saturdays, and estimating arrival times at stations south of Preston using current performance of 1M11 and 1M12, gives an estimated On Time performance of 37.0% and an estimated T-3 percentage of 60.6% for the new service. This would make the new 1A92 the 12<sup>th</sup> best performing Euston terminating train in the service group (out of 16).

**Down**

**9P47FV 07:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.**

The current 9P47 SO service has an average On Time percentage of 55.4% and average T-3 percentage of 82.1% (between periods 2403 and 2412). It is the best performing Euston origin train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays.

Using 9P47's arrival times at Preston and estimating arrival times at stations north of Preston using other Euston origin trains in the Birmingham Scotland service group gives an estimated On Time performance of 47.2% and an estimated T-3 percentage of 70.0% for the new service. This would make the new 9P47 the best performing Saturday Euston-Scotland train in the service group.

**9P65FV 11:40 Euston to Blackpool North is diverted to Glasgow Central. As booked to Preston and then calls at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central.**

The current 9P65 SO service has an average On Time percentage of 48.0% and average T-3 percentage of 76.5% (between periods 2403 and 2412). It is the 2<sup>nd</sup> best performing Euston origin train for T-3 in the Euston-Birmingham-Scotland service group on Saturdays.

Using 9P65's arrival times at Preston and estimating arrival times at stations north of Preston using other Euston origin trains in the Birmingham Scotland service group gives an estimated On Time

performance of 41.4% and an estimated T-3 percentage of 62.6% for the new service. This would make the new 9P65 the 4th best performing Saturday Euston-Scotland train in the service group.

**1P92FV 09:20 Euston to Blackpool North new service calling at Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Warrington Bank Quay, Wigan North Western, Preston and Blackpool North.**

This service is not in the current timetable. The closest service from Euston to Preston via the Trent Valley in the current timetable is 1S48 (0930 EUS-GLC service. On Saturdays, this has an average On Time percentage of 45.6% between Euston and Preston, and an average T-3 percentage of 68.8%. Pre-Covid, the equivalent Euston-Preston figures were 38.9% for On Time and 63.1% for T-3 (for periods 2003-2012).

Pre-Covid, the 1P92 08:54 Euston – Blackpool North via Trent Valley SO service had an average On Time percentage of 62.8% and an average T-3 percentage of 76.0% (between periods 2003 and 2012). It was the best performing Euston origin train for T-3 in the Euston-Scotland (direct via Trent Valley) service group on Saturdays (out of 17).

It's reasonable to expect that the reinstated performance of 1P92 would be better than the performance of 1P92 pre-covid, with a improvement similar to that seen by 1S48 between Euston and Preston. This would make it the best performing Saturday Euston origin train in the service group.

**4.4 Maintenance and renewals:** Are there any implications for the facility owner's maintenance and renewal activities?

N/A

**5. The expression of access rights**

**5.1 Changes to rights:** please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please attach a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

This Section 22A is for the following contractual amendments; required to support the service changes listed in Section 1.5, which form part of the December 2025 timetable Bid. Summarised below.

Service Amendment	Days	Additional Firm Right Required	Timing Load
<b>xx:xx Glasgow Central to Preston (9A53 11:51</b> Blackpool North to London Euston starting from Glasgow Central, calling at Motherwell, Carlisle, Penrith, Preston and forward as booked).	M-F SO	Plus 1	390
<b>11:51 Blackpool North to Preston (9A53</b> starting from Glasgow Central - above)	M-F SO	Minus 1	390
<b>xx:xx Glasgow Central to Preston (9A84 15:51</b> Blackpool North to London Euston starting from Glasgow Central, calling at Carlisle, Lancaster, Preston and forward as booked).	M-F SO	Plus 1	390
<b>15:51 Blackpool North to Preston (9A84</b> starting from Glasgow Central - above).	M-F SO	Minus 1	390
<b>12:51 Blackpool North to London Euston (new</b> service calling at Preston, Wigan North Western,	M-F	Plus 1	390

Warrington Bank Quay, Nuneaton, Milton Keynes Central, Watford Junction and London Euston).	SO		
<b>xx:xx Preston to Glasgow Central</b> (9P47 diverted to Glasgow Central from Preston vice Blackpool North, calling at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central)	M-F SO	Plus 1	390
<b>xx:xx Preston to Blackpool North</b> (9P47 diverted to Glasgow Central from Preston - above)	M-F SO	Minus 1	390
<b>xx:xx Preston to Glasgow Central</b> (9P65 diverted to Glasgow Central from Preston vice Blackpool North, calling at Lancaster, Penrith, Carlisle, Motherwell and Glasgow Central)	M-F SO	Plus 1	390
<b>xx:xx Preston to Blackpool North</b> (9P65 diverted to Glasgow Central from Preston - above)	M-F SO	Minus 1	390
<b>09:20 London Euston to Blackpool North</b> (new services calling at Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Warrington Bank Quay, Wigan North Western, Preston and Blackpool North)	M-F SO	Plus 1	390

The rights being sought will enable the operation of Avanti's December 2025 timetable. They will provide additional journey opportunities and capacity at a time when passenger numbers are continuing to recover, and existing services are becoming busier.

**5.2 Flexing rights:** Please explain any limitations on the facility owner's flexing rights in the proposal and the rationale for such limitations.

None

**5.3 Specified equipment:** Please explain any changes to specified equipment (rolling stock). Has the vehicle and route acceptance procedure in the Network Code (Part F) has been completed? Please explain whether you have, or will have, the rolling stock necessary to exercise the rights.

The rights being sought utilise existing specified equipment. The procurement of a new-build Hitachi fleet on to other services releases Class 390 units to the services detailed in 4.1.

**5.4 Contractual obligations:** Are the proposed services necessary to fulfil obligations under a public service contract? For publicly contracted operators seeking additional access rights, we will expect to see evidence of funder support for the specific rights and of operators' intent and ability to operate the new services.

These services form part of the service specification contracted as an obligation under the FTWCRL Franchise Agreement.

**5.5 Public funding:** Other than the DfT, Welsh Government or Transport Scotland, are the proposed services subject to financial support from central or local government including PTEs. If so, please give details.

N/A

**5.6 Long Term Planning Process:** Is the Long Term Planning Process (or similar devolved authority or regional service delivery project) relevant to this application? If so, please explain how the proposed rights are consistent or inconsistent with this.

N/A

## 6. Competing passenger services:

We would expect to apply the 'not primarily abstractive' test to:

- (i) a new open access service which would compete with franchised services and so impact on the public sector funder's budget;
- (ii) a new franchised service which would compete with an existing franchised service, where we would expect to focus the test on areas where the competing franchised services are operated on behalf of different funders or where for some other reason there are particular concerns over the impact on a funder's budget; and
- (iii) a new service, which might be open access or franchised, which would compete with an existing open access service and which, if it caused the existing open access operator to withdraw from the market, could reduce overall competition on the network.

**6.1** Please state if your application is for a competing passenger service, and if so please describe the nature of the competition:

N/A

**6.2** For competing services, please also confirm that you have attached as part of your submission to ORR the following:

- Business plan, including details of:
  - forecasts of passenger traffic and revenues, including forecast methodology;
  - pricing strategies;
  - ticketing arrangements;
  - rolling stock specifications (e.g. load factor, number of seats, wagon configuration);
  - marketing strategy;
  - estimated elasticities of the services (e.g. price elasticity, elasticity with respect to quality characteristics of the services).
- Demand forecasting (including associated spreadsheet models) demonstrating modelled generation : abstraction ratio.
- Indicative timetables, including associated .spg files

## 7. Incentives

**7.1 Train operator performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving operator performance.

N/A



**7.2 Facility owner performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

N/A

**7.3 Monitoring of services:** Will all proposed services be monitored for performance throughout their journey? If not, please explain.

Yes

**7.4 Performance regime changes (for applications under sections 17 or 22A only):** where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed.

N/A

## 8. Enhancement

**8.1 Enhancement details:** where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

AWC continues to work closely with Network Rail on joint implementation of a line speed project to raise the permissible speed for non-tilting trains on the WCML. Our new-build Hitachi Class 807 and 805 trains will take advantage of this, enabling optimal use of track capacity and performance benefits.

**8.2 Enhancement charges:** please confirm that the arrangements for the funding of any network enhancements are consistent with the [investment framework](#), and summarise the level and duration of payments, and the assumed rate of return.

N/A

## 9. Other

**9.1 Associated applications to ORR:** please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). Where the application is being made in parallel with any other application from the same operator, please ensure the applications are consistent with one another. Where the application relies on another operator relinquishing access rights, please provide evidence that this process has been completed.



N/A

**9.2 Side letters and collateral agreements:** please confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

N/A

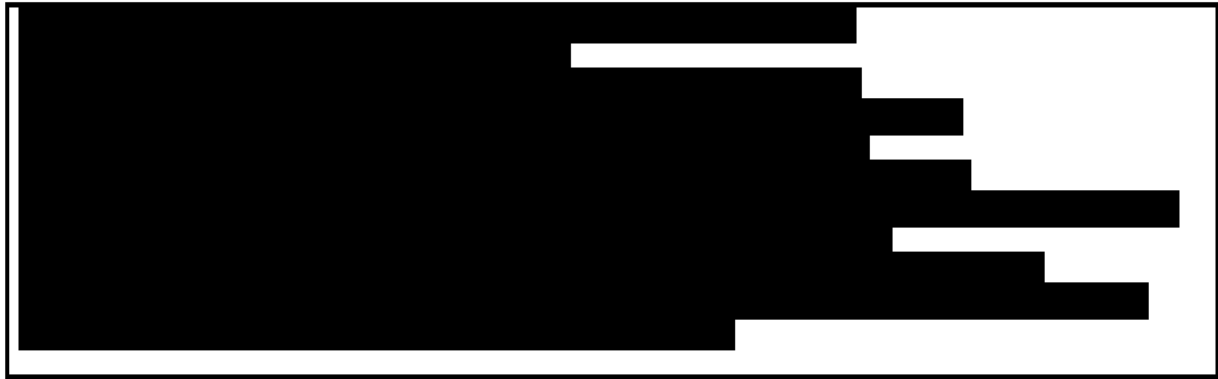
**9.3 Confidential redactions:** please list any information that you have redacted from any documentation sent to consultees. If there has been no pre-application consultation, please list any information you want us to exclude from publication. Please provide full reasons for any redactions.

The consultation version should exclude those items normally redacted by the ORR, for the usual reasons of commercial confidentiality.

## 10. Pre-application consultation

### 10.1 The consultation:

If consultation has not been carried out, explain why not. If it has, please list the consultees.



Who conducted the consultation?

Network Rail on behalf of FTWCRL

List all consultees who responded and include their responses and any associated documentation or correspondence between the parties.

**Freightliner Limited:** [REDACTED]

Summary of response – ‘currently unable to understand the impact this application would have on our own services and are unable to support your applications to the ORR.’

Further actions taken – 02/10/24 – we have asked Freightliner if they have any specific concerns relating to the 3<sup>rd</sup> SA. FTWCRL will address any specific concerns Freightliner raises and will copy ORR into correspondence.

**Arriva Rail London:** [REDACTED]

Summary of response – ‘ARL are unable to support this application until further information is received to allow them to fully assess the impact to the operation of their services and to their existing rights under their Track Access Contract.’

Further actions taken – 02/10/24 – we have asked ARL if they have any specific concerns relating to the 3<sup>rd</sup> SA.

ARL response – ‘ARL’s response to the applications submitted for the ORR deadline in May was a generic one, based primarily on an inability to fully review the number of consultations received. I can confirm that ARL requires no further information, and has no objections, to the Avanti West Coast 18<sup>th</sup> SA, mentioned here, or to the 3<sup>rd</sup> and 17<sup>th</sup> SA consultations, mentioned in your separate email to me yesterday.’

**Northern Trains Limited:** [REDACTED]

Summary of response – ‘No comments to make on this application.’

**London TravelWatch :** [REDACTED]

“Having reviewed the documentation for each of the five consultations, we understand that there will be no negative impact on passenger services, only the provision of new or reinstated services. Presuming that this is correct (and please do advise if we have misunderstood), then London TravelWatch would have no comments to make about these consultations.”

Avanti responded with - “Avanti West Coast would like to take this opportunity to assure you that any potential impact on existing passenger services has been taken into account when compiling these applications, and your understanding that there will be no negative impact on passenger services around either London Euston or Watford Junction is correct. Please let me know if you require any further information regarding Avanti’s applications.”

Further question from LTW - “Thank you for your e-mail and for confirming that there will be no negative impact on passenger services at London Euston and Watford Junction stations.

We just have one quick follow up question, namely whether there has been any consideration to crowd management at London Euston, given the proposed additional services.”

Avanti responded with – “In their 28 June 2024 representations, Network Rail acknowledged the issue of crowd management at London Euston and intends to undertake an assessment based on the quantum of services within the December 2022 Concept Train Plan. The 2022 CTP contains all services within the 3<sup>rd</sup> SA so Network Rail’s assessment will take them into account. Avanti will of course work with Network Rail towards the best possible solution for passengers.”

LTW Response – Thank you for your response to my e-mail, which helpfully answers our question. We don't have any further questions.

**Wrexham, Shropshire & Midlands Railway Company Ltd (WSMR):** [REDACTED]

“Based on our current analysis of the application we have not identified any issues that directly impinge on or affect any of WSMR's proposals in its Wrexham-London Euston Section 17 application to the Office of Rail and Road (ORR) of 19th March 2024.”

Further actions taken – 02/10/24 – we have asked WSMR if they have any specific concerns relating to the 3<sup>rd</sup> SA. FTWCRL will address any specific concerns WSMR raises and will copy ORR into correspondence.

**Network Rail:** [REDACTED]

Please see attached, Network Rail's representations, dated 28 June 2024, to Avanti's 3<sup>rd</sup> SA. Summary – “Network Rail has made every attempt in their initial assessment of the Application received to be able to inform the ORR of any early positions it might have on the access rights sought. In this instance it will not be possible in this representation for us to give an initial view, but we have outlined in the letter the necessary assessments / analysis that need to be undertaken to inform a view.”

**Virgin Management Limited (VML) :** [REDACTED]

Please see attached, comments and questions from Philip Whittingham of VML (email dated 27<sup>th</sup> June 2024, and Avanti West Coast's response (letter dated 22<sup>nd</sup> July 2024 from Andy Doyle, Head of Operational Readiness). Avanti believes they have addressed all of VML's concerns and have asked VML to confirm.

**West Midlands Trains:** [REDACTED]

“After internal discussion WMT has no questions or issues with the proposal and therefore can support it.”

**Transport Focus:** [REDACTED]

“Thanks, happy to accept.”

**GBRf:** [REDACTED]

Key Extracts from GBRf's Response – “Coupled with the current timetable and other recently approved firm access rights, GBRf is not able to adequately assess how these proposed rights might or might not align with other applications, including our own changes to WCML firm access rights. “It will not only be any direct impact of these new services on WCML freight paths but also indirectly re-timed services around the clockface that could easily cause real problems for current freight traffic and future freight growth. The current CP7 Freight Growth Target (~8% by end of CP7) and that through to 2050 are key inputs to how timetabling is carried out.”

Conclusion of response – “Taking all the above into account, GB Railfreight is unable to support this supplemental application.”

**CVL Track Access (Amey Infrastructure Wales):** [REDACTED]

“Thanks for including Amey Infrastructure Wales in this Section 22a consultation on Avanti's 3<sup>rd</sup> Supplemental. We have no objection.”

**DB Cargo:** [REDACTED]

“DB Cargo has no concerns with this Supplemental.”

**10.2 Resolved issues:** please explain any issues raised by consultees which have been resolved.

**London TravelWatch :** [REDACTED]

**London Travel Watch Concern -**

Has there has been any consideration to crowd management at London Euston, given the proposed additional services?

**FTWCRL Response -**

In their 28 June 2024 representations, Network Rail acknowledged the issue of crowd management at London Euston and intends to undertake an assessment based on the quantum of services within the December 2022 Concept Train Plan. The 2022 CTP contains all services within the 14<sup>th</sup> SA so Network Rail's assessment will take them into account. FTWCRL will of course work with Network Rail towards the best possible solution for passengers. Please can you let me know if this closes off any concerns regarding Avanti's 3<sup>rd</sup> SA, or whether you have any further questions.

**Further London TravelWatch Response -**

Thank you for your response to my e-mail, which helpfully answers our question. We don't have any further questions.

**Virgin Management Limited (VML) :** [REDACTED]

FTWCRL assumes all of VML's concerns/questions have been satisfactorily answered, as VML has not responded to multiple emails asking if they have any further concerns/questions following our response dated 22<sup>nd</sup> July 2024. Requests for details of any outstanding concerns sent to VML on 22/07/2024, 12/08/2024 and 27/09/2024. FTWCRL will address any further concerns VML raise and will copy ORR into correspondence.

**10.3 Unresolved issues:** Please explain any issues raised by consultees which have *not* been satisfactorily resolved and why you think these issues should not stop ORR approving the application.

[REDACTED]

**10.4 Subsequent Changes:** Have any changes been made to the proposal following consultation?

No

## 11. Certification

*Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution.*

**For agreed applications under section 18 or 22, Network Rail should complete the information below. For disputed applications under section 17 or 22A, the beneficiary should complete it.**

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed [REDACTED]

Date ...6<sup>TH</sup> FEBRUARY 2025.....

Name (in caps) ...SUE RHYMES.....

Job title ...TRACK ACCESS MANAGER.

For (company) ...AVANTI WEST COAST.....



## 12. Submission

**12.1 What to send:** please supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form by e-mail, **in plain Microsoft Word or Open Document Text format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting).

### 12.2 Where to send it:

Email: 