



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:

Govia Thameslink Railway Limited

1.2 Facility owner details:

Network Rail:	<input checked="" type="checkbox"/>				
Region:	Southern <input checked="" type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input type="checkbox"/>	Wales & Western <input type="checkbox"/>	Scotland's Railway <input 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:						62nd	
Current contract date:						2 nd March 2016	
Current contract expiry date:						PCD2026	

1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	1 st April 2022
	Public service contract end date:	1 st April 2025
	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:

December 2024 Timetable Change

All of GTR's current rights that sit within ET05 service group, both firm (table 2.1) and contingent (table 2.2) are currently dated to expire at PCD2024. It is understood that following deferral of the implementation of the ECML ESG timetable, that the ECML Policy will be extended for a period of time. At the time of writing however, it is not clear when the revised ECML Policy end date will be. As such, in order to protect its position, GTR are requesting that all rights within ET05 service group that are dated to expire in line with ECML policy, and those specifically highlighted as requiring an amendment within this proposal, are to be extended to the later of SCD2025 or the extended ECML expiry date

In addition, GTR is seeking that all of its Contingent rights in Table 2.2, be converted to Firm rights, and extended through to the end of the Track Access Contract at PCD2026.

Proposed commencement date:	PCD24
End date:	PCD26
Date approval or directions wanted by:	For the proposed commencement date

1.6 Industry consultation:

Who carried out the consultation?	
Consultation start date:	Consultation end date:
Not carried out <input checked="" type="checkbox"/>	

1.7 Applicant details

<u>Facility Owner</u> Company: Network Rail Infrastructure Limited Contact name: Rebecca Mordey Job title: Franchise & Access Manager	<u>Beneficiary</u> Company: Govia Thameslink Railway Limited Contact name: Darren Gay Job title: Track Access Contract Manager
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Address: 1 Puddledock London EC4V 3DS	Address: 1st Floor 24 Monument Place London EC3R 8AJ
Phone: [REDACTED]	Phone: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

1.7 Date of application to ORR: MAY 20th 2024

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.

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).

Access rights within Schedule 5 Table 2.1, for service group ET05 are to be extended from PCD24 when they currently expire, in line with the ECML Policy, to the later of PCD2025.

The access rights within Schedule 5 Table 2.2. for service group ET05 are to be converted into Firm rights (from Contingent) and extended through to the end of the Track Access Contract at PCD2026.

ET05 service group includes TSC's 725, 725 and 727 covering the following lines of route.

ET05 – GN Outer and TL ECML - GN services between:

King's Cross and Ely/Kings Lynn

King's Cross and Letchworth-Royston/Cambridge (Slow)

King's Cross and Peterborough

- TL ECML services between The Core and Cambridge Stations or Peterborough

In order to deliver the proposed GTR Dec 2024 TT the following amendments and additional access rights are required

<i>Description</i>	<i>Amendment Required</i>	<i>Comments</i>
<i>Peterborough to Kings Cross - 5.1</i>	<i>SO Increased by 1 (from 3 to 4))</i>	
<i>Peterborough to Kings Cross - 5.3</i>	<i>SUN Increased by 16 (from 4 to 20)</i>	<i>There has been a long-standing aspiration to provide a through service, as operates SX and SO, between Peterborough and Horsham on a Sunday. SU Peterborough to Blackfriars rights (within line 5.4) currently terminate at Kings Cross however the description of these within the contract has been as Peterborough to Blackfriars services has been the position for a number of years. As there is no confirmed date for to take place is it deemed the most appropriate to amend the rights to remove the SU services from contract line 5.4 and include within 5.3. The only 'on the ground' change however with these services is the terminating point.</i>
<i>Peterborough to Blackfriars - 5.4</i>	<i>SUN - Reduced by 16 (From 16 to 0)</i>	<i>Please see above. This is not a relinquishment of rights but an amendment to the terminating point. There is no overall increase in quantum on the ECML as a result of these changes.</i>
<i>Kings Lynn to Kings Cross 5.5</i>	<i>SX AM Peak – Increased by 1 (from 5 to 6)</i> <i>SX OP – Increased by 4 (from 17 to 21)</i> <i>SO – Increased by 3 (from 19 to 22)</i>	
<i>Royston to Kings Cross 5.19</i>	<i>SX AM Peak – Reduced by 1 (from 1 to 0)</i> <i>SX OFF Peak – Increased by 1 (from 0 to 1)</i> <i>SO – Increased by 1 (from 0 to 1)</i>	

Letchworth Garden City to Kings Cross 5.20	SX AM Peak <i>Increased by 3</i> (from 0 to 3) SX OFF Peak - <i>Increased by 2</i> (from 6 to 8)	
Kings Cross to Peterborough 5.23	SX PM Peak - <i>Increased by 4</i> (from 0 to 4) SO - <i>Increased by 3</i> (from 0 to 3) SUN - <i>Increased by 17</i> (from 1 to 18)	As per the explanation given for the movement between 5.3 and 5.4 above, these services are the reverse of the Peterborough to Kings Cross services.
St Pancras International to Peterborough 5.24	SUN <i>Reduced by 13</i> (from 13 to 0)	Please see above. This is not a relinquishment of rights but an amendment to the starting point. There is no overall increase in quantum on the ECML as a result of these changes.
Kings Cross to Kings Lynn 5.25	SX PM Peak <i>Increased by 2</i> (From 4 to 6) SO <i>Increased by 1</i> (from 21 to 22)	
kings Cross to Royston - 5.38	SX OFF Peak - <i>Increased by 2</i> (from 0 to 2)	
Kings Cross to Letchworth Garden City - 5.40	SX PM Peak 3	A new contract line is required as these do not match the calling pattern or service currently in existence. These access rights are some of the unused 5.32 Kings Cross to Baldock rights with no overall increase in quantum
Kings Lynn to Kings Cross 5.41	SUN 1	A new contract line is required as these do not match the calling pattern or service currently in existence

1					2	3
Service Group: ET05 62nd ^{SA}						
Service description: Great Northern Outer						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Peterborough	Kings Cross	Welwyn Garden City	5.2/5.22	21727000	Huntingdon, St Neots, Sandy, Biggleswade, Arlesey, Hitchin, Stevenage, Knebworth , Welwyn North , Welwyn Garden City , Hatfield , Potters Bar , Finsbury Park	Hadley Wood, New Barnet, Oakleigh Park, New Southgate, Alexandra Palace
Peterborough	Blackfriars	Welwyn Garden City	5.4	22727100	Huntingdon, St Neots, Sandy , Biggleswade, Arlesey, Hitchin, Stevenage, Finsbury Park, St Pancras International, Farringdon, City Thameslink	Knebworth
Kings Lynn	Cambridge		5.7/5.26	21725000	Watlington Downham Market, Littleport, Ely, Waterbeach , Cambridge North	
Ely	Kings Cross	Welwyn Garden City	5.8/5.27	21725000	Waterbeach , Cambridge North, Cambridge,	Royston, Ashwell & Morden, Letchworth Garden City
Cambridge	Blackfriars	Welwyn Garden City	5.13	22726100	Royston, Ashwell & Morden , Baldock, Letchworth Garden City, Hitchin, Stevenage, Finsbury Park, St Pancras International, Farringdon, City Thameslink	

Cambridge	Kings Cross	Welwyn Garden City	5.16/5.39	21726100	Foxton, Shepreth, Meldreth, Royston, Ashwell & Morden, Baldock, Letchworth Garden City, Hitchin, Stevenage, Knebworth, Welwyn North, Welwyn Garden City, Hatfield, Potters Bar, Alexandra Palace , Finsbury Park
Royston	Kings Cross	Welwyn Garden City	5.18/5.38	21726000	Aswell & Morden, Baldock, Letchworth Garden City, Hitchin, Stevenage, Knebworth, Welwyn North, Welwyn Garden City, Hatfield, Potters Bar, Alexandra Palace , Finsbury Park
Royston	Kings Cross	Welwyn Garden City	5.19/	22726100	Ashwell & Morden , Baldock, Letchworth Garden City, Hitchin, Stevenage, Knebworth, Welwyn North, Welwyn Garden City, Potters Bar, Alexandra Palace Finsbury Park,
Letchworth Garden City	Kings Cross	Welwyn Garden City	5.20/5.37	21726000	Hitchin, Stevenage, Knebworth, Welwyn North, Welwyn Garden City , Hatfield, Potters Bar, Alexandra Palace , Finsbury Park
St Pancras International	Cambridge	Welwyn Garden City	5.31	22726100	Finsbury Park, Stevenage, Hitchin, Letchworth Garden City, Ashwell & Morden , Baldock, Royston

Kings Cross	Cambridge	Welwyn Garden City	5.15/5.34	217261000	Royston, Baldock, Letchworth Garden City, Hitchin, Stevenage, Finsbury Park	Ashwell & Morden, Shepreth, Foxton
Kings Cross	Letchworth Garden City		5.40	21726000	Welwyn North, Knebworth, Hitchin	
Kings Lynn	Kings Cross		5.41	21725000	Watlington, Downham Market, Littleport, Ely, Waterbeach, Cambridge North, Cambridge, Foxton, Shepreth, Meldreth, Royston, Ashwell & Morden, Baldock, Letchworth Garden City, Hitchin, Stevenage, Knebworth, Welwyn North, Welwyn Garden City, Hatfield, Potters Bar, Alexandra Palace, Finsbury Park	

Contingent Rights

In addition to the above, GTR is also seeking to have all of its Contingent rights contained within Service Group ET05, Table 2.2, converted from their current status as Contingent, into Firm Rights, and extended from PCD24 when they currently expire in line with the ECML Policy, to the end of the Track Access Contract at PCD2026 I

Full tables can be found in Annex A of this Form P.

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).

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](#).

N/A

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.

This is a Section 22A application due to the fact that this application has not undergone internal Network Rail consultation nor Industry consultation at the time of submission to the ORR. However, extensive talks have been held between GTR and Network rail regarding the proposed amendments covered in this Supplemental. Internal Network Rail and industry consultation will take place as soon as possible.

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.

Not applicable

- 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).

Not applicable

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

Not applicable

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.

The extension of these access rights will allow GTR to continue to deliver its service along the ECML, with the amendments allowing for an improved service for its customers.

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.

The extension of these ECML services will be a continuation of services, the majority of which GTR have been running for a while. The overall quantum has not been significantly increased.

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.

Not Applicable

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

There is no impact on maintenance or the Engineering Access Statement as result of this proposal.

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.

Specific line changes within Schedule 5 Table 2.1 and 4.1 are required within ET05. These are outlined in the table in section 3.1 above.
The changes to Table 2.2 relate to all of the rights contained within, changing from contingent to Firm rights.
Marked up tables for ET05 can be found in Appendix A.

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

All rights are quantum only and do not contain flexing limitations.

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.

Not applicable – there are no rolling stock or timing load amendments required for this application.

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.

The services that GTR are seeking to operate are part of the GTR Train Service Specification with the DfT.

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.

There is no public funding of the services.

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.

Not applicable.

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:

There are no competing aspirations that impact on this application.

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.

Not Applicable

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.

Not Applicable

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

All trains will be monitored as per usual industry processes.

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.

Not Applicable

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).

No specific enhancements are required

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.

Not applicable

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.

This is a standalone application.

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.

Dec 2024 Timetable, extension of ET05 access rights and conversion of Contingent rights to Firm rights

- Marked Up Proposed Table 2.1
- Marked Up Proposed Table 4.1

There are no side letters or collateral agreements between the parties in relation to this application.

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.

None required.

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.

Application has not yet been carried out at the date of submission to the ORR as this was not possible by the deadline date set by the ORR for ECML related applications, however, consultation will take place imminently.

Who conducted the consultation?

NR on behalf of Govia Thameslink Railway

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

Arriva Rail London: Objection
Cross Country: Responded to advise they are unable to support until ECML issues are resolved
DB Cargo: Acceptance
Freightliner: Objection. Unable to support application until after NR has completed its analysis
First Trenitalia West Coast Rail: No Objection
GB Railfreight: Objection until a new East Coast Main Line timetable becomes completed in principle encompassing GBRf's current freight working capabilities.
Grand Central: No objection
Transport Focus: Acceptance
Great Western Railway: No comment offered
Travelwatch: No comment
Greater Anglia: Raised questions on if any new access rights were contained in the application and on the contents of table 2.1 (Contingent rights).
London North Eastern Railway: Objection due to unfinished ongoing timetable development work to determine the available network capacity

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

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.

Issues relating to NR timetabling work to determine capacity are still unresolved, however, these have been addressed by the issuing of the subsequent 65th Supplemental to issue the required amendments to access rights on a contingent basis. This application received no objection following industry consultation.

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

A number of lines have been removed from the tables stated in the original application as they are no longer required

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

Date 24th May 2024

Name (in caps)..DARREN GAY

Job title ..TRACK ACCESS CONTRACT MANAGER

For (company) Govia Thameslink Railway Limited

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: [REDACTED]