



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:**

Transport for Wales Ltd

1.2 Facility owner details:

Network Rail:	<input type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	North West & Central <input checked="" type="checkbox"/>	Wales & Western <input checked="" 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:	28 th
		Current contract date:	6 th August 2020
		Current contract expiry date:	1 st August 2025

1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	18 th October 2018
	Public service contract end date:	October 2031
	Name of funder (e.g., DfT, Local Authority):	Welsh Government
	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 seeks approval for changes to Firm Rights under the Transport for Wales Rail (TfW Rail) Track Access Contract to apply from PCD 2024 (15th December 2024).

The changes are required to give effect to TfW Rail's December 2024 timetable as bid to Network Rail.

TfW Rail has submitted this application directly to ORR in accordance with ORR's letter to industry of 24th April 2024. ORR requires operators to submit applications for all relevant changes to access rights (which is those access rights requiring capacity in certain locations) to apply from the December 2024, May 2025 and December 2025 Timetable Change Dates.

This application meets these criteria as it includes changes to access rights in locations specified by ORR.

TfW Rail has submitted three applications directly to ORR:

1. December 2024 (28th Supplemental Agreement – this application)
2. May 2025 – HL05 only (32nd Supplemental Agreement)
3. May 2025 (31st Supplemental Agreement)

TfW Rail does not require to submit an application for December 2025 as no relevant changes are envisaged at the moment.

The expiry date of the existing TAC is 1st August 2025 which is during the currency of the May 2025 timetable. TfW Rail expects to enter into a supplemental agreement with Network Rail to amend the expiry date of the TAC (to a date in 2030).

Revisions since 20 May submission

This consultation is in addition to the original consultation carried out by Network Rail between 23 May and 24 June. This is because, following further work by TfW Rail and Network Rail, TfW Rail revised this application and re-submitted it to ORR on 14 August 2024. This includes revisions to:

1. This Form P.
2. The draft 28th Supplemental Agreement.
3. Marked up Schedule 5 Tables 2.1.
4. Quantum change comparison between existing and requested access rights (Excel document).

Revisions are described under a new heading (highlighted in yellow) under section 5.1 (Changes to rights) of this application form.

Since TfW Rail's submission to ORR of this Section 22A application for December 2024, Network Rail Wales Route has prepared two supplemental agreements under Section 22 with the intention of selling to TfW Rail certain of the access rights contained in this Section 22A application (some of which Network Rail intends to sell with restrictions, such as being time limited for the duration of the December 2024 Timetable). These are the 35th and 36th SAs.

Should the 35th SA and 36th SA be approved by ORR, TfW Rail will remove from this Section 22A application any access rights in those approved supplemental agreements that a) are Firm Rights and b) are approved without ORR disapplying its usual policy of a strong presumption of the continuation of existing rights beyond the expiry of TfW Rail's contract (currently 1 August 2025).

Proposed commencement date:	PCD December 2024 (15 December 2024)
End date:	Expiry of the Track Access Contract (currently 1st August 2025)
Date approval or directions wanted by:	As soon as possible

1.6 Industry consultation:

Who carried out the consultation?	No consultation has been carried out.		
Consultation start date:	N/A	Consultation end date:	N/A
Not carried out	<input checked="" type="checkbox"/>		

1.7 Applicant details

<u>Facility Owner</u>	<u>Beneficiary</u>
Company: Network Rail Infrastructure Ltd	Company: Transport for Wales Rail Ltd
Contact individual: Ewelina Brandao	Contact individual: Chris Dellard
Job title: Customer Manager	Job title: Head of Access Planning
Address: 2nd Floor, St Patrick's House	Address: 1st Floor, St Patrick's House
17 Penarth Road	17 Penarth Road
Cardiff	Cardiff
CF10 5ZA	CF10 5ZA
Telephone number: [REDACTED]	Telephone number: [REDACTED]
E-mail address: [REDACTED]	E-mail address: [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):

Additional appendices

1x Excel document comparing requested access rights for December 2024 with those already held as of June 2024. As well as indicating the net changes to quantum, it highlights which access rights are in the locations listed in ORR's letter of 24 April.

2. Licence and railway safety certificate

2.1 Please state whether:

1. you intend to operate the services yourself; or
2. 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.

N/A

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 is an update of the application submitted to ORR on 20 May 2024 and consulted by Network Rail between 23 May and 24 June. Therefore, only differences from the original application are explained here.

Changes have been made to the original application to reflect:

1. The Timetable Offer which was received on 14 June and TFW Rail's subsequent response.
2. Requirements by Welsh Government and other stakeholders

These are explained in section **5.1 Changes to Rights**.

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).

There are no changes since the previous application. The same information is provided here again for reference.

Network Rail Wales Route (and other routes) operate a Train Plan risk evaluation process which identifies risks to operational delivery, including safety risks. The principal risks identified, along with their proposed mitigations are;

- SPAD risk - resulting from a different sequencing of trains; mitigated by briefings and Working Group
- Restrictions to maintenance hours/activities - mitigated by considering impact of timetable on Section 4 + 5 possession times and consultation with local Delivery Units
- Level Crossing risks - mitigated by local education, closure, diversion or bridge

Dead, dying, diseased trees (DDD) and de-vegetation: within the route there is a board dedicated to investigating, monitoring and implementing vegetation management in a sustainable way, and to concentrate efforts on large scale locations of DDD risk.

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](#).

Not applicable, as this is not an extension or new agreement.

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.

Terms have not been agreed with Network Rail because of capacity concerns at certain locations.

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.

There are no departures from ORR's model passenger track access contract.

- 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).

There are no departures from ORR's model passenger track access contract.

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

There are no departures from ORR's model passenger track access contract.

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, the TfW Rail TAC is fully consolidated and available on the ORR website.

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.

There are no changes since the previous application. The same information is provided here again for reference.

The December 2024 Timetable change on the 'Wales and Cross-Border' (WCB network, excluding the Cardiff Valleys routes) is the biggest change to the timetable in Wales since 2005. It is underpinned by substantial investment in brand new rolling stock dedicated to Wales and is a cornerstone of Welsh Government's policy to encourage more sustainable travel.

Welsh Government and TfW set out bold targets to transform the WCB network, with improved journey times and more frequent trains being delivered by an almost completely new-to-Wales fleet. It has not been possible to deliver the full range of improvements originally envisaged in this timetable, but it will be the most transformational timetable change TfW have introduced on the WCB network.

The WCB network timetable has been developed on behalf of the industry by Network Rail's Advanced Timetable Team and for the 'Wales Event Steering Group' (ESG), which has been running

since 2020. This timetable has been iterated over time, incorporating improvements following performance modelling, and adjusting to the delivery programmes of related projects (e.g. Level Crossing Risk Mitigations, Cardiff Parkway station).

The key features are:

- A new, standard hour timetable with most services operating hourly or 2-hourly.
- Changes to Sectional Running Times to offer better journey times, made possible by the new Class 197 fleet.
- Features to improve performance and resilience, including more turnaround time, fewer attach/detach moves at busy locations, and less through working of unit diagrams to reduce the spread of delay around the network. For example, the Cheltenham service to the east of Cardiff is de-linked from the Maesteg service to the west of Cardiff.

While the number of additional services is relatively modest, the structure of the timetable is changing substantially. This is mainly driven by the new rolling stock.

The overall fleet size will be greater, enabling longer formations and additional services. Importantly, the superior acceleration and braking characteristics of these modern 100mph trains compared to legacy rolling stock will allow for significant journey time improvements. Journey time reduction is at the heart of the new timetable.

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.

There are no changes since the previous application. The same information is provided here again for reference.

Industry ESG #10 ('Wales ESG') has operated since 2020 and has brought together Network Rail's Advanced Timetable team and the timetable participants to develop a 'Concept Train Plan'. Whilst this does not have the formal standing of a PDNS bid as set out in the Network Code, it did demonstrate that the timetable aspirations of all the participants could be accommodated.

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.

There are no changes since the previous application. The same information is provided here again for reference.

The December 2024 timetable is designed to be inherently robust to reduce the incidences of delays and minimise their impact on the wider network. Overall, a positive benefit is expected. In particular:

- A new, standard hour timetable with services operating at consistent times, hourly or 2-hourly.
- Changes to Sectional Running Times to offer better journey times, made possible by the new Class 197 fleet. The Class 197s will be running on a new 197 timing load that has been modelled for them using Railsys.
- More turnaround time to avoid perpetuating delays.
- Fewer attach/detach moves at busy locations to reduce risk of delays
- Less through working of unit diagrams to reduce the spread of delay around the network.

Wales ESG undertook three rounds of performance modelling, which concluded there are 'no showstoppers' and that 'the timetable holds up well despite the number of extra trains in it'.

Information on specific Performance initiatives is given in section 7.

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

There are no changes since the previous application. The same information is provided here again for reference.

In some cases TfW Rail is seeking to operate trains earlier or later than current (11 proposed trains were initially foul of Section 4 possession times). These proposals have been fully explored with Network Rail Wales Route, resulting in a limited number of Section 4 adjustments, and TfW withdrawing proposals to operate three trains.

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 application is an update of the application submitted to ORR on 20 May 2024 and consulted by Network Rail between 23 May and 24 June. Therefore, only differences from the original application are explained here.

Changes have been made to the original application, as already consulted, to reflect:

3. The Timetable Offer which was received on 14 June and TfW Rail's subsequent response.
4. Requirements by Welsh Government and other stakeholders

These changes to access rights are necessitated by:

5. HL02 West Wales
 - a. Changes to start/end locations of services to and from Fishguard Harbour and Milford Haven
 - b. 0448 Carmarthen to Shrewsbury, Weekdays will now start from Swansea at 0450
 - c. 2315 Cardiff Central – Maesteg, Weekdays shall not operate during RHTT Season – footnote added in Table 2.1
6. HL03 Cardiff to Gloucestershire and Ebbw Vale
 - a. Remove 0454 Cardiff Central – Cheltenham, Weekdays and Saturday
 - b. Remove 0635 Cheltenham – Cardiff Central, Weekdays and Saturday
 - c. Remove 2010 Cardiff Central – Cheltenham, Weekdays and Saturday
 - d. Remove 2140 Cheltenham – Cardiff Central, Weekdays and Saturday
 - e. Remove 2210 Cardiff Central – Cheltenham, Weekdays
7. HL04 Birmingham to Shrewsbury and beyond
 - a. Tidy-up of expression of access rights (there are **no changes** to the existing timetable in/out of Birmingham). This is explained in more detail below.
 - b. New 0728 Chester – Shrewsbury, Weekdays and Saturday
 - c. Amend 0624 Shrewsbury – Aberystwyth, Weekdays and Saturday to start from Welshpool at 0646
 - d. Remove 0507 Machynlleth – Barmouth, Weekdays and Saturday
 - e. Remove 0645 Barmouth – Machynlleth, Weekdays and Saturday
8. HL06 Marches Mainline
 - a. New 0516 Shrewsbury – Cardiff Central, Weekdays and Saturday
 - b. Change of Timing Load from 197 to 150 on 2320 Shrewsbury – Cardiff Central, Weekdays
 - c. Change of Timing Load from 197 to 150 on 2222 Cardiff Central – Crewe, Weekdays
9. HL07 North Wales Branches
 - a. Since submitting our application on 20 May, we have received instruction from Welsh Government on how to proceed with our access rights requirements for the Wrexham-Bidston line. We are working with Network Rail on this and are no longer proposing changes to Bidston line access rights in this application.

The total net changes to quantum within each Service Group compared to TfW Rail's existing access rights are now:

- HL02: -19 weekdays; -8 Saturday
- HL03: +1 weekdays; 0 Saturday
- HL04: +4 weekdays; -1 Saturday
- HL06: +3 weekdays; +3 Saturday
- HL07: -1 weekdays; 0 Saturday
- HL08: -12 weekdays; -4 Saturday

Because the expression of access rights has changed in some cases, the above numbers do not necessarily correspond to absolute changes in capacity usage.

TfW Rail's request for additional access rights should be viewed in the context of its surrender of access rights.

To assist with identifying changes to access rights, we have enclosed:

1. Marked up Schedule 5 Tables 2.1. This shows the further changes required compared to the original submission of 20 May.
2. An Excel document comparing required access rights with those with those already held as of June 2024. As well as indicating the net changes to quantum, it also highlights which access rights are in the locations listed in ORR's letter of 24 April.

Extracts from the Excel document are shown below. These present the full picture of access rights required for December 2024 at the three locations listed in ORR's letter that are applicable to TfW Rail (Cardiff Central, Gloucester and the Birmingham area). Cells highlighted in orange have changed since the original submission of 20 May. An explanation is given in the right-hand column.

SG	From	To	Via	Description	Jun-24	Dec-24	Differenc	Jun-24	Dec-24	Differenc	ORR-specified location	Changes since 20 May submission
HL02	Cardiff Central	Maesteg	Llanharan	2.1.1	17	18	1	17	18	1	Cardiff Central	SX 1 will not operate in RHHT season
HL02	Carmarthen	Fishguard Harbour	Clarbeston Road	2.2.1	3	1	-2	2	1	-1		SX-1
HL02	Swansea	Fishguard Harbour	Clarbeston Road	2.2.11	3	4	1	2	5	3		SX-1SO-1
HL02	Swansea	Milford Haven	Clarbeston Road	2.2.13	9	7	-2	8	10	2		SX-1SO+1
HL02	Fishguard Harbour	Swansea	Clarbeston Road	2.2.7	2	2	0	2	5	3		SX-1SO-1
HL02	Milford Haven	Carmarthen	Clarbeston Road	2.2.8	3	0	-3	2	2	0		SX-1
HL02	Milford Haven	Swansea	Clarbeston Road	2.2.9	8	11	3	8	11	3		SX+1SO+1
HL02	Swansea	Shrewsbury	Llanelli	2.3.2	5	4	-1	5	4	-1		SX+1
HL02	Carmarthen	Shrewsbury	Llanelli	2.3.3.1	0	0	0	0	0	0		SX-1
HL02	Cardiff Central	Swansea	Bridgend	2.5.2 Fast (DMU)	12	12	0	12	13	1	Cardiff Central	SX-1
HL02	Swansea	Cardiff Central	Bridgend	2.5.5.1 Fast (DMU)	12	14	2	12	16	4	Cardiff Central	SO-1
HL03	Cheltenham Spa	Cardiff Central	Lydney	3.1.1	14	16	2	18	16	-2	Gloucester / Cardiff Central	SX-2SO-2
HL03	Cardiff Central	Cheltenham Spa	Lydney	3.1.2	14	15	1	17	16	-1	Gloucester / Cardiff Central	SX-3SO-2
HL04	Chester	Birmingham International	Wrexham General	4.1.4	7	7	0	6	7	1	Birmingham area	SX+1SO+1
HL04	Shrewsbury	Birmingham International	Wellington	4.1.9	1	1	0	2	1	-1	Birmingham area	SX-1SO-1
HL04	Aberystwyth	Birmingham New Street	Shrewsbury	4.2.2	0	0	0	1	1	0	Birmingham area	SO-1
HL04	Birmingham New Street	Aberystwyth	Shrewsbury	4.2.6	1	1	0	1	1	0	Birmingham area	SO-1
HL04	Welshpool	Aberystwyth	Borth	4.2.7.1	0	1	1	0	1	1		New row
HL04	Shrewsbury	Aberystwyth	Newfowm	4.2.8	4	3	-1	4	3	-1		SX-1SO-1
HL04	Barnmouth	Machynlleth	Tywyn	4.3.1	1	0	-1	1	0	-1		SX-1SO-1
HL04	Machynlleth	Barnmouth	Tywyn	4.3.2	1	0	-1	1	0	-1		SX-1SO-1
HL06	Cardiff Central	Crewe	Wem	6.2.1.1 (197 DMU)	2	3	1	0	3	3	Cardiff Central	Changed to 197 DMU
HL06	Cardiff Central	Crewe	Wem	6.2.1.2 (150 DMU)	0	1	1	0	0	0	Cardiff Central	New row
HL06	Shrewsbury	Cardiff Central	Cwmbrân	6.2.12.1 (197 DMU)	10	9	-1	8	10	2	Cardiff Central	Changed to 197 DMU
HL06	Shrewsbury	Cardiff Central	Cwmbrân	6.2.12.3 (150 DMU)	0	1	1	0	0	0	Cardiff Central	New row

A note on the Birmingham area

Changes have been made to access rights to/from Birmingham as they were not correctly expressed in the submission of 20th May. This is a tidy-up exercise only, to update TfW Rail's quantum of access rights to reflect the existing timetable. The changes to access rights are required because of historical anomalies with the expression of TfW Rail's access rights which have a range of start/end locations at the 'non-Birmingham' end.

Importantly, there is no change at all to TfW Rail's number of, or pathing of, trains in the Birmingham area (between Shrewsbury and Birmingham New Street/Birmingham International) in the December 2024 timetable which remains as 17 each way on Weekdays, 17 to Birmingham and 18 from Birmingham on Saturday, and 15 each way on Sunday. The trains remain in their existing paths. These paths align with those agreed in pan-Industry fora such as Grand Rail Collaboration and the Birmingham-Wolverhampton corridor Industry Planning Group.

The full list of TfW Rail's required access rights to/from Birmingham, supporting the existing timetable, is given below.

From	To	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Birmingham International	Chester	Wrexham General	4.1.1	22261000	158	8	8	4
Birmingham International	Chester	Wem	4.1.2	22261000	158	0	0	2
Birmingham New Street	Shrewsbury	Wellington	4.1.3	22261000	158	0	2	0
Birmingham International	Shrewsbury	Wellington	4.1.3.1	22261000	158	1	0	3
Birmingham International	Aberystwyth	Shrewsbury	4.2.4	22261000 22334000	158	7	7	6
Birmingham New Street	Aberystwyth	Shrewsbury	4.2.6	22261000 22334000	158	1	1	0
Chester	Birmingham International	Wrexham General	4.1.4	22261000	158	7	7	6
Shrewsbury	Birmingham International	Wellington	4.1.9	22261000	158	1	1	3
Aberystwyth	Birmingham International	Shrewsbury	4.2.1	22334000 22261000	158	8	7	6
Aberystwyth	Birmingham New Street	Shrewsbury	4.2.2	22334000	158	0	1	0
Chester	Birmingham New Street	Wrexham General	4.1.5	22261000	158	1	1	0

Additionally, some further changes have been made to the expression of Calling Patterns in Table 4.1. This is to correct an error in the submission of 20 May whereby the Calling Patterns between Chester and Manchester via Earlestown (Service Group HL08) were not correctly expressed. There is no change to the calling pattern of any TfW Rail service on this route in December 2024.

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

N/A

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.

There are no changes since the previous application. The same information is provided here again for reference.

No changes are being made to existing rolling stock. The 2-car and 3-car Class 197s that will operate most of TfW Rail's services on Network Rail's routes continue to be introduced.

A total of 56 Class 197 units are required to operate the December 2024 timetable (which includes units diagrammed as pairs to provide 4, 5 and 6-car formations on many services) and a margin for maintenance. Currently there are 49 units accepted into service.

Should fewer than 56 Class 197s be available for the start of December 2024 timetable, certain services would be short-formed (operated with fewer carriages) for a period of time. This avoids the

need to cancel any services and it should have a minimal impact on performance, particularly as it will be outside the busier summer period.

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.

TfW Rail is required by the Welsh Ministers to provide these services.

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.

None.

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.

There are no changes since the previous application. The same information is provided here again for reference.

As part of the new Wales & Borders rail concession awarded by Transport for Wales in 2018, commitment was made to a series of passenger service improvements across the Wales & Borders network.

Network Rail System Operator declared this change to be an 'Event' and instigated an Event Steering Group (ESG) to develop, on behalf of Wales Route, a Concept Train Plan in advance of operators submitting a Priority Date Notification Statement. These rights are aligned with the Concept Train Plan developed by that ESG.

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:

No.

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.

There are no changes since the previous application. The same information is provided here again for reference.

The inherent performance benefits of the new timetable are explained in section 4.3.

A Performance Sub-Committee of the TfW Rail Board has been established. This adds further senior scrutiny of decisions necessary for introduction of new services - infrastructure, rolling stock and operations, including traincrew readiness.

On-time-to-3 Performance Working Groups, each with a geographical focus, continue to identify actual and future risks to performance and inform the timetable development process. For example, the potential for deficiencies in dwell time or Sectional Running Time between Shrewsbury and Newport, which has led TfWRL to analyse On-Train-Data-Recorder information to demonstrate the sufficiency of these in the December 2024 timetable.

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.

There are no changes since the previous application. The same information is provided here again for reference.

Key performance initiatives in Network Rail Wales Route include:

- New Timetable Taskforce – this aims to mature Wales Route's approach in eliminating sub threshold delay and bettering on time performance.
- The expansion of Local Railway 'business units' and taskforces – This will continue to give greater energy, vigour and attention on a line of route basis to drive a betterment in performance, engaging SMEs, stakeholders and local Managers in progress
- The delivery of Wales Route's RM3-P (Risk Management Maturity Model for Performance) plan on the route – a number of assessments have been completed using this model to drive a greater level of maturity on the route when managing performance
- Continued delivery against the Tripartite Performance Strategy between Network Rail, TfW Rail and Amey Infrastructure Wales (Core Valley Lines IM) and associated 10 point plan.

Network Rail Wales Route's performance improvement plan includes numerous improvements around Cardiff, focusing on points hose replacements, critical points, axle counter power card replacements, and trespass and vandalism inspections.

A key workstream relating to Cardiff Central Operations has been implemented by Wales Route. This focuses on train dispatch, permissive working, and station communications. There is a newly introduced Pilning to Swansea taskforce which is connecting several performance improvement initiatives from across the business to make this route more resilient. This group is linking together subject matter experts from asset management, maintenance and timetabling amongst others with the aim of improving existing performance along the South Wales mainline and mitigating any future performance risks.

Improvement plans for Network Management/Other, Non-Track Assets & External are focusing on the following:

- External Performance
 - Trespass
 - Flooding
 - De-vegetation

- Other Performance
 - Previously unassessed structures are now fully assessed, and remediation works conducted or planned where required. Signalling equipment is being renewed as part of the transformation programme, improving reliability.
 - Previously poor performing assets such as Token Systems are being removed and replaced with more reliable and efficient equipment.
 - DCR (Dynamic Conflict Resolution) is planned for the next financial year. DCR will form traffic management whilst allowing signallers to see 30mins in advance.
 - Remote condition monitors installed across various assets improving asset condition visibility - Rail temperatures, points heating etc.
 - Introduction of dedicated flight engineers (FEs) that can assess and identify failure risk prior to asset failure (Point systems etc), FE also support with incident remediation and can potentially identify the root cause of the failure prior to response teams arriving to site.
 - Cabling renewal: previously plug coupled cable is being replaced with a more reliable alternative.
 - Temporary Speed Restrictions (TSRs) are reviewed frequently and assessed for improvement - i.e. measures to increase speeds, or remove the TSR completely.
 - Incident learning reviews are frequently conducted, and incidents assessed for improvement.
 - On Time to 3 (OTT3) working group is focused on operational level improvements.
 - Tripartite Strategy working collaboratively with Network Rail and TfWRL to improve OTT3 measures.

Project Dragon is investigating specific operational issues at Cardiff Central, including Automatic Route Setting (ARS) and permissive working. These will have a positive impact and improve longstanding problems.

The Route will also benefit from the impending Luminare traffic system which will aid operational running.

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

Yes, the proposed services will be monitored for performance throughout their journey.

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).

No network enhancements are required to deliver the proposed timetable.

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.

I can confirm that the whole of the proposal has been submitted with this application and that there are no side letters or other documents which affect it.

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.

TfW Rail has no requirement to redact any content of this application and appendices prior to consultation.

Who conducted the consultation?

Network Rail

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

Martin Haffner	CrossCountry Trains
Martin Clarke	Transport Focus
Scott Turner	West Midlands Trains
Chris Matthews	Freightliner
Andy Doyle/Sue Rhymes	Avanti West Coast
Robert Fickling	TFGM
Rob Holder	GWR
Quentin Hedderly	DB Cargo

Responses are summarised in the attached Network Rail spreadsheet and provided in full in the attached emails.

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

XC – question on stabling at Gloucester. Resolved.
 XC – question over apparent inclusion of 142 Timing Loads. Resolved.
 XC – request for F3 prints. Resolved.
 XC – question over Network Rail maintenance implications of stabling at Gloucester. Resolved.
 Freightliner – Objection. Do not understand how TfWRL aspirations align with those of Freightliner. Awaiting Network Rail analysis. Unresolved.
 Avanti – requested details on changes to Timing Loads and implications on flexing. Resolved.
 GWR – request for details of Network Rail’s capacity concerns raised in response to this application. Awaiting Network Rail analysis, but resolved as GWR has not objected.
 GWR – question about ‘through’ access rights theoretically fixing paths either side of a node. 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.

Freightliner – Objection. Do not understand how TfWRL aspirations align with those of Freightliner. Awaiting Network Rail analysis. TfWRL cannot do anything further to assist Freightliner as it is dependent on Network Rail’s analysis being completed and shared with Freightliner. No information provided by Freightliner about specific access rights or Train Slots so nothing for TfWRL to look into.

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 Chris Dellard

Date 20 May 2024

Revised 14 August 2024

Edits made to aid readability for the Network Rail consultation 2 October 2024

Name (in caps) CHRIS DELLARD

Job title Head of Access Planning

For (company) Transport for Wales Rail Ltd

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]