

Jason Bird,
Freightliner

Via email: JBird@freightliner.co.uk

12 February 2014

Dear Jason,

Thank you for your email addressed to Rachel Gilliland, dated 13th January 2014 regarding Alliance Rail Holdings' (Alliance) Section 17 proposal. I am sure you are aware that the government values the benefits of competition that open access can bring and this was echoed in the Houses of Parliament on 23rd January 2014 when Rail Minister Stephen Hammond MP stated:

“Open access operators have helped to provide innovative services for passengers and have helped to grow new rail markets—often with excellent passenger satisfaction scores. The additional competitive pressure in the market provided by open access can also improve the experience of passengers of franchised services”.

Our proposals will require services to make optimum use of the infrastructure, and we expect that this will be in accordance with the established industry rules contained in the Network Code and within the available contractual flex contained in operators' contracts.

You make the comment that there is no indication of how services will be accommodated alongside 'existing firm rights'. Whilst I understand your concern, I must point out that many of those rights do not extend to the dates of our proposed service. Irrespective of the position on capacity (which I address later), you will be mindful of the provisions of Para 18 (5) of the Railways Infrastructure (Access and Management) Regulations 2005 (“AMR”), and you will be aware that if a better use of the infrastructure is found, then the contractual rights can be changed.

You will also be aware that Alliance has been fully engaged with the industry on a number of fronts, including the Programmes Boards, and the Industry Plan Groups (IPG). The GNER Edinburgh proposal was first raised at the August 2013 East Coast Main Line (ECML) IPG, and is included in the ECML Indicative Train Service Specification (ITSS) that was published in September 2013. Alliance has also shared with Network Rail the detailed work undertaken by Alstom and Interfleet on route and journey time analysis, so it is nonsense to suggest as you do that we have not provided evidence to support the proposed journey times.

This work will now be reviewed by Network Rail, who will also analyse the available capacity on the ECML for the proposed commencement date and beyond. Details of this will be provided to the ORR in due course.

I note your comment regarding the LDHS service provision in the off peak. Despite your objection, there are 7 LDHS services in a number of off peak hours (including 6 hours in the Up direction as well as 4 hours in the Down direction) in what is supposed to be a standard pattern timetable.

You correctly note that some CP4 enhancements have not yet been delivered. I would also observe that even where they have been physically completed, the benefits have not yet been fully realised. With these incomplete CP4 interventions creating further capacity¹ - and work currently being undertaken during CP5 with the Connectivity Fund² - then it is more than reasonable to expect the significant investment made in the infrastructure will deliver what is promised – further capacity and journey time improvements.

Yes, we do expect a timetable re-cast to be necessary to make best use of additional capacity. Network Rail is already planning two ECML timetable re-casts for December 2016 and December 2018, as is made clear in the latest issue of the Calendar of Events. This will require an Event Steering Group to be established to take forward the development of these timetables. I therefore take issue with your comment that we have made a ‘*..blithe assumption that a recast can solve the problem..*’.

Yours sincerely,



Ian Yeowart
Managing Director

¹ CP4 Delivery Plan – Programme 18 – ECML improvements (July 2013) shows as outputs:

- Up to one additional long distance high speed passenger path per hour off peak
- Up to two additional long distance high speed passenger paths in each peak hour

This is delivered via a significant number of scheme outputs.

² The Secretary of State ... “*seeks further improvement in capacity and reduction in journey times*”.