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Dear David,

Response to First MTR South Western Trains Limited (“FMSWT”) comments on Network Rail’s (“NR”) representations on the proposed track access contract between NR and FMSWT under Section 17 of the Railways Act 1993.

In Network Rail’s representations to the ORR dated 15th September 2017 the key areas of risks and issues identified within the FMSWT application were collated into categories of engineering access, safety, train performance and traction power supply; for consistency this letter will follow the same format. This letter does not replace, but augments, Network Rail’s original representations dated 15th September 2017.

Schedule 5 - the Services and Specified Equipment

FMSWT, in its response to the ORR regarding NR’s representations, state that the rights sought for the December 2018 timetable contain only minor changes compared to the rights that are being used in the current timetable. Network Rail has compared the quantum of rights detailed within the various table 2.1’s of the FMSWT application against the rights currently documented within the track access contract. The comparison shows that, in terms of quantum of rights, the FMSWT application is for an additional 405 rights per weekday (increase of 23%), 405 Saturday rights (increase of 27%) and an additional 343 Sunday rights (increase of 32%).

In regards to the Wessex Capacity Programme Waterloo upgrades specifically, NR would like to clarify that all power supply enhancements have been scoped to provide additional capacity based upon a specific timetable and power characteristic. Therefore, any deviation from this will introduce risk that additional power supply upgrades are required; NR is not funded to deliver these upgrades.

Engineering Access

While there may have been a limited review by NR of the changes to the Schedule 4 access rights (as identified by FMSWT) during bid development NR did not advise or make any commitment that these changes to engineering times were acceptable.

During bid development NR and FMSWT agreed that amendments to engineering times will only be acceptable if they could provide for Network Rail to undertake sufficient maintenance

activity to achieve the required level of infrastructure performance (including any incremental maintenance activity associated with the proposed rolling stock and new timetables). The parties agreed to identify additional access over that currently available and potentially agree to a Schedule 4 commercial agreement, where necessary, in order for NR to cater for earlier and later trains where there was passenger demand.

Network Rail look forward to working with FMSWT in order to identify amendments to the Section 4 times that provide for the required level of engineering access.

Safety

NR welcomes FMSWT's clarification on permissive working and looks forward to discussing in more detail.

On the subject of Timetable Planning Rules (TPR), TPR compliance cannot be used to directly consider level crossing risk (or, for example, performance). The industry process relies on consultation during timetable change where identified risks can be raised and discussed with the proposer. Through the formal forum (Timetable Change and Risk Assessment Group) and general discussions there is an opportunity to discuss mitigations appropriate to the level of change. The TPR do not consider the wider effect on barrier down time and risk at level crossings – including the increase of risk of poor behaviour at level crossings by the public. The South Western Franchise Invitation to Tender specified that the franchisee must operate services which will be deliverable within the constraints of the infrastructure (including as regards power supply and level crossing safety risk).

Network Rail would like to discuss the effect of the proposed timetable changes on level crossing risk with FMSWT to identify where risk is reduced and to try and identify possible mitigations where risk is being increased in order for NR to support the changes.

Train Performance

Network Rail agrees with FMSWT that firebreaks are not detailed within the TPR. However, TPR compliance does not automatically translate to good performance and there is generally a trade-off between performance and capacity where additional trains (and longer trains) are being introduced on an already heavily used and congested section(s) of the network. As stated in NR's previous representations the performance (PPM) at Waterloo in the AM peak for mainline and suburban services, where capacity is fully used and no 'white space/firebreaks' exists, is approximately 10% lower than during the off-peak where there is unused capacity. Hence, retaining firebreaks is critical to being able to maintain or improve performance. Any industry performance disbenefits need to be carefully considered against the potential benefits of these additional services; including cost-benefit analysis.

The introduction of 442 units is a significant performance concern as detailed within NR's previous representations. In addition, the fleet will be small, operating out of Fratton but maintained at Bournemouth (with a required increase in ECS paths), with limited crew knowledge and an inability to be rescued by other units.

Network Rail would like to have visibility of the resourcing strategy for the proposed timetable as this will be a key performance driver in disruption (i.e. crew and unit management).

Traction Power Supply

As stated in the first section, in regards to the Wessex Capacity Programme Waterloo upgrades specifically, NR would like to clarify that all power supply enhancements have been scoped to provide additional capacity based upon a specific timetable and power characteristic (for example enabling Waterloo-Reading 10-car and Waterloo-Windsor 2tph increases). Therefore, any deviation from this timetable or power characteristic will introduce risk that additional power supply upgrades are required; NR is not funded to deliver these upgrades. The documented proposals include extra services on lines that were not previously included in the scope of Wessex Capacity or Windsor line enhancements, such as Portsmouth to Guildford, which is of particular concern, and the Portsmouth to St Denys line.

The proposed all day service to Reading and Windsor is a change to the current service pattern. By moving to an all day peak service, NR need to reassess the outputs from the previous modelling to review the continuous rating of the equipment against the all day timetable (as the rated overload capability previously utilised during the peak periods is no longer relevant).


Therefore, a final timetable with type of trains, length of trains and timings, or at the very least a summary of number of trains per hour on each section of line (including unit type and length) is required in order for NR to analyse the power supply requirements. The power characteristics of any new trains (i.e. 442's) also need to be confirmed.

December 2018 Timetable

NR notes that FMSWT has commenced a public December 2018 timetable consultation which closes on 22 December 2017. In order for NR to assess the FMSWT application for new rights within a track access contract the final timetable is required to avoid abortive work.

I am copying this letter to David Allsop at DfT and to Lee Shuttlewood at First MTR South Western Trains Limited.

Yours Sincerely,



Chris A'Barrow
Head of Customer Relationship Management, Wessex Route
Network Rail