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03 July 2015

Dear Tamzin,

**RE: Virgin Trains East Coast (VTEC) new track access contract from December 2016 to December 2025**

Thank you for your letter dated 06 April. The purpose of this letter is to respond to your comments. Please accept my apologies for the delay in responding to you.

VTEC is disappointed that Cross Country (XCTL) is unable to support this application made that enables VTEC to meet its commitments to government under its Franchise Agreement dated 09 December 2014.

#### Part A: Principal Change Date 2016 to Subsidiary Change Date 2019

In terms of the Edinburgh extensions (as detailed in the 51<sup>st</sup> and 52<sup>nd</sup> Supplemental Agreements), I believe we have addressed the issues and concerns raised through correspondence.

In terms of the combination of rights sought by VTEC, we have applied for journey time protection on the flows that justify them - the fast Leeds and Edinburgh services. We have not sought journey time protection for the various semi-fast services. We also note that XCTL's sister company, GNER, has sought similar protection for competing services.

VTEC does not accept that it is seeking greater protection than it currently holds. By way of example, VTEC is seeking journey time protection for 40% weekday services from May 2020 whereas VTEC currently enjoys journey time protection for over 80% of weekday services.

VTEC does not accept that the existing rights for Leeds are less flexible than the rights VTEC is now seeking.

The proposed flex is +5 (currently the flex is +2 for Anglo-Scottish services and +3 for Leeds Services).

VTEC fully supports the development of robust timetables. The terms of VTEC's Franchise Agreement are such that it is a commercial imperative for VTEC to achieve the best possible journey times and a good spread of services. The protections sought are proportionate to delivering this.

#### Part B: Subsidiary Change Date 2019 to Subsidiary Change Date 2020

VTEC recognises the benefits of reduced journey time and that is why journey time protection is sought - to protect government investment in Super Express Trains and the ECML Connectivity Schemes that were justified, in part, by reduced journey times. VTEC is working to secure these benefits for customers. Similarly, VTEC notes that XCTL is also seeking both interval and journey time protection for its new track access contract - in order to optimise journey times and improve revenue.



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VTEC is supportive of the Capacity Analysis being undertaken by Network Rail and based on the latest information from Network Rail (letter dated 15 May 2015) that sufficient capacity exists for the increase in quantum of VTEC services. VTEC is concerned that increasing the number of paths available to 8 trains per hour (TPH) will have a disproportionate impact on VTEC performance and believes that there is insufficient information to support such an increase in quantum at this stage.

VTEC has limited the number of coupling moves at Doncaster to one per day but notes that XCTL's sister company is proposing four coupling / uncoupling moves per day. Given XCTL's concerns, VTEC is surprised that XCTL didn't raise these concerns in a response to the GNER application.

Part C: Subsidiary Change Date 2020 to Principal Change Date 2025

As detailed above, VTEC is committed to realising and protecting the benefits of significant government investment. We believe this will result in the best use of railway infrastructure. The challenge for Network Rail should be to build on what is delivered in CP5 and improve the ECML timetable.

Yours sincerely

A handwritten signature in black ink, appearing to read "Phil Dawson".

Phil Dawson  
Regulation & Track Access Manager

cc Mark Garner, Network Rail  
David Reed, ORR