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Dear Dave,

Re: Arriva Trains Wales and Network Rail responses to comments provided by the ORR industry consultation of the proposed 38th Supplemental Agreement

Thank you for your invitation to respond to the comments provided by industry parties during the ORR's own consultation on the proposed 28th Supplemental Agreement. I have consulted with Chris Dellard of Arriva Trains Wales, and various other colleagues within our respective organisations, and I am in a position to respond to each substantive comment, as below.

The Application

1. Network Rail has removed its objections and agreed to a Section 22

We wish to clarify that Arriva Trains Wales began consulting on a Section 22A application before much work had been done with Network Rail on the practical operation of the proposed services. Network Rail had not objected to the rights, as it had not had the opportunity to fully evaluate the request from ATW. Network Rail continued to work with ATW on the proposed services during the 22A consultation. As a result, Arriva Trains Wales was able to withdraw its Section 22A and the parties prepared a Section 22 instead.

Business case for the service

2. The economic basis of the service is primarily abstractive

Since the responses to ORR's consultation were received by ORR, Arriva Trains Wales has provided further information to ORR to support its revenue predictions. As you know, Arriva Trains Wales also met with WSMR in November 2009 to discuss the application and their concerns about revenue abstraction. Following this meeting, and in recognition of WSMR's view that their services would need a further amount of time to achieve a break-even point, ATW has confirmed that it would be prepared to delay the start date of the proposed services until December 2010.

Centro makes a specific point about the proposed 0630 Aberystwyth-Marylebone which calls at Shrewsbury and Wolverhampton, where it is Set Down Only. Arriva Trains Wales would like to clarify that there is no intention to lose any existing journey opportunities. 'Set Down Only' at these stations is to avoid revenue conflicts with WSMR's 0723 Wrexham General to Marylebone service.

3. The profitability of WSMR will be pushed back by one year

As noted in (2) above, in order to address this concern ATW has confirmed to WSMR that it would be prepared to delay the start date of the proposed services until December 2010. WSMR has indicated its support for this.

Rolling stock reliability

4. The units would be difficult to retrieve in the event of a breakdown

Arriva Trains Wales has previously noted consultees' comments on the importance of mitigating the effects of total unit failures. This is a very rare event for Class 158s. These units can couple mechanically (but not electrically) to Class 165s and 168s, which would be able to assist in the rare event of a total failure. They can also fully couple to other 15x units (150s, 153s, etc).

Arriva Trains Wales and Network Rail will work together to adapt our existing contingency plans to take account of the specific factors on the route south of Birmingham International. The logistics of providing fitter coverage to Marylebone is something that Arriva Trains Wales has examined, and there are several options for hiring in the necessary cover from a suitable operator.

Timetabling work

5. Train paths are validated to Newtown (Powys) only. Surely ERTMS has been driven by an enhanced timetable, so why have paths not been validated as far as Aberystwyth?

This question covers three distinct issues:

- a) ERTMS is being installed on the Cambrian as a test location for a type of signalling equipment which will be rolled out across the Network in the long-term. It is not an enhancement justified on the basis of capacity or timetable benefits.
- b) The service cannot begin until ERTMS is operational as that system will provide certain dynamic passing loops which will facilitate an hourly service on the Cambrian main line. However, the paths offered *can* be run as far as Newtown (Powys) with the existing RETB signalling system.
- c) Network Rail is aware of the capabilities of ERTMS and so indicative paths through to Aberystwyth have been shared with ATW, but firm paths cannot yet be offered due to the constraints of our current train planning software.

Network Rail is migrating to the Integrated Train Planning System (ITPS), which will recognise ERTMS capabilities. However this migration is not yet complete and so the paths were offered using the TrainPlan timetabling system, which has no reference data regarding the ERTMS capacity of the Cambrian line.

6. The SRTs for Class 158s South of Aynho have not been validated

When ATW approached Network Rail regarding paths South of Aynho Junction there were no SRTs available on which to base the timetable. The Advance Timetabling Team in Birmingham therefore made extensive use of the RailSys modelling software to provide empiric SRT data which were then applied to the timetable offer.

The SRTs were compared carefully against Class 168 SRTs and there were no errors in the data produced. Where SRTs required rounding, they were rounded upwards.

- 7.

Sprinter differentials are removed by Evergreen 3, removing any advantage 158s might have been able to gain from them

The Evergreen 3 project is very much work in progress, and while Network Rail and Arriva Trains Wales are obviously aware of the current proposals – including some journey time improvements that Chiltern Railways and Network Rail intend to contractualise - there has been no reason during the timetabling process to think that 100mph linespeeds would preclude any sub-100mph rolling stock from operating on this line, including Chiltern Railways' own Class 165 units, either now or at any time in the future. Also, Arriva Trains Wales is planning on running non-stop south of Leamington Spa, unlike the majority of other trains on this route which require time in their schedules to call at intermediate stations.

8. RailSys modelling appears not to have been undertaken

As noted in (6) above, RailSys was used for modelling SRTs for Class 158 units, where such SRTs did not exist South of Aynho Junction.

RailSys was not used to model the impact of two extra trains a day each way, for a variety of reasons. Much of the timing work was undertaken by the Capacity Allocation Manager (CAM) in Birmingham, who having been heavily involved in the December 2008 West Coast timetable recast has extensive knowledge of the actual operational constraints of the routes involved.

Furthermore, RailSys modelling is predicated on all units accelerating at full throttle as soon as the opportunity arises and braking at the last possible moment. While the tool is useful for large-scale recasts, it is of limited use in assessing the impact of incremental service changes such as that proposed in this Supplemental. Knowledge of the operational characteristics of the route can be more valuable than RailSys analysis for such small-scale service additions.

Performance impact

9. Attachments at Birmingham New Street are not ROTP compliant

Rules of the Plan require eight minutes for an attachment at Birmingham New Street, and the current proposed timetable gives Down services seven minutes to attach. There is an amendment to ROTP currently proposed which would apply to all operators.

As explained in (14) below, there is also the possibility that the Evergreen 3 timetable will allow ATW units to arrive at Birmingham International with sufficient time to perform the attachment movement there instead. While the impact of transferring the manoeuvre to Birmingham International has not been modelled, local experience would suggest that this is a more desirable location for this movement.

Also note that coupling movements on ATW's 158 fleet has proven to be very reliable: detail is given in (11) below.

10. The services will introduce a disproportionate performance risk on the Coventry corridor

The trains have been timed by the Capacity Allocation Manager into white space between Birmingham International and Coventry, and affects neither existing freight paths nor the established paths of other passenger operators. The consumption of this white space, between a fast Pendolino service and a local stopping service, was not considered by the CAM to impart a significant performance risk.

11. Coupling units introduces a disproportionate performance risk

Several consultees have mentioned coupling, especially at Birmingham New Street. The coupling and un-coupling of Class 158 units in service has been a regular feature of Arriva Trains Wales' operations for many years. With well-maintained BSI couplers this has not proven to be a performance risk to Arriva Trains Wales at all, despite other operators saying that their experiences have been problematic. Planned attach moves of 158s take place around 210 times a week, with a success rate of around 99.6%. This includes the increased instances of coupling of 158s since the December 2008 timetable began.

Network Rail have maximised the time available at New Street to undertake a coupling move. Together we will work up detailed contingency plans should units fail to couple at New Street. It is Arriva Trains Wales' policy to make two attempts to couple units in service before resorting to running the trains independently. This policy would be applied at Birmingham New Street, subject to detailed contingency plans being drawn up in the event that ORR approves the proposed Supplemental Agreement.

It should also be noted that trains coupling at Birmingham New Street to continue to Shrewsbury/Aberystwyth will always have two sets of Traincrew on board: this will prevent a unit being without Traincrew should the units not couple. The Traincrew diagrams will always allow for this eventuality. Any failure to couple at New Street will lead to the departure of the Chester portion independently, and the Marylebone portion will be despatched at the next available opportunity. Network Rail has also planned for the Marylebone-related movements to occur on the Stour platforms to allow ease of despatch in such circumstances.

12. Flighting of Down services in the evening peak introduces a disproportionate performance risk

The proposed 'flighted' pattern from Birmingham International to Birmingham New Street, where the Chester-bound train is sent to the city ahead of the train from Marylebone, has been graphed into existing white space. This space exists between a Virgin fast service and the stopping London Midland service. The proposed service requires flighting only twice a day, and the performance risk is considered to be proportionate by the parties.

Furthermore, if the Evergreen 3 timetable allows ATW to reach Birmingham International with sufficient time to couple there (as noted in (9) above), there will be no requirement for an additional path between there and Birmingham New Street, and consequently no flighting of ATW trains.

13. Delay will arise from the "normal interaction" of additional train services

The phrase "normal interaction" referred to in London Midland's response was intended to be a pragmatic description of the fact that any train service will impart the risk of delay. The parties cannot honestly claim that there are absolutely no performance risks arising from the introduction of two additional trains in each direction, but sought to indicate that such risks were considered proportionate.

Consumption of capacity

14. The services would disrupt, or consume capacity of, the timetable introduced after the Evergreen 3 upgrade project.

The indicative Evergreen 3 timetable contains a standard path based on Class 158 timings to be used by other operators. While this timetable has yet to enter the bid-and-offer process, it is being used as the basis for Chiltern and WSMR services after Evergreen 3 has enhanced the capacity of the route South of Aynho. The parties anticipate ATW utilising two of these paths in each direction after Evergreen 3 is complete.

In DB Regio's Appendix 1 paper, a comparison is made between Class 168 and Class 158 timings between Marylebone and Leamington Spa. While the Class 158 is obviously slower, it is not as slow as the Class 165s that regularly provide limited-stop services on the route, including all the way to Birmingham. The accommodation of both Chiltern Railways' 168s on limited-stop services, and 165s on all-stops but also some limited-stop services, is the biggest constraint on this route: Network Rail cannot see that the addition of a very small number of services using 90mph rolling stock will present the timetabling problems that DB Regio describes.

15. The rights jeopardise freight pathing at Birmingham International in both directions

DB Schenker raises the prospect that freight pathing could be jeopardised at Birmingham International. The parties can confirm that the proposed paths do not conflict with existing freight flows as they are bid into existing white space.

16. The services consume a freight "opportunity" at Leamington Spa

The addition of any passenger trains will consume capacity which freight is currently at liberty to bid into. The parties are happy to discuss freight aspirations at Leamington Spa, but note that the existence of 'opportunities' does not preclude a passenger operator proposing paths of this nature.

17. Capacity on the Coventry corridor has led to a sub-optimal stopping pattern for London Midland. How can Network Rail offer further paths?

The parties do not consider that the proposed paths prevent London Midland from adopting a better stopping pattern. If capacity existed for a better stopping pattern then other operators would already be using it.

18. Birmingham Gateway works at Birmingham New Street will consume platform space

The loss of one platform due to Birmingham Gateway works may require the cancellation of some trains. The parties currently understand that if this is required all services will be assessed on their merits.

The proposed timetable introduces two new trains in each direction, and an attachment manoeuvre in the Down direction. It is possible that, for a short time, these trains may be temporarily removed to allow the Birmingham Gateway works. It is equally possible that other operators' services will be removed.

The risk of trains being removed to accommodate the works would still remain even if the proposed trains were not introduced.

Other topics

19. ERTMS prevented WSMR extending services to Aberystwyth

As noted in (5) above, the business case for ERTMS was not based on timetable outputs but rather the value of a trial route for a brand new signalling system.

WSMR did not have rights to run to Aberystwyth when the decision to introduce ERTMS was taken. Arriva Trains Wales were the only regular operator, along with other charter operators in peak season. As such, only ATW's fleet of 158 units have been fitted with ERTMS equipment, at Network Rail's expense.

When ERTMS is commissioned, non-fitted trains will not be able to access the Cambrian line and so, indeed, WSMR will be prevented from extending services to Aberystwyth using only their own equipment.

However, Network Rail has a duty to allow access to the network, and so has fitted a number of locomotives with ERTMS equipment, to haul the services of any operator. WSMR are still at liberty to bid for paths to Aberystwyth, utilising Network Rail's locomotive for that portion of the journey which operates under the ERTMS signalling system.

Network Rail and Arriva Trains Wales believes this letter responds to the substantive comments raised during the ORR's industry consultation. Should you believe other concerns have not been addressed, or seek further clarification, please do not hesitate to contact either myself or Chris Dellard.

Yours sincerely

James Jackson
Customer Manager

cc: Chris Dellard, ATW