



OFFICE *of the*  
RAIL REGULATOR

# **THE TIMETABLING OF THE RAILTRACK NETWORK**

## **A POLICY STATEMENT**



# Contents

---

|                                                                                         |           |
|-----------------------------------------------------------------------------------------|-----------|
| <b>Regulator’s foreword</b> .....                                                       | <b>1</b>  |
| <b>1. 1. Introduction</b> .....                                                         | <b>3</b>  |
| Reasons for consultation.....                                                           | 3         |
| <b>2. Summary of proposals</b> .....                                                    | <b>5</b>  |
| Objectives for the timetabling process.....                                             | 6         |
| Expectations of Railtrack .....                                                         | 6         |
| Consultation and coordination between train operators .....                             | 6         |
| Major timetable changes .....                                                           | 7         |
| The bidding cycle.....                                                                  | 7         |
| Passenger representation.....                                                           | 7         |
| Freight .....                                                                           | 8         |
| Link between regulatory approval of access rights and the timetabling process.....      | 8         |
| <b>3. Objectives for the timetabling process</b> .....                                  | <b>9</b>  |
| <b>4. Expectations of Railtrack</b> .....                                               | <b>11</b> |
| Application of Decision Criteria .....                                                  | 11        |
| Resourcing and organisational issues .....                                              | 12        |
| <b>5. Coordination between train operators in train planning</b> .....                  | <b>13</b> |
| Consultation processes .....                                                            | 13        |
| Confidentiality .....                                                                   | 16        |
| Major timetable changes .....                                                           | 16        |
| <b>6. The bidding process</b> .....                                                     | <b>17</b> |
| Passenger change dates .....                                                            | 18        |
| <b>7. Passenger representation</b> .....                                                | <b>21</b> |
| <b>8. Freight issues</b> .....                                                          | <b>25</b> |
| <b>9. Link between regulatory approval of access rights and the timetabling process</b> | <b>29</b> |
| <b>10. Next Steps</b> .....                                                             | <b>31</b> |
| <b>Annex A: List of Respondents</b> .....                                               | <b>33</b> |
| <b>Annex B: Decision Criteria</b> .....                                                 | <b>35</b> |
| <b>Annex C: General approval for short term changes to access rights</b> .....          | <b>37</b> |



## *Regulator's foreword*

---

Effective timetabling of the rail network is critical to the growth and development of rail services in the UK - both for passengers and for rail freight. The current timetabling process - brought in during 1994 - was meant to provide a flexible and efficient framework for the development of new train services to meet the needs of rail users, without the need to seek regulatory approval for each timetable change.

The timetabling process has evolved significantly since its introduction to the benefit of all users- a process which has been led by the industry. But I considered that it was now timely to subject the timetabling process to a thorough and wide-ranging review to see what further improvements could be made to further the interests of rail users. I am grateful to all those whose responded to my consultation document for the thoughtful and effective way in which issues were considered and views expressed.

My review has demonstrated that - by and large - the timetabling process has enabled the delivery of important benefits. As I said in my consultation document, published last October, we are seeing the introduction of new and innovative services (such as the new services between Rochdale and London starting with the Summer 1998 timetable); we now have, generally, earlier information about engineering works; and we have a substantially accurate Great Britain Passenger Railway Timetable and the development of new and innovative means of communicating timetable information (such as the Railtrack Internet Site).

But it is important that the industry is not complacent about these successes. My review has shown that there is still room for improvement in the important areas of cooperation and coordination between train operators in train planning; for more effective involvement of passenger representatives; and for greater recognition of the particular needs of the rail freight market in the timetabling process.

I also want to see Railtrack taking a more proactive role in ensuring that the timetable is developed in the public interest to meet the needs of the users and potential users of the railway.

I am therefore making proposals to address each of these areas. Implementation of some of these proposals will require changes to the contractual processes set out in the Railtrack Track Access Conditions. I now want to see the industry taking forward these proposals and working up detailed propositions for consideration under the democratic mechanisms in the

Track Access Conditions, in order to meet the important objectives I have outlined in this document.

JOHN SWIFT QC

# 1. Introduction

---

1. In October 1997, the Regulator published a consultation document '*The Timetabling of the Railtrack Network*'. Responses were requested by 19 December. The document outlined the current timetabling process, and other associated arrangements, and sought views from the industry, from users and their representatives, and from funding bodies on how the process is working and whether any improvements should be made.
2. In total 65 responses to the consultation document were received, a significant proportion from train operators. A list of respondents is at Annex A. Responses (other than those submitted in confidence) are available for public inspection in the Library of the Office of the Rail Regulator.
3. Consultees were asked to comment on a range of specific issues and questions. Some of the issues raised were general matters relating to the promotion of the public interest on which the views of all consultees were sought. Other questions concerned issues of a more technical and contractual nature and were focused more specifically at Railtrack and train operators.
4. This policy statement contains the Regulator's conclusions and proposals, which have been developed in the light of further discussion within the industry, with Railtrack, with OPRAF, and with the Class Representative Committee (the industry body which oversees the Railtrack Track Access Conditions).

## Reasons for consultation

5. The present timetabling process was introduced in 1994. Since then it has evolved significantly from the process originally envisaged, driven by the experience of operating in a substantially restructured and privatised rail network and the industry's commitment to improve the accuracy and timeliness of the information provided to passengers.
6. In the consultation document, the Regulator welcomed this process of continuous improvement, which had been led by the industry, and the important benefits that it had delivered. However, he considered that it was timely to review the operation of the process, not substantially to rewrite it, but to see what further improvements might be made.



## 2. *Summary of proposals*

---

7. This Section summarises the key proposals the Regulator is putting forward to improve the timetabling process. The background to each of the proposals is set out in subsequent Sections.
8. Some of the proposals will require changes to the contractual processes set out in Part D of the Railtrack Track Access Conditions. In these cases, the Regulator has not sought to work up detailed proposals for change or to prescribe in detail the way in which the revised processes would operate. He considers that it would be more appropriate for the industry to carry this forward, working towards the broad objectives set out in this policy statement. Part C of the Railtrack Track Access Conditions provides the necessary consultative procedures and democratic change mechanism.
9. In order to develop the detailed processes to underpin the Regulator's proposals, he recommends that Railtrack, in consultation with the industry, draw up the necessary proposals for change and propose these formally to the Class Representative Committee. These change proposals can then be subject to industry scrutiny under the democratic change process in Part C of the Conditions.
10. The Regulator would like to see this process taken forward in an efficient and timely manner, in order that the key process changes can be introduced in time to apply to the process for developing the Summer 2000 timetable. An outline timetable to achieve this is set out in Section 10.
11. The Regulator does not expect his proposals to be contentious (although there is rightly likely to be debate over the best way of achieving his broad objectives). Nevertheless, he is prepared to consider using his unilateral change power in Part C of

the Conditions if this appears to him to be in the public interest, although in this case it is unlikely that changes could be implemented within the timescale proposed in paragraph 10<sup>1</sup>.

### **Objectives for the timetabling process**

Proposal 1: *The Regulator has reviewed and updated the objectives for the timetabling process set out in his consultation document, and these revised objectives form the basis for the key conclusions and proposals in this policy statement.*

### **Expectations of Railtrack**

Proposal 2: *Railtrack, as steward of the national rail network, should ensure that the network is always timetabled in accordance with the public interest Decision Criteria in Part D of the Track Access Conditions; for example to deliver a timetable which can be operated reliably, to optimise the range of complementary services offered to rail users, and to prevent train operators from engaging in predatory behaviour through the timetabling process.*

### **Consultation and coordination between train operators**

Proposal 3: *The Regulator considers that proper and effective consultation and coordination in timetabling planning is essential to develop strategic initiatives and to promote network benefits such as connections and complementary service patterns. In order to facilitate this, the Regulator proposes the introduction of a formal consultation process, to take place in advance of the timetabling bidding cycle (which will be shortened to a single iteration - see Section 6). The framework for this consultation process should be set out in Part D of the Track Access Conditions. The consultation process would replace the first bidding iteration (see Proposal 6). Therefore it should not extend the current timescales: indeed, it may provide scope for reducing*

---

<sup>1</sup> Under Condition C8.2(b) of the Track Access Conditions, the Regulator may issue a modification notice (under C8.1) if he is satisfied that it is reasonably required to meet the objectives in Section 4 of the Railways Act 1993; and/or if the interests of any relevant person or persons would be unfairly prejudiced if the modification were not made, and the need to avoid or remedy such unfair prejudice outweighs or is likely to outweigh any prejudice which will or is likely to be sustained by any other relevant person or persons if the modification is made, having due regard to the need to enable relevant persons to plan the future of their businesses with a reasonable degree of assurance. Furthermore, a modification by the Regulator cannot take effect if it would prevent a train operator or access option holder from exercising, or receiving the benefit of, a protected right; or if it would materially increase any protected obligation (but a modification cannot be challenged on these grounds after 45 days after the date of the modification notice). A modification cannot take effect earlier than 180 days after a notice has been given

*them. In order to provide the appropriate incentive for transparent consultation, the Regulator considers that it may be necessary to give priority under the formal bidding process to services which have been subject to the pre-bidding consultation procedure.*

Proposal 4: *The Regulator expects all train operators to be open and transparent in their train planning, invoking confidentiality only in respect of the occasions where there is a real danger that greater openness might result in destructive competition and a loss of benefits to passengers and other customers. The Regulator expects such occasions to be rare.*

### **Major timetable changes**

Proposal 5: *The pre-bid consultation, proposed above, could be invoked at an early stage where a major timetable change is to be made to ensure that changes are coordinated and, where necessary, disputes resolved. Once again, priority in the formal bidding process would provide an incentive for an early declaration of intentions. This would also provide an earlier opportunity for liaison with the relevant RUCCs, PTEs and local authorities.*

### **The bidding cycle**

Proposal 6: *The Regulator considers that the introduction of the pre-bidding consultation process outlined above would, broadly, serve the purpose of the current first bidding iteration, but with greater transparency and flexibility. If this were to be introduced, he believes this would pave the way for a change to a single iteration bidding cycle, and a reduction in the overall timescales for the process. However, as stated in Proposal 3, this would entail a change to Part D of the Track Access Conditions, which the Regulator would have to approve. Before doing so, he would want to satisfy himself that such a move had broad support across the industry.*

### **Passenger representation**

Proposal 7: *In addition to conducting their own passenger research it is important that train operators consult RUCCs, local authorities, and other passenger representatives as appropriate in a timely fashion and have regard to their views. In view of comments made by consultees over the ineffectiveness of current arrangements, the Regulator has raised concerns with the Franchising Director. The Franchising Director proposes to offer "best practice" guidelines which he will draw up after consultation with the CRUCC, local*

*authorities and ATOC. The guidance will recognise the importance of providing passengers with information on intermodal journeys. The RUCCs will need to ensure they are able to accurately convey the views of passengers they represent and to have in place the necessary processes to gather and distil this information.*

## **Freight**

- Proposal 8: *The Regulator considers that the position of freight operators in the bidding process could be enhanced by Railtrack taking a more pro-active stance in relation to the application of the Decision Criteria to support the allocation of capacity for freight services where there is a reasonable likelihood that this capacity would be utilised during the currency of the timetable in question and where that is consistent with sharing the capacity of the network in the most efficient and economical manner. This approach could be supported by a new Decision Criterion requiring Railtrack to take account of the importance of reserving sufficient capacity for spot bidding in order to meet the needs of train operators - both passenger and freight - whose businesses require such short term flexibility.*
- Proposal 9: *Railtrack should explore with its customers more effective ways of advising them of white space available in the timetable. The aim should be to establish a system providing access to continually updated information. The Regulator recognises that it will take time to develop and implement such a system, but will be seeking a firm commitment from Railtrack to work with its customers towards this and to the timescales.*

## **Link between regulatory approval of access rights and the timetabling process**

- Proposal 10: *The Regulator has issued a General Approval covering short-term changes in access rights. The text of the General Approval is set out in Annex C. Railtrack and train operators will have to ensure that they have the appropriate processes in place for submitting amendments to access agreements covered by the General Approval for inclusion on the Regulator's Public Register.*

### ***3. Objectives for the timetabling process***

---

Proposal 1: *The Regulator has reviewed and updated the objectives for the timetabling process set out in his consultation document, and these revised objectives form the basis for the key conclusions and proposals in this policy statement.*

12. The consultation document sought views on a series of objectives which the Regulator considered the timetabling process should achieve, and which he considered to be consistent with his high level aim of creating a better railway for passengers and freight customers, and better value for public funding authorities, through effective regulation in the public interest. The objectives were deliberately not prioritised or ranked.
13. The general view of respondents was that the objectives were broadly fit for purpose. However, freight operators expressed concern that the objectives needed to achieve a better balance in respect of promoting the use of the network for the carriage of *freight* as well as passengers.
14. In addition, Railtrack considered it important that its duty to carry out work to maintain, renew and develop the network is recognised in the objectives. This is already a feature of the Decision Criteria, and the Regulator therefore agrees that it is appropriate to include this in the overall objectives for the process.
15. The Regulator has reviewed the objectives set out in the consultation document in the light of these suggestions, and as a result, he is proposing a number of minor changes (marked in italics), as follows:
  - (a) *facilitating the development and operation of train services which best meet the needs of passengers and freight customers and encouraging innovation in the provision of train services;*
  - (b) *optimising the sharing of capacity on the network in accordance with the public interest criteria as defined by the Regulator's statutory duties, and encouraging cooperation between train operators, and between train operators and Railtrack, to improve overall service to passengers and freight customers, and provide overall service patterns and connections which meet the needs of users;*

- (c) preserving and developing network benefits, ensuring that connections between services (*both passenger and freight*) are maintained and improved;
  - (d) enabling delivery of accurate and timely information about train services;
  - (e) achieving stability, efficiency and responsiveness in operation of the processes, and an efficient deployment of industry resources;
  - (f) facilitating the effective maintenance, renewal and development of the network;
  - (g) facilitating the development of an appropriate level of competition as a stimulus to better services, whilst ensuring that adequate mechanisms are in place to prevent behaviour detrimental to the public interest;
  - (h) recognising the obligations on passenger train operators to meet their franchise agreement commitments to the Government and Passenger Transport Executives, *and also the needs of freight operators to meet the developing needs of their current and potential customers*; and
  - (i) recognising that the objectives are more likely to be achieved if they are linked to commercial incentives on operators and Railtrack.
16. The remainder of this document analyses in greater detail the specific proposals which the Regulator is making to improve the timetabling process so that it better achieves these objectives.

## 4. *Expectations of Railtrack*

---

Proposal 2: *Railtrack, as steward of the national rail network, should ensure that the network is always timetabled in accordance with the public interest Decision Criteria in Part D of the Track Access Conditions; for example, to deliver a timetable which can be operated reliably, to optimise the range of complementary services offered to rail users, and to prevent train operators from engaging in predatory behaviour through the timetabling process.*

### **Application of Decision Criteria**

17. Timetabling decisions by Railtrack must be made having due regard to public interest Decision Criteria set out in Part D of the Railtrack Track Access Conditions. The Decision Criteria are, rightly in the Regulator's view, not prioritised or ranked, and the Regulator is not seeking to assign greater weight to any particular criteria over others. Indeed, the Regulator expects Railtrack - in carrying out this important public interest function - to take the full range of Decision Criteria into account in deciding whether to flex *all* timetable bids (ie. not just those involving the resolution of conflicting bids). Railtrack's timetabling decisions should ensure that the timetable is developed in the public interest, as defined by the Decision Criteria. For example:
- (a) Railtrack must recognise the importance of ensuring that the acceptance of bids delivers a timetable which can be operated to the standards of reliability expected by its customers, passengers, freight customers and funders of services;
  - (b) Railtrack should seek to ensure that services of different operators are complementary (especially in terms of service patterns and connections) and maximise the range of choices offered to users;
  - (c) Railtrack should actively seek to prevent train operators from timetabling services in a predatory manner<sup>2</sup>.
18. These responsibilities have important implications in respect of Railtrack's decisions about granting new access rights, and in respect of the pro-active application of the

---

<sup>2</sup> Application of the Decision Criteria is an important, but not exclusive, way of preventing predatory behaviour which may act against the public interest. Other important safeguards are the access agreement approval process and general competition law

Decision Criteria in the timetabling process, both to optimise capacity on the network and to manage its operation effectively and efficiently.

19. The Regulator believes that the current Decision Criteria provide Railtrack with sufficient scope to apply the Decision Criteria in a more proactive way to achieve the objectives in paragraph 17 in its timetabling decisions.
20. Furthermore, in hearing appeals under Part D of the Track Access Conditions, the Regulator would expect to take into account arguments put forward by Railtrack in support of timetabling which seek to further the delivery of the objectives in paragraph 17.
21. The Regulator also believes there would be merit, in the interests of creating greater confidence in timetabling decisions, if Railtrack were to publish, after appropriate and effective consultation, a "protocol" setting out how it would approach the balancing of the Decision Criteria in different specified circumstances. Whilst it is important that such a protocol should not unduly fetter Railtrack's discretion to apply the Decision Criteria in any particular set of circumstances, the aim would be to provide guidance on the sort of factors which Railtrack would expect to take into account.

### **Resourcing and organisational issues**

22. Concerns were expressed during the consultation that Railtrack was not currently effectively resourcing the timetabling process. Questions of resourcing are primarily for Railtrack rather than the Regulator. However, the Regulator would expect both Railtrack and train operators to ensure that they have the necessary resources to carry out their timetabling responsibilities efficiently and effectively.
23. In addition, certain consultees said that Railtrack's Zonal structure had made the planning of inter-zonal services difficult. As with resourcing, it is for Railtrack to decide how best to structure its organisation, providing it is meeting its contractual obligations. However, the Regulator recognises that this is a critical issue for some train operators, making the relevant account planning and management arrangements of particular importance. He expects Railtrack to have the necessary working arrangements in place to ensure seamless train planning and to optimise the scheduling of cross-zonal train services in the public interest.
24. The Regulator is seeking assurances from Railtrack on both these matters, ie. that it is effectively resourced and has appropriate processes in place for effective inter-zone planning, and will want to review progress in due course.

## 5. *Coordination between train operators in train planning*

---

- Proposal 3: *The Regulator considers that proper and effective consultation and coordination in timetabling planning is essential to develop strategic initiatives and to promote network benefits such as connections and complementary service patterns. In order to facilitate this, the Regulator proposes the introduction of a formal consultation process, to take place in advance of the timetabling bidding cycle (which will be shortened to a single iteration - see Section 6). The framework for this consultation process should be set out in Part D of the Track Access Conditions. The consultation process would replace the first bidding iteration (see Proposal 6). Therefore it should not extend the current timescales: indeed, it may provide scope for reducing them. In order to provide the appropriate incentive for transparent consultation, the Regulator considers that it may be necessary to give priority under the formal bidding process to services which have been subject to the pre-bidding consultation procedure.*
- Proposal 4: *The Regulator expects all train operators to be open and transparent in their train planning, invoking confidentiality only in respect of the occasions where there is a real danger that greater openness might result in destructive competition and a loss of benefits to passengers and other customers. The Regulator expects such occasions to be rare.*
- Proposal 5: *The pre-bid consultation, proposed above, could be invoked at an early stage where a major timetable change is to be made to ensure that changes are coordinated and, where necessary, disputes resolved. Once again, priority in the formal bidding process would provide an incentive for an early declaration of intentions. This would also provide an earlier opportunity for liaison with the relevant RUCCs, PTEs and local authorities.*

### **Consultation processes**

25. Currently, the absence of any *formal* consultation arrangements prior to the submission of bids by train operators (under Part D of the Railtrack Track Access Conditions) leaves the extent to which individual operators consult each other over train plans largely discretionary. Responses to the consultation suggested that the

current arrangements are not as effective as they might be, and do not facilitate effective cooperation between all the parties. Some operators stated that certain Railtrack Zones had informal arrangements for the exchange of views prior to bidding. However, this did not appear to be a consistent picture, and these informal arrangements seem to have been hampered because of the absence of a more structured process with associated rights and obligations.

26. Effective consultation is essential to the achievement of the objectives set out in Section 3 of this statement. The Regulator therefore considers that there is a need for the introduction of a formal contractual consultation process prior to the start of the formal bidding cycle, to replace or complement the current informal arrangements. The process would replace the first iteration in the current bidding cycle (see Section 6). The objectives of the process would be to:
- (a) provide a better focus for train operators to declare their respective intentions with regard to timetable development;
  - (b) facilitate the planning and coordination of services which best meet users needs, including the development of better connectional arrangements and complementary service patterns;
  - (c) facilitate the optimisation of capacity for both passenger and freight operators through early discussion of needs and aspirations with an explicit obligation to use best endeavours to resolve conflicts in line with the public interest Decision Criteria;
  - (d) in conjunction with a move to a single iteration bidding cycle, reduce the overall length of the current timetabling process.
27. There are a number of ways in which such a process could be achieved, for example by inserting a new process into the Rules of the Plan under a framework set out in Part D of the Track Access Conditions. At this stage the Regulator is not seeking to specify the detailed form of the process. Instead, he expects Railtrack to put forward a proposal to the Class Representative Committee for consideration and consultation under the formal change procedure. Railtrack has an important role to play in managing and facilitating this process by bringing train operators together at the right time in the planning cycle and in assisting them in maximising the resulting benefits to passengers and freight users. Railtrack and the Committee will therefore need to consider a number of key issues, including

- (a) the form of the process and how it would be managed;
  - (b) the relationship with the Rules of the Route/Plan processes;
  - (c) the status in the formal bidding cycle of the indicative timetable resulting from the consultation process, in terms of the level and manner of priority to be given to the services the indicative timetable contains;
  - (d) how a disaffected train operator might challenge that priority; and
  - (e) the timing and basis for disputes and appeals.
28. The introduction of a pre-bidding consultation process would allow the development of a 'base' timetable for inclusion in the bidding information based on train operators' declared aspirations.
29. This base timetable should not be binding and should not prevent train operators from exercising their full bidding rights, nor Railtrack from exercising its full flexing right in the formal bidding iteration. However, priority should be given to those bids which are in line with declarations made during the consultation stage, unless an overriding case under the Decision Criteria can be demonstrated by a new bidder that an alternative bid should take precedence<sup>3</sup>.
30. The process should provide for a train operator to appeal against Railtrack's handling of the pre-bidding consultation process on grounds of non-compliance with any new Track Access Conditions requirements.
31. The new process should also provide a disputes resolution mechanism, with ultimate appeal to the Regulator. Under Part C of the Railtrack Track Access Conditions, the Regulator ultimately will be required to approve the detailed changes to the Conditions resulting from this proposal. In doing so, he will want to consider whether it would be appropriate to give guidance on the criteria he would expect to adopt in hearing appeals relating to disputes arising from the consultation process.
32. The Regulator considers it to be especially important that any emerging new process should not be burdensome or bureaucratic. However, he believes that it should prove possible to devise a simple, flexible framework which provides an effective vehicle for the involvement of all train operators resulting in improved planning and coordination of services to the benefit of passengers and freight customers.

---

<sup>3</sup> In other words, the burden of proof would be on the challenging bidder.

## **Confidentiality**

33. The consultation document sought views on whether issues of confidentiality hampered effective consultation. Consultees suggested that, generally, commercial confidentiality does not currently inhibit the timetabling process. Railtrack stated that, to date, train operators have not made use of the confidentiality provision within the Railtrack Track Access Conditions.
34. The Regulator was not fully convinced by these arguments, not the least because they contradict his own experience in a number of recent applications for regulatory approval of access rights. He considers that confidentiality has resulted in some unnecessary difficulties and has the potential to become a greater problem in the future.
35. The Regulator expects all train operators to be open and honest in their train planning, invoking confidentiality only in respect of the occasions where there is a real danger that greater openness might result in destructive competition and a loss of benefits to passengers and other customers. The Regulator expects such occasions to be rare, and he will therefore be keeping this issue under close scrutiny and will consider further action if problems persist or increase.

## **Major timetable changes**

36. The consultation document also sought the views of train operators and Railtrack on the ability of the current process to deal with major timetable changes, for example, to accommodate growth in demand for rail services, and also to help to deal with "mega projects" such as the upgrade of the West Coast Main Line and Thameslink 2000.
37. It may also be that greater congestion on the network resulting from the incremental growth of train services could be eased under a major timetable respecification designed to liberate greater capacity. The Regulator would support such an initiative provided rail users' interests were protected and promoted, and it facilitated the development of greater service opportunities.
38. The Regulator anticipates that the proposed pre-bid consultation will be of assistance in achieving a major service re-specification. The consultation process would afford operators and Railtrack the opportunity of discussing the implications of such projects at an early stage, encouraging operators to work together in the development of strategic initiatives to minimise disruption. It would also provide an opportunity for early liaison with the relevant RUCCs.

## 6. *The bidding process*

---

Proposal 6: *The Regulator considers that the introduction of the pre-bidding consultation process outlined above would serve the purpose of the current first bidding iteration, but with greater transparency and flexibility. If this were to be introduced, he believes this would pave the way for a change to a single iteration bidding cycle, and a reduction in the overall timescales for the process. However, as stated in Proposal 3, this would entail a change to Part D of the Railtrack Track Access Conditions, which the Regulator would have to approve. Before doing so, he would want to satisfy himself that such a move had broad support across the industry.*

39. The consultation document sought views on whether the current bidding timescales could be reduced, and whether there should be any changes to the number of iterations.
40. Not surprisingly, train operators were keen to see Railtrack reduce the bidding timescales to increase commercial flexibility. However, there was no support for a move toward the multiple iteration process that was originally proposed for the restructured industry, although some operators looked for a move to three iterations. By contrast, a clear majority of respondents favoured a single iteration bidding process, thereby reducing the timescales, but making more time for ensuring bid quality and the integrity of subsequent offers.
41. The Regulator considers that the introduction of a formal pre-bidding consultation process involving all train operators would facilitate a move to a single iteration bidding cycle - a change desired by many, though the Regulator recognises not all, train operators. The Regulator believes that the consultation stage will operate as a semi-formal first iteration, without the rigid procedures and "blind bidding" of a formal iteration, but with the advantages of greater openness and transparency.
42. The Regulator therefore would, in principle, now support a move to a single iteration, *provided* it is associated with the introduction of a pre-bidding consultation phase. However, he would want to be satisfied that the proposal has broad support across the industry, that the change will have no adverse impact on the timescales of the timetable process, and that the change is not likely to have a material adverse effect on any particular party without a clear justification for this.

43. A move to a single iteration process combined with an effective pre-bidding consultation process would, the Regulator considers:
- (a) increase the opportunity for train operators and Railtrack to work together to develop bids;
  - (b) facilitate higher bid and subsequent offer quality; and
  - (c) provide the scope for reducing the overall bid timescales.
44. As with the consultation process, the Regulator would like to see Railtrack initiating the debate on this proposal by making a proposition to the Class Representative Committee. Nevertheless, train operators are encouraged to put their views forward to Railtrack on how the new process should develop, so that these can be taken into account in this initial development phase. It will then be for the Committee to subject the proposal to further development and scrutiny through the democratic processes.
45. The Regulator expects that improvements to the bidding process, combined with more effective consultation and cooperation arrangements, will help to enable the industry to provide better quality timetable information in a timely and efficient manner. The industry will be judged by its results in this important area, and the Regulator will expect to take the necessary action should it fail to deliver.
46. Shortened bidding timescales and better quality timetable information may also be facilitated by the introduction of further improvements to timetabling computer systems. The Regulator expects Railtrack to continue the development of these systems to enhance the timing and effectiveness of the process.

### **Passenger change dates**

47. The consultation also sought views on whether having two passenger change dates each year remained desirable, and whether the current change dates were the most appropriate.
48. There was general support for a retention of the two passenger change dates each year, but opposing views were expressed on the appropriate date for the Summer timetable change. This is a subject on which there has already been considerable debate between the Class Representative Committee and the CRUCC, and the comments received added little to what has already been said. The Regulator has, as yet, seen no convincing argument as to why the current Summer change date should be moved earlier. Whilst the current timing may create some anomalies, it would

appear that a change date earlier in May would simply create a different set of anomalies. In such circumstances, the arguments in favour of harmony with European timetables, especially in respect of the integration of international services with the domestic timetable, appear to outweigh other considerations.



## 7. *Passenger representation*

---

Proposal 7: *In addition to conducting their own passenger research it is important that train operators consult RUCCs, local authorities, and other passenger representatives as appropriate in a timely fashion and have regard to their views. In view of comments made by consultees over the ineffectiveness of current arrangements, the Regulator has raised concerns with the Franchising Director. The Franchising Director proposes to offer "best practice" guidelines which he will draw up after consultation with the CRUCC, local authorities and ATOC. The guidance will recognise the importance of providing passengers with information on intermodal journeys. The RUCCs will need to ensure they are able to accurately convey the views of passengers they represent and to have in place the necessary processes to gather and distil this information.*

49. The consultation document sought views on the effectiveness of current arrangements for passenger representation in the timetabling process.
50. The Regulator considers that it is essential for effective timetable planning in support of the objectives set out in Section 2 that passengers' views, needs and expectations are gathered at an early stage in the process. The independent organisations charged with representing the views of passengers are the Rail Users Consultative Committees (the RUCCs).
51. Whilst train operators will obviously want to continue to conduct their own passenger research - and this is clearly of considerable value - it is also important that the RUCCs provide an effective input into the timetabling process in time to influence the decisions of operators.
52. In his statement *Regulatory Objectives for Passenger Train and Station Operators* the Regulator emphasised that he expects operators to maintain and develop constructive and genuinely consultative relationships with the Central Rail Users' Consultative Committee (CRUCC) at national level and the RUCCs locally, so that passenger views and needs can be taken into account in everything they do. This is especially important where a major timetable change is being considered or where investment projects may result in significant disruption.

53. Some consultation responses expressed concern about the effectiveness of the current consultation arrangements with the RUCCs, and - when consultation takes place - about the quality of the input made by the Committees. Several operators expressed concerns over the value of consultation with the RUCCs and questioned their ability to reflect adequately the views and aspirations of all passengers. However, some RUCCs reported that consultation arrangements had improved. Similar concerns were expressed in relation to local authorities.
54. It is clearly very important, if consultation is to be effective, that it takes place early enough to enable RUCCs and local authorities to influence the timetabling plans of operators. The Regulator does not consider it satisfactory to hear of instances of consultation taking place only after train plans have been finalised.
55. Train operators' Passenger Franchise Agreements require them to make reasonable endeavours to give the relevant RUCC(s) and local authorities notice of significant changes to their pattern of services (including additions, deletions and changed timings) so that their views can be taken into account before proposals are submitted to Railtrack.
56. The Regulator has therefore discussed the concerns raised by consultees with the Franchising Director. The Franchising Director proposes to offer "best practice" guidelines for train operators on consultation with RUCCs, local authorities and other passengers representatives. These guidelines would cover
- (a) liaison arrangements;
  - (b) the timing of consultation and the process to be followed;
  - (c) how confidentiality should be dealt with; and
  - (d) the respective involvement of RUCCs and sub-committees, and of local authorities.

The Franchising Director intends to consult with the CRUCC, local authorities and ATOC on the scope and content of the guidance.

57. It is reasonable that, at times, train operators may need to consult RUCCs *in camera* about new service developments, particularly where development is at an early stage and the public may be misled by inaccurate or premature publicity. It is clearly important in fostering an effective working relationship that this principle is respected.

58. Equally, RUCCs will want to ensure that they have the necessary processes in place to effectively gather the views of passengers, in order to represent their views in a balanced and effective way.



## 8. *Freight issues*

---

Proposal 8: *The Regulator considers that the position of freight operators in the bidding process could be enhanced by Railtrack taking a more pro-active stance in relation to the application of the Decision Criteria to support the allocation of capacity for freight services where there is a reasonable likelihood that this capacity would be utilised during the currency of the timetable in question and where that is consistent with sharing the capacity of the network in the most efficient and economical manner. This approach could be supported by a new Decision Criterion requiring Railtrack to take account of the importance of reserving sufficient capacity for spot bidding in order to meet the needs of train operators - both passenger and freight - whose businesses require such short term flexibility.*

Proposal 9: *Railtrack should explore with its customers more effective ways of advising them of "white space"<sup>4</sup> available in the timetable. The aim should be to establish a system providing access to continually updated information. The Regulator recognises that it will take time to develop and implement such a system, but will be seeking a firm commitment from Railtrack to work with its customers towards this and to the timescales.*

59. The consultation document sought views on how effectively the current timetabling process meets the needs of freight operators.

60. The Regulator in his document *'Regulatory Objectives for Rail Freight'* stated that he was committed to promoting the development of rail freight in a manner which best meets the needs of freight customers. In the timetabling consultation document, the Regulator sought the views of freight operators on how effectively the timetabling process meets the needs of rail freight, and whether there were any specific changes which would better facilitate those needs.

61. Consultation responses indicated a perceived incompatibility, inherent in the current timetabling structure, between the needs of the freight and passenger markets. This incompatibility stems from the more fluid nature of the freight market, requiring greater flexibility in timetabling by freight operators to meet changing market needs.

---

<sup>4</sup> "White space" is unused capacity in the timetable which would accommodate one or more train paths

Currently, this flexibility is mainly catered for through the spot bidding process. However, this means that freight operators are constrained to bid into the residual "white space" left over from the main timetable bidding cycles. As congestion on the network increases, and the freight market grows, this situation will become increasingly untenable. It is therefore critical for the development of that market that the industry recognises these concerns and develops processes which better meet the needs of freight operators and their customers.

62. One of the principal concerns expressed by freight operators is to create greater certainty over timetable paths from timetable to timetable. The Regulator considers that active participation in the pre-bidding consultation process, suggested in Proposal 3, would assist in providing this security. Freight operators would be able to specify elements of their current timetable to be "rolled forward" into the bidding information for the next timetable development phase. Service aspirations specified in this way, along with those of other operators declared in the pre-bidding consultation stage, would then gain a level of priority in the formal bidding process (see paragraph 29 above).
63. There is nevertheless the important qualification that some existing freight train paths will be subject, as a result of the terms of the relevant track access agreement, to a wide flexing right. It is important, therefore, that the "indicative" nature of the base timetable is recognised and that the extent of flex in respect of any particular train path would need to be established with Railtrack.
64. Concerns were also expressed about the eight weekly short-term planning cycle, under which Railtrack notifies train operators of train paths affected by engineering work and train operators submit revised bids. In considering the Regulator's proposed changes to Part D of the Track Access Conditions, the Regulator would like the industry to consider ways of reducing unnecessary rebidding in relation to the short-term planning cycle.
65. A further concern, given the different timetabling requirements of passenger and freight operators, and their timescales, is the preservation of capacity within the main timetable bidding cycles. The Regulator expects Railtrack, to the greatest extent economically practicable, to promote the use and development of the network for freight as well as passenger. This means that, ultimately, it is up to Railtrack to

develop the network for the purpose of enhancing capacity to meet the reasonable needs and expectations of *all* its customers <sup>5</sup>.

66. Under one of the Decision Criteria, Railtrack must aim to share capacity and to secure the development of the Network for the carriage of passengers and goods in the most efficient and economical manner in the interests of all users of railway services. Therefore, in considering appeals in relation to the sharing of capacity for freight operators, as well as taking into account other relevant Criteria, the Regulator would be prepared to consider arguments supporting the retention of capacity for future freight services, and the flexing of passenger service patterns to accommodate future freight services, provided there is a reasonable likelihood that this capacity would be utilised during the currency of the timetable in question. The retention of capacity for spot bids during a particular timetable would not exclusively benefit freight: it would also be available for passenger operators who wish to implement changes to their service patterns quickly to meet changing market needs or trial new services.
67. The Regulator is concerned that, at present, the Decision Criteria do not sufficiently recognise the need to ensure there is sufficient capacity in the timetable to meet this objective. He considers that it may be appropriate to insert an additional Decision Criterion reflecting the need to maintain capacity by reserving white space for spot bids to meet short-term business needs and aspirations of both freight and passenger train operators, where this is consistent with the efficient and economic use of the network. The Regulator believes it is important for the industry - through the mechanisms of the CRC - to consider this option further and, if it is agreed that change is desirable, to propose appropriate wording.
68. It is important to note that this proposal is not intended to unduly favour one class of operator over another, but rather to ensure that, in making timetabling decisions, Railtrack is able to take into account all the relevant circumstances in order to maximise the efficient use of capacity.
69. In addition to the changes set out above which impact directly on the timetabling process, the Regulator also considers that, in the interests of greater transparency about available capacity, Railtrack should ensure that it has effective liaison arrangements in place to enable *all* operators to obtain in a timely fashion the

---

<sup>5</sup> Under Condition 7 of Railtrack's Network Licence, it is required to secure the maintenance, the renewal and replacement, and the improvement, enhancement and development of the network so as to satisfy the reasonable requirements of train operators and funding bodies

information they need about the availability of white space during the currency of a particular timetable. In time, the Regulator expects Railtrack to develop the necessary systems to provide immediate access to such data as and when it is required. Railtrack has indicated that systems development will take several years. Such a development would also be of considerable assistance to the promotion and planning of charter trains.

## ***9. Link between regulatory approval of access rights and the timetabling process***

---

Proposal 10: *The Regulator has issued a General Approval covering short-term changes in access rights. The text of the General Approval is set out in Annex C. Railtrack and train operators will have to ensure that they have the appropriate processes in place for submitting amendments to access agreements covered by the General Approval for inclusion on the Regulator's Public Register.*

70. The consultation document sought views on how the process of regulatory approval of new access rights and the timetabling process could be better coordinated. The document suggested three options;
- (a) continuing with the existing arrangements;
  - (b) Railtrack not accepting bids for which no access rights are held;
  - (c) a General Approval issued by the Regulator for short-term adjustments to access rights which do not create Firm Contractual Rights<sup>6</sup> and which last no more than three timetable periods. Regulatory approval would then be focussed on agreements providing longer-term rights, and those granting Firm Contractual Rights.
71. The consultation document proposed that option (c) represented an effective way forward.
72. There was general agreement that the current arrangements did not coordinate effectively, and that the timescales involved in effective regulatory scrutiny were not necessarily consistent with the need for short-term flexibility to meet changing market

---

<sup>6</sup> Firm Contractual Rights are defined in the Railtrack Track Access Conditions as meaning:

"(a) in the case of a bidder, a right under its Access Agreement in respect of the quantum, timing or any other characteristic of a train movement; and

(b) in the case of Railtrack, a right under the applicable Rules of the Plan or the applicable Rules of the Route

which is not expressed to be subject to any contingency outside the control of the holder of the right, except, in a case within paragraph (a) above, the applicable Rules of the Plan or the applicable Rules of the Route".

needs. Most respondents who commented on this issue agreed that option (c) was the best way forward, and suggested that the General Approval should cover changes in access rights which last no longer than two timetable periods (not three, as proposed in the consultation).

73. The General Approval will not apply to amendments to rights relating to contestable flows under Stage II of Moderation of Competition, which will remain subject to individual regulatory approvals<sup>7</sup>. It is proposed to review the operation of the General Approval in the Autumn after the initial Moderation of Competition Stage II Notices have been issued.
74. Whilst the introduction of a General Approval along the lines suggested will facilitate the process of regulatory approval of short-term access rights, the Regulator would also expect Railtrack and train operators to be more diligent than some have hitherto about submitting amendments to access agreements for regulatory approval in a timely fashion. Railtrack and train operators will also have to ensure that the necessary processes are in place for submitting amendments to access agreements covered by the General Approval for placing on the Regulator's Public Register<sup>8</sup>. Railtrack has a key role in managing these processes to ensure that they operate in a timely and efficient way. The Regulator has therefore proposed to Railtrack that it develops a Code of Practice covering processes, procedural arrangements and timescales for negotiating new and amended access rights.
75. The Regulator has therefore issued a General Approval covering short-term changes in access rights, in the form set out in Annex C.

---

<sup>7</sup> New Service Opportunities for Passengers: A Policy Statement (March 1998)

<sup>8</sup> Under the Railways Act 1993, it is an offence to fail to submit such an agreement for the Public Register

## 10. Next steps

---

76. Some of the proposals set out in preceding sections will require changes to the contractual processes set out in Part D of the Railtrack Track Access Conditions. As stated above, the Regulator considers that these proposals would be best taken forward by the industry through the democratic mechanism of the Class Representative Committee. The Regulator believes that the most appropriate mechanism would be for Railtrack to put forward proposals for change, to be developed and considered by the Committee, and ultimately submitted to the Regulator for regulatory approval.
77. The Regulator would like this process to be taken forward in an efficient and timely manner, in order that the key process changes can be introduced in time to apply to the process for developing the Summer 2000 timetable. This has important implications for the timescales in which development work and consultation on specific proposals must take place. The Regulator recommends that the industry parties should aim to achieve the following key timescales:

|                  |                                                                                                                                                                                                                                                  |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| mid-Summer 1998  | Railtrack to work up initial propositions for submission to the Class Representative Committee;                                                                                                                                                  |
| late Summer 1998 | detailed proposals then to be worked up on the basis of Railtrack's initial propositions (the Regulator would expect the Committee will want to establish a working group to draw up these detailed proposals) and report no later than October; |
| October 1998     | formal Proposals for Change submitted to the Committee by the working group                                                                                                                                                                      |
| November 1998    | industry consultation on Proposals for Change                                                                                                                                                                                                    |
| December 1998    | Committee considers representations in response to the Proposals for Change                                                                                                                                                                      |
| January 1999     | Committee seeks regulatory approval for Proposals for Change                                                                                                                                                                                     |

78. These timescales represent a demanding schedule of work for the industry. A key first step will be for the Class Representative Committee to consider whether it is realistic and deliverable, and to ensure that the industry is aware of the implications.

## *Annex A: List of Respondents*

---

Access Dispute Resolution Committee  
Anglia Railways Train Services Ltd  
Association of Transport Coordinating Officers  
Association of Train Operating Companies  
Bell Mr T  
Bradshaw Professor WP - Centre for Socio-Legal Studies  
BT Connections in Business  
Central Trains Limited  
Central Rail Users' Consultative Committee  
Centro  
Connex South Central Ltd  
Connex South Eastern Ltd  
Cotswold Line Promotion Group  
Cumbria County Council  
Derbyshire County Council  
Devon County Council  
Duncan Mr I  
Eastleigh Borough Council  
Ellis Mr N  
English Welsh & Scottish Railway Ltd  
Eurostar (UK) Limited  
Freightliner Limited  
Friends of the Earth Cornwall Transport group  
Great North Eastern Railway Limited  
Great Western Trains Company Limited  
Hampshire County Council  
Lewcock Mr E  
London Transport  
London Regional Passengers Committee  
Mendip Rail Ltd  
Merseyrail Electrics Limited  
Merseytravel  
Midland Main Line Limited  
National Express Group PLC

Nexus  
North Cheshire Rail Users' Group  
North Western Trains Company Limited  
Office of Passenger Rail Franchising  
Oley Mr C  
PA Consulting Services Ltd  
Rail Users' Consultative Committee for Wales  
Rail Freight Group  
Railtrack PLC  
Railway Development Society Lincolnshire  
Railway Development Society  
Railway Development Society Passenger Committee  
Regional Railways North East Limited  
Rodway Mr C  
Silverlink Train Services Limited  
South West Trains Limited (submission made in confidence)  
South Wales Consortium of Local Authorities  
South Hampshire Rail Users' Group  
Staffordshire County Council  
Strathclyde Passenger Transport  
TCI Operational Research Limited  
Thameslink Rail Ltd and Thames Train Ltd (joint response)  
Tonbridge & District Railway Travellers Association  
Transport 2000 South Wales  
Transport 2000 Isle of Wight Group  
Ventnor Railway Association  
Virgin Trains  
Wales & West Passenger Trains Ltd  
Wandsworth Borough Council  
Welwyn Hatfield Council  
Wilson Mr W

## *Annex B: Decision Criteria*

---

"The Decision Criteria consist of the necessity or desirability of the following (none of which necessarily has priority over any other):

- (a) sharing the capacity, and securing the development, of the Network for the carriage of passengers and goods in the most efficient and economical manner in the interests of all users of railway services having regard, in particular, to safety, the effect on the environment of the provision of railway services and the proper maintenance, improvement and enlargement of the Network;
- (b) enabling a Train Operator to comply with any contract to which it is party (including any contracts with their customers and, in the case of a Train Operator who is a franchisee or franchise operator, including the franchise agreement to which it is a party), in each case to the extent that Railtrack is aware or has been informed of such contracts;
- (c) maintaining and improving the levels of service reliability;
- (d) maintaining, renewing and carrying out other necessary work on or in relation to the Network;
- (e) maintaining and improving connections between railway passenger services;
- (f) avoiding material deterioration of the service patterns of operators of trains (namely the train departures and arrival frequencies, stopping patterns, intervals between departures and journey times) which those operators possess at the time of the application of these criteria;
- (g) ensuring that, where the demand of passengers to travel between two points is evenly spread over a given period, the overall pattern of rail services should be similarly spread over that period;
- (h) enabling operators of trains to utilise their railway assets efficiently and avoiding having to increase the numbers of railway assets which the operators require to maintain their service patterns;
- (i) facilitating new commercial opportunities, including promoting competition in final markets and ensuring reasonable access to the Network by new operators of trains;

- (j) avoiding wherever practicable frequent timetable changes, in particular for railway passenger services; and
- (k) taking into account the commercial interests of Railtrack and existing and potential operators of trains in a manner compatible with the foregoing.

In its consideration of paragraph (d) of this Condition D4, Railtrack shall not be entitled to determine that its possessions of any part of the Network shall be as contemplated by any relevant maintenance contract by reason only of the terms and conditions of that contract. In this paragraph, "relevant maintenance contract" is a contract which Railtrack shall have entered into, or shall intend to enter into, with any person for the maintenance, renewal or the carrying out of any other work on or in relation to the Network."

## ***Annex C: General approval for short term changes to access rights***

---

The Railways Act 1993

### **Passenger Access (Short Term Timetable Changes) General Approval 1998**

**1998 No. 3**

*Made* 28 May 1998

*Coming into force* 29 May 1998

The Rail Regulator, in exercise of the powers conferred upon him by section 22(3) of the Railways Act 1993, hereby gives the following general approval.

#### **Citation and commencement**

- 1.-(1) This general approval may be cited as the Passenger Access (Short Term Timetable Changes) General Approval 1998.
- (2) This general approval shall come into force on 29 May 1998.

#### **Interpretation**

2.-(1) In this general approval:

"access agreement" means an agreement entered into after 1 April 1994 under which the facility owner of track grants a Train Operator permission to use that railway facility for or in connection with the provision of services for the carriage of passengers by railway;

"the Act" means the Railways Act 1993;

"corresponding flow" means access rights which Railtrack PLC would be prevented from granting under paragraph 5 of Part 2 of the Schedule entitled Moderation of Competition in any access agreement (or any provision having equivalent effect) if the Stage I Period in that Schedule did not expire until immediately prior to the Winter Change Date in 1999;

"Firm Contractual Right" has the meaning ascribed to it in Part D of the Railtrack Track Access Conditions 1995, as amended from time to time;

"Passenger Change Date" has the meaning ascribed to it in Part D of the Railtrack Track Access Conditions 1995, as amended from time to time;

"Timetable Period" means that period of time commencing on and from a Passenger Change Date and expiring at 11.59 p.m. on the day immediately prior to the next following Passenger Change Date.

"Train Operator" means a person having the management of a train for the time being.

"Winter Change Date" has the meaning ascribed to it in Part D of the Railtrack Track Access Conditions 1995, as amended from time to time.

(2) In this general approval:

(a) unless the context otherwise requires, terms and expressions defined in the Act shall have the same meanings in this general approval;

(b) the Interpretation Act 1978 shall apply to this general approval in the same way as it applies to an enactment; and

(c) any reference to a numbered paragraph is a reference to the paragraph in this general approval which bears that number.

### **Approval of amendments**

3. The parties to an access agreement may make an amendment to that agreement if the amendment is of the kind specified in paragraph 4.

### **Types of amendment to which approval is given**

4.-(1) The amendments referred to in paragraph 3 are ones which permit a Train Operator on any day or days during all or any of the period commencing on the date this approval comes into force and expiring immediately prior to the Winter Change Date in 1999 to provide additional or amended services on any part of the network together with any train movements which are necessary or reasonably required to enable such services to be provided (including permission for stabling) in any such case for or in connection with the carriage of passengers by railway and including provisions as to the charges payable for such services and the railway vehicles which may be used to provide such services, other than any amendment which:

(a) is made on or after 20 April 1999;

- (b) grants or extends a Firm Contractual Right;
- (c) grants a corresponding flow, or;
- (d) grants rights which will, in aggregate, have effect for more than two consecutive Timetable Periods.

Signed Michael Beswick

28 May 1998

Signed by authority  
of the Rail Regulator



### **Explanatory note**

*Section 22 of the Railways Act 1993 enables the Rail Regulator to give his approval in advance to the making of amendments to access agreements. As long as an amendment falls wholly within the terms and conditions of a general approval, the parties to the access agreement in question may amend it without seeking the Regulator's approval of the amendment. If it does not come within the scope of the general approval, a specific approval under section 22 must be obtained.*

*Amendments of access agreements which have not been approved by the Regulator - either under a general approval or a specific one - are void.*

*This general approval concerns amendments to passenger track access agreements which may be effective during the period up to the end of the Summer Timetable in 1999.*

*The amendments permitted must be made before 20 April 1999; must not grant Firm Contractual Rights and may only be ones which would have been permitted under Stage I of Moderation of Competition. They may only last for a maximum of two Timetable Periods.*

*Under section 72(5) of the Railways Act 1993 a copy of all amendments, including amendments approved under this general approval, of access agreements must be sent to the Regulator within 14 days of being made. Subject to the requirement in section 72(3) to have regard to the need for excluding certain information, such copies will be entered into the public register.*