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Dear Brian,

### **CONSULTATION ON NETWORK RAIL'S EAST COAST MAIN LINE CAPACITY ASSESSMENT REPORT**

Thank you for your e-mail dated 29 September 2008 inviting the comments of English Welsh & Scottish Railway Limited ('EWS') on the above matter.

EWS considers that a week is insufficient time to consider in detail a capacity assessment report such as this. However, even if EWS was in a position to analyse and respond to the detailed timetabling work contained within the report in such a short time frame, it would have to consider whether this would be worthwhile at this stage given that the report focuses on only one option, namely the 6 x long distance, high speed passenger + 1 x long distance freight per hour scenario.

Furthermore, as is suggested at paragraph 2.15 of the report, even this one option is still very much work in progress. For example, it does not assess the 'off-route' effects the timetabling work would have, which is particularly crucial information for freight operators to understand as the majority of their services start and finish their journeys away from the East Coast Main Line ('ECML'). The report is, in EWS's view, therefore, just one part of a jigsaw and without the other 'pieces' (i.e. assessments of the other options) it is difficult to respond meaningfully and in detail. EWS notes that ORR also recognises this crucial point.

Despite paragraph 2.2 of the report giving the impression that ORR requested Network Rail to develop the report on the basis of the 6 + 1 scenario, EWS welcomes ORR's confirmation that it has not decided on any particular option and will take account of all the various options put forward as part of its consideration, which will, as usual, be in line with its statutory duties and published policies. However, if Network Rail has not assessed any other options in detail, EWS wishes to understand how ORR would consider them.

EWS has already expressed its concerns to ORR and Network Rail both in writing and at meetings regarding the likely material adverse effects that the ORR's consideration of the various applications for capacity on the East Coast Main Line from a number of passenger operators will have on capacity for freight growth, particularly during daytime 'off-peak' hours. These concerns have been

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realised by the report as it is confirmed at paragraph 2.12 that the future aspirations of freight operators in terms of quantum, weight and length of train cannot be met. Given this, EWS has been forced to submit its own application to ORR in an attempt to preserve some capacity for freight growth during daytime 'off-peak' hours.

Notwithstanding the above comments, EWS wishes to raise the following remarks from its initial review of the report:

- The Class 6 paths have been timed at 1600 tonnes which is insufficient to cater for the weight of trains that currently, and are likely in the future, to require those paths. It is noted that a route diverging from the ECML at Doncaster to Newark via Gainsborough and Boultham Junction could be available for heavier trains in the hours when an ECML path to and from Lincoln does not operate. This limited availability makes planning a viable path which matches restrictive terminal slots extremely problematic.
- The extremely limited availability of paths crossing the ECML at Newark on the Nottingham – Lincoln axis places a severe constraint on traffic development on this route, forcing more Immingham – based traffic onto routes via Scunthorpe and Brigg – Gainsborough – Worksop. The implication is that no freight can run in the hours when East Midlands Trains run through London trains to / from Lincoln.
- The geographic limits on the area studied are understandable, but leave open the question of the effect on established and future freight paths of the significant retimings to First ScotRail and other operators' services which are thought necessary to accommodate the proposed ECML 6 + 1 timetable.
- The availability of direct York - Hambleton North Jn – Doncaster paths is welcomed, but EWS wishes to see more detail of their characteristics.
- EWS has no visibility, from the information provided, of the effects of the proposals on the following services:
  1. 6M28 04:53 MSX Ipswich G. W. – Burton on Trent
  2. 6E82 12:16 SX Rectory Jn – Lindsey OR
  3. 6M87 11:03 SX Ely Papworths – Peak Forest, currently diverted via ECML in a path which EWS wishes to retain.
  4. 4E25 11:58 SX – Y Bow – Heck and 4D56 13:41 SX – Y Biggleswade – Heck (common path).
  5. 4L28 14:14 SX Wakefield Europort – Tilbury.
  - The above services all use the ECML over part, at least, of their journey and EWS is concerned that they should be taken into account.

EWS looks to working with the ORR and other industry parties to assist in maximising ECML capacity, but is concerned to ensure that the viability of its existing freight services and those introduced to convey traffic new to rail is not compromised.

continued ...

Yours sincerely

***Nigel Oatway***  
***Access Manager***

cc. Doug Thompson      Network Rail