



OFFICE OF RAIL REGULATION

Brian Kogan
Deputy Director, Access, Performance and Planning
Telephone 020 7282 2097
Fax 020 7282 2118
E-mail brian.kogan@orr.gsi.gov.uk

8 August 2008

All passenger & freight train operators
All holders of and/or potential applicants for track access rights or track access options
Network Rail Infrastructure Ltd
Transport Scotland
Department for Transport
South Yorkshire, West Yorkshire and Tyne & Wear Passenger Transport Executives
Passenger Focus
London TravelWatch

Dear Colleagues

East Coast Main Line (ECML)

Some of the access applications for the ECML that we are now considering are for the renewal of rights for services which are already running. We do not want the way we consider those applications to create unnecessary uncertainty for passengers or for operators and I am writing now to let you know how we propose to deal with them.

We are currently considering four applications¹ for the renewal of existing track access rights on the ECML from:

- (a) Hull Trains (22nd Supplemental), for one additional Sunday service each way between Hull and King's Cross, which started on 18 May under a 90-day General Approval;
- (b) Hull Trains (25th Supplemental), to extend its rights to the seventh weekday path between Hull and King's Cross, which currently expire PCD 2008, and convert all existing contingent rights to firm;

¹ Available on our website at <http://www.rail-reg.gov.uk/server/show/nav.1258>





- (c) National Express East Coast (NEXC) (19th Supplemental), for a contingent right to a Fridays only service from King's Cross to Newcastle, which is currently running under a 90-day General Approval; and
- (d) NEXC (20th Supplemental), for contingent rights to four additional weekend services between King's Cross and Leeds, which commenced on 18 May 2008 under a 90-day General approval.

We believe that it is important that we provide both the industry and the travelling public with some assurances about the continued availability and operation of these existing services from the start of the December 2008 timetable. This is particularly so, given that we do not expect to be able to come to final conclusions on ECML capacity until the end of October 2008. Accordingly, subject to the satisfactory completion of our processes, including consideration of responses from consultees and our usual economic analysis, we intend to approve the agreements until the Subsidiary Change Date in May 2009. This will allow the train operators concerned to sell tickets for those services which we approve, knowing that they will be able to operate them up to at least May 2009. We will have reached decisions on their longer-term future well before then, and will be able to decide the long term future of services in good time for the start of the May timetable.

In the case of the Hull Trains 22nd Supplemental, we have already reached a decision and have today written to Hull Trains inviting formal submission of the agreement under section 22 of the Railways Act 1993 granting them contingent rights to continue to operate the service until the Subsidiary Change May 2009. We shall decide on the other three applications within the next two weeks.

Any enquiries on this letter should – in the first instance – be addressed to:

Brian Hopkinson
Track Access Executive
Office of Rail Regulation
One Kemble Street
LONDON WC2B 4AN

brian.hopkinson@orr.gsi.gov.uk

Yours sincerely

A handwritten signature in black ink that reads "Brian Kogan".

Brian Kogan