
TIMETABLING COMMITTEE

Determination No. 58

(following a hearing at Kings Cross on 9th July 1998)

[Note: no determinations were issued in respect of references 41 to 57 inclusive; previous published determination was determination no.40]

1. The Committee was asked, in a submission in the joint names of English Welsh & Scottish Railway (EWS) and Railtrack, to determine whether or not Railtrack, in formulating the proposed National Rules of the Plan for 1999-2000, had properly reflected the guidance given by the Committee, on 10th October 1997, in its Determination No.39. In particular, there was disagreement as to whether paragraph 6.4 of Section 2 of the National Rules of the Plan gave the appropriate guidance for the formulation of Zonal Rules of the Plan.
2. The Committee noted that the principal points of issue related to Spot Bids made less than two weeks before the date on which the trains were scheduled to run, and the circumstances in which such Spot Bids might be supported by something less than full, detailed intermediate timings.
3. The Committee noted that the parties are in agreement that, over the Network, there are sections of route where, during definable periods, capacity is so tight that it is reasonable to prescribe that a Train Operator should always submit detailed timings in support of any Spot Bid. In other circumstances the Train Operator should submit sufficient detail reasonably to confirm that, for the sections of route involved, the Spot Bid makes feasible use of apparently available "white space". It was further noted that, in two zones, the definition used, and recorded in the Zonal Rules of the Plan, for the sections of route in relation to which detailed timings should be supplied, was the whole zone; this practice was challenged by EWS.
4. The Committee reviewed the arguments in relation to the guidance given in Determination TTC39 that the requirement was for "some criteria of adequacy in relation to the information to be supplied in support of Spot Bids for different types of Service", and determined that
 - 4.1 Railtrack should revise the wording of paragraph 6.4 of the National Rules of the Plan for 1999-2000 so that it did not require detailed timings for Spot Bids of less than two weeks notice other than in relation to specific sections of route and/or times; and
 - 4.2 all sections of route and/or times over which Spot Bids required to be supported by detailed timings should be specifically listed within Zonal Rules of the Plan, and that amendments to that listing should be processed in accordance with the amendment procedures for Rules of the Plan, as incorporated in the National Rules of the Plan.

5. The Committee was concerned at the length of time that had elapsed between the guidance given in October 1997 in Determination TTC39 and the bringing forward by the parties of this new reference. The Committee therefore:-
- 5.1 NOTED that EWS proposed to table its suggestions for specific listing of critical route sections and/or times in relation to the two zones that currently required detailed timings for all sections of route, where it considers detailed timings should not be necessary together with its reasons. Railtrack may initiate a corresponding exercise in relation to the other five zones where it wished to propose a requirement for detailed timings.
- 5.2 DIRECTED that the discriminating lists that should result from the “two-zone” initiative should be the subject of full and constructive dialogue between EWS and those Zones, which dialogue would be concluded by 18th September 1998 at which point
- 5.2.1 any dispute as to whether any sections of route/times of day should or should not be included in the list for specific timings, should be referred to the Timetabling Committee, in accordance with Access Condition D3.4.5, for resolution at an October meeting; and
- 5.2.2 the contents of agreed lists and a revised wording for National Rules of the Plan Section 2 paragraph 6.4 should be made the subject of final consultation by Railtrack with all other Train Operators.
- 5.3 DIRECTED that the consultation process should be conducted such that the revised wording of Section 2, paragraph 6.4, and the discriminating lists of sections of route should come into effect from 1st January 1999, and that any subsequent amendments to those lists should be processed using the change procedure introduced in the National Rules of the Plan in accordance with Condition D3.4.8.

Bryan Driver
Chairman of the Committee
9th July 1998