

## TTP2079 – Directions issued on 01 December 22

1. I am grateful to GWR for providing its Sole Reference Document.
2. At this stage I have only carried out a preliminary review of the SRD, as I am in a different time zone, but I am having difficulty in understanding some aspects of GWR's SRD. In particular, it says in 6.4 that no Remedy is sought from the TTP. If that is GWR's position, then I question why a TTP should be held at all? But in fact I think that the third paragraph within 6.3 represents the Remedy sought by GWR, that 'a route regarding rectification of the 2023 EAS be considered and implemented'.
3. However, these words are not as specific as earlier indications of what I understood to be GWR's case, that GWR is seeking an overall reduction of 25% in the level of proposed possessions in the 2023 EAS.
4. In this context I remind the Parties of my comments in the Directions issued on 13 October 22. While GWR has provided a summary of the effect of the proposals in the 2023 EAS, I have not found anything in the SRD which compares the proposed possessions in the 2023 EAS with previous years. While a comparison with previous years is not necessarily a determining factor in my decision, it would be extremely helpful to enable the Panel to understand the strength of this aspect of GWR's case.
5. This Appeal raises issues which I do not think have previously been considered by a TTP, so the Panel must be as fully informed as possible before the hearing date.

### Therefore I direct:

- A. That GWR should confirm what remedy it is seeking from the TTP.
- B. That GWR should set out a comparison between the quantum of proposed possessions in the 2023 EAS and in previous years. I recognise that this will not be an easy task, but the more information that can be provided the more helpful this will be to the Panel. I wish to ensure as far as possible that any effects on workloads resulting from the pandemic should be identified to avoid false comparisons being drawn.
- C. That GWR should supply to the Panel, with Network Rail copied in, Appendix F to its SRD, which is referred to but was not included in yesterday's submission.
- D. GWR should provide this information as soon as possible, in tranches if necessary. In any event the information must be filed and served by **1000 on Monday 05 December 22**.
- E. In its SRD, NR will obviously comment on GWR's figures, but it should also provide comparisons in the quantum of possessions in other Regions to compare with GWR's experience.

[Signed on the original]

Clive Fletcher-Wood

Hearing Chair, TTP2079