

Email from Bryan Davey at NR, received at 18:10 on Thursday 29 February 2024

Further to your recent correspondence and telephone conversation, below is our response to the issues raised.

Network Rail is able to confirm that we are able to attend the hearing over Teams or in person on 12th or 13th March. Representatives from Network Rail who will attend the hearing are Bryan Davey, Maria Lee and Jack Roberts.

Point 1.

The following is a chronological timeline of events from Network Rail's perspective:

Due to ongoing housing development between Waterloo and Barnes, it has become increasingly difficult to find suitable locations to get heavy plant and people on and off the tracks safely to undertake track renewals and maintenance works. This issue came to a head when, due to a lineside fire at Barnes, there was a delay to the close of service on the Friday night resulting in a delay in taking a possession on Saturday. The only available RRV access point at Covent Garden Market for undertaking the work was no longer accessible due to the need to start up train services on the Saturday morning into London Waterloo leading to the replanning of work and further disruption to operators. As a result of this incident, we decided as a route to prioritise the construction of a new road rail access point in the Clapham Junction area and a suitable location was identified on the Sheepcote Curves.

On 23rd November last year, access was applied for to undertake this work in Weeks 47, 48 and 49. This access was published on 27th December but, due to delays in getting the final design signed off, was then cancelled on 2nd February and the work replanned.

On 5th February, we received a request to undertake this work in Weeks 50, 51 and 52. This access request was referred to the Engineering Access Planning team on 12th February who confirmed that there no traffic has been bid and offered to run on this route. On this basis, the access requirements were deemed as non-disruptive to operators, and a notification was sent out on 13th February at 09.39 within timescales set out in Network Code Part D 3.5.

The Sheepcotes curves has had no passenger traffic since the late 1980s and the only booked traffic in recent years has been infrastructure monitoring machines, engineering haulage and the occasional charter train. On that basis, we notified all likely impacted timetable participants which included train planning and Supply Chain Operations. No train alterations were requested at this stage as there was no advertised traffic.

While GBRf has argued that Network Rail should propose/request a Late Notice Possession to all rail participants, operators have regularly raised concerns with Network Rail that they are sent too many requests that are not relevant to them and their business. On that basis, we aim to request and notify possessions only to affected operators. While we accept that we failed to do so in this case, as GBRf has no regular traffic operating on this route and at the time of planning and notification no services had been agreed, we believe that we have acted reasonably.

In proposing this access, we have applied the decision criteria.

Point 2.

The installation of Sheepcotes RRAP has been allocated funding in this financial year of £650,000. Due to the spending constraints placed upon Network Rail, it is extremely difficult to move funding for projects between financial years and even more so between Control Periods. Network Rail cannot allow the slippage of this important installation of a safe access point to the railway as this is likely to lead to either the cancellation or reduction in scope of this project. We would therefore oppose the removal of this access.

Point 3.

Network Rail does not believe that Exceptional Circumstances apply in this instance. We are content to work with GBRf to ensure that test trains are able to run into Waterloo via the Sheepcote Curves and believe that there is sufficient opportunity for the operator to do so prior to any HS2 blockades.

Point 4.

Network Rail would seek a full determination of this issue. We believe that undertaking this work is in the interests of the railway industry and that failure to do so would significantly impact on the finances of Network Rail Wessex route.

Regards

Bryan Davey