

1 DETAILS OF PARTIES

1.1 a) The names and addresses of the parties to the reference are as follows:-

Freightliner Limited (Company Number 03118392) whose Registered Office is at 6th Floor, The Lewis Building, 35 Bull Street, Birmingham, United Kingdom, B4 6EQ

Heavy Haul Rail Limited (Company Number 03831229) whose Registered Office is at 6th Floor, The Lewis Building, 35 Bull Street, Birmingham, United Kingdom, B4 6EQ

GA Trains Limited ("GA" - Company Number 12544897) whose Registered Office is at Albany House, Floor 8, 94-98 Petty France, London, SW1H 9EA

GB Railfreight Limited ("GBRf" - Company Number 03707899) whose Registered Office is at 5th Floor, 62-64 Cornhill, London, England, EC3V 3NH

First Rail London Limited ("FRL" - Company Number 16186446) whose Registered Office is at The Point, 8th Floor, 37 North Wharf Road, London, England, W2 1AF.

- Freightliner, Heavy Haul Rail, GA, GBRf and FRL are "the Claimants".

b) Network Rail Infrastructure Limited ("NR" - Company Number 02904587) whose Registered Office is at Waterloo General Office, London, SE1 8SW.

- Network Rail is "the Defendant".

c) Correspondence details: *[redacted]*

1.2 Other parties affected by the Panel are, given that there are elements being heard that are contained within the National Timetable Planning Rules ("TPRs"), any timetable participant who interacts with or runs trains over Network Rail's infrastructure.

2 THE CLAIMANT'S' RIGHT TO BRING THIS REFERENCE

2.1 This matter is referred to a Timetabling Panel ("the Panel") for determination in accordance with Condition D2.2.21 and D5.1 of the Network Code Part D.

3 CONTENTS OF REFERENCE

This Joint Reference includes:-

- The subject matter of the dispute in Section 4;
- A detailed explanation of the issues in dispute in Section 5;
- In Section 6, the decisions sought from the Panel in respect of
 - (i) legal entitlement, and
 - (ii) remedies;
- Appendices and other supporting material.

4 SUBJECT MATTER OF DISPUTE

4.1 This is a dispute in relation to decisions made by Network Rail regarding changes to the Timetable Planning Rules pertaining to the Subsidiary 2027 (May 2027) Timetable. The specific sections that the Claimants are disputing are as follows:

- National TPR, Section 1.15 – General Capacity Constraints (see 5.1 and 5.2 below)
- North West and Central (NW&C) TPR – Section 5.2.2 – General Capacity Constraints, MD101 Euston to Armitage Junction (see 5.3 and 5.4 below)
- Anglia TPR, Section 5.2.2 – General Capacity Constraints (see 5.5, 5.6 and 5.7 below)
- LNE TPR, Section 5.2.2 – General Capacity Constraints, specifically the two mentioned Level Crossings (see 5.8 below)
- East Midlands TPR, Scotland TPR, Wales & Western TPR, Kent TPR, Sussex TPR, Section 5.2.2 – General Capacity Constraints, specifically Level Crossings as a Capacity Constraint. (see 5.8 below)
- National TPR, Appendix J – Network Performance Board 17 Planning Principles (see 5.9, 5.10 and 5.11)

4.2 This dispute is brought in line with D2.2.21 on the basis that Network Rail has not fulfilled its obligations under D2.2.15, D2.2.18 and D2.2.19 of the Network Code. This is specifically with reference to a decision issued by Network Rail on 26th June 2026 within the publication of Version 4 of the 2027 Timetable Planning Rules.

4.3 This dispute arises over the fact that, despite a raft of cross-industry objections, Network Rail has taken the decision to proceed at Version 4 of the TPRs with several inadequately consulted restrictions and planning principles, both local and national, despite the fact that they have not been

agreed by multiple timetable participants. In contravention of D2.2.15, these proposals were not appropriately consulted by NR with affected Timetable Participants ahead of the publication of Version 3 at D-53, nor were the objections of operators (as contained within Version 3 response documentation) adequately considered, as set out within D2.2.18, ahead of the publication of Version 4 at D-46. Network Rail has failed to demonstrate that it has fulfilled its obligations around the application of the Decision Criteria set out in D4.6 as required by D4.1 ahead of issuing the decisions that we are disputing here. Subsequent to the Version 4 publication, Network Rail has since issued a Version 4.1 on several of its geographical routes. As a result, given that nothing within Version 4.1 satisfactorily addressed any of the concerns that the Claimants raised within their Version 4 dispute, a separate, mirror dispute has been lodged as invited by the Secretary to ensure that we have met requirements set out in D2.2.21 and D5.1.

4.4 The Claimants cannot accept these specific changes to the TPRs (as referenced in Section 4.1 above) as published.

5 EXPLANATION OF EACH ISSUE IN DISPUTE AND THE CLAIMANT'S ARGUMENTS TO SUPPORT ITS CASE

5.1 With regard to changes to the General Capacity Constraints set out in Section 1.15 of the National TPR, the Claimants do not agree with what has been published here and are therefore seeking their removal. We received inadequate consultation from NR on this subject ahead of the publication of Version 3, and, despite requests, we are yet to receive sufficient clarity on what the criteria are for triggering capacity constraints which are formalised within the TPR, nor how these criteria should be assessed alongside infrastructure capability - if indeed a rationale can even be agreed and established. All Claimants have made attempts to engage with Network Rail on this subject and have continuously urged for further consultation on this matter via the relevant TPR meetings and agreed industry fora. But, with the exception of an e-mail setting out Network Rail's general approach in respect of this section, further consultation has not been sufficiently forthcoming. Furthermore, changes to this section in NR's Version 4 publication were equally inadequately consulted and have failed to satisfy any of the principal points made previously by the Claimants in our Version 3 objections. The lack of consultation should also be considered in a broader context – this section is contained within the National TPR and yet the National TPR forum is not attended by every operator and so, anyone not invited or unable to attend, would have been unlikely to see anything at all regarding these changes until Version 3 was formally issued. This is in direct opposition to what is set out within D2.2.15 of the Network Code and is in spite of the fact that timescales contained within Part D of the Network Code have recently been amended specifically to support using the lead up to Version 1 and Version 3 TPR publication for thorough and fulsome engagement and consultation. This is not what has happened here. The

Claimants have found Network Rail's approach to discussions around this subject inflexible – and, despite confirming in writing on 18th June 2026 (*Appendix A*) that “clarity around the inception of constraints” would be provided ahead of Version 4, this was not forthcoming. Furthermore, Network Rail also confirmed at this time that they would remove from the Version 4 publication “any constraint[s] that cannot be quantified and evidenced”. This was not actioned and, other than a few wording changes, the constraints themselves within the Version 4 documentation remained largely as they had been published at Version 3. In actual fact, an additional and unproven constraint around barrier down time at Level Crossings was added at Version 4 despite not being agreed by industry stakeholders. Within an NR-led discussion around Version 4 responses held on August 10th (*see Appendix B*), NR stated that they had removed some constraints between v.3 and v.4 due to the fact that they could not justify them with quantifiable evidence. They also acknowledged within the same conversation that “sharing the methodology on the ones that remain would be a good step forward” which is an open admission that this did not happen ahead of Version 4 – and has not happened since either. It is worth noting that it is the view of the Claimants that none of the constraints that remained published at Version 4 have yet been adequately quantified or evidenced. We would therefore question as to why these constraints remained published and were not removed post-Version 3 given NR themselves have conceded that they have not provided the relevant data and methodology. *See Appendix A for the 18th June e-mail and Appendix B for minutes from the meeting held on August 10th (relevant sections highlighted in yellow)*

5.2 In relation to the changes specifically linked to Level Crossing limitations published in Section 1.15, it is the view of the Claimants that the risk assessment for restrictions around level crossings should not be included within the TPRs as it sits already within a separate forum (TCRAG). Following discussions around this, Network Rail attempted to clarify its position in an e-mail sent on 25th June (*Appendix C*) which included an attachment (*Appendix D*) stating that “[t]he evidence which informs this section [of the TPRs] will come from TCRAG” and that “change[s] to TPRs [can be made] up until D26 – so if anything is identified during TCRAG we can make the change then, and trains can still be bid”. This seems contradictory to agreed industry processes and feels unworkable, especially given that elements of the TCRAG process take place after the TPRs are published for each relevant timetable and that decisions taken at TCRAG are informed by those TPRs. Therefore, it is the view of the Claimants that information contained within the TPRs around level crossings might therefore either be a) historic; or b) could require a change to be published within a subsequent TPR document to reflect an agreed reality. This would then be much too late in the timetable process as anything inside D-26 would not only be post-offer, but it would also be beyond the timescales for TPR amendments to be made. Given the train paths would have already been offered it would then not be possible to make timetable amendments either. In this context, the Claimants also have concerns over the rigidity of the timescales around TPR publications given that they are linked to specific timetable periods and are not published in a way that is consistent with other industry practices. As an industry we are constantly looking at interventions and

mitigations to improve capacity and performance, and yet these works are not wedded to timescales set out in the Network Code as, by their very nature, they require greater agility. As such we could very easily find ourselves in a position where we end up with unnecessary restrictions being published in the TPRs that cannot be changed post D-26. This, therefore, would lead to a suboptimal timetable which is not making the best use of available capacity. Furthermore, nowhere within Section 1.15 of the National TPR does it determine who should undertake a risk assessment around level crossings – and therefore the very basis of any risk assessment is unclear, unconsulted and uncontrolled. As set out in the National TPR Guiding Principles, section 1.2.7, source data for any supporting evidence with regard to changing the TPRs needs to be agreed by all affected parties - and it is unclear how that principle has been, or indeed can be, applied here. *See Appendix C for the 25th June e-mail which contained Appendix D which is the attachment referenced above (relevant sections/quotes highlighted in yellow). Appendix E is a snip from Section 1.2.7 of the National TPR Version 4.1.*

5.3 With regard to the published changes to the General Capacity Constraints contained within Section 5.2.2 of the North West and Central TPRs, the Claimants fundamentally disagree with the imposition of quantum capacity constraints on the West Coast Main Line. So far we have received insufficient reasoning for the rationale or technical justification for this proposal and no update as to how this might reflect upon the existing, agreed TPRs for the route - despite NR's own guidance requiring all of this to be provided. Section 1.15.9 (itself subject of disagreement and dispute elsewhere in this paper) of the National TPRs clearly states that "where a new capacity constraint is determined to be required...justification must be brought...to explain the limitation" and specifically cites the need for an explanation of reasoning, the supply of performance data - with evidence - about how this relates to existing planning rules, as well as the provision of an analysis study around the impact on capacity and revenue that might result from any new constraint. Network Rail's argument for choosing the published quantum of trains contained within the decision is that it is because it is a reflection of today's WTT service level. The Claimants find this unacceptable. The very fact that NR have made an amendment to these constraints at Version 4.1 - which effectively says that they will be relaxed under STP arrangements if compliant paths can be found - is a clear acknowledgement that additional capacity can, and likely does, exist. This Version 4.1 amendment demonstrates that a) the proposed constraints are not representative of technical ability; and b) there is more available 'plannable' capacity out there. Furthermore, the references to STP planning mention that agreements are to be made via industry consultation – but this process has not been shared or agreed so it is not clear which parts of the industry will actually be part of any consultation. The Claimants are unsure that a process for this even currently exists. Also, there is a lack of consistency within the documents themselves – for example, the next entry in the TPRs for NW6001 does not apply the methodology around the possibility for STP easements. It is the view of the Claimants that NR is simply seeking to constrain capacity on the West Coast Main Line on performance grounds alone – which is not acceptable for passengers and freight

and, importantly, it does nothing with regard to understanding further what might be the actual root causes of any poor performance on this part of the infrastructure. Notwithstanding the above, the Claimants also have concerns over the numbers that have been published, especially given that there is a greater allowance in the evening peak and that the numbers are inconsistent depending on the direction of travel. If there is capacity for more trains to run between certain times of the day, this should apply at all times of the day. The quantum of trains does not create an issue, it is movements of trains that can be problematical. For example, crossing moves or station calls at certain locations can cause bottlenecks. Running a consistent flight of trains on minimum headway does not in itself create a performance risk. During timetable construction periods planners will be using the relevant headways and junction margins to make decisions over the capacity – not referring to a capacity constraint which is not even signposted from either 5.2 (headways) or 5.3 (junction margins). *See Appendix F for a snip of the relevant section from Version 4.1 of the North West and Central TPRs as published on 18th August 2026 showing MD101 and NW6001 and Appendix G for a snip of National TPR 1.15.9 Version 4.*

5.4 For clarity with regard to the above Section 5.3, the Claimants acknowledge receipt of some performance modelling from Network Rail on Monday 24th August at 10:04. Unfortunately there are 135 pages contained within this documentation and there is not sufficient time to read through and analyse everything contained within ahead of the submission dates for the Panel hearing. It is the view of the Claimants that this data should have been shared many months ago (indeed it has been requested many times) and, given that the modelling is dated ‘2022’, we would question as to why this is only being shared now when there is no time to understand fully what it actually means. Also, data from 2022 is unlikely to reflect the current WTT (the quoted level for these figures) and therefore the Claimants are unsure as to whether this historical data is actually any longer relevant. *See Appendix H for an e-mail sent by NR on 14th August confirming that they have based their figures on the current quantum of WTT trains (relevant parts highlighted in yellow).*

5.5 With regard to the published changes to the General Capacity Constraints around Level Crossing Risk Assessment contained within Section 5.2.2 of the 2027 Anglia TPRs, the Claimants do not agree with the publication of a select list of level crossings which NR have deemed as high risk. NR have not provided sufficient supporting evidence for these changes despite numerous requests from multiple stakeholders - and a list derived from subjective considerations rather than technical data is unsuitable as the basis for a TPR given its openness to interpretation and the risk of constant change. The only information provided to operators so far relates to the usage of the crossings by various different types of user – however there is no clarity on the timeframes around the capture of these numbers nor how they have been considered alongside other factors which might impact how to categorise the risk of any given level crossing at any given time of any given day. The Claimants are unanimous that this proposal does not constitute a planning rule and therefore does not belong in the

TPRs given that there is no value provided to underpin a 'rule' which timetable planners could therefore actually apply. It is also not conversant with Section 1.15.2 of the National TPRs (also in dispute here) which states that published capacity constraints must detail any limitations on the quantum of trains that can run. This isn't the case here. There is no quantified constraint or limitation contained within these proposals and, instead, there is simply a reference for the need to undertake a risk assessment against any new Access Proposal - which is a duplication of work already undertaken at TCRAG. These concerns were all brought to Network Rail's attention within the Claimants responses to Version 3 (included within the appendices below) which were sent to NR ahead of the cut-off date of Friday 5th June 2026. NR has not satisfactorily addressed any of these concerns as yet despite a requirement to consider stakeholder objections ahead of the publication of Version 4 at D-46 (as required by D.2.2.18 of the Network Code). *See Appendices I, J, K and L for the TPR Version 3 responses from Freightliner (see page 2 in yellow), Heavy Haul Rail (see page 2 in yellow), GA and GBRf. Appendix M is FRL's Version 4 response which contains the original Version 3 wording (see page 2). Appendix N is a snip of Section 1.15.2 from the National TPRs Version 4.1*

5.6 The lack of adequate consultation is a major theme running throughout all of these disputed items and, in this particular case, Network Rail have even accepted in writing that it was, and is, "regrettable" that operator concerns raised via correspondence "have not been fully and properly addressed and consulted more widely, over a greater time period, to perhaps reach a collaborative position..." The full e-mail chain is provided below (Appendix O) as the Claimants feel that much of it is highly relevant given that, among other things, there is an acknowledgement from NR that these proposals are subjective, incomplete and require greater substantiation through the provision of quantifiable evidence before being taken forwards. There is also an agreement with the assertion that "all TPR rules apply to all trains" – which clearly suggests that these risk assessments would apply to STP timetables as well as LTP timetables which is a point that has been contradicted elsewhere during discussions and still isn't actually clear. If these proposals genuinely do apply to STP timetables are we to expect a weekly risk assessment? And if they don't apply to STP timetables this is not clearly defined and would also undermine what 'high risk' actually means. Perhaps the most striking part of this e-mail exchange is the open acceptance from NR that this section should not appear in the TPRs and that, at most, it might be something that could be made available as a non-contractual planning brief. It is clear from these e-mails that Network Rail themselves harboured serious doubts over these proposals ahead of Version 3 and yet they were still pushed through and published within Version 4 all the same. *See Appendix O for the e-mail exchange referenced here – NR comments in red and any yellow highlighting were as per the original text.*

5.7 Further to the above, in light of the lack of evidence provided by Network Rail, the Claimants have undertaken some analysis work of their own by looking within the DEC25/DEC26 databases of ATTune to look at the quantum of trains at each given location in each given time period. This analysis

highlights the fact that some of the named level crossings have a greater quantum of trains at times that are not deemed as high risk than at times which have been deemed as high risk (*see Appendix P*). It is our collective belief that NR have not given an adequate rationale for how they have chosen these times and we do not support the publication of anything within the TPRs without sufficient evidence to support what has been proposed. This perpetuates the situation that arose in TTP2591, where evidence could not be provided to demonstrate why one further train within in a time frame was an issue, when higher numbers of services ran within other hours and had already been accepted into the timetable. Within a National TPR v.4 response discussion meeting on 10th August 2026, Network Rail acknowledged that the provision of some level crossing data to help stakeholders understand the rationale behind what has been published here and why would be “a good step forward” (*see Appendix B*). The Claimants have yet to see that data. While the Claimants recognise that management of level crossing risk is a challenge for Network Rail, and that there are multiple factors impacting the risk analysis, the claimants ask that this section is removed within its entirety as, by NR’s own admission, these changes have been ill conceived, poorly consulted and rushed into the documentation without full consideration of operator concerns. Given that TPRs are embedded within the Track Access Contract, the Claimants cannot accept subjective TPRs which are guidance only and have no defined values. *Appendix P shows some technical data around the numbers of trains using the named level crossings.* The Claimants recognise that recommendations were made during TTP2591 to publish high risk level crossing data, but this needs to be done in a clear and transparent way, with clear evidence provided to support the inclusion, and both timescales and a robust methodology to continuously review included.

5.8 With regard to the published changes to the General Capacity Constraints around Level Crossing Risk Assessment contained within Section 5.2.2 of the 2027 LNE TPRs, this was first published at Version 3. Similarly to the arguments set out in Section 5.5 above, the Claimants do not support what was published and have responded accordingly within their responses to Version 3. Network Rail have not taken the objections raised by the Claimants at Version 3 into adequate consideration ahead of the Version 4 or Version 4.1 publications and have once again not provided an appropriate rationale nor sufficient evidence to support what has been published. As already referenced above, the Claimants do not support the inclusion of level crossing risk assessments to be included within the TPRs given they are already covered in other fora elsewhere (TCRAG) and the information provided does not constitute a rule and can only merely be considered as guidance. This brings ambiguity to the timetabling process and could lead to unnecessary rejections of Access Proposals and an associated loss of capacity which would purely be based upon subjectivity. Mitigating risk around level crossings through the TPRs is not appropriate and it also undermines efforts to understand further what other options might exist in order to manage level crossing risks across Network Rail’s infrastructure. It has not been made clear what other options Network Rail have even explored in this regard. It is for this reason that the Claimants also ask for the removal of the published sections within

the East Midlands TPR, Scotland TPR, Wales and Western TPR, Kent TPR and Sussex TPR as we do not support their inclusion. Even though there are no values included within the sections on these routes, the very inclusion of this section in the first place is not agreed by the Claimants for all of the reasons stated above. The TPRs need to be defined values and cannot simply be published guidance.

5.9 With regard to the addition of Appendix J (Network Performance Board 17 Planning Principles) to the National TPRs, the Claimants object to the inclusion of this section. As the Claimants have noted on multiple occasions during meetings on the subject, much of the content of this section is unnecessary due to:

- The replication of detail contained elsewhere in the National TPRs
- The contradiction of detail already contained in the National TPRs
- The formation of concepts that are not strictly rules therefore do not belong within the TPR document and therefore cannot be enforced

The Claimants requested that Appendix J of the National TPRs was therefore removed from the documentation ahead of Version 4 and suggested that work should be undertaken through the National TPR forum to update parts of the National TPR document where NR feels that change or reinforcement is necessary. If NR feels that any of the TPRs are insufficient, a longstanding process exists to remedy any deficiency. It is the Claimants view that the addition of Appendix J to the National TPRs adds no value to this process. Version 4 was published with some minor wording changes to some of the entries but Claimant objections have not been satisfactorily resolved.

5.10 The Claimants have specific concerns around the content of TP17 which relates to the Access Rights process. This states that “Access Rights should only be granted by the ORR after a performance impact assessment against the principles outlined in this guidance note”. Performance considerations are part of the reason why Network Rail may or may not support an application for Access Rights but the National TPR must not be used to try and determine on ORR’s behalf whether or not an application should be accepted. The Claimants feel reference to SOAR guidance is inappropriate as whatever this document contains, or any change procedure to it, is not governed by Part D of the Network Code.

5.11 Underneath the header to Appendix J within the National TPRs it states “the principles are intended as guidance to support decision making. However, it has been agreed that a subset of the principles will be implemented as mandatory rules. These will be codified and documented here once agreed through National forum working groups”. First of all, this states that a subset of the principles have been agreed and yet in the next sentence it says that some will only be documented once they have been agreed. It is not clear who these have been agreed with and which of the guidance notes will be included. On page 8 of the MAY27 Priority Date Notification Statement (PDNS) template (see *Appendix Q*) there is a requirement for timetable participants to sign a statement which reads “in

accordance with Condition D2.5.2, please provide any additional supporting information, where applicable, demonstrating how the 17 Planning Principles have been applied in the development of the timetable proposal". This suggests that all 17 planning principles must be adhered to and evidenced within an Access Proposal despite NR's own Appendix J of the National TPR stating that they are not agreed, mandatory rules. This stance was confirmed by NR at a meeting held on 3rd September (see *Appendix R*) where it was stated that 'the 17 PP [Planning Principles] were an extract from a broader, industry wide set of principles endorsed by the Network Performance Board and applicable across DfTO Operators and Network Rail. They emphasise that these are guiding principles rather than mandatory rules, and therefore should not, in themselves, result in trains being rejected". With this in mind it is unclear why they are published within the National TPR document which contains rules that apply to all timetable participants and also why it is a requirement within the PDNS to demonstrate how they have been applied. Given Network Rail have confirmed that these are guiding principles rather than mandatory rules, it is the Claimants view that they should not be published in the National TPR. See *Appendix Q for the PDNS template (see page 8 in yellow) and Appendix R for minutes from the 3rd September meeting*

6 DECISION SOUGHT FROM THE PANEL

6.1 The Claimants request that the Panel confirm that Network Rail have failed to provide evidence to support that they have adequately considered the objections of timetable participants as required by D2.2.18.

6.2 The Claimants request that the Panel confirm that Network Rail have failed to consider section 1.3.2 of the National TPR when consulting the changes and additions in dispute.

6.3 The Claimants request that Network Rail are instructed to remove the items subject to dispute from the 2027 Version 4 of the Timetable Planning Rules and reopen meaningful consultation with timetable participants in which we are willing to continue to collaborate to establish revised and agreeable proposals.

6.4 The Claimants believe that exception circumstances do not apply here.

7 APPENDICES

The Claimant confirms that it has complied with Access Dispute Resolution Rule H21. *[which requires that*

“Copies of the following documents ... shall also be annexed and cross referenced to the reference:

(a) the relevant extracts of contractual Documents containing the provision(s) under which the referral to the Timetabling Panel arises and/or provisions associated with the substance of the dispute; and

(b) [the relevant extracts of] any other Documents referred to in the reference”

Note: It is undesirable for complete documents to be provided to the Panel, whether for information or as evidence. Relevant extracts which support the Claimant’s position are sufficient.

Extracts of Access Conditions/Network Code are included where the dispute relates to previous (i.e. no longer current) versions of these documents.

All appendices are bound into the submission, and consecutively page numbered. To assist the Panel, quotations or references that are cited in the formal submission are highlighted (or side-lined) so that the context of the quotation or reference is apparent.

Any information only made available after the main submission has been submitted to the Panel will be consecutively numbered, so as to follow on at the conclusion of the previous submission.

8 SIGNATURE

For and on behalf of Freightliner Limited

Tom Quayle
(Signed)

Tom Quayle
(Print Name)

Track Access Manager
(Position)

For and on behalf of Heavy Haul Rail Limited

Barnaby Nash
(Signed)

Barnaby Nash
(Print Name)

Timetable Development Manager
(Position)

For and on behalf of GB Railfreight Limited

Daniel Grainger
(Signed)

Daniel Grainger
(Print Name)

LTP Timetable Manager
(Position)

For and on behalf of Greater Anglia Limited

Shane Young
(Signed)

Shane Young
(Print Name)

Timetable Development Manager
(Position)

For and on behalf of First Rail London Limited

Jack Alder
(Signed)

Jack Alder
(Print Name)

Network Access Manager
(Position)

This is a control mechanism; it provides the Panel with assurance that the dispute has been referred with the knowledge and understanding of the disputing corporate body. This is important, as engaging in formal dispute resolution implies a commitment to accepting the outcome of that process.

*In this context, the Claimant is reminded that in sending representatives to argue its case before the Panel, **“it shall... ensure that***

- ***the competencies, skills and knowledge of any chosen representative are appropriate to the issues involved in the dispute (content, subject and value); [ADR Rule A19]***

then provide

The Appendices

Appendix A



18th June
e-mail.docx

Appendix B



V4 Dispute
Discussion Notes.docx

Appendix C



25th June
e-mail.docx

Appendix D



5.2.2
Commentary.docx

Appendix E

- 1.2.7 Changes to individual TPRs will be supported by evidence showing how the values were developed. Sources of evidence are to be agreed by the affected parties.

Appendix F

MD101 EUSTON TO ARMITAGE JN (EXCLUSIVE)		
Down		
Locations	TPH	
Camden Jn to Fast Line	Every hour	14 except;
	16:00 (inc.) – 17:00 (excl.)	15
	17:00 (inc.) – 18:00 (excl.)	15
The values above are WTT published schedules, STP variations that exceed the TPH will only be agreed with industry consultation.		
Up		
Locations	TPH	
Camden Jn from Fast Line	Every Hour	14; except
	15:00 (inc.) – 16:00 (excl.)	15
	17:00 (inc.) – 18:00 (excl.)	16
The values above are WTT published schedules, STP variations that exceed the TPH will only be agreed with industry consultation.		

NW6001 MANCHESTER PICCADILLY EAST JN TO EUXTON JN	
Down	
Locations	TPH
Manchester Piccadilly (Platform 13 and 14)	13
Deansgate	15*
*2TPH are to originate from Manchester Oxford Road	
Up	
Locations	TPH
Deansgate	15*
Manchester Piccadilly (Platform 13 and 14)	13
*2TPH are to terminate at Manchester Oxford Road	

A list of level crossings which have been deemed high risk due to barrier downtime is recorded below. Any increase to the quantum of services over this level crossing within the high risk periods, when compared to the number of services issued in the last Working Timetable, needs to be risk assessed alongside Capacity Planning and the relevant route team.

'No level crossings currently recorded as high risk'

Appendix G

- 1.15.9 Where a new capacity constraint is **thought determined** to be required by Network Rail or any timetable participant, justification must be brought to Capacity Planning to explain the limitation. This **should must** contain:
- An explanation of the reasoning for having a constraint;
 - Performance data evidencing **the existing performance degradation and how it relates to the Working Timetable and/or Timetable Planning Rules any issue**;
 - The proposed cap on capacity, laid out in **one of the formats described above in 1.15.7**;
 - **Any** Analysis undertaken to understand the impact on performance, capacity and revenue that would result from the constraint.

Appendix H



14th August
e-mail.docx

Appendix I



2027 TPR V3 Anglia
Route Response FLI.docx

Appendix J



2027 TPR V3 Anglia
Route Response HHR.docx

Appendix K



2027 Anglia TPR
Version 3.0 GA Response.docx

Appendix L



GBRf Version 3
Response - Anglia 5.2

Appendix M



2026 07 17 FRL TPR
response - 2027 Version.docx

Appendix N

- 1.15.2 It may be necessary to cap the number of train paths available in a certain timeframe below the theoretical maximum allowed by the planning headway, at a location where a performance risk has been identified. This may, **for example**, be due to lack of performance recovery availability, consistent poor performance, ~~or~~ general robustness of the timetable **or level crossing barrier down time**. Where this need has been identified, the limitation must be detailed in the TPRs.

Appendix O



ANGLIA TPR 5.2.2
CONSULTATION - V3

Appendix P



Anglia Level
Crossings - Number c

Appendix Q



May 27 Priority Date
Notification Statemen

Appendix R



September 3rd
meeting minutes.docx