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## ***TIMETABLING SUB-COMMITTEE***

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### ***Determination No 2*** ***(Hearing at Euston on Thursday 15th December)***

The Committee noted that the application by Central TOU asked the Committee to decide who was responsible for determining sectional running times; and should those sectional running times contain any pro rata allowance; or should allowances always be part of an explicit agreement encompassed within the Rules of the Plan?

The Committee considered the submission was reasonable and within its locus.

The Committee noted that the issue arose in connection with Spot bids for timetable changes within the currency of the 1994/95 Timetable, and that

- the new sectional running times only related to traction new to the routes
- the parties were at one on the need for the injection of some contingency time allowance into the current West Midlands' Timetables.
- that the parties have proposed explicit ways to handle allowances in the January 95 Timetable. The Committee wanted to encourage this sort of accommodation.

The Committee felt unable to rule on the merits of two philosophies regarding pro rata allowances but commended that philosophies should be clearly documented and should not be changed unilaterally within a Timetable Development Period.

The Committee found in favour of the TOU, to the extent that the philosophy of computing sectional running times are part of the Rules of the Plan, and therefore changes should be subject to the change procedures outlined in Access Condition D3

The Committee accepted the TOU claim that a change in the Rules of the Plan that resulted in the breaking of resource diagrams, would require due consideration of Access Condition D4(h).

The Committee noted that Railtrack believed they could offer a timetable for May '95 which would not require additional units, and therefore not infringe Access Condition D4(h). The Committee considered that if this does not meet the needs of the parties the Committee will be prepared to entertain a further appeal.

The Committee was concerned that nothing in this determination implied that new sectional running times were negotiable as compared with figures produced by Derby Research in accordance with a known and stated convention.

A handwritten signature in black ink, appearing to read 'T P Worrall', with a stylized flourish at the end.

**T P WORRALL**  
**Chairman Timetabling Committee**  
**15th December 1994**