



Dispute Party – MTR Crossrail

December 2016 Timetable Dispute: TTP985

DETAILS OF PARTIES

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

- (a) MTR Corporation (Crossrail) Limited whose Registered Office is at Providence House, Providence Place, London, N1 0NT ("MTR Crossrail") ("Dispute Party"); and
- (b) Network Rail Infrastructure Limited whose Registered Office is at 1 Eversholt Street, London NW1 2DN ("Network Rail") ("the Defendant").
- (c) Abellio Greater Anglia Ltd (Company number 06428369) whose Registered Office is at 1 Ely Place, London, EC1N 6RY ("The Claimant")

2 CONTENTS OF THIS DOCUMENT

This Response to the Claimant's Sole Reference includes:-

- (a) The subject matter of the Dispute in Section 3;
- (b) MTR Crossrail's comments on the issues in dispute and some additional information for consideration in Section 4;
- (c) The decisions of principle sought from the Panel in Section 5.

3 SUBJECT MATTER OF DISPUTE

This dispute relates to the allocation of platform capacity at London Liverpool Street station for a 'standby' train.

MTR Crossrail included in the Priority Date submission to Network Rail on 4 March 2016, for the December 2016 timetable, a proposal to stable a stand-by unit in platform 18 at London Liverpool Street.

MTR Crossrail is pleased that Network Rail supported this proposal and included the provision of the stand-by unit in the December 2016 timetable offer on 10 June 2016.

MTR Crossrail supports the rationale applied by Network Rail in assessing the Abellio Greater Anglia (AGA) and MTR Crossrail proposals and their interpretation and application of the Decision Criteria (D4.6 of Part D of the Network Code).

Although Abellio Greater Anglia has stabled a stand-by train in platform 18 at London Liverpool Street for a number of years, MTR Crossrail do not believe that any

'grandfather rights' should apply and that the allocation of capacity from December 2016 should be without bias towards either operator.

MTR Crossrail also note that AGA currently has a second stand-by unit at London Liverpool Street, which is usually stabled in platform 1 between 09:48 and 16:28 and could be utilised for Great Eastern services.

MTR Crossrail is aware of the Network Rail policy and ORR guidance regarding the granting of stabling rights in Schedule 5 of the Track Access Contract, and will not seeking stabling rights for the standby train at London Liverpool Street.

4 MTR CROSSRAIL'S PERSPECTIVE OF EACH ISSUE IN DISPUTE

4.1 MTR Crossrail Performance

MTR Crossrail inherited the London Liverpool Street to Shenfield service from AGA in May 2015. The PPM MAA in May 2015 was 91.2% and has since improved to 95.0% PPM (in Period 2 2016/17), which is ahead of expectations (based on targets agreed between MTR Crossrail and Network Rail prior to the start of the Concession).

MTR Crossrail has a concession agreement with Transport for London, which sets some specific performance targets. Whilst these targets have generally been met, recovery from service disruption has been a particular challenge, especially due to short turnaround times.

The provision of a fully crewed standby train at London Liverpool Street will enable MTR Crossrail to operate a departing service on time when the inbound train is running late (the inbound train would then become the stand-by train) or to provide a replacement train set in the event of a train failure.

Due to the short journey time (around 31 minutes between London Liverpool Street and Gidea Park and 43 minutes between London Liverpool Street and Shenfield) sourcing a replacement train from the stabling sidings at Aldersbrook (near Ilford), Ilford Depot or Gidea Park in the time available is very challenging (also see 5.4).

4.2 Performance Analysis

During the time that MTR Crossrail has operated the network, there have been a large number of occasions where the crewed standby train would have been used had it

been in place. Recent examples of this are listed below. In total, it is estimated that the provision of a standby train would have saved MTR 425 PPM failures, which would have improved MTR's PPM MAA to 95.5% at the end of P2 2016/17 (0.5%) improvement. The standby would equally be used during disruption caused by Network Rail or other operators' incidents (including AGA), so overall industry performance would also improve as a result.

Date	Incident	How standby train would have been used	Estimated PPM failure saving
04/05/16	TPWS fault on 2W78 12:10 Liverpool Street – Shenfield. 2W78 and its next working were cancelled.	The standby train would have been utilised in order to prevent the cancellations to both services.	2 PPM failures Performance regime saving: £4456.56
06/06/16	Defective headlight on 2W01 13:34 Shenfield - Liverpool Street Next working 2W06 was cancelled as a result.	The standby train would have been utilised in order to prevent the cancellation to 2W06.	1 PPM failure Performance regime saving: £2228.28
15/07/16	2W94 13:30 Liverpool Street – Shenfield unable to gain door interlock. A cancellation occurred to 2W94 as a result.	The standby train would have been utilised to prevent the cancellation to 2W94.	1 PPM failure Performance regime saving: £2228.28
18/07/16	2W21 15:14 Shenfield – Liverpool Street cancelled due to power defect. Its next working, 2W26 was a late start due to the resulting unit swap and failed PPM as a result.	The standby train would have been utilised to prevent the delay to 2W26.	1 PPM failure Performance regime saving: £832.98
20/07/16	5C00 15:41 Gidea Park – Liverpool Street cancelled due to GSM-R stuck headcode, leading to the cancellation of its next working, passenger service 2C00.	The standby train would have been utilised to prevent the cancellation to 2C00.	1 PPM failure Performance regime saving: £2228.28
12/05/16	Abellio Greater Anglia service 2K67 failed at Seven Kings, trapping MTR Crossrail service 2W13 and causing its next working, 2W18, to be cancelled	The standby train would have been utilised to prevent the cancellation to 2W18, which could have also carried any AGA passengers displaced as a result of the incident, as far as Shenfield. This would have prevented 'TOC on TOC' Schedule 8 costs to Network Rail.	1 PPM failure
07/06/16	DBS service 6V28 suffered a SPAD at Forest Gate Jn, trapping a number of MTR Crossrail services behind. This caused the following three MTR departures from Liverpool Street to be	The standby train would have been used to prevent the cancellations to 2W78 and 2W95, reducing 'TOC on TOC' Schedule 8 costs for Network Rail. These services could also have carried any AGA passengers displaced as a result of the incident, as far as Shenfield.	2 PPM failures

	cancelled (2W76-2W80), with next workings, including 2W95, also cancelled.		
25/07/16	2W61 10:14 Shenfield – Liverpool Street was delayed by 10 minutes due to a track circuit failure at Ilford. Its next work, 2W66 incurred a 3 minute late start as a result and subsequently failed PPM.	The standby train would have been used to start 2W66 right-time, reducing delay minutes and Schedule 8 costs for Network Rail.	1 PPM failure

4.3 Industry Performance

MTR Crossrail is keen to work with industry partners to improve train performance overall. The Great Eastern Main Line is a congested part of the network, and is also subject to extensive engineering work associated with Network Rail and Crossrail works. MTR Crossrail is susceptible to train delays as a result of other operators' services running late. MTR Crossrail will therefore make the stand-by unit available to other operators (subject to route clearance, train crew knowledge etc) to help them manage disruption.

For example AGA could turn a late running Southend Victoria to London Liverpool Street service at Shenfield and MTR Crossrail could use the stand-by train to provide a connecting service between London Liverpool Street and Shenfield.

4.4 Safety Implications

MTR Crossrail has seen passenger growth during the past year (also see 5.3 for passenger loading data) and is running additional services were possible to accommodate the increased demand. Stratford station is now the tenth busiest station in the country and will get even busier when West Ham United football club move to the Olympic Stadium later this year.

Gaps in the train service, due to late running or cancellations, leads to overcrowding on stations and often results in stations being closed for short periods of time. Whilst this is a particular risk during peak hours, there is an increasing risk off-peak as well. The provision of a stand-by train will reduce the risk of extended service intervals and station closures and 'knock on' delays from the off-peak period impacting on the evening peak period.

4.5 Decision Criteria

Network Rail considered the following Network Code Part D Decision Criteria in making their decision:

- (c) maintaining and improving train service performance,
- (f) the commercial interests of network Rail or any Timetable participant of which Network Rail is aware;

Whilst MTR Crossrail fully support the Network Rail rationale, we believe that the following Decision Criteria are also relevant in this case, as follows:-

(e) Maintaining and improving an integrated system of transport for passengers and goods

The provision of a crewed standby train should help with train service recovery, enabling passenger and freight services to return to normal more quickly after disruption and therefore improving the operation of the railway and the movement of passengers and goods.

(i) Mitigating the effect on the environment

This proposal should enable the train service to recover more quickly reducing the risk of passengers transferring to other modes of transport and enabling the timetable to return to normal more quickly therefore reducing unnecessary carbon emissions.

(i) Enabling operators of trains to utilise their assets efficiently

This proposal should enable the train service to recover more quickly during perturbation, reducing ad-hoc and additional rolling stock and train crew workings and enabling the timetable to return to normal operation.

MTR Crossrail will also undertake light maintenance of the standby units stabled at Liverpool Street, which will further improve rolling stock reliability and reduce the pressure on Ilford Depot. This work will not prevent the units from being put into service during perturbation.

4.6 Customer Experience

A key element of the MTR Crossrail Concession Agreement is improvement of the customer experience and this is carefully monitored by MTR Crossrail and Rail for London on a period by period basis.

A key indicator is satisfaction with the train service delivery including delays and cancellations.

4.7 AGA Information

MTR Crossrail would like visibility of how the AGA stand-by unit has been utilised. AGA state in 5.2 of their Statement that their current stand-by unit was used on 28 occasions between 1 January 2015 and 30 April 2015 and on 45 occasions between 1 May 2015 and 8 June 2016.

MTR Crossrail would like to see further details of how this unit was used, as the Network Rail justification (provided with the timetable offer) states that the Network Rail Control could only recall one instance of the stand-by unit being used.

Indeed, MTR Crossrail is aware of a number of instances where the AGA unit was requested to be used or moved, but AGA were unable to do this due to driver non-availability. The most recent example was on 4th July when a points failure occurred in the Liverpool Street area. At 10:25, the Network Rail Train Running Controller requested AGA to move the unit from the platform in order to free up capacity for trains diverted from the affected platforms; AGA were unable to move the unit due to no driver being available.

AGA state in Paragraphs 5.5 of their statement that they do not have a 'Depot Access Agreement in place to use Gidea Park CS'. MTR Crossrail believe that Gidea Park Carriage Sidings are Network Sidings and are available for all operators to use. MTR Crossrail is seeking to establish a Depot Lease for a small section of Siding Number 4 (where a Carriage Washer is being installed), and access to the sidings is controlled by a shunter employed by MTR Crossrail. These facts would not prevent AGA from stabling at Gidea Park Carriage Sidings off-peak and MTR Crossrail is happy to work with AGA to assist them with stabling a train at Gidea Park if required.

4.8 Summary

The provision of a fully crewed MTR Crossrail standby train at London Liverpool Street will improve train performance for all operators on the Great Eastern Main Line and the standby train will be available for other operators to use.

AGA already has a standby train positioned in Platform 1 at London Liverpool Street.

The provision of a second AGA standby train may have some benefit to train performance, but as the train will not be fully crewed and is not available to other operators the benefits are limited.

The MTR Crossrail standby train could be used for:-

- Recovering late running
- Replacing failed / defective rolling stock
- Assisting other operators with service recovery

There is financial and reputational risk to MTR Crossrail (and Transport for London) if performance and customer experience does not continue to improve.

More importantly there are safety implications associated with station overcrowding, which is an increasing risk as passenger numbers continue to grow. The provision of a standby train reduces the risk of station closures due to overcrowding in the off peak and as a result of 'knock-on' delays impacting on the evening peak.

The MTR Crossrail aspiration is to hold a standby train at London Liverpool Street until May 2019 (when services are due to be extended through to Paddington via the new connection at Pudding Mill Lane).

5 DIRECTIONS RELATED TO TIMETABLING DISPUTE TTP985

MTR Crossrail has endeavoured to answer the Directions issued by the Access Disputes Committee on 18 July 2016 as follows:-

5.1 Stabling Rights at Liverpool Street

MTR Crossrail does not hold in either the Track Access Contract or Station Access Agreement with Network Rail any stabling rights for London Liverpool Street and does not seek to obtain any such rights.

5.2 Service Frequency

The Service Level Commitment with Transport for London requires MTR Crossrail to operate a 10 minute interval service between London Liverpool Street and Shenfield, which is broadly reflected in the Timetable offer and Quantum of Access Rights held in Schedule 5 of the Track Access Contract. During the period in question, engineering work will be taking place at Shenfield, which will require a majority of services to terminate at Brentwood.

5.3 Passenger Loading Information

As recorded in the MTR Crossrail spring 2016 passenger counts, during the time period when the standby unit would be in operation, loadings range as follows:

- Liverpool Street to Shenfield – loadings range from 116 to 945 (297 average)
- Shenfield to Liverpool Street – loadings range from 170 to 355 (262 average)

5.4 Provision of Spare Unit from Gidea Park

Bringing a standby train into service at London Liverpool Street from Gidea Park Carriage Sidings, assuming that a train pathway is available straight away, would take approximately 40 minutes, including allowances for exiting the depot and for the driver to 'change ends' at London Liverpool Street.

5.5 Opportunity to Utilise a Spare train from Gidea Park

Gidea Park Carriage Sidings provide access towards Shenfield and towards London. In principle the standby train could be sent to Shenfield (or Brentwood – see 5.2 above) as well as towards London, subject to a suitable pathway being available.

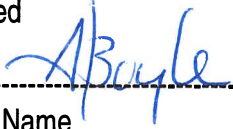
6 DECISION SOUGHT FROM THE PANEL

MTR Crossrail would like the Panel to support the Network Rail decision related to the provision of a MTR Crossrail stand-by train at London Liverpool Street, taking into account the additional information provided by MTR Crossrail in this document including the safety implications and taking into account Decision Criteria (e), (i) and (j).

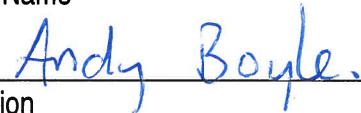
7 SIGNATURE

For and on behalf of
MTR Corporation (Crossrail) Limited

Signed



Print Name



Position

