

TOOLS AND PROCESSES IN TRAIN PLANNING

Operational Planning – Our Contracts or the ‘Rules by which we have to Work’

The Railway Industry is organised within a strict contractual basis between all interested parties. Rail Privatisation, driven by the 1993 Railways Act requires contracts between those who own railway assets (Network Rail) and those who wish to make use of those assets (train operators). All such agreements have to be approved by the Office of Rail Regulation [**ORR**], before they can come into effect. It is clearly impracticable to operate a national network solely on the basis of individual (bi-lateral) agreements between Network Rail and train operators. To co-ordinate all the various competing demands on access, the Rail Industry has developed a set of rules known initially as the Track Access Conditions but now as “**The Network Code**”. Of particular importance to Operational Planning is Part D of the Network Code, which governs the development of the timetable.

Ownership of the Network Code is vested in a body known as Class Representatives Committee. Like the access contracts, all changes must be approved by the ORR who may also bring forward changes, which they believe, are necessary ‘in the public interest’.

The NETWORK CODE

Its purpose is:

- To regulate change (timetable, vehicles, rail network and the Network Code itself).
- To establish procedures for environmental damage, for performances monitoring and to deal with operational disruption.
- To facilitate the exchange of access rights between operators (mainly Freight)
- To govern the process by which one party can appeal against the decision of another.

The contents are:

- A – Introduction, Glossary, etc.
- B – Performance Monitoring.
- C – Access Condition Modification.
- D – Timetable Change.
- E – Environmental Protection.
- F – Vehicle Change.
- G – Network Change.

H – Operational Disruption.
J – Surrendering Access Rights
L – Local Output Commitments.
M – Appeals to ORR

Part D

It is Part 'D' of the Network Code which sets out for timetable planners, both Network Rail and Train Operators, the process and timescales for the development of the timetable plan – it is our 'Bible'.

Contents

1. General Summary
2. Consultation Process
3. Timetabling Process
4. Spot Bid and Timetable Revision Process
5. Timetables Appeals
6. Decision Criteria

Part D1 – General Summary

- The establishment and management of all the various train planning systems are a Network Rail responsibility.
- Rights of genuine bidders are protected.
- Confidentiality is not a restraint.
- Timetable Production Dates have to be communicated to all.
- Advance consultation is required where major changes are being proposed
 - Network Rail can call for early debate to discuss major timetable changes thus allowing increased consultation.
 - Process is two-way – Train Operators can seek early debate.
- Creation of the Working Timetable is a Network Rail responsibility.

Part D2 – Consultation Process

Two components:

- Review of Rules of the Route / Plan.
- Major Projects.

Detail:

- Rules of the Route / Plan Review
 - Network Rail review after a timetable period and may wish to introduce changes right away
 - Bidders can appeal but Network Rail can implement providing it has followed the Decision Criteria.
 - There is a provision for bidders to refer further to Timetabling Committee.
- Major Projects
 - Network Rail advises bidders and they evaluate.
 - Consultation, implementation, appeals.

Part D3 – Timetabling Process

- 1 Consultation
 - TOCs are expected to consult PTEs and the RUCCs
 - NR is expected to consult with all those who hold 'Bidding Rights'
- 2 Develop the **First Working Timetable**.
 - Bidders must notify us of the rights they hold, but do not intend to use, along with details of extra rights they are intending to obtain
 - TOCs and NR then develop a draft timetable with due regard to the rights of all TOCs and ourselves
 - Capacity Deadline Request – The point at which we are no longer expected to try and incorporate changes into the draft timetable
- 3 Contents of a Bid.
 - Times at Origin/intermediate stops/Destination
 - Dates/Routes/Platforms/TOC and Train Service Codes
 - Vehicles and Connections
- 4 Flexing rights.
 - After consultation
 - With due regard to the Decision Criteria
 - Confirmation back to train operators of how applied
 - If required to give effect to ORR Directions or Appeal Body decisions then no further consultation required

Part D4 – Spot Bid and Timetable revision process

- The ability to change the Long Term Plan.
- Changes as a result of Informed Traveller.
- Short Term Freight movements (Day A for Day C).
- Bank Holidays / Special Events.

Part D5 – Timetable Appeals

It is expected that the normal means of resolving disputes between Network Rail and Train Operators will be by negotiation. Where agreement cannot be reached, either party may refer a case to the Timetabling Sub-Committee of the Access Dispute Resolution Committee.

- Grounds for Appeal
 - Decision criteria misuse.
 - Acceptance or rejection of a bid.
 - Flexing Rights misuse.
 - Certain other paragraphs within Access Condition D
- Timescales
 - Usually within 5 working days but 10 working days for acceptance or rejection of a bid.
- Evidence
 - All parties are required to provide sufficient data.
- Power of Appeal Bodies
 - Timetable Committee will always give a decision and it will be consistent with the Network Code.
 - The Office of Rail Regulation may give an interim order before making (and publishing) a final decision.
- Obligation to comply
 - All parties must comply with decisions.

Appeals to the Office of Rail Regulation

- Either party can appeal against a decision of the Timetabling Panel
- Can decline to act on an appeal if the issue at stake is not sufficiently important, frivolous or vexatious.
- Is not liable for any act or omission on their part.

Part D6 – Decision Criteria

- Efficient and economical use of the network with regard to safety and environment.
- Enabling an operator to comply with franchise agreement.
- Service reliability.
- Maintenance and renewal of the infrastructure.
- Improving connectional opportunities.
- Maintaining service patterns / frequencies.
- Ensuring demands of passenger are met.
- Reserving capacity for new services.
- Helping operators utilise their assets efficiently.
- Facilitating new competition opportunities.
- Avoidance of frequent timetable changes.
- Protection of International Pathways
- Commercial interests of Network Rail and Train Operators.

Access Dispute Resolution Committee

In a complex industry like the railways it is important that disputes between parties can be resolved quickly and easily. To this end the Network Code sets out arrangements by which disputes can be resolved – without the need to use, unless it is necessary, the Commercial Division of the High Court.

How Does It Function?

The actual day-to-day running of the committee is in the hands of a small Secretariat based in Central House, Upper Woburn Place. (just round the corner from Euston Station). All their proceedings are published on the internet – Google “Rail Access Disputes Panel” if you’re keen on that sort of thing.

The membership of the Committee and the two sub-committees (Timetabling and Network and Vehicle Change) is based upon ‘Class’ size:

- 2 Network Rail
 - Bill Davidson and Gabby Ormandy
- 3 Franchised Passenger
 - Mike Price, FSR (Long Distance)
 - Wallace Weatherill, L&SER (South East Commuter)
 - John Beer, FCC (Regional)
- 1 Non-Franchised Passenger
 - Tony Deighan, Eurostar
- 2 Non-Passenger
 - Nigel Oatway (DB Schenker)
 - Lindsay Durham (Freightliner)
- Independent Chairman (No Casting Vote)
 - Sir Anthony Holland
 - Brian Driver (VC)
 - George Renwick (VC)
- Secretariat
 - Tony Skilton
 - Martin Shrubsole

Members are elected (from within their ‘Class’) for a two year term of office (the Network Rail members are ‘appointed’) and each member can, in turn, appoint an ‘Alternate’ member to act on their behalf.

A further ‘pool’ of members form, with the Chair or one of the Vice Chairs a panel to hear each dispute.