

Stakeholder relations code of practice

**Freight/charter track access for existing
train operators**

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1. Introduction

This section is relevant if you're a freight or charter train operator looking to obtain a new track access contract or amend an existing one.

2. Gaining a new track access contract

If you'd like to develop a new track access contract, the first step is to contact the Customer Relationship Executive responsible for your train operating company. Usually this would be because your existing contract is about to expire.

Your Customer Relationship Executive will advise you on the likelihood of new paths being available on the network and let you know about any constraints on the relevant section of the network, including power supply and gauge (see [Appendix A](#)).

If you decide to continue developing a new contract, we may ask for information and assurance about your ability to deliver the services you propose. Again, your Customer Relationship Executive will guide you through what's required.

Once we're satisfied, we can begin negotiating with you to draw a new contract up. We'll begin with a template [template track access contract](#). Negotiations can be made before, after, or during the timetable development process, but we won't be able to finalise the contract until we've identified paths for level 1 rights and in some cases for level 2 rights (this may not be necessary if previous access rights are being renewed). We can do this through special timetabling work we can carry out in advance, or through the normal timetabling process.

Once the contract has been developed, you must submit it – under section 18 of the Railways Act 1993 – to the Office of Rail Regulation (ORR) for approval. The right procedure for this can be found on the ORR's website for applying for [track access](#).

If we cannot agree on the terms of the contract, you may apply to the ORR for a new agreement under section 17 of the Railways Act 1993.

We'll stay in touch with you throughout the process, so that you're aware of the timescales involved and we understand what you need in order to meet them. We recommend you allow at least 18 months for the process to be completed, although it may be quicker if you request rights to spot bids only.

We've included a process chart showing the various stages and expected timeframes at [Appendix B](#).

3. Amending a track access contract

If you would like to amend an existing track access contract then, again, the first step is to get in touch with the Customer Relationship Executive responsible for your train operating company.

They'll let you know how the likelihood of amending your access rights on the network. They may also discuss the changes you're proposing with the ORR.

If you decide to continue developing a new contract, we may ask for information and assurance about your ability to deliver the services you propose. Our Customer Relationship Executive will work with you to determine what's required (see [Appendix C](#)).

Once we're satisfied, we can begin negotiating with you to amend your contract. You can negotiate before, after or during the timetable development process, but where level 1 rights are concerned (and in some cases level 2 rights), we may not be able to agree to the amendments until we've identified robust paths through that process.

Once we've both agreed to the terms of the amendment and following a period of industry consultation, we will send the contract to the ORR.

Next, the ORR will begin industry consultations regarding the amendment. See the webpage '[Criteria and procedures for the approval of track access contracts](#)' for details of the procedure for non-passenger contracts.

After considering the application, the ORR will let us both know whether it requires any changes to the proposed supplemental agreement (the amendment to the track access contract) before it approves it.

Next, we would both sign the supplemental agreement, taking the ORR's comments into account, and submit it formally under section 22 of the Railways Act 1993 to the ORR for approval.

If we cannot agree on the terms of the contract, you may apply to the ORR for a new agreement under section 17 of the Railways Act 1993.

Your Customer Relationship Executive will stay in touch with you throughout the process, so that you're aware of the timescales involved and we understand what you need in order to meet them. The process will be quicker if you don't need specific regulatory approval, or if the amendment doesn't concern access rights.

We've included a process chart showing the various stages and expected timeframes at [Appendix B](#).

4. Who do I contact?

For charter trains, Direct Rail Services and GB Railfreight:

Rachel Gilliland
Customer Relationship Executive
Network Rail
Piccadilly Station
Manchester M60 7RA
Tel: 07767 644397
Email: rachel.gilliland@networkrail.co.uk

For DB Schenker Rail (UK):

Martin Hunt
Customer Relationship Executive
Network Rail
Unit 3, Carolina Court
Lakeside
Doncaster DN4 5RA
Tel: 07771 612867
Email: martin.hunt@networkrail.co.uk

For Freightliner, Freightliner Heavy Haul, Colas Rail, Europorte Channel SAS, Harsco and Devon & Cornwall Railways:

Gordon Cox
Customer Relationship Executive
Network Rail
Kings place
90 York Way
London N1 9AG
Tel: 020 3356 9547
Email: gordon.cox@networkrail.co.uk

If you have a general enquiry however, or need to contact us for any other reason, please call our 24 hour National Helpline on 08457 11 11 41.

Appendix A: Loading gauges and power supply

Loading gauges on the main rail network

The maximum standard gauge profile for each route varies. Lineside and overhead structures can result in differences in gauge, which can constrain the types of vehicle that may operate on any single route.

Britain's railways have been constructed by a range of companies over the years, often to differing loading gauges. Network Rail has adopted a set of defined loading gauge standards for freight vehicles. A railway wagon built to one of the smaller loading gauges (eg W6) can operate on virtually any route on the network.

The larger loading gauges tend to have more headroom, which allows intermodal flat wagons to carry tall containers and swap bodies on certain routes. The table provides some examples of the application of wagon and load conditions within these standard gauges.

Unit type	Container			Container		
Unit width	8'			2500mm		
Wagon type	FEA	IFA	IKA	FEA	IFA	IKA
Maximum unit height	Feet and inches			Millimetres		
W6	8'	8'	8' 6"	2402	2448	2568
W7	8'	8'	8' 6"	2402	2448	2585
W8	8' 6"	8' 6"	9'	2638	2673	2793
W9	9'	9'	9' 6"	2725	2770	2896
W10	9' 6"	9' 6"	9' 6"	2896	2896	2896

Full details and definition of the standard freight gauges currently in use in GB are set out in Railway Group Guidance Note GE/GN8573 (October 2004) 'Guidance on Gauging' Appendices 1 to 5. 'W6' is generally taken to include the W6A profile (modified for third rail). The gauges W6 or W6A, W7, W8 and W9 are static profiles to which allowances for dynamic effects must be applied, and are broadly incremental. W10 is derived upon a dynamic basis and is a suite of swept envelopes for permitted vehicle load combinations.

You'll find broad indications of each strategic route's predominant capability in the route plans: <http://www.networkrail.co.uk/asp/4451.aspx>. They're not operational documents, though, so you should check with us that any data you use is the latest we have.

Power supply

As with gauge, different routes have different power supplies available, which may constrain the types of vehicles which can operate on it.

Around 40% of the main rail network is equipped with power supplies for electric trains. These supplies can be divided into two groups:

1. 25kV ac overhead supply, provided through overhead cables (catenary), collected by a pantograph on the locomotive roof;

Electrification at 25kV ac mainly covers the West Coast, East Coast and Great Eastern Main Lines and associated feeder routes.

2. 750V dc third rail supply, provided by a third rail running alongside the running lines, collected by shoes fitted to the locomotive bogies.

Electrification at 750V dc is confined to the South East of England and Merseyside.

All new electrified railways are now generally constructed to the 25kV ac system.

Electric freight locomotives in Great Britain are almost entirely powered from 25kV ac overhead supplies, although two types of locomotive can operate from more than one power source:

1. Class 73 can operate from 750V dc third rail supplies, or from an on-board diesel engine which provides limited haulage; and
2. Class 92 can operate from 25kV ac overhead and 750V dc third-rail supplies in Great Britain, and from Eurotunnel and SNCF 25kV ac overhead supplies.

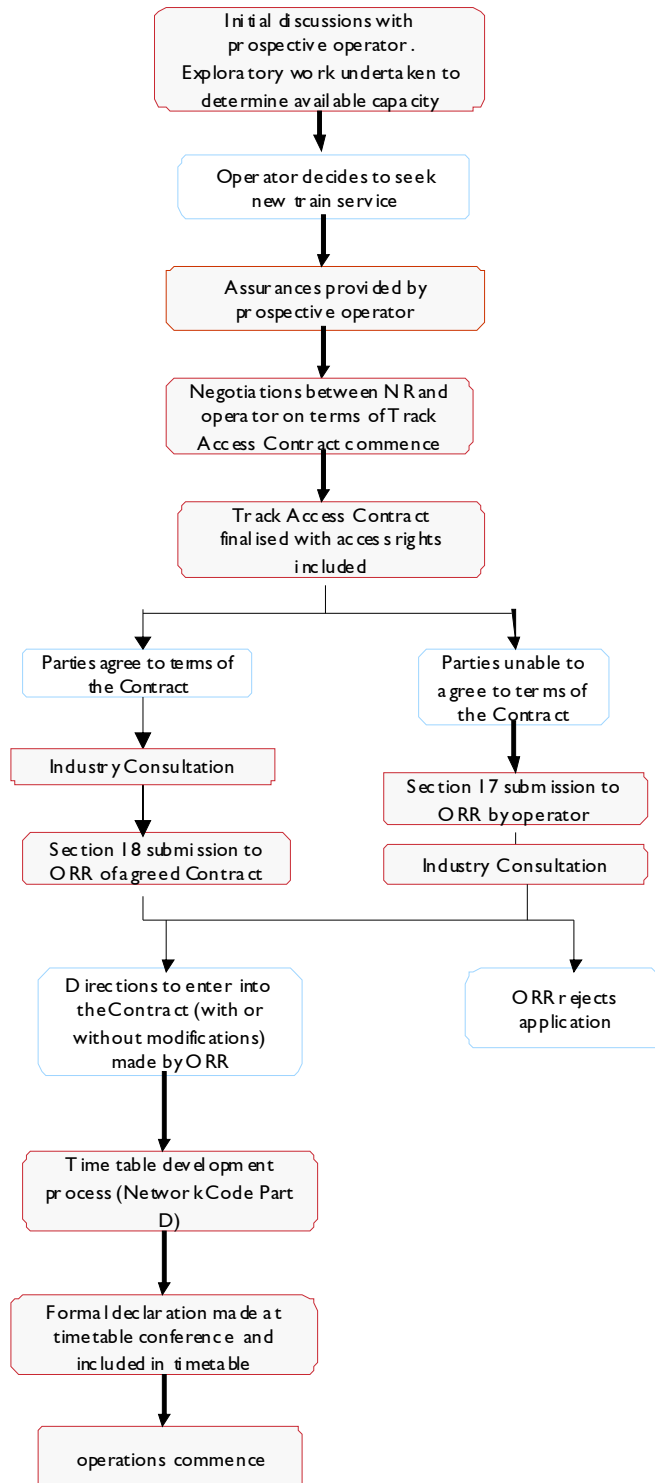
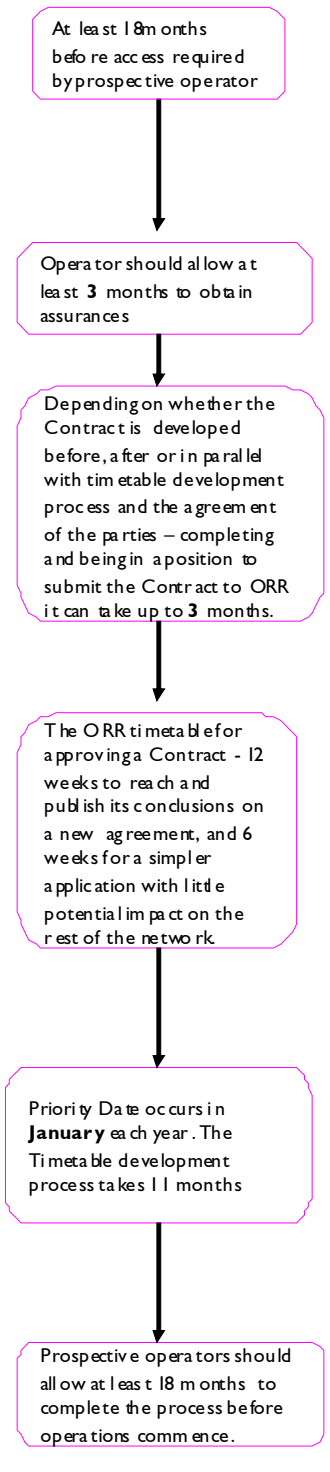
For freight services, it's usual for trains to switch between locomotives at major hubs, sometimes between diesel and electric locomotives. That means the need for the points of origin and destination to be electrified isn't likely to be a major constraint. Indeed, third rail and overhead power supplies are normally excluded from freight terminals on safety grounds.

In such cases, diesel shunting locomotives may be required to pull trains to and from the electrified main line network, or electric locomotives may be allowed to reverse trains into a terminal on an electrified spur. This leaves the wagons beyond the electrified network, allowing for safe access by terminal operators and cranes.

As we process a request for track access, we'll examine whether these constraints present any practical difficulties and discuss any concerns with you.

Appendix B: Process chart

Indicative Timeline



Appendix C: Assurance checklist

ASSURANCE REQUIRED	DETAILS	CONTACT
Safety case	Under the Railways (Safety Case) Regulations 2000 (which came into force on 31 December 2000 and were amended on 1 April 2003), you, as a new train operator, must prepare a comprehensive safety case and have it accepted by the ORR before you can operate.	Contact the ORR for more details on railway safety cases.
Operating licence	Section 6 of the Railways Act 1993 (as amended) states that it is an offence to operate a railway asset without a licence or a licence exemption. Licences are granted by the ORR. New passenger operators must obtain a passenger licence as well as, depending on the operation they're proposing, a station licence and/or a light-maintenance depot licence.	The ORR can provide detailed information of the types of licences required, and the processes and timescales that apply.
Business case	The new operator's business case proposal must be realistic and achievable, and must be consistent with the requirements of other customers and funders.	Contact the relevant Network Rail Route Commercial Advisor (Passenger) or Route Freight Manager (Freight).
Financial robustness	We'll need financial assurances from you to assess the risk of doing business with you. We'll also need to check you're able to cover all payments you owe for the duration of the track access contract.	Please get in touch with us to find out more.
Rolling stock and staff	We need to be confident that you'll have adequate rolling stock and staff in order for train services to run. You'll need to give us firm confirmation of the availability of appropriate rolling stock (eg route cleared, and capable of keeping to the proposed timetable), plus your recruitment plans.	You can get a detailed explanation of our requirements from the relevant Network Rail Route Commercial Advisor (Passenger) or Route Freight Manager (Freight).
Insurance	Under the Railways Act 2005, the ORR is responsible for all consumer protection licence conditions, including approving third-party liability insurance. You'll need to get the ORR's approval of your third-party insurance and self-insurance, and send a copy of this approval to us. At the same time, you'll need to demonstrate their ability to meet self-insurance arrangements, i.e. policy excesses.	Contact the ORR Licensing and Network Regulation team for details.

<p>Claims Allocation and Handling Agreement (CAHA)</p>	<p>The ORR requires all licensed rail operators to have appropriate claims handling protocols. The Claims Allocation and Handling Agreement is the only protocol agreed by the ORR at this stage. The aims of the agreement are :</p> <ul style="list-style-type: none"> • To minimise the cost of claims handling to the rail industry • To reduce the costs of inter-industry disputes by following a set process for small claims • To make sure claimants are not prejudiced by disaggregation of the industry 	<p>The ORR asks that all operators sign up to CAHA protocols as part of their operating licence conditions. You can get detailed information on these requirements from the ORR.</p>
<p>Railway expertise eg train planning</p>	<p>Planning and running a train service on Britain's rail network is extremely complex. We need to be satisfied that you have the experience, skills and knowledge you need to operate passenger trains efficiently.</p>	<p>When you first get in touch with us, our route commercial team, and in particular our Capacity Allocation Manager, will work closely with you to help you where necessary and make sure you fully understand the complexities of the rail industry.</p>
<p>Railway industry Emergency Access Code</p>	<p>In case of emergency, you may need to grant other parties access to your network.</p> <p>The Emergency Access Code defines all parties' responsibilities, rights and obligations. It allows any parties that have signed up to it to access railway facilities operated by other licence holders when necessary, meaning railway vehicles can be removed from and/or accepted onto another network as soon as it is possible.</p>	<p>We're responsible for managing the procedures and processes relating to the emergency access code. This includes executing and delivering admission documents and informing the ORR and all other parties of any entries to, or withdrawals from, the code.</p> <p>Please contact the relevant Network Rail Route Commercial Advisor (Passenger) or Route Freight Manager (Freight).</p>