
The Luxembourg Rail Protocol to the Cape Town Convention

Its positive impact on the cost of financing railway rolling stock in the UK

A UK-specific update to the 2018
Oxera study

Prepared for



Objectives

1

Update the assessment of micro-economic benefits for the United Kingdom¹ with the latest available data

2

Help RWG, UNIDROIT and their members to consider the country and market impacts of the Luxembourg Rail Protocol

3

Help the UK government consider the effects and economic benefits of the Protocol before its adoption

4

Complement the legal analysis supporting adoption of the Protocol

Summary

Direct
micro-benefits
assessed between
£4.8bn and
£5.2bn



Many additional
micro- and macro-
economic benefits
also expected

Context



1

Global market volume of the rail industry of €191bn per annum, including €61bn in rolling stock

2

Long-run trend growth in the total market for rail supply is 2.2% per year

3

Long-term growth in the rail market is currently constrained by the availability of funding

4

The Luxembourg Rail Protocol improves the availability and cost of private finance for rolling stock

Contents

I. Benefits from the Luxembourg Rail Protocol

II. Methodology: assessing direct financing cost reductions

III. Results



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I. Benefits from the Luxembourg Rail Protocol

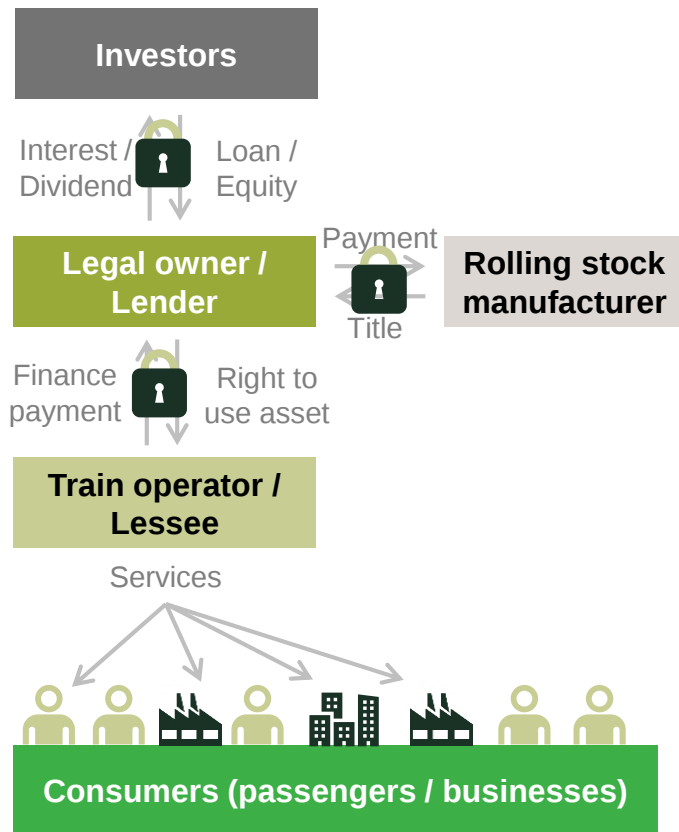
II. Methodology: assessing direct financing cost reductions

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The Luxembourg Rail Protocol (LRP) (1/2)

Financing the rail industry

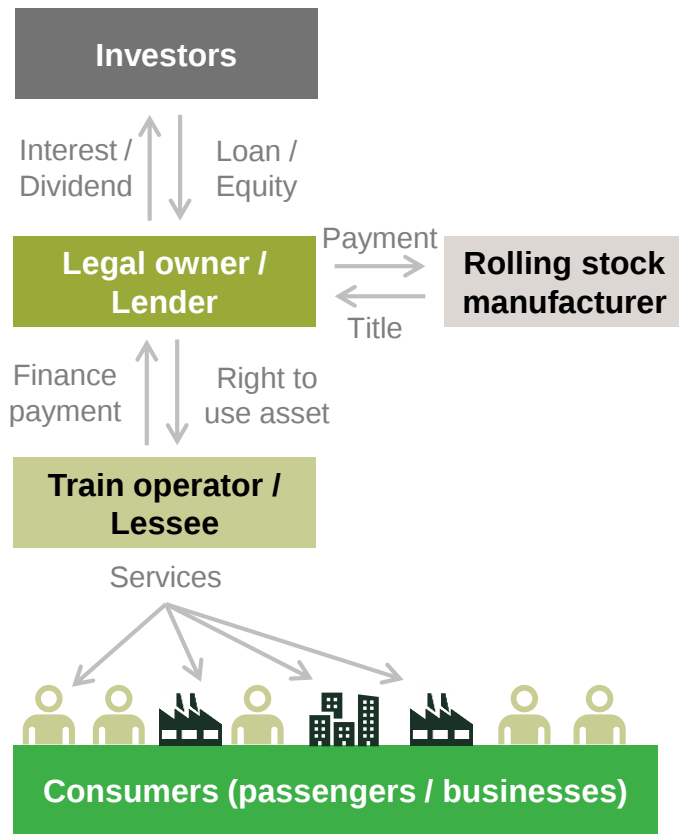


Issues with bringing in private capital due to:

- **uncertainty** around the repossession of collateral for creditors
- **limited** legal infrastructure and tracking of assets
- cross border operational **risks** in light of the absence of national or international public registries showing security interests on rolling stock
- **no common system** for uniquely identifying railway equipment globally and across different types of rolling stock

The Luxembourg Rail Protocol (LRP) (2/2)

Financing the rail industry



Solution: Luxembourg Rail Protocol

New global legal system for the recognition and prioritisation of security interests held by creditors

Debtors covered

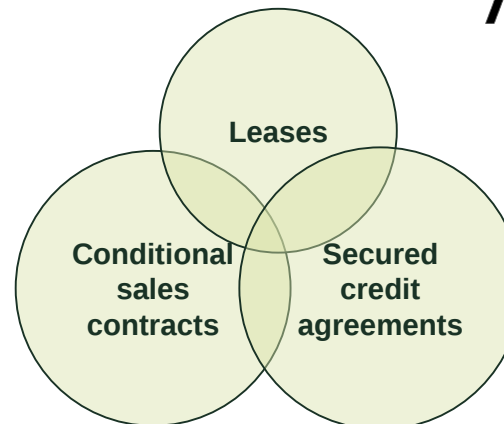


All debtors in ratifying states

Vehicles covered



All vehicles running on tracks, or above, on, or under a guideway



Financing covered

Features of LRP deliver both micro- and macro- benefits

Single central global registry

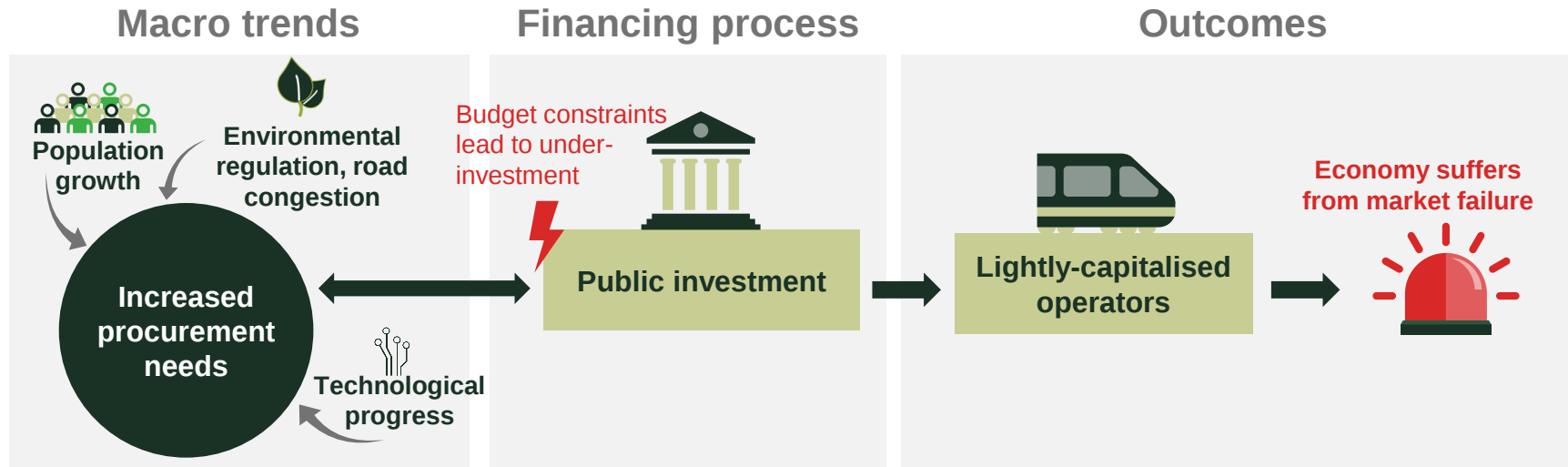
- **facilitates recording** international interests, and universal numbering system
- establishes **clear priority** among **creditors**
- **eliminates unnecessary restructuring** of security interests as transactions change

Clear legal framework and enforcement

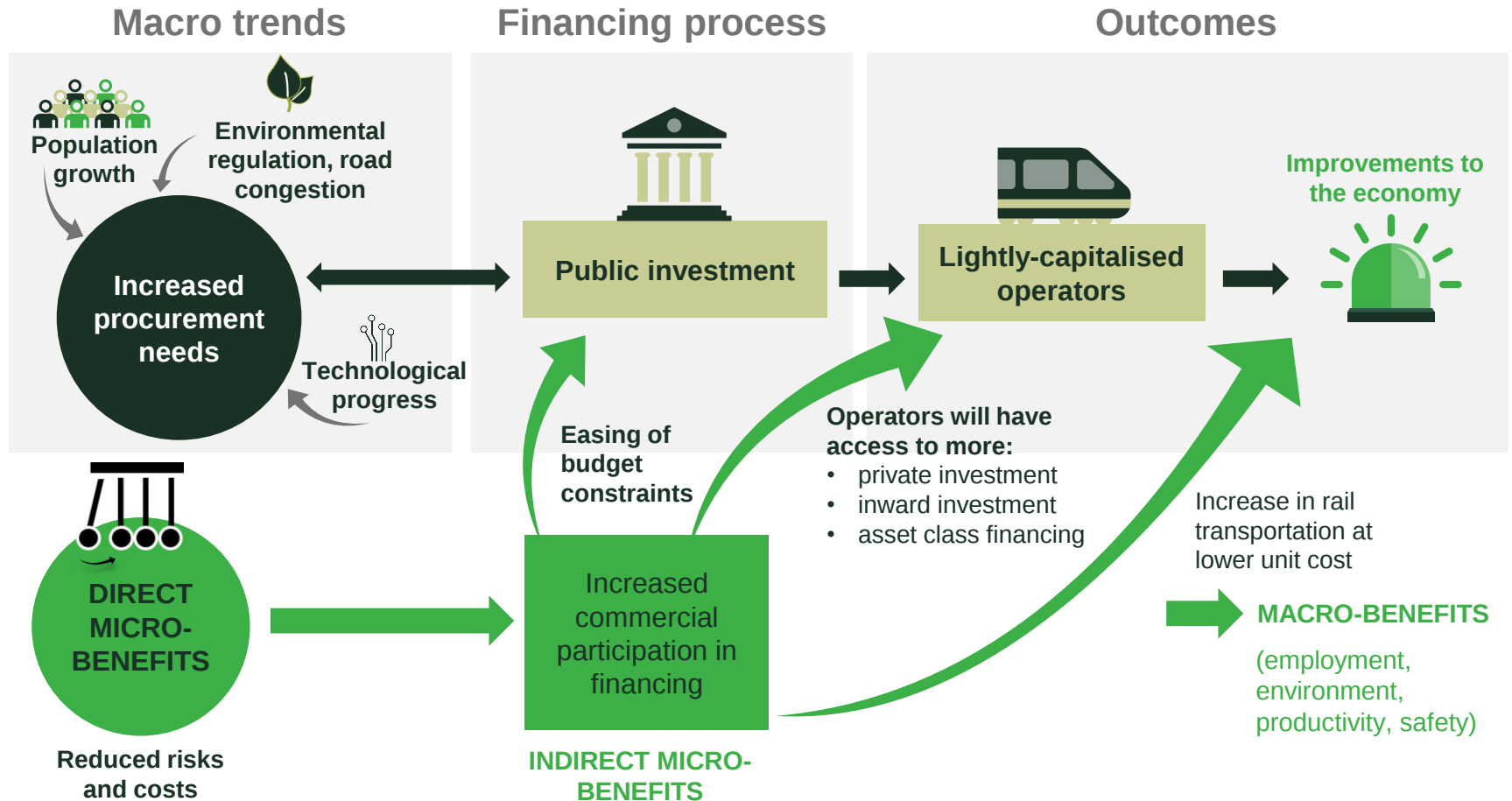
- **covers all debtors based in contracting states** without differentiating between types of financing structures
- provides for **clear creditor rights** on termination, default, and insolvency
- recognises and regulates the **security interests** of financiers and other parties
- opens the way to **secured finance** with recourse only to the **assets**



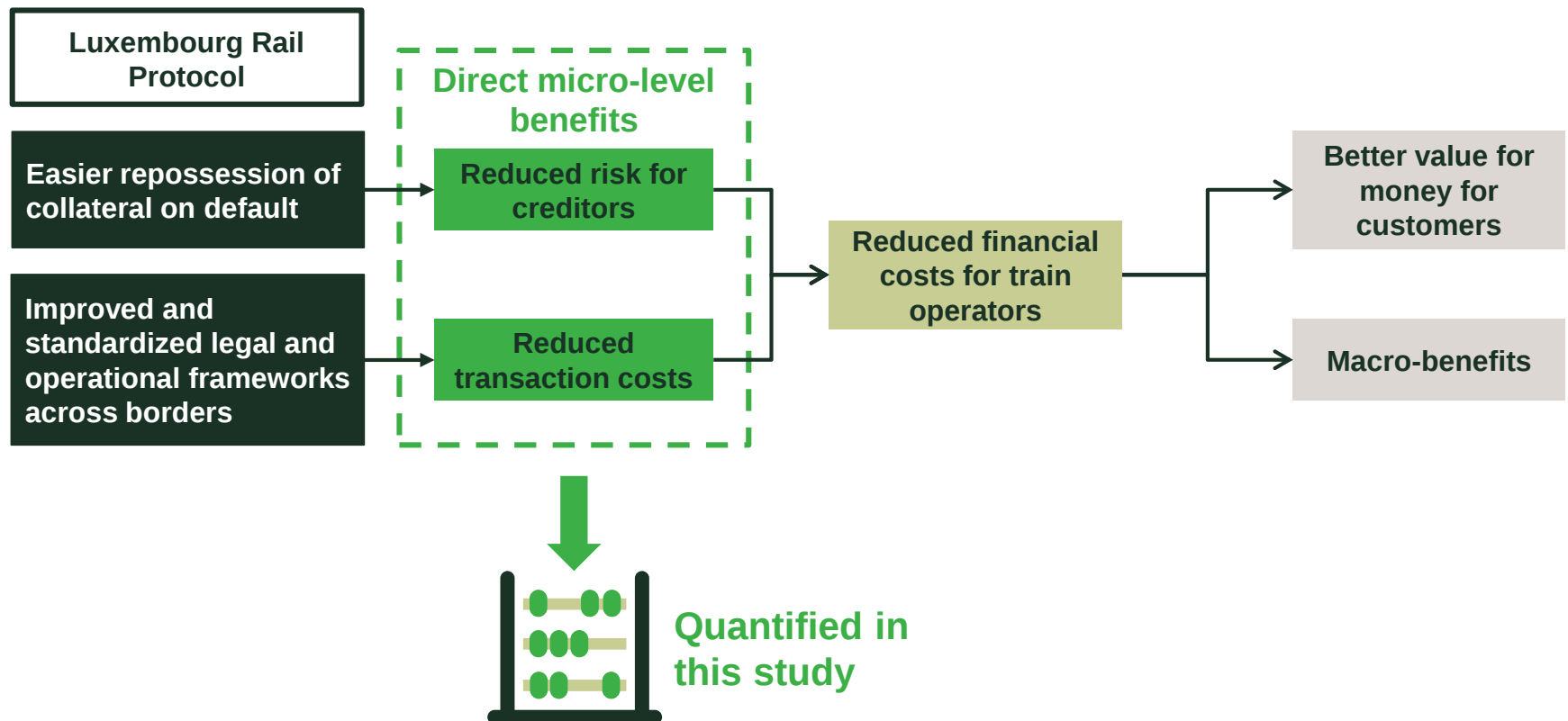
LRP will reduce costs and help long-term growth in rail transport post-COVID (1/2)



LRP will reduce costs and help long-term growth in rail transport post-COVID (2/2)



This study focuses on the direct micro-level benefits (1/2)



This study focuses on the direct micro-level benefits (2/2)

Indirect micro-level benefits

- facilitates **operating leases** which
 - open up the market to new competition
 - provide more flexibility for operators
 - drive standardisation of equipment
- potentially cuts **Export Credit Agency finance premiums** (following the example of the Aircraft Protocol)
- the **unique global identifier** enables more efficient asset location and status tracking, leading to savings on insurance, maintenance, and reductions of many other costs
- registration of creditor claims provides **protection for creditors and operators on cross border routes** even without ratification by the state where the rolling stock is located

Not quantified

Macro-benefits



Reduction in polluting greenhouse gases



Increased productivity and GDP



Lower unemployment



Increased transport safety, less congestion

Not quantified

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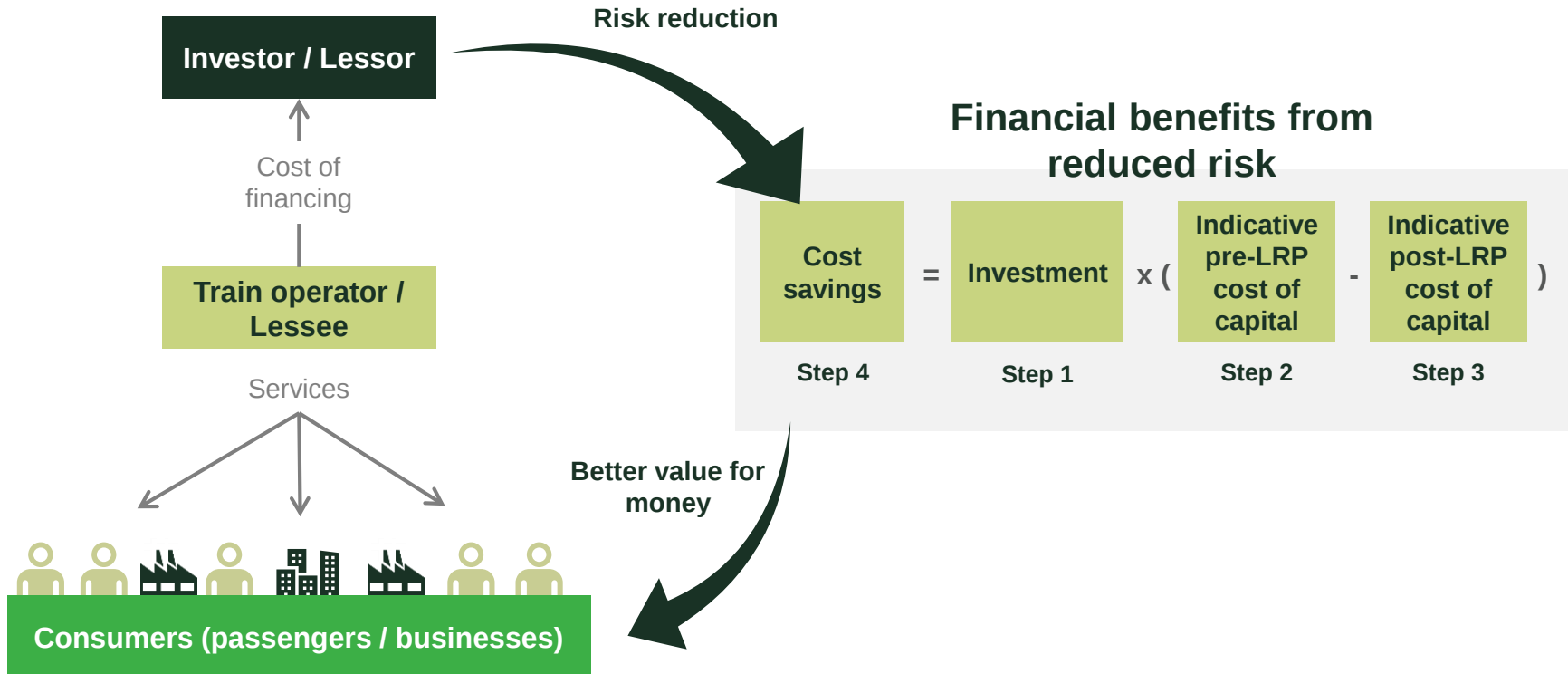
III. Results



Methodological approach



The methodology is the same as that applied in the 2018 Oxera study on the financing benefits of the LRP in European countries, with updates to the data used to reflect the latest changes





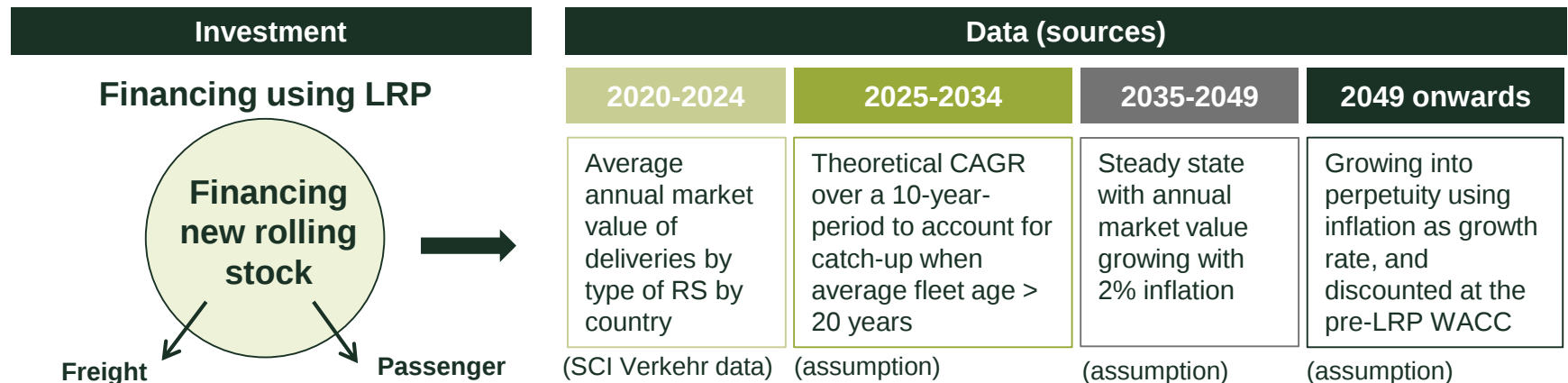
Step 1: Investment to finance (1/2)

Key assumptions from the original, 2018 Oxera model, then applied to multiple countries

- **Investment:** assume that both the financing of new rolling stock and the refinancing of the current fleet are affected by the ratification of the LRP. Refinancing occurs when the age of a RS unit reaches 10 years or 20 years.
- **Source of financing:** assume that (i) only private financing benefits from the LRP; (ii) the share of public financing will decrease by half by 2025 due to the catalyst effect of the LRP and then remain constant from 2025 onwards.
- **Periods:** forecast from 2020 to 2049 – terminal value calculated at 2049.

2020-2024: forecasts of new deliveries are assumed to offset retirements based on assumed asset life of 30 years.

2025-2035: model a catch-up period of higher deliveries where average age of fleet exceeds 20 years, i.e. where the LRP will unlock new finance and deliveries to replace ageing fleet.





Step 1: Investment to finance (2/2)

How do the original assumptions and methodology apply to the calculations of the benefits in the UK?

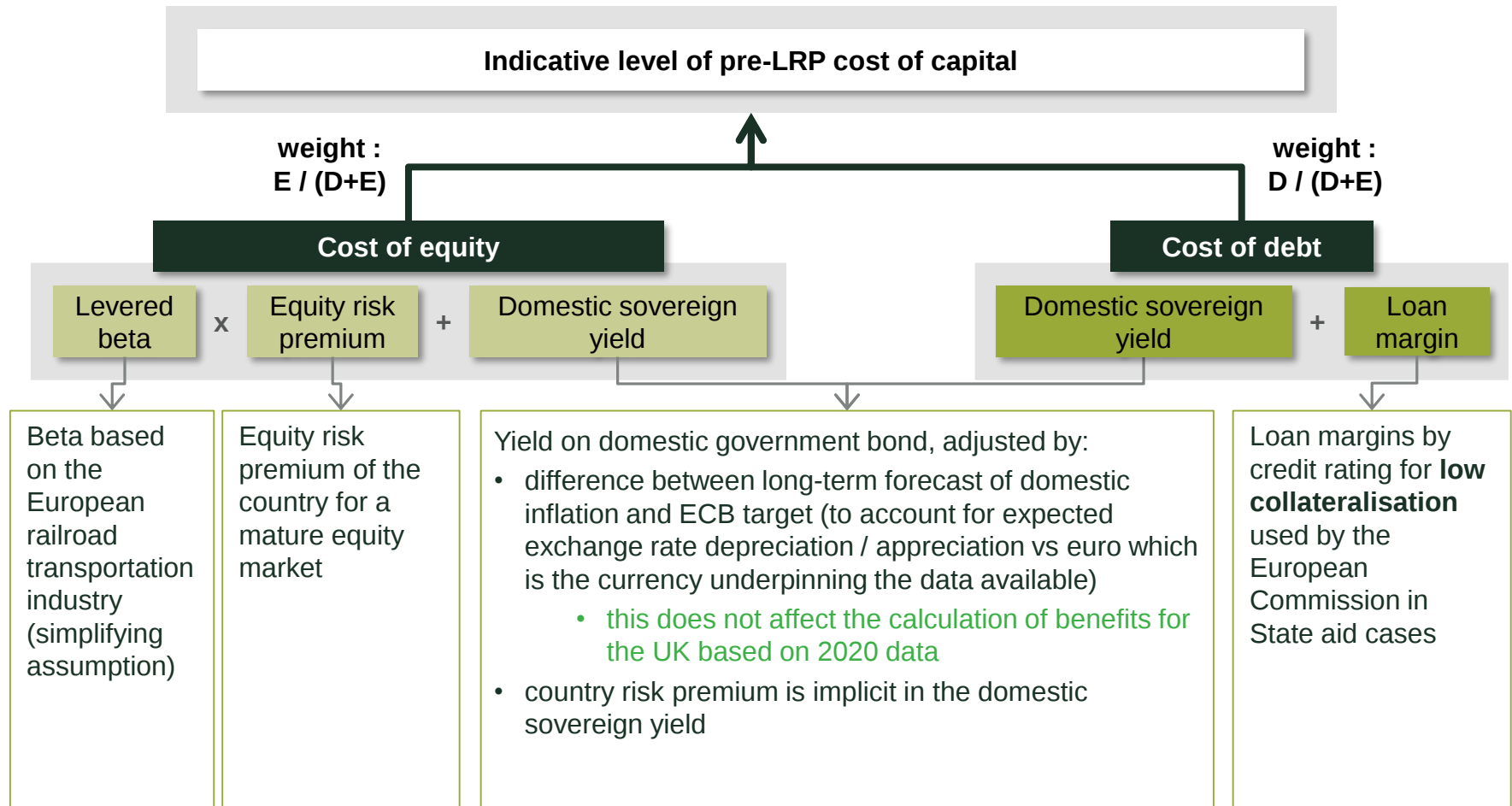
- **source of financing¹:**
 - in the data available on financing sources for rolling stock in the UK, (almost) all of the rolling stock is privately financed (both based on 2018 or 2020 data)
 - as such, all financing benefits emerge from the reduction in financing cost, and there is no assumed 'catalyst' effect of the LRP (i.e. a decrease in the share of public financing) takes place
- **additional purchases to account for catch-up of oldest fleets:**
 - the data underpinning the 2018 Oxera study resulted in an average age of the UK fleet slightly above 21 years old, which resulted in a moderate catch-up over a ten-year period to reach the 20-year average
 - more recent, 2020 data indicates that the average age is now around 20 years old, which removes the need for a catch-up through new purchases. As such, new purchases are assumed to reach a steady state by 2025, based on the methodology described above



Notes: ¹ In this methodology, no benefits would accrue on publicly-financed stock, as the risk and creditworthiness (and hence, the cost) of public financing is driven by wider considerations and likely to be less affected by the improved collateralisation resulting from the LRP.

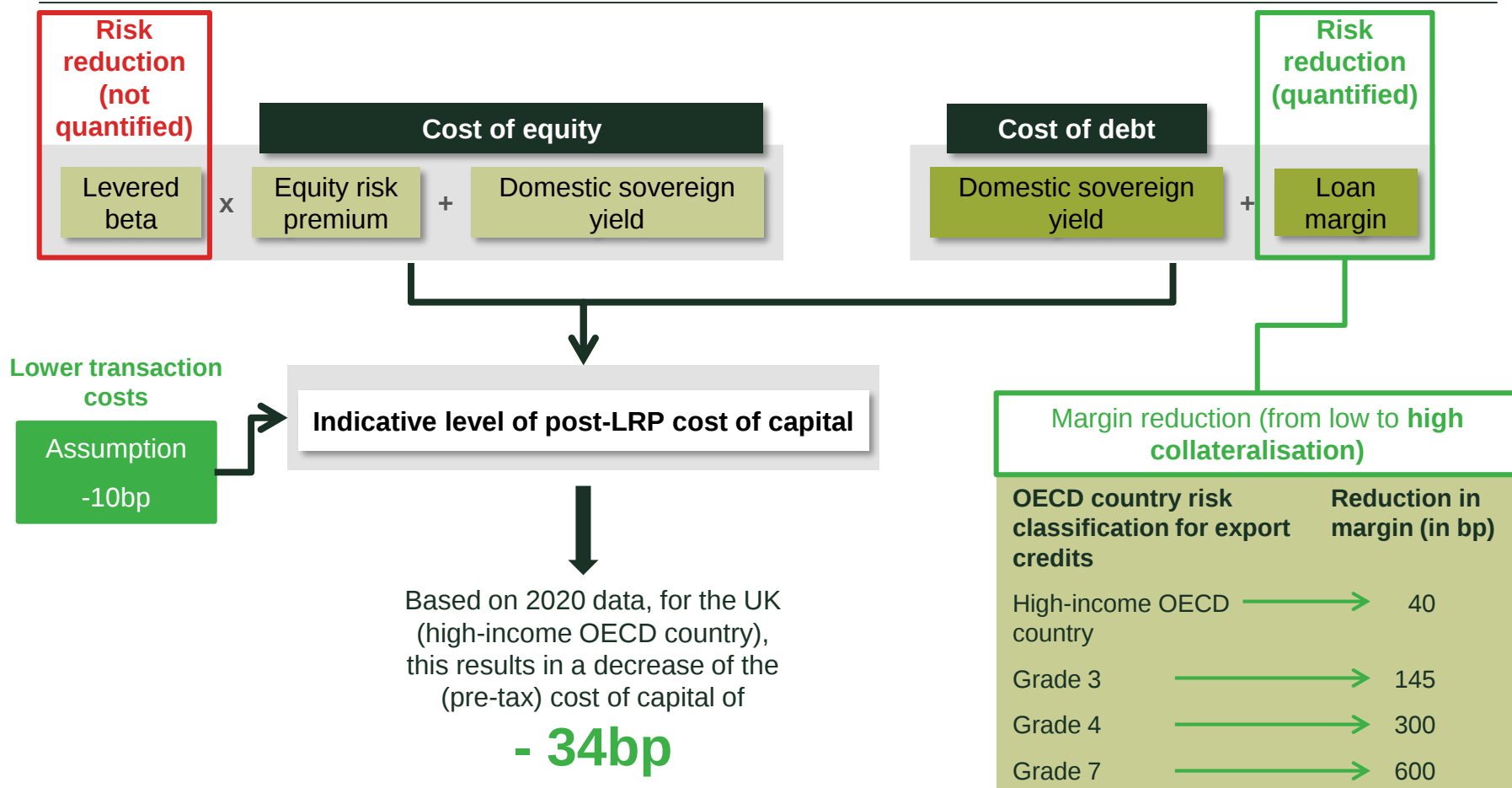


Step 2: Indicative pre-LRP cost of capital



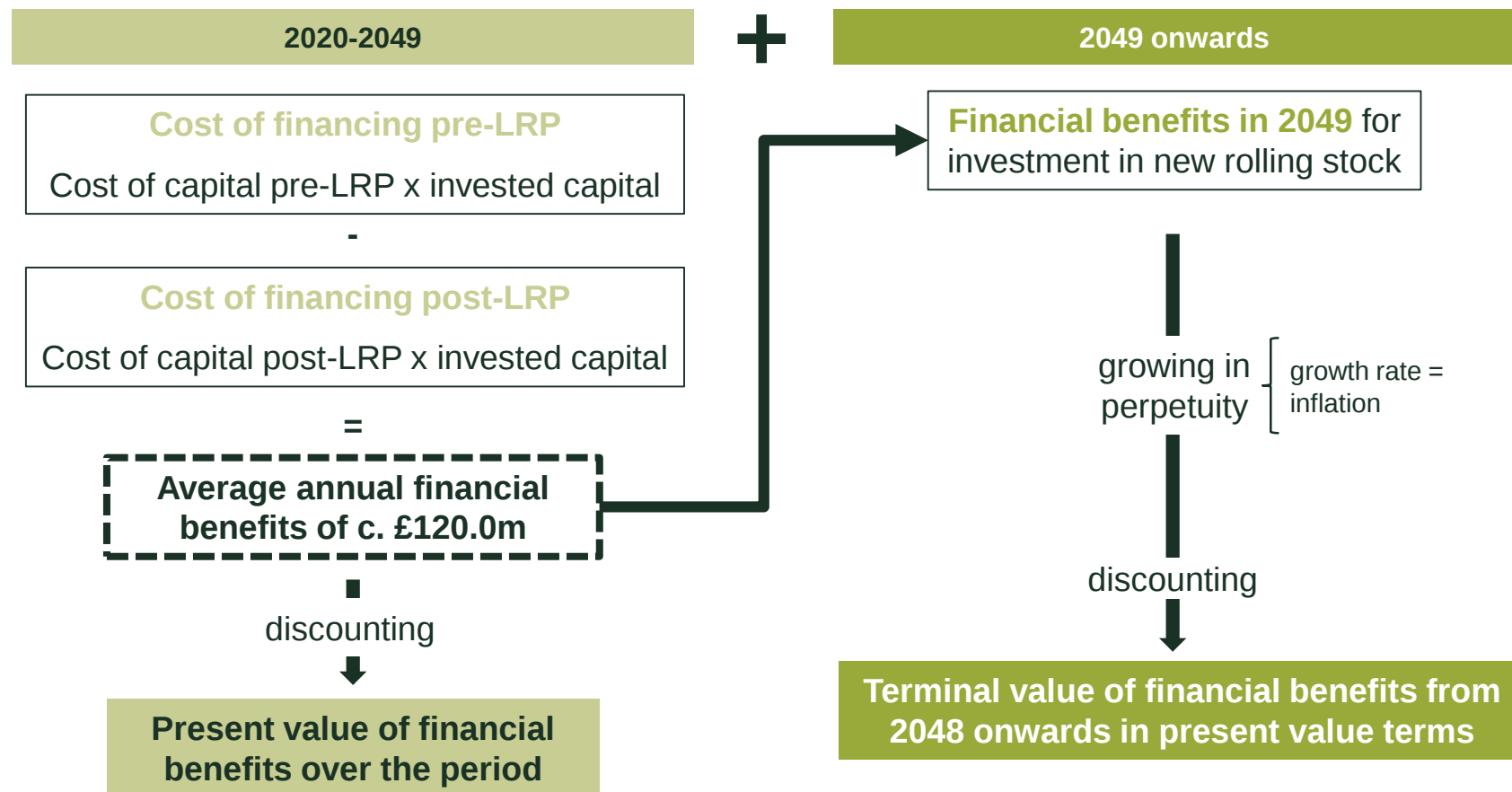


Step 3: Indicative post-LRP cost of capital





Step 4: Financial benefits



Additional effects of the LRP modelled in this update



In calculating the direct, micro-economic benefits of the LRP, a number of other potentially positive financial effects have not been taken into account. We understand that additional indirect micro-economic benefits (referred to above) are likely to be particularly relevant:

Relevant indirect micro-benefit

- **standardisation of equipment:** we understand that the adoption of the LRP is likely to result in further standardisation of rolling stock equipment. This in turn is likely to result in an increase in the (residual) value of rolling stock (especially in the later parts of its useful asset life) by being more likely to be easily re-usable in other geographies
 - this effect was not taken into account in the model underpinning the 2018 Oxera study
 - for the purposes of this update, we have modelled this potential effect as having similar consequences to an increase in the value of the rolling stock as collateral, i.e. a further reduction in the loan margins use to derive the cost of debt
 - we have used an indicative reduction of 5bp of the loan margin, resulting in a total decrease of the (pre-tax) cost of debt of 45bp (compared to 40bp without this effect)
 - this effect only applies to new purchases of rolling stock as opposed to refinancing, which pertains to rolling-stock already in circulation

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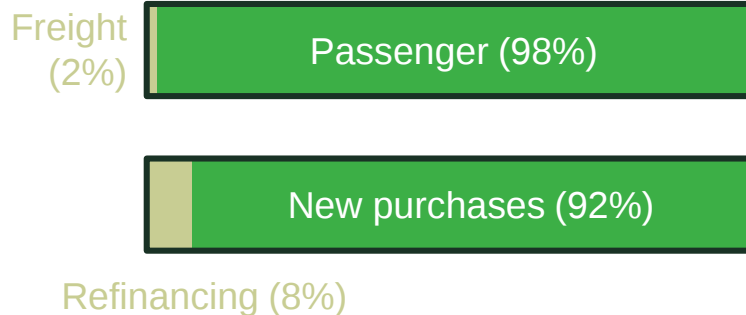


Results of the analysis

Without the additional effects on the value of rolling stock as collateral

Present value of total savings
=
£4,800m

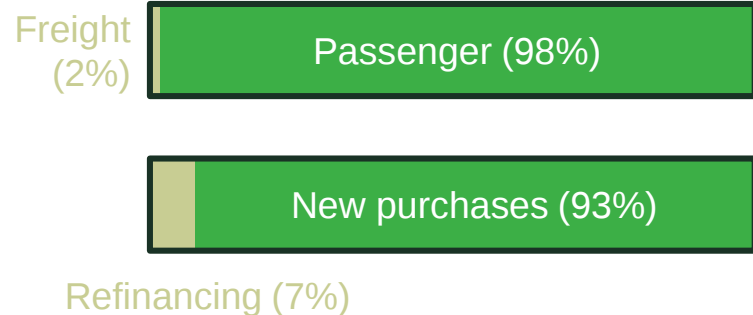
Breakdown of the savings:



With the additional effects on the value of rolling stock as collateral

Present value of total savings
=
£5,166m

Breakdown of the savings:



Discussion of the results

We note the following:

- there is some evidence to suggest that the **extent of new freight wagons and locomotives to be financed is conservative in our estimates**, which means total benefits and freight's proportion could be greater. Any transfer of road freight capacity onto rail under the UK Government's sustainability agenda has not been taken into account and will likely increase these figures materially
- the **cost of passenger vehicles is significantly higher** than those of freight wagons, which partly contributes to the analysis showing the majority of costs savings in the passenger sector
- we understand that the **data on rolling stock excludes cable cars and vehicles which have joint road and rail running capacity** such as maintenance vehicles and plant, all of which are covered under the LRP. As such, overall micro-economic benefits may be underestimated

Andrew Meaney
+44 (0) 1865 253028
andrew.meaney@oxera.com



Howard Rosen
+41 (0) 41 760 28 88
howard.rosen@railworkinggroup.org



www.oxera.com

www.railworkinggroup.org

Oxera Consulting LLP is a limited liability partnership registered in England no. OC392464, registered office: Park Central, 40/41 Park End Street, Oxford OX1 1JD, UK; in Belgium, no. 0651 990 151, branch office: Avenue Louise 81, 1050 Brussels, Belgium; and in Italy, REA no. RM - 1530473, branch office: Via delle Quattro Fontane 15, 00184 Rome, Italy. Oxera Consulting (France) LLP, a French branch, registered office: 60 Avenue Charles de Gaulle, CS 60016, 92573 Neuilly-sur-Seine, France and registered in Nanterre, RCS no. 844 900 407 00025. Oxera Consulting (Netherlands) LLP, a Dutch branch, registered office: Strawinskylaan 3051, 1077 ZX Amsterdam, The Netherlands and registered in Amsterdam, KvK no. 72446218. Oxera Consulting GmbH is registered in Germany, no. HRB 148781 B (Local Court of Charlottenburg), registered office: Rahel-Hirsch-Straße 10, Berlin 10557, Germany.

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