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2 September 2020

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Dear Darran and Jonathan

Fifteenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited (Crossrail)

1. We have today approved the above supplemental agreement, submitted to us formally on 26 August 2020, following earlier informal submission for our review.

Purpose

2. The delay to the Crossrail Programme requires a small number of amendments to the Firm Rights contained in the First Crossrail Track Access Contract for the period between the principal change date in December 2020 and the subsidiary change date in 2021, for Anglia and Western Services.

3. Anglia Route

- MTR Elizabeth line (MTREL) are increasing the off-peak service frequency from December 2020, to more closely reflect the level of service that will operate on Anglia Route when the full Elizabeth Line timetable is in operation.
- The off-peak frequency between London Liverpool Street and Shenfield will increase from 6 trains per hour in each direction to 8 trains per hour in each

direction, during off-peak hours Mondays to Saturday. There will be a similar increase on Sundays, but a number of the additional services will operate between Liverpool Street and Gidea Park only.

- The final Elizabeth Line timetable will provide 10 trains per hour in each direction off-peak, seven days a week.
- MTREL hold Firm Rights between Pudding Mill Lane (the Crossrail portal) and Gidea Park / Shenfield for these services. MTREL are therefore only seeking Firm Rights for the additional off-peak services between Pudding Mill Lane and Liverpool Street from December 2020 until May 2021.
- MTREL have already secured additional access rights between Pudding Mill Lane and Liverpool Street for their current service level until May 2021.

4. Western Route

- MTREL are not proposing any significant changes to their timetable on Western Route for December 2020. They hold Firm Rights between Westbourne Park Junction (the Crossrail portal) and Heathrow / Maidenhead / Reading. They have secured additional access rights between Westbourne Park Junction and Paddington main line station until December 2020, which are required due to the delay in opening the new cross-London tunnels.
- MTREL are seeking to extend the additional access rights that they hold between Westbourne Park Junction and Paddington main line station from PCD December 2020 until SCD May 2021.

Consultation

5. Network Rail undertook the consultation between 2 June and 2 July 2020. GBRf responded that it did not have a clear understanding of the various MTREL access rights, over various time periods, and their relative validities. In response MTREL produced a presentation which documented the rights from the 2018 First Crossrail Track Access Contract, and the effects of the main supplemental agreements that have altered that contract.

6. GBRf noted that as MTREL moves closer to full operation it is concerned that access would become more challenging for future freight services along both the Great Eastern Main Line and the Great Western Main Line. This concern is not directly relevant to the rights that are the subject of this agreement, rather, they refer to the original rights contained in the 2008 Crossrail track access option, as drawn down into what is now the MTREL track access contract.



ORR review

7. The agreement is in line with the current requirements of the delayed Crossrail programme. As the opening continues to be delayed, we should expect further, similar interim, agreements.

8. Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. ORR's copy should be sent for my attention.

9. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. Copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

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