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11 August 2022

Richard Turner
Customer Relationships Executive
Network Rail Infrastructure Ltd
Western House
1 Holbrook Way
Swindon
SN1 1BD

Rob Holder
Network Access Manager
First Greater Western Ltd
Milford House
1 Milford Street
Swindon
SN1 1HL

Dear Richard and Rob

Approval of the 78th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited dated 4 March 2016

We have today approved the above supplemental agreement submitted to us formally on 10 August 2022 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains the reasons for our decision.

Purpose

The purpose of this agreement is to amend Appendix 1 of Schedule 8 to include Okehampton as a new Contractual Monitoring Point in service group EF11; to amend Table 2.1 of Schedule 5 to show the split in service codes for services operating in group EF11; and to amend Annex B to Part 3 of Schedule 4 to include Crediton as a Viable Transfer Point.

The changes are to commence upon ORR approval and will expire on the Expiry Date or earlier termination of First Greater Western's track access contract.

Industry consultation

As this application has no operational impact on any other party, industry consultation was not undertaken.

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ORR review

Our review of the application raised no operational, performance or economic concerns, and we identified no drafting issues.

Our duties under section 4 of the Act and our decision

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; in particular, those relating to protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).

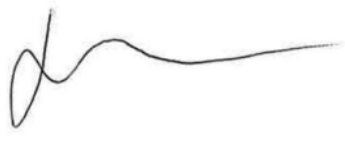
Conformed copy of the track access agreement

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. Please send the conformed copy to me at ORR.

Public register and administration

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. Copies of the approval notice and the agreement will be placed on ORR's public register (website) and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

pp 

Louise Beilby