

**Margret Haswell**

Executive, Access and Licensing  
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04 October 2022

Megan Holman  
Customer Manager  
Network Rail Infrastructure Ltd  
4<sup>th</sup> Floor  
George Stephenson House  
York YO1 6JT

Quentin Hedderly  
Network Capacity Advisor  
DB Cargo (UK) Ltd  
Lakeside Business Park  
Doncaster  
South Yorkshire DN4 5PN

Dear Megan and Quentin,

**Amendment of a track access contract between Network Rail Infrastructure Limited and DB Cargo (UK) Limited: Fifty Ninth Supplemental Agreement.**

1. On 4 October 2022 the Office of Rail and Road (ORR) approved the Fifty Ninth Supplemental Agreement (SA) to the track access contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and DB Cargo (UK) Limited (DBC) under section 22 of the Railways Act 1993 (the Act), submitted to us on 28 September 2022. This letter sets out the reasons for our decision.

**Background**

2. This SA is to convert 7 Contingent Rights to one hour window Firm Rights.

**Consultation**

3. The draft SA went out to consultation between 19 July 2022 and 19 August 2022. There are no outstanding or unresolved issues.

**ORR Review**

4. We received an informal submission from the parties on 22 August 2022. Network Rail's North West and Central Region Castlefield Corridor Access Rights Policy, that limited the sale of access rights to a Contingent only basis, will cease for the start of the December 2022 Timetable. This SA converts DB Cargo's current Castlefield Corridor Contingent Rights to Firm Rights.

**ORR Decision**

5. This application is under section 22 of the Act and therefore is agreed between the parties and there are no outstanding issues. We are content to approve this agreement.
6. In making this decision, we are satisfied that this decision reflects our duties under section 4 of the Act, in particular:
  - (i) to protect the interests of users of railway assets;

- (ii) to promote the use of railway network in Great Britain for the carriage of passengers and goods and the development of that railway network, to the greatest extent ...economically practicable;
- (iii) to promote efficiency and economy on the part of the persons providing railway services; and
- (iv) to enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

**Conformed copy**

7. Under clause 18.2.4 of the TAC, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and DBC. I look forward to receiving the conformed copy.

Yours sincerely



**Margret Haswell**