

**Jonathan Rodgers**  
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9 December 2022

Claire Hickman  
Customer Manager  
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Chris Dellard  
Network Access Strategy Manager  
Transport for Wales Rail Ltd  
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17 Penarth Road  
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Dear Claire and Chris

**Approval of the tenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Transport for Wales Limited (TfWRL) dated 7 February 2021**

We have today approved the above supplemental agreement submitted to us formally on 8 December 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 make a number of changes to access rights to the contract to reflect amendments specified by the Manchester Recovery Task Force in relation to the Castlefield Corridor plus some other minor changes. The changes will take effect on the Principal Change Date 2022 and will expire on the Expiry Date or earlier termination of TfW Rail's track access contract.

**Industry consultation**

Network Rail undertook the usual industry consultation between 20 October and November 2022. No objections or concerns were raised.



## **ORR review**

Our review of the application raised no operational, performance or economic concerns. We asked for some clarification on certain matters and queried if amendments to calling patterns in Table 4.1 of Schedule 5 needed to be added to the agreement. These matters were clarified and Table 4.1 amendments were subsequently added to the agreement when formally submitted.

## **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

A handwritten signature in black ink, appearing to read 'Jonathan Rodgers', written in a cursive style.

**Jonathan Rodgers**