

Kirstin Scott
Executive, Access & Licensing



19 April 2023

Mark Garner
Customer Manager
Network Rail Infrastructure Ltd
Waterloo General Office
London
SE1 8SW

Andy Wylie
Head of Regulation & Open Access
Contracts
East Coast Trains Ltd
8th Floor, The Point
37 North Wharf Road
London
W2 1AF

Dear Mark and Andy

Approval of the 8th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and East Coast Trains Limited dated 3 October 2016

We have today approved the above supplemental agreement submitted to us formally on 18 April 2023 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 extend East Coast Trains Limited's existing contingent rights to stop at Stevenage from the Subsidiary Change Date 2023 to the Subsidiary Change Date 2024, in line with the Network Rail East Coast Main Line access rights policy. The rights will continue to be limited to pick up (North-bound) and set down (South-bound) only. The amendment will provide Network Rail with continued flexibility in the construction and operation of the timetable.

Industry consultation

Network Rail undertook the usual industry consultation. No concerns or objections were raised. Comments in support were received from West Yorkshire Combined Authority, Great Western Railway and Transport Focus.

Head Office: 25 Cabot Square, London E14 4QZT: 020 7282 2000 orr.gov.uk



ORR review

Our review of the application raised no operational, performance or economic concerns. We identified a minor drafting issue and this was resolved when the agreement was 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 that reads 'Kirstin Scott'.

Kirstin Scott