

**Margret Haswell**

Executive, Access and Licensing  
Email: Track.Access@orr.gov.uk

03 May 2023

Sarah McCarthy  
Customer Relationship Executive  
Network Rail Infrastructure Limited  
1 Eversholt Street  
Euston  
London NW1 2DN

Ian Kapur  
Head of Strategic Access  
Planning  
GB Railfreight Limited  
3<sup>rd</sup> Floor, 55 Old Broad Street,  
London, EC2M 1RX

Dear Sarah & Ian

**Amendment of a track access contract between Network Rail Infrastructure Limited and GB Railfreight Limited: Thirty First Supplemental Agreement.**

1. Today the Office of Rail and Road (**ORR**) approved the thirty first Supplemental Agreement (**SA**) to the track access contract (**TAC**) between Network Rail Infrastructure Limited (**Network Rail**) and GB Railfreight Limited (**GBRf**) under section 22 of the Railways Act 1993 (**the Act**), submitted to us on 26 April 2023. This letter sets out the reasons for our decision.

**Background**

2. This SA is to add six new one-hour window firm rights, amend 11 one-hour window firm rights and relinquish four one-hour window firm rights. The SA reflects access rights changes supporting steel traffic.
3. The new and amended rights are associated with actively running paths already offered in the Working Timetable (**WTT**). The amendments bring the rights windows in line with current WTT paths and also update terminal names and stannox numbers.

**ORR Review**

4. We received an informal submission from the parties on 11 April 2023. The Form F set out the rationale for the changes and we note that the train services are already running and the application is supported by Network Rail.
5. We asked Network Rail to confirm that the new firm rights for services to/from Dee Marsh Reception GBRf are compatible with the Wrexham-Bidston rights awarded to Transport for Wales Rail Limited in the [4th Supplemental Agreement](#) and it has done so.
6. Our review of the application raised no operational, performance or economic concerns and we are content that it is consistent with current track access policy.

**Consultation**

7. Industry consultation took place 8 March 2023 to 9 April 2023. No outstanding or unresolved issues.

## ORR Decision

8. 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.
9. 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

10. 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 GBRf and me. I look forward to receiving the conformed copy.

## Public register and administration

11. Copies of the approval notice and the agreement will be placed on ORR's public register ([Public register](#)) and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely



**Margret Haswell**