

**Louise Beilby**  
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18 April 2023

Mark Garner  
Customer Manager  
Network Rail Infrastructure Ltd  
George Stephenson House  
Toft Green  
York  
YO1 6JT

Malcolm Knight  
Head of Operational Planning  
London North Eastern Railway Ltd  
East Coast House  
Skeldergate  
York  
YO1 6DH

Dear Mark and Malcolm

**Approval of the 30th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and London North Eastern Railway Limited dated 3 March 2017**

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 LNER's rights to operate services on the East Coast Main Line on a contingent basis for a further two timetable periods, in line with Network Rail Policy. This is effected by way of extending the duration of Part B of Schedule 5 in LNER's track access contract, and delaying the start of Part C until Part B's expiry. This amendment will take effect on the Subsidiary Change Date (SCD) 2023 and will expire on SCD 2024 or earlier termination of LNER's track access contract.

**Industry consultation**

Network Rail undertook the usual industry consultation. No queries or issues were raised.



## **ORR review**

Our review of the application raised no operational, performance or economic concerns. We noticed that the supplemental agreement still showed Network Rail's old registered address 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, appearing to read 'Louise Beilby', with a stylized flourish at the end.

**Louise Beilby**