

Louise Beilby
Senior Access Executive



13 April 2023

Sid Ali
Franchise & Access Manager
Network Rail Infrastructure Ltd
1 Puddle Dock
Victoria Street
London
SE1 0NS

Mia Kirkpatrick
Track Access & HS1 Contracts Manager
SE Trains Ltd
4 More
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Dear Sid and Mia

Approval of the 96th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and SE Trains Limited dated 6 December 2007

We have today approved the above supplemental agreement submitted to us formally on 13 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 add the new station at Thanet Parkway as an additional call in Table 4.1 of Schedule 5 of SE Trains' access agreement. The station is due to open during the Subsidiary Change Date (SCD) 2023 timetable period but the exact date is not currently known. This amendment will take effect on SCD 2023 and will expire on the Expiry Date or earlier termination of SE Trains' 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 during the informal submission stage.

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