

**David Reed**  
Senior Executive, Access & Licensing



02 May 2023

Laura Mason  
Customer Manager  
Network Rail Infrastructure Ltd  
Baskerville House  
Centenary Square, Broad Street  
Birmingham B1 2ND

Josh Watkins  
Senior Timetable Programme and  
Development Manager  
XC Trains Limited  
Cannon House  
18 The Priory Queensway  
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Dear Laura and Josh

**Approval of the 27th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and XC Trains Limited dated 8 August 2017**

We have today approved the above supplemental agreement submitted to us formally on 2 May 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 grant XC Trains Ltd (XC) the rights necessary for significant number of additional services and services changes from the May 2023 timetable change. This will include the re-introduction of Bristol to Manchester services and the first stage of Reading to Newcastle services which were in operation pre-Covid. This timetable change has been referred to within XC and the industry as 'project Hydra'.

The rights are to commence on the Subsidiary Change Date in May 2023 and will expire on the Expiry Date of the current contract (currently 11 December 2023).

**Industry consultation**

Network Rail undertook the usual industry consultation in February and March 2023.



Great Western Railway supported the proposals. Northern and West Yorkshire Combined Authority raised a number of operational queries which XC responded to. No objections were received.

### **ORR review**

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were 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 'David Reed', is written over a light blue horizontal line.

**David Reed**