

Margret Haswell

Executive, Access and Licensing
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13 April 2023

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

Quentin Hedderly
Network Capacity Advisor
DB Cargo (UK) Ltd
Lakeside Business Park
Doncaster
South Yorkshire DN4 5PN

Dear Megan and Quentin,

Amendment of a track access contract between Network Rail Infrastructure Limited and DB Cargo (UK) Limited: Fifty Seventh Supplemental Agreement.

1. Today the Office of Rail and Road (ORR) approved the Fifty Seventh Supplemental Agreement (SA) to the track access contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and DB Cargo (UK) Limited (DBC) under section 22 of the Railways Act 1993 (the Act), submitted to us on 6 April 2023. This letter sets out the reasons for our decision.

Background

2. This SA is to add four new 30-minute window firm rights, amend three 30-minute firm rights and relinquish six firm rights. These rights are for Royal Mail traffic already running from Willesden Princess Royal Distribution Centre in North West London, up to Warrington then on to Shieldmuir Mail Terminal in Scotland.
3. The parties have agreed 30-minute windows, reflecting Royal Mail's own regulatory targets and to provide greater security to the express parcels market. Network Rail has reviewed the rights requested and is satisfied that they can be accommodated and are consistent with the relevant Route Studies.

Consultation

4. The draft SA went out to consultation between 13 February 2023 and 13 March 2023. There are no unresolved issues or objections.

ORR Review

5. The parties have agreed 30-minute windows, consistent with our [2016 decision](#) regarding windows for Royal Mail traffic. 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.

ORR Decision

6. 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.
7. 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

8. 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 ORR and DBC. I look forward to receiving the conformed copy.

Public register and administration

9. 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



Margret Haswell