

David Reed
Senior Executive, Access & Licensing



10 July 2023

Devon Wall
Franchise and Access Support Manager
Network Rail Infrastructure Ltd
Square One, 4 Travis Street
Manchester
M1 2NF

George Williams
Concession & Business Framework
Manager
Merseyrail Electrics 2002 Limited
Rail House, Lord Nelson Street
Liverpool, Merseyside,
L1 1JF

Dear Devon and George,

Approval of the 10th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Merseyrail Electrics 2002 Limited dated 1 April 2019

We have today approved the above supplemental agreement submitted to us formally on 3 July 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 amend Appendix 1 to Schedule 8 to reflect the introduction of a new station at Headbolt Lane currently due to enter into service in September 2023 and Headbolt Lane to replace Kirkby as a monitoring point (reverse direction) at that time.

Industry consultation

No industry consultation was required as the changes do not affect any other party.

ORR review

Our review of the application raised no operational, performance or economic concerns.



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