

**Louise Beilby**  
Senior Access Executive



21 July 2023

Alex Aitken  
Customer Relationships Executive  
Network Rail Infrastructure Ltd  
Hawker House  
5/6 Napier Road  
Reading  
RG1 8BW

Emma Maynard  
Concession Contract Manager  
MTR Corporation (Crossrail) Ltd  
63 St Mary Axe  
London  
EC3A 8NH

Dear Alex and Emma

**Approval of the 27th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and MTR Corporation (Crossrail) Limited dated 21 November 2018**

We have today approved the above supplemental agreement submitted to us formally on 21 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 recalibrate Schedules 4 and 8 of the contract following the combination of four service groups into two during the May 2023 timetable change date. The changes are to be applied from 27 May 2023 and will expire on the Expiry Date or earlier termination of MTR's track access contract.

**Industry consultation**

As no third party is affected by the changes proposed in this supplemental agreement, industry consultation was not required.



## **ORR review**

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved prior to inviting formal submission.

## **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**