

Ellie Mitchell
Access Executive



2 August 2023

Lysette Rowley
Franchise and Access Manager
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square
Broad Street
Birmingham
B1 2ND

Kate Oldroyd
Track Access Manager
Northern Trains Ltd
4th Floor
Northern House
9 Rougier Street
York
YO1 6JT

Dear Lysette and Kate

Approval of the 48th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Northern Trains Limited dated 3 March 2016

We have today approved the above supplemental agreement submitted to us formally on 1 August 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 Schedule 5 of Northern's TAC, including adding an additional firm right for services between Manchester Oxford Road and Liverpool Lime Street via Warrington on weekdays and Saturdays, facilitating the extension of existing services between Manchester Oxford Road and Liverpool Lime Street. Prior to the approval of this supplemental agreement, these changes were covered by the 47th supplemental agreement under General Approval. The rights in this supplemental are to commence on 2 August 2023 and will expire on the Expiry Date or earlier termination of Northern's track access contract.



Industry consultation

Network Rail undertook the usual industry consultation. Support for the changes was received from the Liverpool City Region, CrossCountry, GWR, Amey Infrastructure Wales, Transport Focus, WMT and the West Yorkshire Combined Authority.

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 that reads 'Ellie Mitchell'.

Ellie Mitchell