

**Louise Beilby**  
Senior Access Executive



9 August 2023

Akaash Bhandari  
Franchise & Access Support Manager  
Network Rail Infrastructure Ltd  
Baskerville House  
Centenary Square  
Broad Street  
Birmingham  
B1 2ND

Bevis Thomas  
Head of Train Planning  
The Chiltern Railway Company Ltd  
Banbury Integrated Control Centre  
Higham Way  
Banbury  
OX16 4RN

Dear Akaash and Bevis

**Approval of the 4th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and The Chiltern Railway Company Limited dated 28 September 2022**

We have today approved the above supplemental agreement submitted to us formally on 7 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 add five new firm access rights to Table 2.1 of Schedule 5 for services between Banbury and Oxford, and London Marylebone and Oxford. The amendments will take effect upon the date of ORR approval and will expire on the Expiry Date or earlier termination of Chiltern's track access contract.

**Industry consultation**

The usual industry consultation was carried out. No comments, queries or 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 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**