

Jonathan Rodgers
Senior Executive



23 October 2023

Katie Collins
Franchise & Access Support Manager
Network Rail Infrastructure Limited
1 Puddle Dock
London
EC4V 3DS

Mark Walker
Strategic Planning Manager
Arriva Rail London Limited
4th Floor Palestra House
197 Blackfriars Road
Southwark
SE1 8NJ

Dear Katie and Mark

Approval of the 88th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Arriva Rail London Limited dated 9 November 2007

We have today approved the above supplemental agreement submitted to us formally on 23 October 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 a bespoke provision in Schedule 4, Part 3, Paragraph 2.4 "Network Rail payments" to better reflect current day access requirements.

Industry consultation

A consultation was not necessary for this application as the changes do not impact any other party.

ORR review

Our review of the application raised no 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 'Jonathan Rodgers', is positioned above the printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jonathan Rodgers