

Louise Beilby
Senior Access Executive



24 November 2023

Richard Turner
Customer Relationships Executive
Network Rail Infrastructure Ltd
Western House
1 Holbrook Way
Swindon
SN1 1BD

Robert Holder
Network Access Manager
First Greater Western Ltd
Milford House
1 Milford Street
Swindon
SN1 1HL

Dear Richard and Robert

Approval of the 95th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited dated 4 March 2016

We have today approved the above supplemental agreement submitted to us formally on 24 November 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 grant First Greater Western the rights necessary to operate its December 2023 timetable. This involves the introduction of one additional Reading to London Paddington weekday morning peak service, calling at Maidenhead. The rights are to commence on The Principal Change Date (PCD) in December 2023 and will expire on the Expiry Date or earlier termination of First Greater Western's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. Both Heathrow Express and MTR Elizabeth Line expressed concerns about the proposed long dwell times of 98 minutes at Paddington for the service to convert to an Empty Coaching Stock move, which they believed would have a negative impact on the already high demand for platform capacity. First Greater Western acknowledged that this was an issue and subsequently worked out



a solution whereby the dwell time is now only 23 minutes. Both parties were satisfied with this solution and the objections had been resolved by the time of informal submission to us.

ORR review

Our review of the application raised no other 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 blue ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

Louise Beilby