

Louise Beilby
Senior Access Executive



7 December 2023

Devon Wall
Franchise & Access Support Manager
Network Rail Infrastructure Ltd
Square One
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Manchester
M1 2NF

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

Dear Devon and Bevis

Approval of the 7th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and The Chiltern Railway Company Limited (t.a. Chiltern Railways (Chiltern)) dated 7 October 2022

We have today approved the above supplemental agreement submitted to us formally on 7 December 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 correct a drafting error which resulted in some service group HO04 performance points being accidentally removed from Appendix 1 to Schedule 8 of Chiltern's Track Access Contract. The performance points remain unchanged since they were accidentally removed from the Appendix 1. This correction could have been done by General Approval under normal circumstances but not at present due to the PR23 moratorium. The correction will apply from the date of ORR approval and will expire on the Expiry Date or earlier termination of Chiltern's track access contract.

Industry consultation

As no third parties are affected by the amendments effected by this supplemental agreement, industry consultation was not required.



ORR review

Our review of the application raised no operational, performance or economic concerns, nor any drafting issues with the submission itself.

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'. The signature is written in a cursive style with a long horizontal stroke at the end.

Louise Beilby