

Louise Beilby
Senior Access Executive

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6 December 2024

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

Robbie Gilbody
Contracts and Compliance Manager
TransPennine Trains Ltd
8th Floor, Bridgewater House
60 Whitworth Street
Manchester
M1 6LT

Dear Erin and Robbie

Approval of the 69th supplemental agreement to the track access contract (TAC) between Network Rail Infrastructure Limited (Network Rail) and TransPennine Trains Limited (trading as Transpennine Express (TPE)) dated 3 March 2016

We have today approved the above supplemental agreement submitted to us formally on 2 December 2024 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 Appendix 1 of Schedule 8 of the TAC, and Appendix 7C of Schedule 7, to reflect the temporary surrender of some of TPE's Leeds-Huddersfield rights and Northern Trains' acquirement of these same rights from the Principal Change Date (PCD) in December 2024. A corresponding application from Northern (63rd supplemental agreement) has also been approved today.

Industry consultation

As no other parties are affected by these changes, industry consultation was not carried out for this application.



ORR review

Our review of the application raised no economic concerns or drafting issues.

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