

Claire Brooks
Access Executive



27 November 2024

Michelle Woolmore
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Chris Hassell
Head of Commercial Contracts
TransPennine Trains Limited
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Dear Michelle and Chris

Approval of the 66th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and TransPennine Trains Limited (TransPennine) dated 3 March 2016.

We have today approved the above supplemental agreement submitted to us formally on 26 November 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 grant TransPennine an additional contingent right in table 2.2 for an extra return service between Manchester Airport and Oxenholme. This will provide an express service between Manchester and Preston. This will be for one timetable period only from Principal Change Date 2024 to Subsidiary Change Date 2025 due to the ongoing consideration of applications at interacting locations.

Industry consultation

Network Rail undertook the usual industry consultation. Comments were received from Transport Focus who were happy to accept, Great Western Railway had no objections, Northern had no issues but raised a query on movements and why the unit was reversing at Tebay as opposed to the station. Network Rail responded that the shunt has been included due to the platform capacity at Oxenholme with the Northern Windermere services. TransPennine are also unable to use platform 3 at Oxenholme due to its lack of C-ASDO beacons.



ORR review

Our review of the application raised a couple of queries relating to the Manchester Recovery Taskforce and performance. Network Rail responded to these queries and no other operational, performance or economic concerns were raised.

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

Claire Books