

Claire Brooks
Access Executive

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Track Access and HS1 Contracts
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Dear Arthur and Susan,

Approval of the 6th supplemental agreement to the track access contract between HS1 Limited and SE Trains Limited

The Office of Rail and Road (ORR) has today approved the 6th supplemental agreement to the track access contract between HS1 Limited (HS1) and SE Trains Limited (Southeastern) (jointly the parties), submitted to us formally on 23 December 2024 under The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 (the 2016 Regulations). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.

Purpose of the agreement

The purpose of this agreement is to grant Southeastern an extension to their track access contract from 31 December 2024 to 31 December 2029. As part of this extension some minor administrative changes have taken place. This agreement also updates the quantum of firm train slots for the period 31 December 2024 - 31 December 2029 to reflect the actual usage of firm train slots by Southeastern, though it should be noted that no additional access rights have been sought.



Consultation

A pre-application consultation was carried out by HS1 in line with the process set out in the HS1 Criteria and Procedures document (“the C&Ps”).

Comments were received from East Midlands Railway who had no objections.

ORR review

Our review of the application raised no operational, performance or economic concerns.

ORR’s conclusions

Pursuant to Regulation 28(1) of the Regulations, in considering the application and in reaching our decision, we are required to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Railways Act 1993 (as amended). Approval of this application is consistent with these duties; in particular our duties to:

- protect the interests of users of rail services;
 - promote the use of the railway network in Great Britain for the carriage of passengers and goods, and the development of the railway network, to the greatest extent that ORR considers economically practicable;
 - contribute to the development of an integrated system of transport of passengers and goods;
- and
- enable persons providing railway service to plan the future of their businesses with a reasonable degree of assurance.

Conformed copy of the track access contract, public register and administration

Pursuant to the C&Ps, HS1 is required to produce a conformed copy of the track access agreement within 28 days of any amendment being made, and to send a copy to ORR. I look forward to receiving the conformed copy.

We will place a copy of the supplemental agreement on our public register. The parties have not asked us to make any redactions prior to placing on the public register. Copies of this letter and the agreement will also be placed on the ORR website.



Yours sincerely



Claire Brooks