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30 August 2019

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Catherine Rowe
Track Access Manager
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Dear Alistair and Catherine

Approval of the seventy third supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Abellio East Anglia Limited (AEA)

1. We have today approved the above supplemental agreement submitted to us formally on 30 August 2019 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
2. The purpose of this agreement is to amend the parties' track access agreement to allow for two additional off peak services per hour between Stratford and the new station at Meridian Water. These additional services will utilise the new electrified third line (Lea Valley Reversible) which adds capacity between Lea Bridge and Meridian Water. Meridian Water also replaces Angel Road in the relevant calling patterns.
3. In addition to the above, two services are being extended and require additional rights. A Bishops Stortford to Stratford service will start from Harlow Town and a Broxbourne to Liverpool Street service will start from Bishops Stortford.
4. Amendments to Appendix 1 of Schedule 8 to reflect the above changes have been delayed and will be submitted soon as part of a separate application. This is not ideal and we expect the parties to ensure this application is submitted promptly.

5. The parties have also amended the Liverpool to Southend Victoria rights which were approved in the 72nd SA as some services will now terminate at Southend Airport instead of Southend Victoria.

7. Network Rail undertook the industry consultation from 16 July until 13 August 2019. No objections were received. Transport for London had a minor query that was clarified in correspondence. We reviewed the application and did not have any concerns.

9. When we consider access applications, we must do so in a way which we consider best fulfils our statutory duties which are set out in section 4 of the Railways Act 1993. The duties we consider most relevant in this context are to:

- protect the interests of users of railway services;
- promote the use of the railway network in Great Britain for the carriage of passenger and goods, and the development of that railway network, to the greatest extent that it considers economically practicable;
- promote measures designed to facilitate the making by passengers of journeys which involve use of the services of more than one passenger service operator; and enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

6. 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.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and to Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register 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 'Jonathan Rodgers', with a long horizontal flourish extending to the right.

Jonathan Rodgers