

David Reed
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9 April 2020

Lysette Rowley,
Customer Support Manager
Network Rail Infrastructure Limited
Baskerville House
Centenary Square
Birmingham
B1 2ND

Paul Clewlow
Deputy Head of Train Planning
The Chiltern Railway Company Limited
Banbury ICC Higham Way (off Merton Street)
Banbury
Oxfordshire
OX16 4RN

Dear Lysette and Paul,

Approval of the one hundred and thirty-third supplemental agreement to the track access contract between Network Rail Infrastructure Limited and The Chiltern Railway Company Limited

1. The Office of Rail and Road (ORR) has today approved the one hundred and thirty-third supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and The Chiltern Railway Company Limited (Chiltern), submitted to us formally on 8 April 2020 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 our decision.

Purpose of the agreement

2. This agreement provides Chiltern with rights to run an additional morning peak time service between High Wycombe and Marylebone, extend a current Marylebone to Bicester service to Banbury in the evening peak (Monday-Thursday) and makes some minor changes to calling patterns and timing loads. The rights are effective from the Subsidiary Change Date on Sunday 17 May 2020 to the expiry of the contract at the Principal Change Date in December 2021.

Consultation

3. Network Rail consulted the industry on these services in February and March 2020. Transport Focus, CrossCountry and Great Western Railway responded supporting the application.



ORR's review and conclusions

4. We reviewed the application and it did not raise any concerns.
5. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, 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 contract

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 Chiltern. ORR's copy should be sent for my attention.

Public register and administration

7. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. The parties have not asked us to redact anything (as provided for by section 71(2) of the Act) prior to placing it on the register.
8. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport. Copies of this letter and the agreement will be placed on the ORR website. I am also copying this letter without enclosures to Peter Craig at Network Rail.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Reed', written in a cursive style.

David Reed