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Clive Newman
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Nicola Eyre
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Dear Clive and Nicola

Approval of the Twenty-third Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited and Arriva Rail North Limited

The Office of Rail and Road (ORR) has today approved the Twenty-third Supplemental Agreement to the Track Access Contract dated 3 March 2016 between Network Rail Infrastructure Limited (Network Rail) and Arriva Rail North Limited (Northern) under section 22 of the Railways Act 1993 (the Act).

Purpose of the agreement

The purpose of the agreement is to delete and replace Annex B to Part 3 of Schedule 4 of the Track Access Contract – Look up Table for EBM weights.

The Viable Transfer Point (VTP) Tables reflect Northern's revised timetable and ensure that the VTPs and rules reflect service structure from December 2019. The changes include:

- The addition of three and the removal of nine VTP's;
- Seven new stations (non VTP) have been added to the VTP map;
- Three new routes have been added to the VTP map as follows;

These amendments have been agreed between the parties.

Industry Consultation

As a matter that affects only the parties to the contract, an industry consultation was not required.

ORR review

We note that the changes are agreed. We also note that there was some confusion over version control amongst the parties between our invitation to submit this agreement, and its formal submission. This has now been addressed.

ORR's conclusions

We are satisfied 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

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.

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. I am also copying this letter without enclosures to Peter Craig at Network Rail and Keith Merritt at DfT.

Yours sincerely



John Trippier