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Jayne Tipton
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Robert Holder
Network Access Manager
First Greater Western Limited
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Dear Jayne and Robert

Fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western (FGW)

1. We have today approved the above supplemental agreement submitted to us formally on 13 April 2017.
2. The purpose of this agreement is to provide FGW with the amended rights necessary to operate its May 2017 timetable. This includes changes to Table 2.1 in Schedule 5 to reflect the additional and amended weekday and weekend services on the Western Route. The parties are also amending Part 5 in Schedule 7 to include a charge for the signal box opening hours for Paignton on Saturdays.
3. Network Rail undertook a 28 day consultation ending on 11 February 2017. They received one response from Passenger Focus supporting the proposal.
4. We raised some queries on the application including whether the existing signalling arrangement would permit the turnaround for the new Westbury-Melksham service on the single line at Melksham. FGW confirmed that it had checked with Westbury box that reversal was possible at Melksham and a Network Rail planning specialist had also confirmed that the trains have been timetabled and no operational objections had been raised.

5. We also requested for the breakdown of the uplift formula used to calculate the charges for the Signal Box opening hours for Paignton. The parties provided this and after reviewing it, we confirmed we had no objections to the proposal being approved.
6. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. 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)).
7. 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. ORR's copy should be sent for my attention.
8. 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.
9. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport. 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. 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 'Michael Albon', written over a horizontal line.

Michael Albon