

**Michael Albon**  
Executive, Access and Licensing  
Telephone: 0207 282 3660  
E-mail: michael.albon@orr.gsi.gov.uk

17 May 2017

Danny Adams  
Customer Manager  
Network Rail Infrastructure Limited  
Floor 2, Cottons Centre  
Tooley Street  
London Bridge  
SE1 2QG

Susan Henderson  
Access Contracts Business Manager  
London & South Eastern Railway Limited  
Floor 3, Friars Bridge Court  
41-45 Blackfriars Road  
London  
SE1 8NZ

Dear Danny and Susan

**Fifty-fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and London & South Eastern Railway Limited (Southeastern)**

1. We have today approved the above supplemental agreement submitted to us formally on 16 May 2017.
2. This agreement amends two existing services in table 2.1 Schedule 5 of the parties' track access contract. This includes the 07:49 Sunday service from Tonbridge to Charing Cross and the Charing Cross to Hayes and Sevenoaks Sundays service.
3. Network Rail undertook a 28 day industry consultation ending on 7 April 2017 and received no objections.
4. Our own review identified a number of drafting issues that compromised the agreement. We made some suggestions to improve the drafting quality and put this to the parties. They have accepted our comments and made the necessary amendments for the formal submission.
5. 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)).

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

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. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. 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 'Michael Albon', written over a horizontal line.

**Michael Albon**