

Michael Albon
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1 December 2017

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

Susan Ellis
Access Contracts Business Partner
London & South Eastern Railway Ltd
Floor 3, Friars Bridge Court
41-45 Blackfriars Court
London
SE1 8NZ

Dear Danny and Susan

Approval of the 61st supplemental agreement to the track access contract between Network Rail Infrastructure Limited and London & South Eastern Railway Limited (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 1 December 2017 under section 22 of the Railways Act 1993 (the Act). The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to extend the rights granted to the parties under the General Approval (60th Supplemental Agreement) from 3 December 2017 until 24 December 2017.
3. Network Rail undertook the usual industry consultation ending on 1 December 2017 with no concerns raised.
4. Our review identified no issues and we are satisfied that approval is in accordance with our section 4 duties under the Railways Act 1993.
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. 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. 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', is written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael Albon