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21 April 2020

Lysette Rowley
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Nicola Eyre
Track Access Manager
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Dear Lysette and Nicola

Approval of the twenty-ninth Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited and Northern Trains Limited

The Office of Rail and Road (ORR) has today approved the twenty-ninth Supplemental Agreement to the Track Access Contract (TAC) dated 3 March 2016 between Network Rail Infrastructure Limited (Network Rail) and Northern Trains Limited (Northern) (jointly the parties).

Purpose of the agreement

Northern requires amended access rights for the May 2020 timetable. The majority of the required changes are contained in the 25th supplemental agreement.

This agreement introduces two additional firm rights in Service Group ED08, which will not be amended further by the 25th supplemental agreement. The relevant rights are:

- 1 off peak Southport to Wigan Wallgate
- 1 off peak Wigan Wallgate to Southport

Both rights were previously operated by Northern as Empty Stock Moves.

Consultation

Network Rail conducted the industry consultation between 30 January and 28 February 2020.

Six respondents noted their support for the application, and Nexus confirmed that it did not object.

ORR review

We queried whether the timing load of Class 142 DMUs was correct. The parties confirmed they would change the timing load in a further supplemental agreement, around PCD 2020. A small drafting point was also noted and addressed.

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

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

A handwritten signature in black ink, appearing to be 'J. Trippier', written in a cursive style.

John Trippier