

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

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Steven Ireland
Customer Manager (Wessex)
Network Rail Infrastructure Limited
Basingstoke Campus
Gresley Road
Basingstoke
RG21 4HG

Lee Shuttlewood
Track Access Manager
Stagecoach South Western Trains Limited
Friars Bridge Court
41-45 Blackfriars Road
London
SE1 8NZ

Dear Steven and Lee

Sixty-Ninth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Stagecoach South Western Trains Limited (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 22 May 2017.
2. The purpose of this agreement is to amend Appendix 7D of Schedule 7 in the parties' track access contract to include 30 Class 707 EMU's retrospectively from 8 February 2017.
3. Network Rail undertook a 28 day industry consultation ending on 1 May 2017 and received no objections.
4. We reviewed the application and queried how the proposal being applied retrospectively might affect the end of year wash-up. Network Rail confirmed that they had discussed this internally and that no concerns had been raised. We highlighted some minor drafting issues and included our recommended suggestions. The parties have accepted our comments and amended the agreement accordingly 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. Electronic copies of this letter and the approval notice 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', with a long horizontal flourish extending to the right.

Michael Albon