

**Jonathan Rodgers**  
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15 May 2020

Claire Hickman  
Customer Support Manager  
Network Rail Infrastructure Ltd  
Floor 2, St Patrick's House  
27 Penarth Road  
Cardiff  
CF10 5ZA

Chris Dellard  
Network Access Strategy Manager  
Keolis Amey Operations (TfW Rail Services)  
Floor 1, St Patrick's House  
27 Penarth Road  
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Dear Claire and Chris

**Approval of the Ninety Ninth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Keolis Amey Operations (TfW Rail Services) (TfW)**

1. We have today approved the above supplemental agreement submitted to us formally on 15 May 2020 under section 22 of the Railways Act 1993 (the Act). This letter explains our decision.
2. The purpose of this agreement is to add a number of Sunday services to fill in gaps in the current timetable. A corresponding amendment is being made to TfW's track access contract with Amey Keolis Infrastructure limited for services which cross the boundary.
3. Network Rail undertook the usual industry consultation. Cross Country and Transport Focus responded and both supported the application.
4. Our own review did not identify any operational or performance concerns with the application. We had some queries about what appeared to be discrepancies in the drafting of the agreement. Network Rail responded promptly with clear explanations and one correction which resolved our concerns.
5. 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 and to Peter Craig at Network Rail. 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.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Rodgers', is positioned below the closing text. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

**Jonathan Rodgers**