

**Claire Brooks**  
Access Executive



4 March 2024

Mark Garner  
Customer Manager  
Network Rail Infrastructure Ltd  
Floor 4B  
George Stephenson House  
Network Operations  
Toft Green  
York YO1 6JT

Malcolm Knight  
Head of Operational Planning  
London North Eastern Railway Ltd  
25 Skeldergate  
York  
YO1 6DH

Dear Mark and Malcolm

**Approval of the 32<sup>nd</sup> supplemental agreement to the track access contract between Network Rail Infrastructure Limited and London North Eastern Railway dated 3 March 2017**

We have today approved the above supplemental agreement submitted to us formally on 29 February 2024 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains the reasons for our decision.

**Purpose**

The purpose of this agreement is to extend LNER's rights to operate services on the East Coast Main Line on a contingent basis for a further timetable period, in line with Network Rail Policy. This is effected by way of extending the duration of Part B of Schedule 5 in LNER's track access contract to PCD 2024, and delaying the start of Part C until Part B's expiry (PCD 2024).

**Industry consultation**

Network Rail undertook the usual industry consultation, no concerns were raised.



## **ORR review**

Our review of the application raised no operational, performance or economic concerns.

## **Our duties under section 4 of the Act and our decision**

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; 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 agreement**

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.

## **Public register and administration**

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. 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.

Yours sincerely

**Claire Brooks**