

David Reed
Senior Executive, Access & Licensing



20 March 2024

Ewelina Brandao
Customer Manager
Network Rail Infrastructure Ltd
2nd Floor, St Patrick's House
17 Penarth Road
Cardiff
CF10 5ZA

Chris Dellard
Head of Access Planning
Transport for Wales Rail Ltd
1st Floor, St Patrick's House
17 Penarth Road
Cardiff
CF10 5ZA

Dear Ewelina and Chris

Approval of the twenty-third supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Transport for Wales Rail Limited (TfW) dated 6 August 2020

We have today approved the above supplemental agreement submitted to us formally on 18 March 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 grant Transport for Wales Rail Limited (TfW) the rights necessary to continue operation of its existing timetable. TfW corrected a number of errors in their access rights through the 22nd General Approval, which provided the correct rights to the current timetable for 90 days. This supplemental extends those rights to the end of TfW's access contract (1 August 2025).

Industry consultation

Network Rail undertook the usual industry consultation. No issues 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 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

David Reed