

Louise Beilby
Senior Access Executive



12 March 2024

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Chris Dellard
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Dear Ewelina and Chris

Approval of the 20th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Transport for Wales Rail Limited (trading as Transport for Wales (TfW)) dated 6 August 2020

We have today approved the above supplemental agreement submitted to us formally on 12 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 extend a single contingent Sunday right for the Holyhead to Chester service from The Subsidiary Change Date (SCD) in June 2024 until the Principal Change Date (PCD) in December 2024. This covers a service that was previously operated by First Trenitalia West Coast Rail (Avanti West Coast), and it is anticipated that it will be again after PCD 2024.

Industry consultation

Network Rail undertook the usual industry consultation. No queries or concerns were raised.



ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues with the accompanying documents and have asked that these be completed correctly in any future applications.

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

Louise Beilby