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Nicholas Rowe
Programme Manager
Amey Keolis Infrastructure/
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Transport for Wales
CVL Infrastructure Depot
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Chris Dellard
Network Access Strategy Manager
Keolis Amey Operations / Gweithrediadau
Keolis Amey Limited
Floor 1, St Patrick's House
27 Penarth Road
Cardiff
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Dear Nicholas and Chris

Approval of the Third supplemental agreement to the track access contract between Amey Keolis Infrastructure / Seilwaith Amey Keolis Limited (CVL IM) and Keolis Amey Operations / Gweithrediadau Keolis Amey Limited (TfW)

We have today approved the above supplemental agreement submitted to us formally on 28 January 2021 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 amend the parties' track access contract to reflect the impending transfer of the Wales & Border franchise from the current operator to a new publicly owned company of Transport for Wales. There are a number of changes to certain terms within the contract, as well as some administrative changes.

Industry consultation

These changes do impact on any other operators so a consultation was not necessary.



ORR review

Our review of the application raised no concerns. We identified some minor drafting issues and these were resolved when the agreement was formally submitted.

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, the CVL IM 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 Department for Transport and Network Rail's Regulatory Reform Team. 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 blue ink, appearing to read 'Jonathan Rodgers'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jonathan Rodgers