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By email

Andrew Wozencraft
Infrastructure Management Director
Seilwaith Amey Cymru / Amey Infrastructure Wales Limited

Licence Modification

Network licence held by Seilwaith Amey Cymru / Amey Infrastructure Wales Limited - formerly Amey Keolis Infrastructure / Seilwaith Amey Keolis Limited

I am writing to notify you of changes to your network licence following the conclusion of the Office of Rail and Road (“ORR”) consultation on the statutory modification notice dated 31 August 2021.¹

The changes we proposed were minor, to reflect the revised terms in the arrangements between your company and Transport for Wales (“TfW”), following the changeover of operations and start of passenger train services through TfW’s subsidiary, Transport for Wales Rail Limited. As we described in the consultation, the arrangement for the provision of network services has now been secured under the Infrastructure Agreement between TfW and Seilwaith Amey Cymru / Amey Infrastructure Wales Limited (formerly Amey Keolis Infrastructure Limited / Seilwaith Amey Keolis Limited).

We received no objections or representations to our proposed modification, to which you gave your consent on 28 October 2021. We are therefore issuing this modification notice to effect the changes as proposed in our notification on 31 August 2021. The modifications, which are effective immediately, are set out in the attached Annex.

We will attach this modification notice to the electronic version of your network licence on our website in due course.

This notice will also be placed on our public register. I am also sending a copy to Alan Brookes.

Yours sincerely,

Les Waters

Duly authorised by the Office of Rail and Road

¹ Notice at <https://www.orr.gov.uk/sites/default/files/2021-09/statutory-notice-for-modification-to-amey-keolis-limited-network-licence-decision%20letter-2021-08-31.pdf>

Annex

The following modifications are made:

Amend definitions section at Part II – Interpretation (Definitions)

Insert in paragraph 1 after the definition for “Financial Year”:

“Infrastructure Agreement”	means the agreement dated 12 October 2018 in relation to the provision of infrastructure services originally between the ODP and the licence holder, as amended from time to time and as novated by the ODP to TfW;
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Delete reference to and definition of “ODP Grant Agreement”:

“ODP Grant Agreement”	Means the franchise agreement between the ODP and the Welsh Ministers dated 4 June 2018;
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Amend condition 1 at paragraphs 1.1 and 1.3 (Core Duties):

Network Management Duty

1.1 The “Network Management Purpose” is to secure:

- (a) the operation and maintenance of the Network; and
- (b) the renewal and replacement of the Network;

in order to satisfy the requirements set out in Condition 1.2, in each case to the extent required under the Infrastructure Agreement.

...

1.3 The licence holder shall achieve the Network Management Purpose to the greatest extent reasonably practicable having regard to all relevant circumstances including the ability of the licence holder to finance its Licensed Activities using the funds available to the licence holder for that purpose pursuant to the Infrastructure Agreement and any consents or approvals required from the Welsh Ministers or TfW (the “Network Management Duty”).