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15 March 2017

Julia Stanyard  
Customer Manager (Chiltern Railways)  
Network Rail Infrastructure Limited  
Floor 1, Baskerville House  
Centenary Square  
Birmingham  
B1 2ND

Bevis Thomas  
Head of Train Planning  
The Chiltern Railway Company Limited  
Banbury Integrated Control Centre  
Higham Way (off Merton Street)  
Banbury  
Oxon  
OX16 4RN

Dear Julia and Bevis

**Approval of the one hundred and twenty first supplemental agreement to the track access contract between Network Rail Infrastructure Limited and The Chiltern Railway Company Limited**

1. We have today approved the above supplemental agreement submitted to us formally on 13 March 2017 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to make amendments to service group HO04's Off Peak and Peak tables in Appendix 1 of Schedule 8 in order to account for the new Oxford to London Marylebone services that were approved via the 122<sup>nd</sup> Supplemental Agreement in December 2016.
3. As the changes proposed did not impact on any other operators, an industry consultation was not carried out.
9. We reviewed the application, from an economic perspective, and asked for a number of matters to be clarified. Once this was done, we had no further concerns. We also asked for some of the drafting changes prior to it being formally submitted.
10. The amendments are to be applied retrospectively from 11 December 2016.

11. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, 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)).

12. 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.

13. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport. 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. I am also copying this letter without enclosures to Peter Craig at Network Rail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Rodgers', written in a cursive style.

**Jonathan Rodgers**