

Michael Albon
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6 December 2018

Karen Byatt
Customer Manager
Network Rail Infrastructure Ltd
4th Floor, George Stephenson House
Toft Green
York, YO1 6JT

Jackie Statham
Managing Director
Peak Rail PLC
Matlock Station
Matlock
Derbyshire, DE4 3NA

Dear Karen and Jackie

Approval of the 2nd supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Peak Rail PLC

1. We have today approved the above supplemental agreement submitted to us formally on 6 December 2018 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 extend Network Rail and Peak Rail PLC's Track Access Contract from the Principal Change Date in December 2018 to the Principal Change Date in December 2021.
3. Network Rail undertook the usual industry consultation with no objections raised.
4. 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)).



5. 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.

6. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and to Peter Craig at Network Rail. 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

A handwritten signature in black ink, appearing to read 'Michael Albon', is written over a horizontal line. The signature is fluid and cursive.

Michael Albon