

**Michael Albon**  
Executive, Access & Licensing  
Telephone: 0207 282 3660  
E-mail: michael.albon@orr.gsi.gov.uk



27 November 2017

Nicole Ledwith  
Customer Manager  
Network Rail Infrastructure Limited  
One Stratford Place, 12<sup>th</sup> Floor  
1 Montfichet Road  
London  
E20 1EJ

Catherine Rowe  
Track Access Manager  
Abellio East Anglia Limited  
One Stratford Place, 11<sup>th</sup> Floor  
1 Montfichet Road  
London  
E20 1EJ

Dear Nicole and Catherine

**Approval of the Sixty-Fourth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Abellio East Anglia Limited (AEA) (jointly, “the parties”)**

1. We have today approved the above supplemental agreement submitted to us formally on 24 November 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 provide AEA with the amended rights for its December 2017 timetable. AEA is adjusting its Saturday morning Norwich - Liverpool Street services to resolve issues of overcrowding that have had a detrimental impact on performance. The adjustments to services made in this agreement are to remove calls at Colchester and Chelmsford so they operate non-stop between Manningtree and Stratford. To address the loss of Colchester and Chelmsford stops in these services AEA is introducing three Saturday morning Colchester-Liverpool Street services to improve capacity for customers joining from Colchester and Chelmsford and remove dwell time issues from as far as Manningtree, Ipswich and further south along the route.

3. Network Rail undertook the normal industry consultation ending on 23 October 2017. Transport Focus, MTR Crossrail and DB Cargo requested further information on the proposal and after this was provided by the parties, all three offered no objections to the proposal.

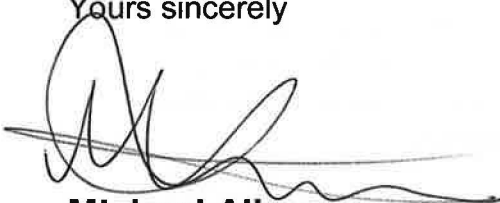
4. Our review identified no issues and we are satisfied that approval is in accordance with our section 4 duties under the Railways Act 1993. We identified some issues with the drafting of the agreement and highlighted these to the parties with our suggestions. The parties accepted our comments and amended the agreement accordingly for the formal submission.

5. 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)).

6. 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.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and 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**