

Jonathan Rodgers
Senior Executive, Access & Licensing
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30 May 2019

Alistair Rusholme
Customer Manager
Network Rail Infrastructure Limited
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London
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Catherine Rowe
Track Access Manager
Abellio East Anglia Limited
One Stratford Place, 11th Floor
1 Montfichet Road
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Dear Alistair and Catherine

Approval of the seventy second 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 30 May 2019 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.

Purpose of the agreement

2. The purpose of this agreement is to add two new services per day between Liverpool Street and Southend Victoria to the parties’ track access contract in order to provide a train service connection for some, recently introduced, early morning and late night flights at Southend Airport. The services will begin operation from 10 June 2019 and the access rights will expire at Subsidiary Change Date 2020.

Industry Consultation

3. Network Rail undertook the industry consultation from 25 April until 24 May 2019. No objections were received.

ORR's review

4. We reviewed the application and did not have any concerns.

5. When we consider access applications, we must do so in a way which we consider best fulfils our statutory duties which are set out in section 4 of the Railways Act 1993. The duties we consider most relevant in this context are to:

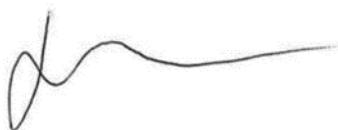
- protect the interests of users of railway services;
- promote the use of the railway network in Great Britain for the carriage of passenger and goods, and the development of that railway network, to the greatest extent that it considers economically practicable;
- promote measures designed to facilitate the making by passengers of journeys which involve use of the services of more than one passenger service operator; and
- enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

Public register and administration

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 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. I am also copying this letter without enclosures.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jonathan Rodgers', with a long horizontal flourish extending to the right.

Jonathan Rodgers