

Steve Jones
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27 April 2020

Karen Byatt
Network Rail Infrastructure Limited
4th Floor George Hudson House
Toft Green
York
YO1 6JT

Liz Parkes
Head of Operations
North Yorkshire Moors Railway
Pickering Station
Pickering
YO18 7AJ

Dear Karen and Liz

Approval of the 34th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and North Yorkshire Moors Railway Enterprises PLC (NYMR)

1. We have today approved the above supplemental agreement submitted to us formally on 21 April 2020 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains our decision.
2. The agreement extends the duration of 2 additional paths between Whitby and Grosmont on weekdays and Saturdays until the Principal Change Date 2023. The extension is possible due to signing-off the controlled emission toilets commercial agreement between the parties.
3. Network Rail undertook the usual industry consultation and received responses from Transport Focus who supported the application.
4. Our review of the application identified no other operational, performance or economic concerns that should preclude our approval of the application.
5. 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. 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 to Peter Craig at Network Rail.

Yours sincerely

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