Margret Haswell
Executive, Access and Licensing

7 May 2024

Megan Holman
Customer Manager
Network Rail Infrastructure Ltd
3rd Floor
Waterloo General Offices
London SE1 8SW

Chris Matthews
Timetable Strategy & Rail Industry Manager
Freightliner Limited
6th Floor The Lewis Building
35 Bull Street
Birmingham B4 6EQ

Dear Megan and Chris

Approval of the 22nd Supplemental Agreement to the track access agreement between Network Rail Infrastructure Limited (Network Rail) and Freightliner Heavy Haul Limited as dated 11 December 2016 (the "Agreement")

1.   We have approved the above supplemental agreement submitted to us formally on 28 March 2024 under section 22 of the Railways Act 1993 (the Act). This letter explains the reasons for our decision.

Purpose

2.   The purpose of this supplemental agreement is to correct two errors in the 2023 periodic review (PR23) notice which ORR published on 20 December 2023. The first error was at paragraph 3.7 of Annex 2 in respect of paragraph 2.4.1.2 of Schedule 7. The second error was at paragraph 4.8 of Annex 2 in respect of paragraph 11.2 of Schedule 8.

3.   This supplemental agreement corrects the errors in Schedule 7 and Schedule 8. The effective date of the change is 02:01 hours on 1 April 2024, as set out in the supplemental agreement.

Our duties under section 4 of the Act and our decision

4.   We have concluded that approval of this supplemental agreement is in line with our statutory duties under section 4 of the Act.

Conformed copy of the Agreement

5.   Under clause 18.2.4 of the Agreement, 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.

Public register and administration

6.   Copies of the decision letter, approval notice and the agreement will be placed on ORR's public register ([Public register](#)) and copies of this letter and the agreement will be placed on our website([Track access decisions](#)).

Yours sincerely

Margret Haswell