

Louise Beilby
Senior Access Executive



10 May 2024

Alex Aitken
Customer Relationships Executive
Network Rail Infrastructure Ltd
Network Rail Apex Plaza
Forbury Road
Reading
RG1 1AX

Joanna Kinnish
Concession Contract Support Manager
MTR Corporation (Crossrail) Ltd
63 St Mary Axe
London
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Dear Alex and Joanna

Approval of the 32nd supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited (trading as MTR Elizabeth Line (MTREL)) dated 21 November 2018

We have today approved the above supplemental agreement submitted to us formally on 10 May 2024 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 the reasons for our decision.

Purpose

The purpose of this agreement is to grant MTREL the rights necessary to operate its proposed June 2024 timetable. This involves an additional Stratford to Pudding Mill Lane Junction Saturday only access right from the June 24 Timetable to provide consistency with the weekday service. This new passenger service will utilise the same pathing as an existing ECS service, so it does not use new capacity. The changes are effective from the Subsidiary Change Date in June 2024 and will expire on the Expiry Date or earlier termination of MTREL's track access contract.



Industry consultation

Network Rail undertook the usual industry consultation. No comments or queries were raised.

ORR review

Our review of the application raised no operational, performance or economic concerns.

Our duties under section 4 of the Act and our decision

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; 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)).

Conformed copy of the track access agreement

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.

Public register and administration

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. 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

Louise Beilby