

**Claire Brooks**  
Access Executive



28 May 2024

Jayne Tipton  
Customer Manager  
Network Rail Infrastructure Ltd  
Western House  
1 Holbrook Way  
Swindon  
SN1 1BD

Rob Holder  
Network Access Manager  
First Greater Western Ltd  
1 Milford Street  
Swindon  
SN1 1HL

Dear Jayne and Rob,

**Approval of the 98th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and First Greater Western Limited (trading as Greater Western Railway (GWR)) dated 4 March 2016.**

We have today approved the above supplemental agreement submitted to us formally on 23 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 make permanent corrections to GWR's track access contract which were made on a contingent basis by the 97th supplemental agreement. This 98th SA also adds in firm rights for weekday evening peak services on the Marlow branch, which will commence on the Subsidiary Change Date in June 2024.

**Industry consultation**

Network Rail undertook the usual industry consultation. No concerns 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

**Claire Brooks**