

**Claire Brooks**

**Access Executive**

Telephone: [REDACTED]

E-mail: [REDACTED]



1 November 2024

Gary Davies-Knight  
Track Access Manager  
Seilwaith Amey Cymru/Amey Infrastructure  
Wales Limited  
Transport for Wales CV Infrastructure  
Limited  
Ty Trafnidiaeth  
Treforest Industrial Estate  
Pontypridd  
CF37 5UR

Chris Dellard  
Head of Access Planning  
Transport for Wales Rail Limited  
1st Floor, St Patricks House  
17 Penarth Road  
Cardiff  
CF10 5ZA

Dear Gary and Chris,

**Approval of the 11th supplemental agreement to the track access contract between Seilwaith Amey Cymru/Amey Infrastructure Wales Limited and Transport for Wales Rail Limited dated 24 December 2019.**

We have today approved the above supplemental agreement submitted to us formally on 23 October 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 Transport for Wales Rail Limited rights to operate the Metro Timetable subject to infrastructure improvements being delivered by the CVL Transformation Programme (4tph to the Heads of the Valleys). These amendments to Schedule 5 will take effect from either Subsidiary Change Date 2025 at the earliest or when the infrastructure works are complete (whichever is the later) and will expire at the end of the current track access contract which is Principal Change Date 2029.



## **Industry consultation**

Network Rail undertook the usual industry consultation. Comments were received from Greater Western Railway – no objection, Network Rail – query on a marked-up Schedule 5 table for these new rights, a further query on the start date of the rights and Cross Country – no objections

The two queries received from Network Rail were answered in full and these concerns were closed out.

## **ORR review**

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues, with details on the service contract dates missing from Form P. This information was provided at our request but should have been included in the submission.

## **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, Seilwaith Amey Cymru/Amey Infrastructure 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**

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**