



Margret Haswell
Executive, Access & Licensing

19 December 2024

Rhiannon Saegert
Customer Manager
Network Rail Infrastructure Ltd
Waterloo General Offices
London
SE1 8SW

David MacBean
Head of Contracts & Principal
Engineer
Hanson & Hall
Unit 5b Aireworth Mills,
Keighley, BD21 4DH

Dear Rhiannon and David

Approval of the third supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Hanson and Hall Rail Service Solutions Limited dated 30 June 2021.

1. We have approved the above supplemental agreement submitted to us on 16 December 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 agreement is to extend the expiry date of the contract to The Principal Change Date in 2026.

Industry consultation

3. No industry consultation was conducted as the beneficiary does not have access rights and the changes do not impact on other industry parties.

ORR review

4. We received an informal application 3 December 2024 and identified two errors in the draft agreement that required correction. The parties corrected those errors in a further informal submission, following which we invited formal submission on 4 December 2024.



5. On 12 December 2024 we received the formal submission. The original, incorrect version of the supplemental agreement had been signed and submitted. This was communicated to the parties, who withdrew that submission. We then received the correct version of the signed supplemental agreement 16 December 2024.
6. While this amendment has been approved before the expiry of the current contract, the errors have caused an avoidable delay to ORR approval.

Our duties under section 4 of the Act and our decision

7. 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 in Great Britain for the carriage of passengers and goods (section 4(1)(b)), contribute to the development of an integrated system of transport of passengers and goods (section 4(1)(ba)), and enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance (section 4(1)(g)).

Conformed copy of the track access agreement

8. 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 Operator. Please send the conformed copy to me at ORR.

Public register and administration

9. Electronic 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

Margret Haswell