



OFFICE OF RAIL AND ROAD

**Michael Albon**  
Executive, Access and Licensing  
Telephone: 0207 282 3660  
E-mail: michael.albon@orr.gsi.gov.uk

8 March 2017

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

Robert Holder  
Network Access Manager  
First Greater Western Limited  
Milford House  
1 Milford Street  
Swindon  
Wilts  
SN1 1HL

Dear Jayne and Rob

**Sixth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited (FGW)**

1. We have today approved the above supplemental agreement submitted to us formally on 8 March 2017.

**Purpose of the agreement**

2. The purpose of this agreement is to convert the Contingent Rights approved under the General Approval (Fourth Supplemental Agreement) to Firm Rights up to the Expiry Date of the Contract. The summer timetable rights in Table 2.2 are also being transferred to Table 2.1 to reflect FGW's intention to operate their summer level of service on the Exmouth branch all year round.

3. Some additional minor changes are also being made to Schedule 5 to reflect the summer timetable rights in Table 2.2 being transferred to Table 2.1.

4. The agreement had also proposed to amend the Metered Trains table in Appendix 7D of schedule 7 to include new metered fleets for FGW to operate at a future date. This has been withdrawn at the parties' request given that we would not be able to review the

technical requirements in time. Network Rail and FGW have proposed submitting this particular change under a separate supplemental agreement.

### **Industry consultation**

5. Network Rail undertook a 28 day industry consultation ending on 11 February 2017 and received a response from Passenger Focus supporting the application.

### **ORR review**

6. We have reviewed the application from an operations perspective and are content that the changes being made in this proposal do not raise any capacity or performance issues.

### **Conformed copy of the track access contract**

7. 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. ORR's copy should be sent for my attention.

### **Public register and administration**

8. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. Copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Michael Albon', is written over a horizontal blue line.

**Michael Albon**