

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



15 May 2018

Ian Messner  
Customer Manager  
Network Rail Infrastructure Ltd  
5th Floor  
5 Callaghan Square  
Cardiff  
CF10 5BT

Chris Dellard  
Network Access Strategy Manager  
Arriva Trains Wales Limited  
St Mary's House  
47 Penarth Road  
Cardiff  
CF10 5DJ

Dear Ian and Chris

**Approval of the 86th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Arriva Trains Wales Limited (ATW)**

1. We have today approved the above supplemental agreement submitted to us formally on 15 March 2018 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to provide ATW with:
  - An additional right from Carmarthen to the Fishguard Harbour each way that will result in 7 weekday services to and from the Fishguard Harbour from the May 2018 Timetable change; and
  - An additional Saturday service from the Fishguard Harbour to Carmarthen for the return working on Friday night.
3. Network Rail undertook the usual industry consultation with no concerns raised.
4. Our review identified no issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993.
5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of

the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, 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)).

6. 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.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and to Peter Craig at Network Rail. 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. I am also copying this letter without enclosures.

Yours sincerely

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

**Michael Albon**