

Jonathan Rodgers
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7 December 2018

Andriana Shiakallis
Customer Manager
Network Rail Infrastructure Limited
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Tooley Street
London Bridge
SE1 2QG

Tom Causebrook
Access Contract Manager
Govia Thameslink Railway Limited
1st and 2nd Floor Monument Place
24 Monument Place
London
EC3R 8AJ

Dear Andriana and Tom

Twenty Sixth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Govia Thameslink Railway Limited (GTR) (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 6 December 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 make some minor changes to the parties' track access contract to reflect service changes being made for the December timetable, lasting until the expiry of the contract (currently the Subsidiary Change Date (SCD) 2019 although the parties have applied under the 27th Supplemental Agreement to extend that until SCD 2022). The changes (all firm rights) are as follows:

Thameslink SX Changes

- The existing 1022 London Bridge to Three Bridges service now amended to terminate at Gatwick.
- The existing 2022 London Bridge to Three Bridges service now extended to Horsham.
- The existing 0643 Gatwick to Peterborough service now amended to start back from Horsham.

Southern SX Change

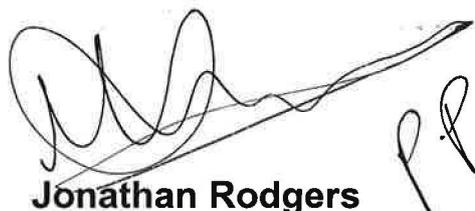
An additional service to operate from Eastbourne to Ore, departing at 0628.

Southern Sunday Change

The existing 2235 London Victoria to Bognor Regis service will call additionally at Coulsdon South

3. Network Rail undertook the usual industry consultation between 19 October and 16 November 2018. There was only one response from Transport Focus, who supported the application.
4. Our own review did not identify any issues and we are satisfied that approval is in accordance with our statutory duties under section 4 of the Railways Act 1993. We made some comments regarding the drafting of the agreement and these were taken into account in the formal submission.
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. ORR's copy should be sent for my attention.
7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Rodgers', is written over a printed name. To the right of the signature are the initials 'P.C.'.

Jonathan Rodgers