

[Redacted]
Senior Executive, Access & Licensing
Telephone: [Redacted]
E-mail



13 May 2019

[Redacted]
Customer Manager
Network Rail Infrastructure Limited
George Stephenson House
Toft Green
York
YO1 6JT

[Redacted]
Regulation & Track Access Manager
London North Eastern Railway Limited
25 Skeldergate
York
YO1 6DH

Dear [Redacted]

Approval of the 12th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and London North Eastern Railway Limited

1. We have today approved the above supplemental agreement submitted to us formally on 10 May 2019 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 explain the reasons for our decision.

2. The purpose of this agreement is to extend the expiry date of various East Coast Main Line (ECML) services from the Subsidiary Change Date (SCD) 2019 until SCD 2020, in line with Network Rail's current ECML policy. The services (all contingent rights) are as follows:

- Doncaster – York Sundays
- Leeds <> Kings Cross Sundays
- Edinburgh <> Newcastle Saturday / Sunday
- Hull – Doncaster Weekdays

3. As the services had all been consulted in previous applications Network Rail did not undertake an industry consultation. We were content with this approach.



4. We reviewed the application and did not have any concerns. We are content that approval of the application is consistent 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 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.

Yours sincerely

[Redacted]