



OFFICE OF RAIL AND ROAD

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Mark Garner
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Dear Mark and Jon

Fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Hull Trains Company Limited (Hull Trains)

1. We have today approved the above supplemental agreement submitted to us formally on 17 May 2017.
2. The purpose of this agreement is to allow Hull Trains an additional call at Cottingham Station (one train a day, each way) effective from the Subsidiary Change Date 2017 until the end of Hull Trains' contract on Principle Change Date 2029.
3. Network Rail undertook a 28 day industry consultation ending on 10 March 2017. There were three responses and no objections or concerns were raised.
4. We reviewed the application and it did not raise any operational, performance or economic concerns.
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 horizontal line.

Jonathan Rodgers