

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



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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 84th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Arriva Trains Wales Limited (ATW), (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 21 December 2017 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 additional rights for a Sunday return Carmarthen to Fishguard Harbour Service;
 - To reverse the changes made under the 83rd supplemental agreement in May 2017 to accommodate changes to the twice-daily ferry sailing times following feedback provided by customers ;
 - To amend a benchmark in Appendix 1 Schedule 8; and
 - To amend Network Rail's registered address in Schedule 1.
3. Network Rail undertook the normal industry consultation ending on 2 November 2017 with no concerns raised.

4. We requested some information to clarify the changes for Appendix 1 Schedule 8. The parties submitted this and we were content with the details provided. We identified some minor drafting issues and highlighted these to the parties with our suggestions. The parties have accepted this and amended the agreement accordingly for the formal submission. We invited the parties to submit the agreement formally for approval on 27 November 2017.

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 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

A handwritten signature in black ink, appearing to read 'Michael Albon', is written over a printed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael Albon