

Jonathan Rodgers
Senior Executive

19 June 2025



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Rob Holder
Network Access Manager
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Dear Jayne and Rob

Approval of the 108th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and First Greater Western Limited (trading as Great Western Railway (GWR)) dated 4 March 2016

We have today approved the above supplemental agreement submitted to us formally on 12 June 2025 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration.

Purpose

The purpose of the 108th supplemental agreement is to:

- extend the expiry date of the parties' track access contract from Subsidiary Change Date (SCD) 2026 to Principal Change Date (PCD) 2028 and
- extend the expiry date of firm access rights for specific Carmarthen services in service group EF02 from Subsidiary Change Date (SCD) 2026 to Principal Change Date (PCD) 2027. This aligns with the commencement of First Rail Wales and Western Limited's services operating between Carmarthen and London Paddington. Network Rail have agreed this extension on the basis that there could be no presumption of the continuation of these rights beyond PCD 2027.



Industry consultation

Network Rail undertook the usual industry consultation for one month from 9 May 2025. Comments in support or stating no objections were received from Cross Country and Transport Focus.

ORR review

Our review of the application raised no operational, performance or economic concerns. We noted Network Rail's position on the continuation of firm access rights for the specific Carmarthen services beyond PCD 2027. In light of this, our usual policy of a strong presumption of the continuation of existing rights will not apply for these rights beyond PCD 2027.

Our duties under section 4 of the Act and our decision

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; 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)).

Conformed copy of the track access agreement

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.

Public register and administration

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. 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

Jonathan Rodgers