

Jonathan Rodgers
Senior Executive, Access & Licensing
E-mail: [REDACTED]



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Devon Wall
Customer Manager
Network Rail Infrastructure Limited
2nd Floor, St Patrick's House
17 Penarth Road
Cardiff
CF10 5ZA

Chris Dellard
Head of Access Planning
Transport for Wales Rail Limited
1st Floor, St Patrick's House
17 Penarth Road
Cardiff
CF10 5ZA

Dear Devon and Chris

Approval of the 50th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Transport for Wales Rail Limited (TfW) dated 6 August 2020

We have today approved the above supplemental agreement (SA) submitted to us formally on 11 November 2025 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft SA for our consideration. This letter explains the reasons for our decision.

Purpose

The purpose of this SA is to introduce a new hourly shuttle service between Wrexham General and Chester to help resolve current overcrowding issues between Shrewsbury and Chester.

The additional access rights will be set out in the contract (table 2.2, Service Group HL08) as follows:

- Chester to Wrexham General – Weekdays 14 access rights, Saturday 12 access rights, Sunday 8 access rights
- Wrexham General to Chester – Weekdays, 13 access rights, Saturday 13 access rights, Sunday 8 access rights

The rights will commence at the Principal Change Date in December 2025 (PCD 2025) and will expire at the Subsidiary Change Date in May 2026 (SCD 2026). Network Rail was only willing to support them on a temporary, contingent basis due to potential interactions with another operator and due to other operational matters. It may be able to support them



on a longer-term basis in future but for the time being considered that there should be no presumption of the continuation of these additional rights beyond SCD 2026.

Network Rail told us after the informal submission of this application that some of its PCD 2025 applications, including this one, contained surplus access rights that needed to be removed. It submitted a corrected application on 16 October 2025.

Industry consultation

Network Rail undertook the usual industry consultation between 21 August and 18 September 2025. No concerns were raised.

ORR review

Our review of the application raised no operational, performance or economic concerns. We noted Network Rail's position that the continuity of these rights after that SCD 2026 should not be assumed. In light of this, our usual policy of a strong presumption of the continuation of existing rights will not apply for the continuation of these rights beyond SCD 2026.

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)).

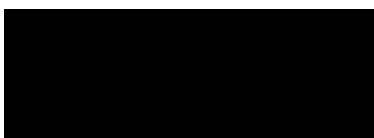
Conformed copy of the track access agreement

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