

Louise Beilby
Access Executive
Telephone: 0207 282 2076
E-mail: louise.beilby@orr.gov.uk



27 November

Jayne Tipton
Customer Manager
Network Rail Infrastructure Ltd
Western House
1 Holbrook Way
Swindon
SN1 1BD

Robert Holder
Network Access Manager
First Greater Western Ltd
Milford House
1 Milford Street
Swindon
SN1 1HL

Dear Jayne and Robert

Approval of the 67th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited dated 4 March 2016

We have today approved the above supplemental agreement submitted to us formally on 27 November 2020 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains the reasons for our decision.

Purpose

The purpose of this agreement is to grant the rights necessary to operate one weekly off peak service from Plymouth to London Paddington, extending an existing service that had previously started from Exeter St Davids. The rights are to commence on the Principal Change Date 2020 and will expire on the Expiry Date or earlier termination of First Greater Western's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. Comments in support were received from Transport Focus and XC Trains Ltd. No objections or queries were raised.



ORR review

Our review of the application raised no concerns. We identified a potential issue with the start date, which had the potential to conflict with Greater Western's 60th SA, and this was resolved before the agreement was formally submitted.

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 Keith Merritt at Department for Transport. 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. I am also copying this letter without enclosures to Peter Craig at Network Rail.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

Louise Beilby