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Eleanor Lloyd
Customer Manager
Network Rail Infrastructure Ltd
James Forbes House
27 Great Suffolk Street
London
SE1 0NS

Mark Walker
Strategic Planning Manager
Arriva Rail London Ltd
Overground House
125 Finchley Street
London
NW3 6HY

Dear Eleanor and Mark

Approval of the 75th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Arriva Rail London Limited dated 9 November 2007

We have today approved the above supplemental agreement submitted to us formally on 13 April 2021 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 allow Arriva Rail London the rights necessary to improve the service provision on the East London Line that currently exists on Sunday mornings, by increasing the frequency of the Crystal Palace service by two trains per hour. These additional services will improve the accessibility of the locations served and provide a more consistent service level on this line throughout the week. The rights are to commence on the Subsidiary Change Date 2021 and will expire on the Expiry Date or earlier termination of Arriva Rail London's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. No queries or concerns were raised.

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ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved when 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 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

A handwritten signature in blue ink, appearing to read 'Louise', followed by a stylized flourish.

Louise Beilby