

**Jonathan Rodgers**  
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19 April 2021

Claire Hickman  
Customer Support Manager  
Network Rail Infrastructure Ltd  
2<sup>nd</sup> Floor, St Patrick's House  
17 Penarth Road  
Cardiff  
CF10 5ZA

Chris Dellard  
Network Access Strategy Manager  
Transport for Wales Rail Limited  
1<sup>st</sup> Floor, St Patrick's House  
17 Penarth Road  
Cardiff  
CF10 5ZA

Dear Claire and Chris

**Approval of the Second 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 submitted to us formally on 16 April 2021 under section 22 of the Railways Act 1993. 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 extend TfW's contingent access rights for services running via the Castlefield Corridor from Subsidiary Change Date 2021 to Subsidiary Change Date 2022. This extension is consistent with Network Rail's current access rights policy regarding the Castlefield Corridor.

**Industry consultation**

Network Rail undertook the usual industry consultation, between 5 March and 5 April 2021, and no concerns were raised.

## **ORR review**

Our review of the application did not raise any concerns. During the industry consultation, we suggested some improvements to the drafting of the agreement and these were taken in to account in the submission.

## **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)).

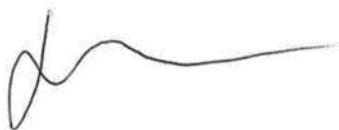
## **Conformed copy of the track access agreement**

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 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 and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'Jonathan Rodgers', is written over a faint horizontal line.

**Jonathan Rodgers**