

Steve Jones

Executive, Access and Licensing
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12 May 2021

Megan Holman
General Management Graduate
Network Rail Infrastructure Limited
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George Stephenson House
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Nigel Oatway
Access Manager
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Manor Lane
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Dear Megan and Nigel

Amendment of a track access contract between Network Rail Infrastructure Limited (Network Rail) and DB Cargo Ltd: Twenty Ninth Supplemental Agreement.

1. On 12 May 2021 the Office of Rail and Road (**ORR**) approved the twenty ninth Supplemental Agreement (**SA**) to the track access contract (**TAC**) between Network Rail Infrastructure Limited (**Network Rail**) and DB Cargo (UK) Limited (**DBC**) under section 22 of the Railways Act 1993 (**the Act**), submitted to us on 7 May 2021. This letter sets out the reasons for our decision.

Background

2. This SA adds four additional one-hour 'window' firm rights, one additional two-hour firm right (train 6C03 SO), the amendment of four existing one hour firm rights and relinquishment of five 24-hour rights. They are all to run from Subsidiary Change Date 2021 until the end of the contract, currently stated to be Principal Change Date 2026.
3. The services in this application have been validated against all other train services in the December 2020 timetable. The flows are to convey recyclable waste from several west London boroughs via terminals in Acton and Brentford to the processing plant on the Severn Estuary near Bristol.

Consultation

4. This SA originally went out to consultation on 10 March 2021, closing on 12 April 2021. Cross Country, South West Railway, Great Western Railway and Transport Focus supported the application with no outstanding unresolved issues.

ORR Decision

5. This application is under section 22 of the Act and therefore is agreed between the parties and there are no outstanding issues. We are content to approve this agreement.
6. In making this decision, we are satisfied that this decision reflects our duties under section 4 of the Act, in particular:
 - (i) to protect the interests of users of railway assets;

- (ii) to promote the use of railway network in Great Britain for the carriage of passengers and goods and the development of that railway network, to the greatest extent ...economically practicable;
- (iii) to promote efficiency and economy on the part of the persons providing railway services; and
- (iv) to enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

Conformed copy

7. Under clause 18.2.4 of the TAC, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and DBC. I look forward to receiving the conformed copy.

Yours sincerely

S Jones

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