

**Steve Jones**

Access and Licensing  
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10 May 2021

Rob Williamson  
Customer Relationship Executive  
Network Rail Infrastructure Limited  
By email:



Ian Kapur  
Head of Capacity Planning  
GB Railfreight Ltd  
By email:

Dear Rob and Ian

**Amendment of a track access contract between Network Rail Infrastructure Limited (Network Rail) and GB Railfreight Ltd: Fourteenth Supplemental Agreement.**

1. On 10 May 2021 the Office of Rail and Road (**ORR**) approved the fourteenth Supplemental Agreement (**SA**) to the track access contract (**TAC**) between Network Rail Infrastructure Limited (**Network Rail**) and GB Railfreight Limited (**GBRF**) under section 22 of the Railways Act 1993 (**the Act**), as submitted to us on 7 May. This letter sets out the reasons for our decision.

**Background**

2. This Supplemental Agreement adds four new firm rights and amends nine firm rights for traffic from the Hanson Cement Works at Clitheroe and Padeswood (Penyffordd) to Avonmouth and also some amendments for the long established Clitheroe Cement Works to Mossend P.D. Stirling cement flow.
3. All the rights sought in the proposed supplemental agreement have paths offered in the December 2020 Working Timetable. GBRF is satisfied that the one-hour windows will preserve the end-users' confidence in its ability to provide the train services and timings they need, and enables planning for the future of its business with a reasonable degree of assurance.

**Consultation**

4. The consultation period took place from 6 October to 5 November 2020. Cross Country Trains raised a query about the impact upon its services over crew changes at Bristol Parkway and Crewe which was resolved. Also, TfW Rail and Liverpool City Region objected based on conflicts with its services in the Wrexham area. Both objections were withdrawn on 6 May 2021 following GBRF's amendment of one right (removal of its association with the GBRF 17<sup>th</sup> SA). There are no unresolved issues in this application.



## **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. Therefore, 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 GBRF. I look forward to receiving the conformed copy.

Yours sincerely

*S Jones*

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