

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



2 August 2021

Mark Garner
Customer Manager
Network Rail Infrastructure Ltd
Floor 4B
George Stephenson House
Toft Green
York
YO1 6JT

Andy Wylie
Head of Regulation and Open Access
Contracts
Hull Trains Company Ltd
4th Floor, Capital House
25 Chapel Street
London
NW1 6DU

Dear Mark and Andy

Approval of the 22nd supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Hull Trains Company Limited dated 17 March 2016

We have today approved the above supplemental agreement submitted to us formally on 29 July 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 fully enable EC4T metered usage for Hull Trains' Class 802 vehicles in Schedule 7, and to remove Class 180 vehicles from the same schedule. The amendments are to apply upon ORR approval and expire on the Expiry Date or earlier termination of Hull Trains' track access contract.

Industry consultation

As this amendment does not affect any other operator, there was no requirement for industry consultation in this case.

ORR review

Our review of the application raised no economic or other concerns.

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)).

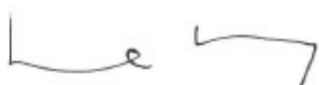
Conformed copy of the track access agreement

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 black ink, appearing to read 'Louise Beilby'.

Louise Beilby