

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



6 October 2021

Karen Byatt
Customer Manager
Network Rail Infrastructure Ltd
4th Floor, George Stephenson House
Toft Green
York
YO1 6JT

Chris Price
General Manager
North Yorkshire Moors Railway Enterprises
PLC
Pickering Station
Pickering
YO18 7AJ

Dear Karen and Chris

Approval of the 36th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and North Yorkshire Moors Railway Enterprises PLC dated 18 January 2007

We have today approved the above supplemental agreement submitted to us formally on 6 October 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 extend the expiry date of services between Sheringham and Cromer operated by North Yorkshire Moors Railway (NYMR) on behalf of North Norfolk Railway (NNR). This will enable NYMR to continue to operate up to 12 services between Sheringham and Cromer per contract year. The rights are to commence on the Principal Change Date 2021 and will expire on Principal Change Date 2023.

Industry consultation

Network Rail undertook the usual industry consultation. No comments or queries were received



ORR review

We have reviewed this application from an operational point of view and we had no comments, queries or drafting amendments to make.

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'. The signature is written in a cursive style with a long horizontal stroke at the end.

Louise Beilby