

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



14 February 2022

Rebecca Mordey
Franchise and Access Manager
Network Rail Infrastructure Ltd
1 Puddledock
London
EC4V 3DS

Darren Gay
Track Access Contract Manager
Govia Thameslink Railway Ltd
1st & 2nd Floor, Monument Place
24 Monument Place
London
EC3R 8AJ

Dear Rebecca and Darren

Approval of the 45th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Govia Thameslink Railway Limited dated 2 March 2016

We have today approved the above supplemental agreement submitted to us formally on 14 February 2022 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 make the amendments necessary to Govia Thameslink Railway's (GTR) track access contract to allow the running of its May 2022 timetable. This will extend the expiry date for a further two years to May 2024 and amend some access rights required for the introduction of the 21st and 22nd paths through the core, linking the current services between Welwyn Garden City and London Kings Cross with those between Blackfriars and Sevenoaks. The rights will commence on the Subsidiary Change Date 2022 and will expire on SCD 2024 or the earlier termination of SWT's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. A query was received from GB Railfreight relating to their belief that the application seemed to be increasing the quantum of rights held rather than extending them. Network Rail and GTR responded to this concern and the matter was resolved to the consultee's satisfaction.

Head Office: 25 Cabot Square, London E14 4QZT: 020 7282 2000 orr.gov.uk

ORR review

ORR has reviewed this application from an operational and drafting point of view. Our operations team had some queries about the way in which the amendments had been expressed in the supplemental agreement, which were answered by Network Rail and GTR satisfactorily during a meeting between the three parties.

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)).

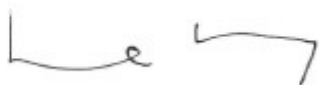
Conformed copy of the track access agreement

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 blue ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

Louise Beilby