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7 March 2022

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Customer Manager
Network Rail Infrastructure Ltd
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1 Holbrook Way
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Rob Holder
Network Access Manager
First Greater Western Ltd
Milford House
1 Milford Street
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Dear Jayne and Rob

Approval of the 74th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western (FGW) Limited dated 4 March 2016

We have today approved the above supplemental agreement submitted to us formally on 4 March 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 grant FGW the rights necessary to operate its proposed May 2022 timetable. These constitute some additional quantum rights in the service groups EF04, EF10, EF11 and EF12, some service reductions in the same groups, and the addition of Marsh Barton station to the calling pattern for service group EF11. The rights are to commence on the Subsidiary Change Date 2022 and will expire on the Expiry Date or earlier termination of FGW's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. Initially a query was received from Cross Country relating to concerns that some of the Bristol Suburban services may impact on future capacity in the area. Network Rail and FGW have answered these concerns to Cross Country's satisfaction and the query has now been resolved.

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ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved when the agreement was formally submitted.

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