

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



8 March 2022

Ian Stone
Customer Relationships Executive
Network Rail Infrastructure Ltd
The Quadrant: MK
Elder Gate
Milton Keynes
MK9 1EN

James Shuttleworth
Commercial Manager
West Coast Railway Company Ltd
Jesson Way
Crag Bank
Carnforth
LA5 9UR

Dear Ian and James

Approval of the 1st supplemental agreement to the track access contract between Network Rail Infrastructure Limited and West Coast Railway Company Limited dated 28 May 2020

We have today approved the above supplemental agreement submitted to us formally on 8 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 update the departure time range protection specific to the Jacobite steam service that runs on part of the West Highland Line. This will allow more flexibility in departure times. It also removes the six-coach limit from the current agreement and adds Arisaig to the calling pattern for all services. The rights are to commence upon ORR's approval and will expire on the Expiry Date or earlier termination of West Coast Railway's track access contract.

Industry consultation

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



ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved prior to invitation of formal submission.

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