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4 November 2022

Stephen Hatch
CCOS Regulation Manager
Rail for London (Infrastructure) Limited
5 Endeavour Square
London
E20 1JN

Jonathan James
Head of Contract Management
MTR Corporation (Crossrail) Limited
63 St Mary Axe
London
EC3A 8NH

Dear Stephen and Jonathan

Approval of the second supplemental agreement to the track access contract (Passenger Services) between Rail for London (Infrastructure) Limited and MTR Corporation (Crossrail) Limited

We have today approved the above supplemental agreement submitted to us formally on 4 November 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 facilitate services across central London by enabling passenger services on the Crossrail Central Operating Section (CCOS) to run on Sundays, and connecting to Network Rail (NR) infrastructure at Westbourne Park Junction Connection Point and Pudding Mill Lane Junction Connection Point.

Industry consultation

RfL undertook the usual industry consultation. No objections or queries were raised in response.



ORR review

Our review of the application raised no operational, performance or economic concerns. We requested one minor drafting change during our review and this was provided in the formally submitted supplemental agreement.

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, Rail for London (Infrastructure) Limited 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 that reads 'Ellie Mitchell'.

Ellie Mitchell