

Louise Beilby
Senior Access Executive



24 January 2024

Lysette Rowley
Franchise and Access Manager
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square
Broad Street
Birmingham
B1 2ND

Kate Oldroyd
Track Access Manager
Northern Trains Ltd
George Stephenson House
Toft Green
York
YO1 6JT

Dear Lysette and Kate

Approval of the 54th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Northern Trains Limited (trading as Northern) dated 3 March 2016

We have today approved the above supplemental agreement submitted to us formally on 23 January 2024 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 Northern the rights necessary to operate its proposed June 2024 timetable. This involves: the extension of contingent rights in service groups ED01, ED05 and ED06 in line with Network Rail's East Coast Main Line policy; the relinquishment of some unused access rights in service groups ED02, ED08, ED09, ED10, and ED11; extensions and amendments to existing rights and some additional rights in service groups ED08, ED10 and ED11; updates to calling patterns in Table 4.1 in ED05 to account for the new station at White Rose; and amendments to Schedule 4 to correct and update the TAC.

The rights are to commence on the Subsidiary Change Date in June 2024 and will expire on the Expiry Date or earlier termination of Northern's track access contract.



Industry consultation

Network Rail undertook the usual industry consultation. There were no significant queries or issues.

ORR review

Our review of the application raised no operational, performance or economic concerns. There were also no drafting errors.

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

Louise Beilby