

Jonathan Rodgers
Senior Executive



19 March 2024

Alex Aitken
Customer Relationships Executive
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Reading
RG1 8BW

Joanna Kinnish
Concession Support Manager
MTR Corporation (Crossrail) Limited
63 St Mary Axe
London
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Dear Alex and Joe

Approval of the 29th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited dated 21 November 2018

We have approved the above supplemental agreement submitted to us formally on 1 March 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 add a footnote to the current Schedule 8 Appendix 1, in order for it to operate effectively. The effective date of this amendment is applied retrospectively from 02:00 on 28 May 2023.

Industry consultation

An industry consultation was not required as no other parties are affected.

ORR review

Our review of the application raised no concerns. We identified an error in the agreement, and this was corrected when it was formally submitted.



This amendment will be effective for the rest of Control Period 6 only as the PR23 review notices will replace Schedule 8 Appendix 1, including this footnote, in its entirety on 1 April 2024. The parties are aware of this.

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

Jonathan Rodgers