

David Reed
Senior Executive, Access & Licensing

07 May 2024



Alexis Xoufarides
Network Rail Infrastructure Limited
Customer Manager
4th Floor, George Stephenson House
Toft Green, York YO1 6JT

Mark Sealey
General Manager
Peak Rail PLC
Matlock Railway Station, Matlock
Derbyshire, DE4 3NA

Dear Alexis and Mark

Approval of the fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Peak Rail PLC dated 30 June 2011

We have today approved the above supplemental agreement submitted to us formally on 07 May 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 extend Peak Rail PLC's track access contract from the Principal Change Date in December 2024 to the Principal Change Date in 2027. In addition, the description of the location of the connection point between Peak Rail PLC's infrastructure and Network Rail's infrastructure is not accurate and will be corrected.

Industry consultation

Network Rail carried out the standard industry consultation in March and April 2024. No issues or objections were raised.

ORR review

Our review of the application raised no concerns.



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 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

David Reed