

Claire Brooks
Access Executive

9 May 2025



Alex Aitken
Customer Relations Executive
Network Rail Infrastructure Limited
Network Rail Apex Plaza
Forbury Road
Reading RG1 1AX

Joanna Kinnish
Concessions Contract Support Manager
MTR Corporation (Crossrail) Limited
63 St Mary Axe
London EC3A 8NH

Dear Alex and Joanna,

Approval of the 40th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporation (Crossrail) Limited (trading as Elizabeth Line) dated 21 November 2018.

We have today approved the above supplemental agreement submitted to us formally on 7 May 2025 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 Elizabeth Line the below amendments to their Track Access Contract.

To amend table 2.2 and remove the expiry date of 17 May 2025 on one contingent right between Westbourne Park Junction and Maidenhead and to amend table 4.1 by removing



the expiry date of 17 May 2025. Table 4.1 which was dated to commence 18 May 2025 has been deleted from the contract

Both tables will now read commencement from the 15 December 2024 and will cease at the end of the current contract, 14 December 2025. This change will take place from ORR approval.

A new concession is due to take over from MTR Corporation (Crossrail) from the 25 May 2025 and these amendments will allow a smooth transition.

Industry consultation

Network Rail undertook the usual industry consultation. Comments were received from Great Western Railway who had no objections and Transport Focus who also had no objections.

ORR review

Our review of the application raised no operational, performance or economic 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 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

Claire Brooks