

Claire Brooks
Access Executive



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Jason Lewis
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Dear Nicole and Jason,

Approval of the 11th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Eurostar International Limited (trading as Eurostar) dated 31 October 2008.

We have today approved the above supplemental agreement submitted to us formally on 9 December 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 Eurostar a two-year extension to its track access contract. The expiry date has been extended from the Principal Change Date (PCD) in December 2024 to PCD 2026. No other changes are being made to the contract.

Industry consultation

Network Rail undertook the usual industry consultation. Comments were received from Transport Focus and Great Western Railway who both had no objections. Ashford Borough Council was not part of the industry consultation but became aware of this and approached Network Rail for clarification of some parts of the consultation. Network Rail responded with clarification and the enquiry was closed out.



ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues relating to the supplemental agreement and previous consolidated track access contract. These were resolved prior to formal submission.

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