

**Louise Beilby**  
Senior Access Executive

19 June 2025

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Dear Alexis and Keith

**11th Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited (Network Rail) and South Yorkshire Future Trams Limited (trading as South Yorkshire Supertram) (abbreviated as SYFT) dated 4 May 2018**

Today we issued directions under section 22A of the Railways Act 1993 (the Act) to Network Rail and SYFT (jointly the parties) to enter into the above supplemental agreement. This letter explains the reasons for our decision. ORR's approval of this application will give the train operator certainty for the purposes of planning its business for the future opening of a new station at Magna in Sheffield.

**Application**

The purpose of this supplemental agreement is to grant SYFT the rights necessary to call at the new station at Magna on its route between Tinsley North Junction and Parkgate via Rotherham Central. At the time of initial submission on 20 May 2024, this application was considered to be part of the complex and competing applications process and it has therefore been subject to the wider industry restrictions on the granting of new rights and/or calling patterns in specific geographical locations.

The rights were originally posited to commence upon the Subsidiary Change Date (SCD) in May 2025, but as there has been a delay to the opening of Magna station they will now commence upon the Principal Change Date (PCD) in December 2025 (subject to the station's opening from this date as is currently expected) and will expire on the expiry date, or earlier termination of SYFT's track access contract.

### **Industry consultation**

Network Rail undertook an industry consultation for one month from 21 May 2024, noting that the station at Magna had not yet begun construction at that time and was not expected to be operational until mid-2025 at the earliest.

Comments in support or raising no objection were received from DB Cargo, Northern Trains, Great Western Railway, and Transport Focus.

CrossCountry commented that it was unable to support the application as it stood because it believed that the intention to run services calling at Magna every 35 minutes would impact on CrossCountry's own services and would not be compatible with the wider timetable. Network Rail has since carried out its performance analysis work and has stated that there should be no impact on CrossCountry's services or on the wider network; it also notes that at Sheffield, SYFT's services do not run on the rail network but on the roads and that there is no proposed increase in the quantum of services from what is already held.

### **Statutory Consultation**

As required under the Act, on 30 May 2024, we sought Network Rail's representations on the application and it replied on 28 June 2024. We forwarded these representations to SYFT on 3 July 2024 and asked for its comments, but it did not provide any at this stage.

Following Network Rail's wider capacity analysis on the large number of competing applications across a number of locations, it issued its final representations on 28 March 2025. SYFT provided its comments on these on 9 May 2025.

#### ***Network Rail's representations***

Network Rail's initial representations stated that it was unable to support the application at that time because it requested firm calling rights at a station in the Sheffield area which was one of the 10 interacting locations identified by Network Rail as containing competing aspirations and subsequently listed by ORR in its letter of 24 April 2024. It stated that it had not yet been validated that the requested train slots, 54 on Monday-Saturday and 51 on Sunday, could be accommodated in a manner that would satisfy the rights within the access agreement. It instead devised a draft timetable which would allow for two trams every 70 minutes and was working on an assessment of the number of slots that could feasibly be accommodated.

In its final representations, Network Rail stated that there is capacity to incorporate the Magna station as a station call. Network Rail also noted that, since SYFT operates its services on the roads in Sheffield and not the rail network, the new station call at Magna should not be considered a point of interaction with the railway station or the East Coast Mainline.

SYFT had no specific comments to make on the representations aside from stating that it would be willing to temporarily surrender its unused access rights with the option to reinstate them once it better understood the demand for calls at the new Magna station.

### **ORR review**

Our review of this application has identified no issues beyond those highlighted by Network Rail during its initial and subsequent representations. We note that, as the services do not run on the rail network, the application is no longer considered to be a point of interaction and therefore does not compete (or potentially compete) with any other operators' services, and Network Rail has confirmed there is capacity for this station call.

### **Our duties under section 4 of the Act and our decision**

We have considered this supplemental agreement and we have concluded that its approval is consistent with the discharge of our statutory duties under section 4 duties of the Act; in particular, those relating to:

- enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g));
- promoting improvements in railway service performance (section 4(1)(b));
- protecting the interests of users of railway services (section 4(1)(a)); and
- promoting the use of the railway network for the carriage of passengers (section 4(1)(b)).

We have looked very closely at all the evidence submitted from the parties and consultees. We have concluded that we should approve the application.

### **Conformed copy of the track access contract**

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 SYFT. ORR's copy should be sent for my attention.



### **Public register and administration**

Electronic copies of this letter, the approval notice and the supplemental agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. Copies of the approval notice and the supplemental 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**