

Claire Brooks
Access Executive



24 September 2025

Ella Cameron
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Network Rail Infrastructure Limited
Waterloo General Office
London
SE1 8SW

Aaron Hickling
Managing Director
Devon and Cornwall Railway Limited
5 Pinnacle Way
Pride Park
Derby DE24 8ZS

Dear Megan and Peter,

Approval of the 5th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Devon and Cornwall Railway Limited dated 6 August 2021.

We have today approved the above supplemental agreement submitted to us formally on 24 September 2025 under section 22 of the Railways Act 1993 (the Act). This letter explains the reasons for our decision.

Purpose

The purpose of this agreement is to provide Devon and Cornwall Railway Limited with an extension to their track access contract from 6 August 2026 until the Principle Change Date 2030. There are no additional access rights sought in this submission.

Industry consultation

Network Rail undertook the normal industry consultation, which ran from 6 June 2025. Responses were received from Great Western railway who had no objections, West Yorkshire Combined Authority who had no comments to make on the submission, Crosscountry who had no objections, and Transport Focus who enquired if this submission would affect passenger services. Network Rail confirmed back that this would not affect passenger services, and the query was closed out.



ORR review process

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 Network Rail's Policy and Access Team. Copies of the approval notice and the agreement will be placed on ORR's Public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

Claire Brooks