

David Reed
Senior Executive, Access & Licensing



25 November 2025

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Track & Station Partnership Manager
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Dear Mark and Olivia,

Approval of the 46th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and London North Eastern Railway Limited (trading as LNER) dated 3 March 2017

We have today approved the above supplemental agreement submitted to us formally on 25 November 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 LNER contingent rights to run additional services from the Principal Change Date in December 2025. The new services are an additional service on weekdays between Darlington and Newcastle calling at Durham, and the extension of a Saturday service from Edinburgh to Newcastle, to York, calling at Durham, Darlington and Northallerton. The rights are to commence on the Principal Change Date in December 2025 and will expire on the Subsidiary Change Date in May 2026.

Industry consultation

Network Rail undertook the usual industry consultation. Cross Country, Northern Trains, Transport Focus, and West Yorkshire Combined Authority all responded to indicate that they had no comments or objections to make to the proposal.

Grand Central responded to the consultation asking additional questions on how Network Rail had considered the application. Grand Central asked:

- If the additional paths were included in the Advance Timetable work by the East Coast Task Force following the deferral of the ECML ESG timetable from December 2024. Network Rail confirmed that they were not, but the services are

bespoke solutions to address stakeholder feedback following the announcement to proceed with the ECML recast in December 2025.

- How Network Rail had satisfied itself with the potential performance impacts of the additional services. Network Rail confirmed that the services are not expected to have a significant impact on performance due to the times of day which the services are due to run, and that the rights have only been sold on a contingent and timebound service for one timetable period only.
- For confirmation on the future intent to operate these services beyond the May 2026 timetable. Network Rail advised that LNER has stated that it intends to make a future application to operate these services on an ongoing basis.

Grand Central responded to Network Rail advising that it had no further comments on the application, but urged Network Rail to ensure it is consistent in its approach to future applications.

ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved when the agreement was formally submitted.

Network Rail and LNER also took the opportunity as part of this supplemental to rearrange the rights in the tables in Schedule 5 of the contract to ensure that they were presented in a logical order. We reviewed this rewrite against a redline version of the contract supplied by Network Rail.

We noted that these rights have only been applied for as contingent and for one timetable period. As set out in our [letter to industry of 24 October 2025](#), we now expect operators and Network Rail regions (with the System Operator) to return to the standard processes for access rights. This includes making long-term access decisions where possible. We note that LNER has stated that it intends to make a future application to operate these services on an ongoing basis, and we will assess that application when it is received.

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

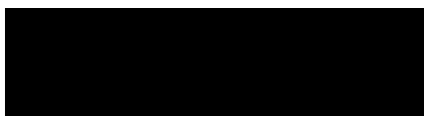
Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. Please send the conformed copy to me at ORR.



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



David Reed