

David Reed
Senior Executive, Access & Licensing



8 December 2025

Mark Garner
Network Rail Infrastructure Limited
Customer Manager
Floor 4B, George Stephenson House
Network Operations
Toft Green
York YO1 6JT

Olivia Richardson
Track & Station Partnership Manager
London North Eastern Railway Limited
West Offices
Station Rise
York
YO1 6GA

Dear Mark and Olivia,

Approval of the 49th 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 3 December 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 accurately reflect LNER's services to Middlesbrough and York from the Principal Change Date in December 2025 through the addition of a footnote to Schedule 5 of the contract.

In 2016 we approved rights for LNER to run six services a day between Middlesbrough and London King's Cross. These rights were due to be effective from the PCD in December 2025. However, the full infrastructure works at Middlesbrough which are required to run these services are not due to be completed until 2028 at the earliest. As such, until the infrastructure makes additional capacity available LNER will retain its existing service pattern of one service a day, in each direction, on weekdays between London King's Cross and Middlesbrough. The remaining paths will only run between London King's Cross and York. In order to accurately reflect LNER's services for December 2025, whilst retaining LNER's rights once the infrastructure is complete, a footnote temporarily reducing LNER's rights will be added.



Industry consultation

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

ORR review

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

This supplemental represents a temporary surrender of some rights between Middlesbrough and York, until necessary infrastructure work is completed. These temporary surrenders have been transparently applied for through this supplemental, including being part of the industry consultation.

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

A solid black rectangular box used to redact the signature of David Reed.

David Reed