

**Louise Beilby**  
**Senior Access Executive**



8 December 2025

Erin Flanagan  
Customer Manager  
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B1 2ND

Robbie Gilbody  
Contracts Manager  
TransPennine Trains Ltd  
8th Floor, Bridgewater House  
60 Whitworth Street  
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Dear Erin and Robbie

**Approval of the 83rd supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and TransPennine Trains Limited (trading as TransPennine Express (TPE)) dated 3 March 2016**

We have today approved the above supplemental agreement submitted to us formally on 4 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 grant TPE further rights necessary to operate its proposed December 2025 timetable, following the direction by ORR of two other applications for the same timetable period (58th and 65th supplemental agreements). This grants rights for services that have been identified as being in the timetable, but which have not been requested in any other application and are therefore not currently in TPE's track access contract. It also removes some rights from the contract which TPE has confirmed it no longer requires. The additional rights are to commence **on a contingent basis only** on the Principal Change Date (PCD) in December 2025 and will expire on the Subsidiary Change Date (SCD) in May 2026. The removals will be effective from PCD 2025 and will be permanent.

**Industry consultation**

Network Rail undertook the usual industry consultation for four weeks from 15 October 2025. Comments stating no objection were received from Northern Trains, West Yorkshire Combined Authority, West Midlands Trains, and Transport Focus.

CrossCountry raised a query about platform occupancy at Leeds and York and whether this could be minimised. Network Rail asked for further details about the query but to date, no further correspondence has been received. Given that the additional rights are being granted on a contingent basis and for one timetable period only, we do not believe that this outstanding query should preclude our approval, but



we would expect platform occupancy at the noted locations to be reviewed ahead of any application to grant these rights on a firm basis.

Transport for Greater Manchester requested clarification on the quantum of changes being requested, which Network Rail provided to the enquirer's satisfaction.

### **ORR review**

Our review of the application raised no operational, performance or economic concerns. We note that, with the upcoming East Coast Main Line (ECML) recast, operational delivery at these locations will change from December, so we will expect that observed data should form the basis of any future decisions on these rights.

We identified some minor drafting issues, and these were resolved prior to formal submission of the agreement.

### **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. I am also copying Martin Haffner at CrossCountry, since his query on the application is still technically outstanding. 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 Louise Beilby.

**Louise Beilby**

