

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



8 December 2025

Erin Flanagan  
Customer Manager  
Network Rail Infrastructure Ltd  
Baskerville House  
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Birmingham  
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 84th 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 5 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 three other applications for the same timetable period (58th, 65th and 83rd 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. These 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.

**Industry consultation**

Network Rail undertook the usual industry consultation for four weeks from 3 November. Comments in support or stating no objection were received from Northern Trains, West Yorkshire Combined Authority, Transport Focus and Great Western Railway.

Avanti West Coast asked Network Rail to confirm that the operation of these trains would not result in an increased risk for power supply, or a detrimental effect on related network performance. Network Rail responded that the additional trains do not operate on the congested infrastructure between Crewe and Weaver Junction, so power supply is not an issue in this case. The application has also been reviewed by Network Rail's Head of Performance for the North West Route and it has been

confirmed that there are no performance-related issues with the additional services sought.

### **ORR review**

Our review of the application raised no operational, performance or economic concerns. We noted that Avanti West Coast had not, to our knowledge, replied to Network Rail's response to its queries but we are satisfied that this response addressed any concerns raised and that the services in this application will not be operating on the infrastructure on which power supply is an issue.

### **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 Sue Rhymes at Avanti West Coast, since her 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**