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20 August 2026

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Franchise and Access Manager
Network Rail Infrastructure Limited
1 Puddle Dock
London
EC4V 3DS

Dean Cowie
Track Access Manager
South Western Railway Limited
30 Stamford Street
London
SE1 9LQ

Dear Adebisi and Dean,

Approval of the 49th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and South Western Railway Limited (trading as South Western Railway (SWR)) dated 9 April 2019

We have today approved the above supplemental agreement submitted to us formally on 19 August 2026 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 extend SWR's track access contract from its current expiry date of the Subsidiary Change Date (SCD) in May 2027 to SCD 2029. This amendment will be effective from the date of ORR approval.

It also temporarily removes from the contract several access rights which are currently unused and makes provision for these to be reinstated from the Principal Change Date (PCD) in December 2027. This is effected by means of putting in place two Schedule 5 rights tables, one which will be applicable from the effective date of this supplemental agreement and one from PCD 2027.

Industry consultation

Network Rail undertook the usual industry consultation for four weeks from 18 June. Comments in support or raising no objection were received from Great Western Railway and Transport Focus.



Grand Union (Alliance) requested clarification about what appeared to be the introduction of some additional services. Network Rail explained that this was down to some unclear wording on the Form P, and Alliance confirmed that this answered the query.

ORR review

Our review of the application raised no operational, performance or economic concerns. We queried the fact that there are some outdated vehicle types in the contract for some service groups and Network Rail explained that, in line with Schedule 5 paragraph 2.1 of the contract, SWR is permitted to operate these services using any Specified Equipment included in paragraph 5.1 capable of achieving the timing load shown, and this applies to the vehicles that are currently being used. We were satisfied with this explanation but expect that the timing loads will be updated when they are available for this type of vehicle.

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



Louise Beilby