

Jonathan Rodgers
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2 October 2019

Julia Stanyard
Customer Manager (Chiltern Railways)
Network Rail Infrastructure Limited
Floor 1, Baskerville House
Centenary Square
Birmingham
B1 2ND

Bevis Thomas
The Chiltern Railway Company Limited
Banbury Integrated Control Centre
Higham Way (off Merton Street)
Banbury
Oxon
OX16 4RN

Dear Julia and Bevis

Approval of the one hundred and thirty second supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and The Chiltern Railway Company Limited (Chiltern)

1. We have today approved the above supplemental agreement submitted to us formally on 1 October 2019 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to amend Chiltern's Track Access Contract (TAC) to reflect a number of changes for the December 2019 timetable change.
3. The amendments take effect on the Principal Change Date (PCD) 2019 and will expire at the end of the current TAC (PCD 2021). There are amendments to tables 2.1 and 4.1 of Schedule 5 of the TAC in order to reflect changes to the services in the MET and JOINT service groups, a minor change to calling patterns in the BIRMINGHAM service group and some changes to timing loads.
4. Network Rail undertook the usual industry consultation from 26 July to 23 August 2019. There were two responses. Great Western Railway said it had no objections. Transport Focus said that it supported the application.
5. We reviewed the application and did not have any concerns.

6. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, 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)).

7. 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.

8. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport to Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Rodgers', with a long horizontal flourish extending to the right.

Jonathan Rodgers