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Senior Executive, Access and Licensing
Telephone: [Redacted]
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13 May 2019

[Redacted]
Customer Manager
Network Rail Infrastructure Limited
George Stephenson House
Toft Green
York
YO1 6JT

[Redacted]
Production Director
Hull Trains Company Limited
4th Floor, Europa House 184
Ferensway
Hull
HU1 3UT

Dear [Redacted]

Approval of the thirteenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Hull Trains Company Limited

1. We have today approved the thirteenth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Hull Trains Company Limited (Hull Trains), submitted to us formally on 8 May 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 explain the reasons for our decision.

Purpose of the agreement

2. This agreement extends the duration of a right for an existing Saturday only service between Hull and King's Cross from the Subsidiary Change Date (SCD) 2019 to SCD 2020. In addition, the right will be contingent, rather than a firm right as it was previously.

Consultation

3. Network Rail undertook an industry consultation from 8 March to 5 April 2019. London North Eastern Railway and Great Western Railway confirmed that they had no objections to the application. Govia Thameslink Railway asked for some clarification on some details but made no further comment. Vintage Trains said that it had no comments or objections. Transport Focus supported the application.

ORR review

4. We reviewed the application and it did not raise any operational concerns. We are therefore content to approve the application. There were a number of drafting issues with the agreement and we asked for these to be corrected for the formal submission.

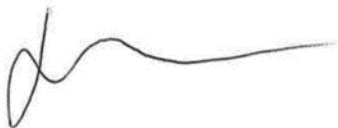
5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, in particular those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

- protecting the interests of users of railway services
- promoting the use of the railway network for the carriage of passengers and goods, and the development of the railway network, to the greatest extent that ORR considers economically practicable;
- promoting competition in the provision of railway services for the benefit of users of railway services;
- having regard to the interests, in securing value for money, of the users or potential users of railway services, of persons providing railway services or of the persons who make available the resources and funds and of the general public;
- and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance.

6. 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. ORR's copy should be sent for my attention.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and 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 be a stylized 'D' followed by a long horizontal stroke.

[Redacted]