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Suad Chowdhury
Contracts and Partnership
Manager
London & South Eastern
Railway Limited
Friars Bridge Court
41-45 Blackfriars Road
London
SE1 8NZ

Dear Geoff and Suad,

Approval of the 2nd supplemental agreement to the Framework Track Access Agreement between HS1 Limited and London & South Eastern Railway Limited dated 13th March 2014 (as amended)

The Office of Rail Regulation (ORR) has today approved the 2nd supplemental agreement to the Framework Track Access Agreement between HS1 Limited and London & South Eastern Railway Limited (jointly the parties) dated 13th March 2014, submitted to us formally on 8 January 2015 under The Railways Infrastructure (Access and Management) Regulations 2005 (as amended) ("the Regulations"). 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.

Purpose of the agreement

The purpose of this agreement is to grant LSER the quantum rights changes to accommodate the new timetable proposed to commence on Sunday 11th January 2015. This will coincide with the commencement of the first phase of the Thameslink Programme works scheduled at London Bridge and the introduction of a new timetable in Kent. The changes proposed include additional peak High Speed services to and from St Pancras, capacity enhancements on peak time services, and the reduction of splitting and joining at certain stations to improve performance and reduce journey times.



Consultation

A pre-application consultation was carried out in line with the HS1 Criteria and Procedures document. No issues were raised during the consultation.

ORR review

We reviewed the application and have no concerns with the rights sought. A minor drafting query was raised with the parties, which was addressed in a subsequent submission.

ORR's conclusions

Pursuant to Regulation 28(1) of the Regulations, in considering the application and in reaching our decision, we are required to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Railways Act 1993 (as amended). Approval of this application is consistent with these duties; in particular our duties to:

- protect the interests of users of rail services;
- promote the use of the railway network in Great Britain for the carriage of passengers and goods, and the development of the railway network, to the greatest extent that ORR considers economically practicable;
- contribute to the development of an integrated system of transport of passengers and goods; and
- enable persons providing railway service to plan the future of their businesses with a reasonable degree of assurance.

Conformed copy of the track access contract, public register and administration

Pursuant to paragraph 3.75 of the C&Ps, HS1 is required to produce a conformed copy of the track access agreement within 28 days of any amendment being made, and to send a copy to ORR. I look forward to receiving the conformed copy.

We will place a copy of the supplemental agreement on our public register. The parties have not asked us to make any redactions prior to placing on the public register. Copies of this letter and the agreement will also be placed on the ORR website.

Yours sincerely

David Reed