

Louise Beilby
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6 February 2020

Paul Harris
LNW Route Contracts Manager
Network Rail Infrastructure Ltd
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100 Wharfside Street
Birmingham
B1 1RT

David Print
Head of Strategic Development and
Concession Management
Merseyrail Electrics 2002 Ltd
Rail House
Lord Nelson Street
Liverpool
L1 1JF

Dear Paul and David

Approval of the 1st supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Merseyrail Electrics 2002 Ltd (Merseyrail) (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 29 January 2020 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 our decision.
2. This agreement amends Schedule 8, Appendix 1, in order to make changes to the benchmarks for 2019-20 and 2020-21 for service groups HE01 and HE02 from the start of CP6. The amendments will be applied retrospectively to 1 April 2019.
3. As these changes do not affect any other operator, no consultation was required.
4. We reviewed the application and asked a number of questions regarding the methodology for the changes. All these questions were answered satisfactorily. Our review identified no issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Act, in particular our duty to promote improvements in railway services performance.



Administration and public register

5. 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.

7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and 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 'Louise', followed by a stylized arrow pointing to the right.

Louise Beilby