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15 May 2018

Sam Commons  
Customer Manager  
Network Rail Infrastructure Ltd  
Stratford Place, 1 Stratford Place  
Montfichet Road  
London  
E20 1EJ

David Rourke  
Track & Engineering Access Manager  
Arriva Rail London Limited  
Overground House  
125 Finchley Road  
London  
NW3 6HY

Dear Sam and David

**Approval of the 60th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Arriva Rail London Limited (ARL) (jointly, “the parties”)**

1. We have today approved the above supplemental agreement submitted to us formally on 15 May 2018 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. This agreement provides ARL with amended rights for the May 2018 timetable change. The new and revised services intend to meet passenger demand for increased service levels and service frequency. They include:
  - An increase from six to eight trains per hour in each direction of Off Peak services between Willesden Junction High Level and Stratford
  - Extending two Clapham Junction-Willesden Junction High Level shuttles per hour throughout Weekdays, Saturdays and Sundays to operate beyond the West London Line and onto the North London Line; and
  - Introducing additional early morning and late evening Services on several routes in Service Groups EK01 and EK03.

The new rights will be valid for one year. The agreement also adds Class 710 electric multiple units and will apply until the Expiry Date of the parties' Track Access Contract at the Principal Change Date December 2019.

3. Network Rail undertook the normal industry consultation ending on 5 April 2018. Responses were received from Govia Thameslink Railway Limited requesting extra train details and head codes and MTR Crossrail asking if moves in and out of Ilford would be increased. Responses were provided by Network Rail with no further issues reported. Transport Focus, Passenger Focus and First Greater Western Limited also commented with no objections.

4. Our review identified no issues and we are satisfied that approval is in accordance with or statutory duties under Section 4 of the Railways Act 1993. We identified some formatting issues for the new table 2.1 and suggested some changes to ensure the table reflected accurately and clearly, the new rights and their duration. The parties accepted our comments and amended the agreement accordingly 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 (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)).

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. 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 (website) 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 'Michael Albon', with a long horizontal flourish extending to the right.

**Michael Albon**