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Janet Turlington
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Nicola Eyre
Track Access Manager
Northern Rail Limited
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Dear Janet and Nicola

Approval of the Twenty-second Supplemental Agreement to the Track Access Contract between Network Rail Infrastructure Limited and Arriva Rail North Limited

The Office of Rail and Road (ORR) has today approved the Twenty-second Supplemental Agreement to the Track Access Contract dated 3 March 2016 between Network Rail Infrastructure Limited (Network Rail) and Arriva Rail North Limited (Northern) under section 22 of the Railways Act 1993 (the Act).

Purpose of the agreement

The agreement adds the new station of Warrington West as an 'additional station' in the calling pattern within Service Group ED09 Merseyrail City Lines. This gives Northern Contingent Rights to call there.

Application process

Northern originally proposed to submit the application under section 22A of the Act as Network Rail was unwilling to agree to an agreed submission until the relevant Network Change had been established. The industry consultation was conducted from 12 July to 9 August 2019 while the application was proposed to be made under section 22A. No objections were received.

The Network Change was subsequently established so an agreed application was instead submitted under section 22.

ORR review

We noted a small number of drafting points in the agreement which the parties took into account prior to formal submission for approval.

ORR's conclusions

We are satisfied 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)).

Conformed copy of the track access contract

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.

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. I am also copying this letter without enclosures to Peter Craig at Network Rail and Keith Merritt at DfT.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Trippier', written in a cursive style.

John Trippier