

Michael Albon
Executive, Access & Licensing
Telephone: 0207 282 3660
E-mail: michael.albon@orr.gsi.gov.uk



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Ian Messner
Customer Manager
Network Rail Infrastructure Ltd
5th Floor
5 Callaghan Square
Cardiff
CF10 5BT

Chris Dellard
Engineering & Access Planning Manger
Arriva Train Wales Ltd
St Mary's House
47 Penarth Road
Cardiff
CF10 5DJ

Dear Ian and Chris

Approval of the 72nd supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Arriva Train Wales Limited (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 11 October 2017 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. The purpose of this agreement is to amend Appendix 1 Schedule 8 in the parties' track access contract in order to redistribute the Monitoring Point Weightings applicable to Service Group HL04. The changes reflect the different Train Service Codes of Cambrian Mainline trains and Birmingham-Shrewsbury-Chester trains.
3. No industry consultation was undertaken for this application as the changes proposed for Appendix 1 Schedule 8 do not have any material effect on any other train/freight operating company.
4. Our review identified no issues and we are satisfied that approval is in accordance with our statutory duties under section 4 of the Railways Act 1993.
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 and 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 (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', is written over a horizontal line. The signature is fluid and cursive.

Michael Albon