

**Louise Beilby**  
Access Executive  
Telephone: 0207 282 2076  
E-mail: [louise.beilby@orr.gov.uk](mailto:louise.beilby@orr.gov.uk)



13 March 2020

Richard Turner  
Customer Relationships Executive  
Network Rail Infrastructure Ltd  
Western House  
1 Holbrook Way  
Swindon  
SN1 1BD

Robert Holder  
Network Access Manager  
First Greater Western Ltd  
Milford House  
1 Milford Street  
Swindon  
SN1 1HL

Dear Richard and Robert

**Approval of the 48th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited dated 4 March 2016**

1. We have today approved the above supplemental agreement submitted to us formally on 13 March 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 set out the reasons for our decision.

2. This agreement amends Schedule 5 to reflect the timetable that was introduced on 15 December 2019. Most of the rights for that timetable change were included in the 38th Supplemental Agreement but the rights in this agreement were agreed too late to be included in that supplemental agreement. Those rights were therefore included in the 46th Supplemental Agreement which was entered into under the General Approval and will expire on 15 March.

3. It also includes rights for 1 addition service each way between Plymouth and Penzance and the conversion of an ECS move between Didcot and Paddington into a limited stop passenger service. These rights had also been entered into on a short term basis in the 45th supplemental agreement under General Approval with the longer term rights submitted as a proposed 47th supplemental agreement. They have instead been incorporated in this 48th supplemental agreement and the 47th has been withdrawn.

4. This agreement maintains the required access rights for the December 2019 timetable to the end of the track access contract which was recently extended to the Subsidiary Change Date 2021.

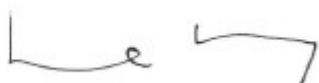
5. Network Rail undertook the usual industry consultation. No issues were raised and there are no unresolved concerns. Our own review identified some errors in the timing loads and in the quantua of services, which were corrected in final draft. We are now happy that there are no issues with the application.

6. 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)).

7. 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

8. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport. 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. I am also copying this letter without enclosures to Peter Craig at Network Rail

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

**Louise Beilby**