

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



6 June 2018

Roy Greenhalgh
Customer Account Manager
Network Rail Infrastructure Limited
7th Floor
Rail House, Lord Nelson Street
Liverpool
L1 1JF

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

Dear Roy and David

Approval of the 30th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Merseyrail Electrics 2002 Limited (Merseyrail)

1. We have today approved the above supplemental agreement submitted to us formally on 30 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. The purpose of this agreement is to amend three elements of the parties' track access contract including:

- Table 4.1 of Schedule 5 to reflect the introduction of Maghull North Railway station
- Appendix 1 of Schedule 8 to correct an administrative error made under the 29th supplemental agreement; and
- Network Rail's registered address in Schedule 1.

3. Network Rail undertook the normal industry consultation ending on 4 May 2018 with supportive response received from Transport Focus, First Greater Western Limited and Merseytravel.

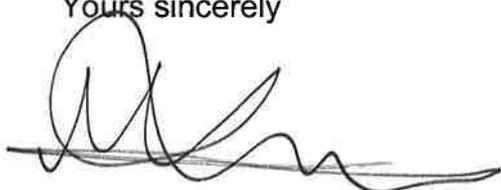
4. Our review identified no issues and we are satisfied that our approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993. We identified some issues with the drafting of the agreement and highlighted these to the parties with our recommended suggestions. The parties have 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