



OFFICE OF RAIL AND ROAD

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Joanna Kinnish  
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Jonathan James  
Access Manager  
MTR Corporation (Crossrail) Limited  
63 St Mary Axe  
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Dear Joanna and Jonathan

**Fifth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and MTR Corporations (Crossrail) Limited**

1. We have today approved the above supplemental agreement submitted to us formally on 23 March 2017.
2. This agreement amends table 2.1 of the parties' track access contract to reflect service changes between Liverpool Street and Shenfield. This includes an increase in quantum between Liverpool Street – Gidea Park vice versa and an extension of two Saturday services from Liverpool Street – Gidea Park to Shenfield. The majority of these services will use existing ECS trains that will be converted to passenger services.
3. Network Rail undertook a 28 day consultation and received four responses. First Greater Western Limited, Transport Focus and Arrival Rail offered no objections to the proposal. Abellio Greater Anglia raised concerns around available capacity on the Down Electric Line and the risk of poor performance from additional weekday Peak services between Liverpool Street and Gidea Park. The parties responded to both of these points advising that the additional services would be ECS trains converted to passenger services utilising a similar pathway to the current ECS trains. They also highlighted that the proposal was compliant with the published Timetable Planning Rules. Abellio Greater



Anglia remained concerned about the proposal but following additional negotiation and correspondence with the parties, withdrew its objection.

4. Our own 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. 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. ORR's copy should be sent for my attention.

6. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. 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 'M Albon', is written over a horizontal line. The signature is fluid and cursive.

**Michael Albon**