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30 April 2019

Ian Messner
Customer Manager
Network Rail Infrastructure Ltd
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Chris Dellard
Network Access Strategy Manager
Keolis Amey Operations (TfW Rail Services)
St Mary's House
47 Pennarth Road
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Dear Ian and Chris

Approval of the 93rd supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Keolis Amey Operations (TfW Rail Services) (TfW)

1. We have today approved the above supplemental agreement submitted to us formally on 30 April 2019 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 provide TfW with the rights to allow it to operate a new service between Chester and Liverpool Street via Runcorn from the May 2019 timetable. This will be achieved through the addition of one Chester to Wrexham General and one Wrexham General to Chester on Weekdays and Saturdays.
3. Network Rail undertook the usual industry consultation with responses received from First Greater Western Limited and Transport Focus offering no objections.
4. Our review identified no operational, performance or economic issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993. We noted some discrepancies with the agreement and highlighted these to the parties with advice on how to correct them. The parties 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 be 'M. Albon', written in a cursive style.

Michael Albon