

[Redacted]
Senior Executive, Access & Licensing
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15 May 2019

[Redacted]
Customer Manager (Chiltern Railways)
Network Rail Infrastructure Limited
Floor 1, Baskerville House
Centenary Square
Birmingham
B1 2ND

[Redacted]
The Chiltern Railway Company Limited
Banbury Integrated Control Centre
Higham Way (off Merton Street)
Banbury
Oxon
OX16 4RN

Dear [Redacted]

Approval of the one hundred and twenty eighth supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and The Chiltern Railway Company Limited (Chiltern)

1. We have today approved the above supplemental agreement submitted to us formally on 14 May 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 amend Chiltern's Track Access Contract to reflect service changes it is making to the May 2019 timetable. The proposed changes apply from the Subsidiary Change Date 2019 to the Principal Change Date 2021.
3. The changes will combine a small number of existing Banbury to London Marylebone and Stratford upon Avon to Leamington Spa services to form through Stratford upon Avon to London Marylebone services. Prior to the Oxford Remodelling in 2015 these services operated as through services.
4. There is no overall increase in the quantum of services. The agreement amends the Birmingham service group in table 2.1, along with the associated changes to calling patterns in table 4.1.
5. Network Rail undertook the usual industry consultation from 13 March to 9 April 2019. There were no objections and supportive responses were received from Vintage Trains and Transport Focus.



6. We reviewed the application and did not have any concerns.

7. 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)).

8. 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.

9. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport to Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

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