

**David Reed**  
Senior Executive, Access & Licensing



07 February 2024

Joseph Brown  
Customer Manager  
Network Rail Infrastructure Ltd  
Western House  
1 Holbrook Way  
Swindon SN1 1BD

Robert Holder  
Network Access Manager  
First Greater Western Limited  
1 Milford Street  
SN1 1HL

Dear Joseph and Robert,

**Approval of the 96th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Greater Western Limited dated 4 March 2016**

We have today approved the above supplemental agreement submitted to us formally on 07 February 2024 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains the reasons for our decision.

**Purpose**

This supplemental agreement makes a number of changes to First Greater Western Limited's (trading as Great Western Railway, 'GWR') track access contract to reflect the services which will be running from the Subsidiary Change Date in June 2024.

The additional rights will enable:

- A weekday relief train each way between London Paddington to Plymouth to reduce overcrowding on the midday London – Penzance service;
- A weekday service each way between Taunton and Exeter St Davids;
- the 19.04 Paignton – Paddington to call at Bedwyn (on a Contingent Rights basis) in response to requests to improve the spread of services;
- the Saturday 19.42 Falmouth – Truro to be extended to Par calling at St Austell to meet local requests for an improved service;

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- an additional Bristol – Oxford through service from Saturday 14 September to provide journey opportunity and to help relieve overcrowding on Bristol – London services;
- Extensions of some Saturday seasonal services during the summer, to enable additional through services that run from London to Penzance, Newquay, Paignton and Pembroke Dock; and
- The extension of the existing Sunday 16.48 Bristol – Frome and 18.26 return service to and from Castle Cary.

The agreement will also remove some unused rights from the contract.

### **Industry consultation**

Network Rail carried out the standard industry consultation in December 2023 and January 2024.

MTR Elizabeth Line raised concerns around service levels during perturbation under contingency arrangements, and CrossCountry Trains raised concerns around GWR late running, and the impact upon CrossCountry services; in both cases the concerns were resolved between the parties during the industry consultation.

### **ORR review**

Our review of the application raised no operational, performance or economic concerns.

### **Our duties under section 4 of the Act and our decision**

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; 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)).

### **Conformed copy of the track access agreement**

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.



## **Public register and administration**

Electronic copies of this letter, the approval notice and the agreement will be sent to the Department for Transport and Network Rail's Policy and Access Team. 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

**David Reed**