

Louise Beilby
Senior Access Executive
Telephone: 0207 282 2076
E-mail: louise.beilby@orr.gov.uk



14 March 2022

Nicholas Prag
Customer Relationship Executive
Network Rail Infrastructure Ltd
151 St Vincent Street
Glasgow
G2 5NW

John Kerr
Regulated Contracts Manager
Abellio ScotRail Ltd
Atrium Court
50 Waterloo Street
Glasgow
G2 6HQ

Dear Nicholas and John

Approval of the 25th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Abellio ScotRail Limited dated 3 March 2016

We have today approved the above supplemental agreement submitted to us formally on 14 March 2022 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

The purpose of this agreement is to grant Abellio ScotRail (ASR) the rights necessary to operate its timetable for the Subsidiary Change Date 2022. The amendments effected by the 25th SA are extensive and primarily involve:

- An increase in services between Edinburgh and Dundee;
- An increase in services between Glasgow Queen street and Dundee;
- An increase in services between Edinburgh and Perth;
- All rights to Newcastle to either terminate or originate at Carlisle; and
- A reduction in services between Edinburgh and Falkirk Grahamston and in local Fife services.



These amendments will take effect on the Subsidiary Change Date 2022 and will expire on the Expiry date or earlier termination of ASR's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. No comments or queries were received.

ORR review

Our review of the application raised no operational, economic or performance queries, nor any issues with the drafting of the agreement.

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

A handwritten signature in blue ink, appearing to read 'Louise Beilby', with a stylized flourish at the end.

Louise Beilby