

Claire Brooks
Access Executive



24 September 2025

Kate Smith
Customer Support Manager
Network Rail Infrastructure Ltd
Waterloo General Office
London SE1 8SW

Dale Williams
Head of Operations
Caledonian Sleeper Ltd
Pacific House
70 Wellington Street
Glasgow G2 6UA

Dear Kate and Dale

Approval of the 12th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and Caledonian Sleeper Limited (trading as Caledonian Sleeper) dated 2 March 2018.

We have today approved the above supplemental agreement submitted to us formally on 24 September 2025 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 amend Caledonian Sleepers track access contract by correcting an error in the Sch 5 table relating to service group 559 between Edinburgh and Aberdeen. Currently there is an access right included for Sundays which is incorrect. The access right is required on the Saturday. This correction of the Sch 5 table will align with services that have been running for many years with no issues. A General Approval is currently in place to cover this change which expires on the 26 September 2025.



Industry consultation

Network Rail undertook the usual industry consultation. Comments were received from Great Western Railway and CrossCountry who had no objections. Transport Focus were happy to accept.

ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues, and these were resolved when the agreement was formally submitted.

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

Claire Brooks