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Senior Executive, Access & Licensing
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11 November 2025

Suzanne Murray
Customer Manager
Network Rail Infrastructure Ltd
51 St Vincent Street
Glasgow, G2 5NW

John Kerr
Regulated Contracts Manager
ScotRail Trains Limited
Atrium Court, 50 Waterloo Street
Glasgow, G2 6HQ

Dear Suzanne and John,

Approval of the 58th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and ScotRail Trains Limited (trading as ScotRail) dated 3 March 2016

We have today approved the above supplemental agreement submitted to us formally on 10 November 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 grant ScotRail rights necessary to operate its proposed December 2025 timetable. This includes a mixture of new firm rights, converting some existing contingent rights to firm rights, and both permanent and temporary surrenders of existing access rights. The rights are to commence on the Principal Change Date in December 2025 and will expire on the Expiry Date or earlier termination of ScotRail's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation. CrossCountry, Great Western Railway and Transport Focus advised that they had no objection.

GBRf responded to the industry consultation asking for further information on the capacity for freight growth, particularly on the Aberdeen route, if the firm rights were to be approved. Network Rail responded to GBRf advising that the May '26 Strategic Capacity Statement, published on Network Rail's website, provides an overview of what capacity is available on the route, and that "the conversion of ScotRail's Contingent Rights or the approval of new Firm Rights as described in the Form P would not erode or lead to the relinquishment of the Strategic Capacity listed in the May '26 Capacity Statement."



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.

This supplemental includes temporary surrenders of services to/from Ayr from PCD 2025 until PCD 2027, an extension of an existing temporary surrender to/from Anniesland to SCD 2026 and of Edinburgh to Aberdeen services until SCD 2026. These temporary surrenders are due to the fire at Ayr Station, slow growth on the Anniesland route, and resource constraints. These temporary surrenders have been transparently applied for through this supplemental, including being included in the industry consultation.

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.

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 solid black rectangular box used to redact the signature of David Reed.

David Reed