Louise Beilby
Senior Access Executive
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OFFICE OF RAIL AND ROAD

9 November 2026

Michelle Gooch
Customer Relationship Executive
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square
Birmingham
B1 2ND

Paul Howden
Planning Manager
XC Trains Ltd
Multistorey House
18 The Priory Queensway
Birmingham
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Dear Michelle and Paul

Approval of the 46th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and XC Trains Limited (trading as CrossCountry) dated 8 August 2017

Today we approved the above supplemental agreement meaning that CrossCountry can introduce additional services between Edinburgh and Glasgow, as well as reintroduce direct services between Glasgow, the North East of England and Yorkshire. The application was submitted to us formally on 5 November 2026 under section 22 of the Railways Act 1993 (the Act). This letter explains the reasons for our decision.

Purpose

The purpose of this agreement is to grant CrossCountry the rights necessary to operate the part of its December 2026 timetable for services in Scotland and the North of England. There are other rights required for the December 2026 timetable contained in the 48th supplemental agreement, an unsupported S22A application.

The rights are to commence on the Principal Change Date (PCD) 2026 and will expire on the Expiry Date or earlier termination of CrossCountry's track access contract.

Industry consultation

Network Rail undertook the usual industry consultation for 1 month from 18 August 2026. Comments in support or raising no objections were received from Great Western Railway, WM Trains, Northern and Transport Focus.

The application was submitted with an outstanding objection from ScotRail, citing concerns over the extensions through to Glasgow Central and what effect that might have on the performance of its services. It stated that it had already experienced significant impact from other operators on some of its services and that adding these CrossCountry services would be likely to make this worse. ScotRail asked what

performance analysis Network Rail had carried out prior to supporting CrossCountry's application and if any contingency plans had been arranged.

Network Rail stated that performance modelling would not normally be undertaken for a small number of services such as this and that it is generally reserved for larger-scale timetable changes significantly further in advance. It further stated that its approach to managing the performance risk introduced by these services would be the usual contingency and regulation plans on which it was working with CrossCountry to put in place.

ScotRail further identified two particular services which it believed would have a negative impact on the performance of its own trains at Glasgow Central station and it stated that it was therefore unable to support the application.

ORR review

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

While we understand ScotRail's concerns about the potential effect on its services at Glasgow, we are not concerned that the likely impact will be very significant and we do not consider that it should preclude our approval of this supplemental 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 Network Rail's Policy and Access Team. I am also copying ScotRail. 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

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Louise Beilby