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11 July 2017

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

Sam Price
Head of Contracts
Abellio ScotRail Limited
Atrium Court
50 Waterloo Street
Glasgow
G2 6HQ

Dear Nicholas and Sam

Approval of the 7th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and Abellio ScotRail Limited (ScotRail) (jointly, “the parties”)

1. We have today approved the above supplemental agreement submitted to us formally on 10 July 2017 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to provide ScotRail with the access rights necessary to operate a Friday and Saturday service from Tain to Muir of Ord. The service will be calling at Invergordon and Dingwall. This agreement will therefore be making changes to table 2.1 and 4.1 Schedule 5 in the parties' track access contract.
3. Network Rail undertook the usual industry consultation ending on 7 June 2017 with no concerns raised.
4. Our own review identified no issues and we are satisfied that approval is in accordance with our statutory duties under section 4 of the Railways Act 1993.
5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, 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)).

6. 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.

7. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Electronic copies of this letter and the approval notice will be sent to Keith Merritt at Department for Transport and Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Albon', written over a horizontal line.

Michael Albon