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21 January 2021

Paul Harris  
NW & C Customer Manager  
Network Rail Infrastructure Ltd  
Baskerville House  
Centenary Square  
Broad Street  
Birmingham  
B1 2ND

Sue Rhymes  
Track Access Manager  
First Trenitalia West Coast Rail Ltd  
Ground Floor  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4DN

Dear Paul and Sue

**Approval of the 28th supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Trenitalia West Coast Rail Limited dated 8 December 2019**

We have today approved the above supplemental agreement submitted to us formally on 19 January 2021 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 sets out the reasons for our decision.

**Purpose**

The purpose of this agreement is to improve the current journey opportunities offered by First Trenitalia West Coast Rail by extending routes between London Euston and Llandudno, Lancaster, and Shrewsbury. The routes will additionally include more calling points. There are no additional services on the core West Coast Main Line route beyond those that are already in operation. The rights will commence on the Subsidiary Change Date 2021 and will expire on the Expiry Date or earlier termination of the track access contract.

## **Industry consultation**

Network Rail undertook the usual industry consultation. Queries were received from Transport for Wales and Cross Country Trains, both of which were answered in a satisfactory manner.

## **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. 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. I am also copying this letter without enclosures to Peter Craig at Network Rail.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Louise Beilby'.

**Louise Beilby**