

Thirtieth Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

FIRST TRENITALIA WEST COAST RAIL LIMITED

as Train Operator

relating to the Track Access Contract (Passenger
Services) dated 8 December 2019

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THIS THIRTIETH SUPPLEMENTAL AGREEMENT is dated DD/MM/2021 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Network Rail, 1 Eversholt Street, London NW1 2DN (“Network Rail”); and
- (2) **FIRST TRENITALIA WEST COAST RAIL LIMITED**, a company registered in England under number 10349442 having its registered office at 4th Floor Capital House, 25 Chapel Street, London, United Kingdom, NW1 5DH (the “Train Operator”).

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 8 December 2019 in a form approved by the Office of Rail and Road pursuant to Section 18 of the Act.
- (B) The parties now propose to enter into this Supplemental Agreement in order to amend the Contract as described herein.

IT IS HEREBY AGREED as follows:

1. **INTERPRETATION**

In this Supplemental Agreement, unless the context otherwise requires:

- (A) words and phrases defined in, and rules of interpretation set out in, the Contract shall have the same meaning and effect when used in this Supplemental Agreement; and
- (B) “Effective Date” means the later of 12th September 2021 and the date upon which the ORR issues its approval, pursuant to the Section 22A of the Act, of the terms of this Supplemental Agreement.

2. **EFFECTIVE DATE AND TERM**

The amendments to the Contract as set out in this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect at 02:00 hours on the PCD 2031 or earlier termination of the Contract.

3. **AMENDMENTS TO SCHEDULE 5**

3.1 Table 2.1 (Passenger Train Slots) for Service Groups HF01, HF02 and HF06 shall be deleted and replaced with the versions set out as Appendix A to this Supplemental Agreement.

3.2 Table 4.1 (Calling Patterns) for Service Group HF06 shall be deleted and replaced with the versions set out as Appendix A to this Supplemental Agreement

4. **GENERAL**

The parties agree that the Contract, as amended by this Supplemental Agreement, shall remain in full force and effect in accordance with its terms, and during the period in which the amendments made by this Supplemental Agreement are to have effect, all references in the Contract to “the contract” or, as the case may be, the “Agreement”, “herein”, “hereof”, “hereunder” and other similar expressions shall, unless the context requires otherwise, be read and construed as a reference to the Contract as amended by this Supplemental Agreement.

5. **THIRD PARTY RIGHTS**

No person who is not a party to this Supplemental Agreement shall have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Supplemental Agreement.

6. **LAW**

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

7. **COUNTERPARTS**

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

IN WITNESS of which the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written.

SIGNED by.....

Print name.....

Duly authorised for and on behalf of

NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by.....

Print name.....

Duly authorised for and on behalf of

FIRST TRENITALIA WEST COAST RAIL LIMITED

APPENDIX A

Table 2.1: Passenger Train Slots^{15th}

29th, 28th 1						2					
Service Group 1: London Euston to Birmingham New Street, Wolverhampton and Shrewsbury											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday	Saturday	Sunday
						Morning Peak	Evening Peak				
London Euston	Birmingham New Street	WCML	HF01.1	22100001	Class 390-125T	N/A	2	10	12	11	4
			HF01.2	22100001	Class 807	N/A	2	10	12	11	6 ⁵
London Euston	Wolverhampton	WCML	HF01.3	22100001	Class 390-125T	N/A	2	8	10	10	17
Birmingham New Street	London Euston	WCML	HF01.4	22100001	Class 390-125T	N/A	N/A	12	12	13	8
			HF01.5	22100001	Class 807	N/A	N/A	10	10	11	8
Wolverhampton	London Euston	WCML	HF01.6	22100001	Class 390-125T	10	N/A	3	13	6	11 ³
Birmingham International	London Euston	WCML	HF01.7	22100001	Class 390-125T	1	N/A	N/A	1	N/A	N/A
Rugby	London Euston	WCML, Northampton	HF01.8	22100001	Class 390-125T	1	N/A	N/A	1	N/A	N/A
Birmingham New Street	Shrewsbury	Madeley Jct (Shropshire)	HF01.9	22100001	Class 221-125T	N/A	N/A	1	1	1	N/A
Wolverhampton	Shrewsbury	Madeley Jct (Shropshire)	HF01.10	22100001	Class 221-125T	N/A	1	N/A	1	1	0
Shrewsbury	Birmingham New Street	Madeley Jct (Shropshire)	HF01.11	22100001	Class 221-125T	1	N/A	N/A	1	1	1
Shrewsbury	Wolverhampton	Madeley Jct (Shropshire)	HF01.12	22100001	Class 221-125T	N/A	N/A	1	1	1	N/A
Wolverhampton	Crewe	Stafford	HF01.15	22100001	Class 221-125T	N/A	N/A	N/A	N/A	N/A	1

Notes to Table:

- 1 Peak times – arriving London Euston between 07.00 and 10.00, departing London Euston between 16.00 and 19.00
- 2 Off-Peak times - arriving at and departing from a relevant station outside Peak times
- 3 One service shall start from Birmingham New Street
- 4 One service shall be extended to Shrewsbury calling at Telford Central and Wellington
- 5 One service shall run to Shrewsbury calling at Sandwell & Dudley, Wolverhampton, Telford Central and Wellington

Table 2.1: Passenger Train Slots

28th 1						2		
Service Group 2: London Euston to Chester and Holyhead, and Birmingham New Street to Bangor and Holyhead								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
London Euston	Chester	N/A	HF02.1	22104001	221-125T	7	6	3
London Euston	Holyhead	N/A	HF02.2	22104001	221-125T	6 ¹	4	4 ²
Chester	London Euston	N/A	HF02.3	22104001	221-125T	6	6 ³	6
Holyhead	London Euston	N/A	HF02.4	22104001	221-125T	6	4	4
Birmingham New Street	Holyhead	N/A	HF02.5	22104001	221-125T	1	1	N/A
Bangor	Birmingham New Street	N/A	HF02.6	22104001	221-125T	1	N/A	N/A
Chester	Wrexham General	N/A	HF02.7	22104001	221-125T	1	N/A	N/A
Wrexham General	Chester	N/A	HF02.8	22104001	221-125T	1	N/A	N/A
Llandudno	London Euston	N/A	HF02.9	22104001	221-125T	1	2	N/A
London Euston	Llandudno	N/A	HF02.10	22104001	221-125T	1	2	N/A

Notes to Table:

- ¹ Of these Services, one shall be Scheduled to terminate at Bangor.
² The first Service shall be Scheduled to start at Crewe.
³ Of these Services, the last one shall be Scheduled to terminate at Crewe.

Table 4.1: Calling Patterns

1 ^{27th}					2	3
Service Group 6: London Euston to Preston, Lancaster, Blackpool North and Glasgow Central						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Glasgow Central	WCML, Trent Valley	HF06.1	22112001	Warrington Bank Quay, Wigan North Western Preston, Lancaster, Oxenholme Lake District or Penrith and Carlisle ¹	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford, Crewe, Lockerbie, Motherwell
London Euston	Lancaster	WCML, Trent Valley	HF06.2	22112001	Tamworth Low Level, Lichfield Trent Valley, Crewe, Warrington Bank Quay, Wigan North Western and Preston	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Stafford, Crewe
London Euston	Preston	WCML, Trent Valley	HF06.3	22112001	Rugby, Stafford, Crewe, Warrington Bank Quay and Wigan North Western	Watford Junction, Milton Keynes Central, Nuneaton, Tamworth Low Level, Lichfield Trent Valley
Glasgow Central	London Euston	WCML, Trent Valley	HF06.4	22112001	Carlisle, Penrith or Oxenholme Lake District, Lancaster, Preston, Wigan North Western and Warrington Bank Quay ²	Motherwell, Lockerbie, Crewe, Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
Lancaster	London Euston	WCML, Trent Valley	HF06.5	22112001	Preston, Wigan North Western, Warrington Bank Quay and Milton Keynes Central	Crewe, Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Watford Junction
Preston ³	London Euston	WCML, Trent Valley	HF06.6	22112001	Wigan North Western, Warrington Bank Quay, Lichfield Trent Valley, Tamworth Low Level, Rugby	Stafford, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
Blackpool North	Crewe	Preston/WCML	HF06.7	2112001	Kirkham & Wesham, Poulton le Fylde, Preston, Wigan North Western, Warrington Bank Quay,	
Preston	Blackpool North	Direct	HF06.8	22112001	Poulton le Fylde and Kirkham & Wesham	

Table 4.1: Calling Patterns

1					2	3
Service Group 6: London Euston to Preston, Lancaster, Blackpool North and Glasgow Central						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Preston	Blackpool North	Direct	HF06.8	22112001	Poulton le Fylde and Kirkham & Wesham	
London Euston	Blackpool North	Preston/WCML	HF06.9	22112001	Rugby, Warrington Bank Quay, Wigan North Western and Preston	Watford Junction, Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley, Crewe, Poulton le Fylde and Kirkham & Wesham
Blackpool North	London Euston	Preston/WCML	HF06.10	22112001	Preston, Wigan North Western, Warrington Bank Quay and Rugby	Kirkham & Wesham, Poulton le Fylde, Crewe, Lichfield Trent Valley, Tamworth Low Level, Milton Keynes Central and Watford Junction
London Euston	Blackpool North	WCML/Preston	HF06.11	22112001	Rugby, Stafford, Crewe, Warrington Bank Quay, Wigan North Western, Preston, Kirkham & Wesham, Poulton le Fylde	Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley

Notes to Table:

- 1 Five SX Services, four SO Services and seven SU Services have Firm Rights to call at both Oxenholme Lake District and Penrith.
- 2 Four SX Services, three SO Services and four SU Services have Firm Rights to call at both Penrith and Oxenholme Lake District
- 3 One Service shall start from Lancaster