

Eleventh 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 1 December 2022

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THIS ELEVENTH SUPPLEMENTAL AGREEMENT is dated 17/10/2024 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Network Rail, Waterloo General Office, London SE1 8SW ("**Network Rail**"); and
- (2) **FIRST TRENITALIA WEST COAST RAIL LIMITED**, a company registered in England under number 10349442 having its registered office at 8th Floor The Point, 37 North Wharf Road, London, United Kingdom, W2 1AF (the "Train Operator").

WHEREAS:

The parties have been directed under Section 22 of the Act to enter into this Eleventh Supplemental Agreement in order to amend the Contract as described below.

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 the date on which the parties enter into the terms of this Supplemental Agreement pursuant to directions from ORR under Section 22 of the Act and 02:00 on 15 December 2024.

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 on the Expiry Date or earlier termination of the Contract.

3. **AMENDMENTS TO SCHEDULE 5**

3.1 Table in “Table 2.2 (Additional Passenger Train Slots)” shall be deleted and replaced with the version set out as Appendix A to this Supplemental Agreement.

3.2 Tables HF03 and HF04 in “Table 4.1 (Calling Patterns)” shall be deleted and replaced with the version set out as Appendix B 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 GARY WALSH
Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by:

Print name: ANDY MELLORS
Duly authorised for and on behalf of
FIRST TRENITALIA WEST COAST RAIL LIMITED

APPENDIX A

Table 2.2: Additional Passenger Train Slots^{2nd, 11th}

1					2		
Service Groups HF03 and HF04							
Service description London Euston to Liverpool Lime Street					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Manchester Piccadilly	London Euston		HF03.11	22108001	1 ³	0	0
London Euston	Liverpool Lime Street		HF04.2	22109001	12 ¹	12 ¹	5 ¹
Liverpool Lime Street	London Euston		HF04.5	22109001	11 ²	11 ²	4 ²
Liverpool Lime Street	Birmingham		HF04.6	22109001	0	0	1 ³

- 1 Due to the temporary relinquishment of firm passenger train slots the following shall apply: -
- from 5 August 24 to 14 December 24: quantum shall be reduced to Weekday 1, SO 1, SUN 1
 - from 15 December 24 to 17 May 25: quantum shall be reduced to Weekday 3, SO 2, SUN 2
 - from 17 May 25 to 13 December 25: quantum shall be reduced to Weekday 6, SO 5, SUN 4

- 2 Due to the temporary relinquishment of firm passenger train slots the following shall apply: -
- from 5 August 24 to 14 December 24: quantum shall be reduced to Weekday 0, SO 0, SUN 1
 - from 15 December 24 to 17 May 25: quantum shall be reduced to Weekday 2(*), SO 3, SUN 0
 - from 17 May 25 to 13 December 25: quantum shall be reduced to Weekday 6, SO 6, SUN 2

*1 train shall only have right to run from Crewe to London Euston

- 3 Rights shall revert to zero from 17 May 25

APPENDIX B

Table 4.1: Calling Patterns

1					2	3
Service Group 3: London Euston to Manchester Piccadilly						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Manchester Piccadilly	WCML, Stoke-on-Trent	HF03.1	22108001	Nuneaton, Stoke-on-Trent, Stockport	Watford Junction, Milton Keynes Central, Rugby, Tamworth Low Level, Lichfield Trent Valley, Stafford, Macclesfield
		WCML, Stoke-on-Trent	HF03.2	22108001	Milton Keynes Central, Rugby, Stoke-on-Trent, Macclesfield, Stockport	Watford Junction, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford
		WCML, Wilmslow	HF03.3	22108001	Stafford, Crewe, Wilmslow, Stockport	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley
		WCML, Coventry, Wilmslow	HF03.4	22108001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Wilmslow	N/A

1					2	3
Service Group 3: London Euston to Manchester Piccadilly						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Manchester Piccadilly	London Euston	Stoke-on-Trent, WCML	HF03.5	22108001	Stockport, Stoke-on-Trent, Nuneaton	Macclesfield, Stafford, Lichfield Trent Valley, Tamworth Low Level, Rugby, Milton Keynes Central, Watford Junction
		Stoke-on-Trent, WCML	HF03.6	22108001	Stockport, Macclesfield and Stoke-on-Trent, Rugby, Milton Keynes Central	Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Watford Junction
		Wilmslow, WCML	HF03.7	22108001	Stockport, Wilmslow, Crewe, Stafford	Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
		Stoke-on-Trent, Coventry, WCML	HF03.8	22108001	Stockport, Macclesfield, Stoke-on-Trent, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	N/A
		Wilmslow, Coventry, WCML	HF03.9	22108001	Stockport, Wilmslow, Crewe, Stafford, Wolverhampton, Birmingham New Street, Birmingham International, Coventry	N/A

1					2	3
Service Group 3: London Euston to Manchester Piccadilly						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Crewe	Manchester Piccadilly	Wilmslow	HF03.10	22108001	Wilmslow, Stockport	N/A
Manchester Piccadilly	London Euston	Wilmslow	HF03.11	22108001	Stockport	N/A

Table 4.1: Calling Patterns

1					2	3
Service Group 4: London Euston to Liverpool Lime Street						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Liverpool Lime Street	WCML, Trent Valley	HF04.1	22109001	Milton Keynes Central, Crewe, Runcorn	Watford Junction, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford, Hartford
		WCML, Trent Valley	HF04.2	22109001	Tamworth Low Level, Lichfield Trent Valley, Runcorn	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Stafford, Crewe
		WCML, Coventry	HF04.3	22109001	Watford Junction, Milton Keynes Central, Rugby, Coventry, Birmingham International, Birmingham New Street, Stafford, Crewe, Runcorn	Wolverhampton
Liverpool Lime Street	London Euston	WCML, Trent Valley	HF04.4	22109001	Runcorn, Crewe, Milton Keynes Central	Hartford, Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Watford Junction
		WCML, Trent Valley	HF04.5	22109001	Runcorn, Lichfield Trent Valley, Tamworth Low Level	Crewe, Stafford, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
		Coventry, WCML	HF04.6	22109001	Runcorn, Crewe, Stafford, Birmingham New Street, Birmingham International, Coventry, Rugby, Milton Keynes Central, Watford Junction	Wolverhampton