

Claire Brooks
Access Executive



17 June 2025

Omowunmi Toby
Franchise and Access Manager
Network Rail Infrastructure Limited
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Centenary Square
Broad Street
Birmingham, B1 2ND

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

Dear Omowunmi and Sue

Approval of the 24th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and First Trenitalia West Coast Rail Limited (trading as Avanti West Coast) dated 1 December 2022.

We have today approved the above supplemental agreement submitted to us formally on 17 June 2025 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 explains the reasons for our decision.

Purpose

The purpose of this agreement is to amend the Avanti West Coast track access contract with an additional weekday only contingent right for Birmingham New Street to Wolverhampton. This additional right will allow the service of the 20:40 London Euston – Wolverhampton service to continue. If this were not to be extended the service from London Euston would have to terminate to Birmingham New Street, increasing congestion at the station and journey time. The contingent right will commence on approval and cease 13 December 2025, so one timetable period only with no expectation of continuity. This right was missed off the 22nd SA which was for the May timetable change.

This agreement also deletes calling patterns within table 4.1 relating to London Euston – Shrewsbury and return. These were not deleted when the rights were relinquished.



Industry consultation

Network Rail undertook the usual industry consultation. Comments were received from CrossCountry who had no objections, West Midlands Trains who had no issues and Transport Focus who were happy to accept the proposal.

ORR review

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

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 and Network Rail's Policy and Access Team. 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

Claire Brooks