

Jonathan Rodgers
Senior Executive
Email: [REDACTED]



24 February 2026

Akaash Bhandari
Franchise and Access Manager
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square
Birmingham
B1 2ND

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

Dear Akaash and Sue

Approval of the 34th 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 (AWC)) dated 1 December 2022

We have today approved the above supplemental agreement submitted to us formally on 23 February 2026 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 convert an existing, contingent, time limited right, for a weekday evening service between Birmingham New Street and Wolverhampton, into a firm right and extend it from Subsidiary Change Date (SCD) 2026 to the end of AWC's contract in December 2030. The service has been operating since SCD 2025.

Industry consultation

Network Rail undertook the usual industry consultation from 17 November until 12 December 2025. No concerns were raised.

ORR review

The application did not contain any explanation from Network Rail for now supporting the right on a firm basis until the end of AWC's contract when it had previously only supported it on a contingent, temporary basis. We asked for this explanation and were content with the response. We are satisfied that the way this service has been operating has a number of benefits and supports network resilience.



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. I am also copying Phil Whittingham from Virgin as his objection was still outstanding at the time of our decision being made. 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

A handwritten signature in black ink, consisting of a stylized initial 'J' followed by a long, horizontal, wavy line.

Jonathan Rodgers