

**NETWORK RAIL INFRASTRUCTURE LIMITED AND WEST COAST RAILWAY COMPANY  
LTD**

**OPEN ACCESS PASSENGER TRACK ACCESS AGREEMENT**

**MODIFICATION OF SCHEDULE 8**

TO:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London, United Kingdom, SE1 8SW (“**Network Rail**”);
  - (2) **WEST COAST RAILWAY COMPANY LTD**, a company registered in England and Wales under number 03066109, whose registered office is at Jesson Way, Cragbank, Carnforth, Lancashire, LA5 9UR. (the “**Train Operator**”);
- together, the “**Parties**”.

1. BACKGROUND:

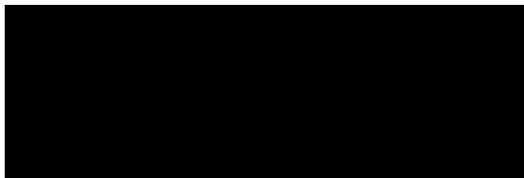
- 1.1. The Parties are parties to a track access agreement dated 28 May 2020 (as amended) (the “**Track Access Agreement**”).
- 1.2. On 13 March 2024, as part of an access charges review carried out pursuant to Schedule 4A to the Railways Act 1993, the Office of Rail and Road (“**ORR**”) gave a review implementation notice, including to the Parties, entitled “**Review Implementation Notice: Open Access Passenger Track Access Agreements**” (the “**Review Implementation Notice**”), which:
  - 1.2.1. gave notice that its conclusions on the access charges review were to be implemented; and
  - 1.2.2. directed Network Rail and the Train Operator to amend the Track Access Agreement including in respect of Schedule 8 to provide for circumstances in which the Planned Service Incident Cap Access Charge Supplement Rate and Appendix

8A can be amended by ORR.

- 1.3. The amendments made pursuant to the Review Implementation Notice came into effect on 1 April 2024.
- 1.4. The circumstances in which ORR may make such amendments are set out in paragraph 11 of Schedule 8 of the Track Access Agreement.
- 1.5. This notice sets out the amendments to the Planned Service Incident Cap Access Charge Supplement Rate and Appendix 8A of Schedule 8.

2. NOTICE:

- 2.1. This notice is issued on 20 March 2026.
- 2.2. This notice is given in accordance with paragraph 11 of Schedule 8 to the Track Access Agreement.
- 2.3. The following amendments are to be made to the Track Access Agreement:
  - 2.3.1. Delete paragraph 9.2 of Schedule 8 and replace it with the paragraph included at Annex A of this notice; and
  - 2.3.2. Delete the Train Operator Payment Rate within Appendix 8A of Schedule 8 and replace it with the Train Operator Payment Rate included at Annex B of this notice.
- 2.4. The amendments set out in this notice are to have effect on 1 April 2026.
- 2.5. The Parties are required to produce and send a conformed copy of the Track Access Agreement to ORR within 28 days of the making of the above modifications, pursuant to clause 18.2.4 of the Track Access Agreement.



**Will Godfrey**

**FOR AND ON BEHALF OF  
THE OFFICE OF RAIL AND ROAD**

Dated: 20 March 2026

## **ANNEX A**

### **9.2 Level of Planned Service Incident Cap and Planned Service Incident Cap Access Charge Supplement Rate**

For the purposes of paragraph 9.1, the Train Operator shall select one of the following Planned Service Incident Caps:



**ANNEX B**

Train Operator Payment Rate: [REDACTED] per TO Performance Minute