

**Louise Beilby**  
**Senior Access Executive**

Telephone: [REDACTED]

Email: [REDACTED]



7 September 2026

Akaash Bhandari  
Franchise & 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 42nd 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 7 September 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 extend three contingent rights for Sunday services that AWC already holds and which are due to expire on the Principal Change Date (PCD) in December 2026. These consist of:

1 x service each way between Liverpool Lime Street and London Euston; and

1 x service from Crewe to London Euston.

The rights between Liverpool and London were put in place by the 41st supplemental agreement and the right from Crewe to Euston was put in place by the 35th supplemental agreement.

Network Rail noted that it could only agree to the extension of these access rights until the Subsidiary Change Date (SCD) in May 2027 due to there being a number of outstanding unresolved access applications for capacity on the West Coast Main Line, with which these rights may interact, and that there could be no presumption of the continuation of these additional rights beyond that date.

### **Industry consultation**

Network Rail undertook the usual industry consultation for one month from 10 July. Comments in support or raising no objection were received from CrossCountry, Transport Focus, Northern Trains, London TravelWatch and Great Western Railway.

### **ORR review**

Our review of the application raised no operational, performance or economic concerns. We identified a drafting error which was resolved prior to the agreement's formal submission.

We noted Network Rail's position on the continuation of these rights beyond SCD 2027 due to competing applications and aspirations from other train operators. In light of this, our usual policy of a strong presumption of the continuation of existing rights will not apply to these rights beyond this date.

### **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)).

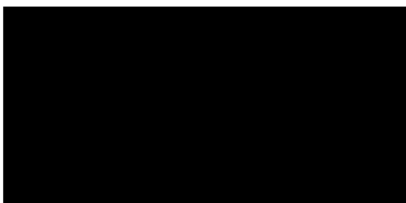
### **Conformed copy of the track access agreement**

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 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

A large black rectangular box is placed over the signature area, redacting the name and any handwritten notes.

**Louise Beilby**