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11 May 2022

Paul Harris
NW & C Customer Manager
Network Rail Infrastructure Ltd
Baskerville House
Centenary Square
Broad Street
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B1 2ND

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

Dear Paul and Sue

Approval of the 31st supplemental agreement to the track access contract between Network Rail Infrastructure Limited and First Trenitalia West Coast Rail Limited dated 1 September 2011

We have today approved the above supplemental agreement submitted to us formally on 11 May 2022 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 sets out the reasons for our decision.

Purpose

The purpose of this agreement is to update First Trenitalia West Coast Rail Limited's contract to add an access right for a Sunday Wolverhampton to Euston service. The right will commence on the Subsidiary Change Date 2022 and expire at the Principal Change Date 2022.

Industry consultation

Network Rail undertook the usual industry consultation between 21 March and 21 April 2022. No issues or concerns were raised.



ORR review

Our review of the application raised no operational, performance or economic concerns. We identified some minor drafting issues and these were resolved when the agreement was formally submitted.

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. 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. I am also copying this letter without enclosures to Chris Meadows at Network Rail.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jonathan Rodgers', written over a light blue horizontal line.

Jonathan Rodgers