

# First Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**

as Network Rail

and

**FIRST TRENITALIA WEST COAST RAIL LIMITED**

as Train Operator

relating to the Track Access Contract (Passenger Services) dated 11 December 2022

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**THIS FIRST SUPPLEMENTAL AGREEMENT** is dated 18/07/2023 and made

**BETWEEN:**

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Network Rail, Waterloo General Office, London SE1 8SW ("**Network Rail**"); and
- (2) **FIRST TRENITALIA WEST COAST RAIL LIMITED**, a company registered in England under number 10349442 having its registered office at 8<sup>th</sup> Floor The Point, 37 North Wharf Road, London, United Kingdom, W2 1AF (the "Train Operator").

**WHEREAS:**

The parties have been directed under Section 22 of the Act to enter into this First Supplemental Agreement in order to amend the Contract as described below.

**IT IS HEREBY AGREED** as follows:

1. **INTERPRETATION**

In this Supplemental Agreement, unless the context otherwise requires:

- (A) words and phrases defined in, and rules of interpretation set out in, the Contract shall have the same meaning and effect when used in this Supplemental Agreement; and
- (B) "Effective Date" means the later of the date on which the parties enter into the terms of this Supplemental Agreement pursuant to directions from ORR under Section 22 of the Act and 02:00 on 21 May 2023.

2. **EFFECTIVE DATE AND TERM**

The amendments to the Contract as set out in this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect on the Expiry Date or earlier termination of the Contract.

3. **AMENDMENTS TO SCHEDULE 5**

3.1 Table 4.1 (Calling Patterns) for all Service Groups shall be deleted and replaced with the version set out as Appendix A to this Supplemental Agreement.

**AMENDMENTS TO SCHEDULE 7**

3.2 The clauses in Appendix B to this Supplemental Agreement shall be put back into Schedule 7 Part 1 – Track Charges and Other Payments.

4. **GENERAL**

The parties agree that the Contract, as amended by this Supplemental Agreement, shall remain in full force and effect in accordance with its terms, and during the period in which the amendments made by this Supplemental Agreement are to have effect, all references in the Contract to “the contract” or, as the case may be, the “Agreement”, “herein”, “hereof”, “hereunder” and other similar expressions shall, unless the context requires otherwise, be read and construed as a reference to the Contract as amended by this Supplemental Agreement.

5. **THIRD PARTY RIGHTS**

No person who is not a party to this Supplemental Agreement shall have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Supplemental Agreement.

6. **LAW**

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

7. **COUNTERPARTS**

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

IN WITNESS of which the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written.

  
**SIGNED** by.....

Print name..... JAMES DEAN .....

Duly authorised for and on behalf of  
**NETWORK RAIL INFRASTRUCTURE LIMITED**

**SIGNED** by



Print name Andy Mellors - MD  
Duly authorised for and on behalf of  
**FIRST TRENITALIA WEST COAST RAIL LIMITED**

APPENDIX A

Calling Patterns

Table 4.1: Calling Patterns

1					2	3
<b>Service Group 1: London Euston to Birmingham New Street, Wolverhampton and Shrewsbury</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Birmingham New Street	WCML	HF01.1	22100001	Coventry, Birmingham International	Watford Junction, Milton Keynes Central, Rugby
		WCML	HF01.2	22100001	Watford Junction, Milton Keynes Central, Rugby, Coventry, Birmingham International	
London Euston	Wolverhampton	WCML	HF01.3	22100001	Milton Keynes Central, Rugby, Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley	Watford Junction, Northampton
Birmingham New Street	London Euston	WCML	HF01.4	22100001	Birmingham International, Coventry	Rugby, Milton Keynes Central, Watford Junction
			HF01.5	22100001	Birmingham International, Coventry, Rugby, Milton Keynes Central, Watford Junction	Northampton
Wolverhampton	London Euston	WCML	HF01.6	22100001	Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry, Rugby, Milton Keynes Central, Watford Junction	
Birmingham International	London Euston	WCML	HF01.7	22100001	Coventry	
London Euston	Shrewsbury	Madeley Jn (Shropshire)	HF01.8	22100001	Watford Junction, Milton Keynes Central, Rugby, Coventry, Birmingham International, Birmingham New Street, Wolverhampton, Telford Central, Wellington Telford West	N/A

<b>1</b>					<b>2</b>	<b>3</b>
<b>Service Group 1: London Euston to Birmingham New Street, Wolverhampton and Shrewsbury</b>						
<b>Service description</b>						
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Regular Calling Pattern</b>	<b>Additional stations</b>
Shrewsbury	London Euston	Madeley Jn (Shropshire)	HF01.9	22100001	Wellington Telford West, Telford Central, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry, Rugby, Milton Keynes Central, Watford Junction	N/A

Table 4.1: Calling Patterns

1					2	3
<b>Service Group 2: London Euston to Chester and Holyhead, and Birmingham New Street to Bangor and Holyhead</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Chester	WCML, Trent Valley	HF02.1	22104001	Stafford, Crewe	Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley
London Euston	Holyhead	WCML, Trent Valley	HF02.2	22104001	Stafford, Crewe, Chester, Flint, Prestatyn, Rhyl, Colwyn Bay, Llandudno Junction, Bangor	Milton Keynes, Tamworth Low Level, Lichfield Trent Valley
Chester	London Euston	WCML, Trent Valley	HF02.3	22104001	Crewe, Stafford	Lichfield Trent Valley, Tamworth Low Level, Milton Keynes Central
Holyhead	London Euston	WCML, Trent Valley	HF02.4	22104001	Bangor, Llandudno Junction, Colwyn Bay, Rhyl, Prestatyn, Flint, Chester, Crewe, Stafford	Lichfield Trent Valley, Tamworth Low Level, Milton Keynes Central
Birmingham New Street	Holyhead	WCML	HF02.5	22104001	Wolverhampton, Stafford, Crewe, Chester, Flint, Prestatyn, Rhyl, Colwyn Bay, Llandudno Junction, Bangor	N/A
Holyhead	Birmingham New Street	WCML	HF02.6	22104001	Bangor, Llandudno Junction, Colwyn Bay, Rhyl, Prestatyn, Flint, Chester, Crewe, Stafford, Wolverhampton	N/A
Chester	Birmingham New Street	N/A	HF02.7	22104001	Crewe, Stafford, Wolverhampton	N/A
London Euston	Shrewsbury	WCML, Chester	HF02.8	22104001	Stafford, Crewe, Chester, Wrexham General, Ruabon, Chirk, Gobowen	Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley
Wrexham	Chester	N/A	HF02.9	22104001	N/A	N/A
Crewe	Holyhead	N/A	HF02.10	22104001	Chester, Flint, Prestatyn, Rhyl, Colwyn Bay, Llandudno Junction, Bangor, Holyhead	N/A



1					2	3
<b>Service Group 2: London Euston to Chester and Holyhead, and Birmingham New Street to Bangor and Holyhead</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Wrexham General	London Euston	Chester	HF02.11	22104001	Chester, Crewe, Stafford	Lichfield Trent Valley, Tamworth Low Level, Milton Keynes Central
London Euston	Wrexham General	Chester	HF02.12	22104001	Stafford, Crewe, Chester, Wrexham General	Milton Keynes Central, Tamworth Low Level, Lichfield Trent Valley
Chester	Holyhead	N/A	HF02.13	22104001	Flint, Prestatyn, Rhyl, Colwyn Bay, Llandudno Junction, Bangor	N/A
Holyhead	Crewe	N/A	HF02.14	22104001	Bangor, Llandudno Junction, Colwyn Bay, Rhyl, Prestatyn, Chester	Flint
Chester	Crewe	N/A	HF02.15	22104001	N/A	N/A

Table 4.1: Calling Patterns

1					2	3
Service Group 3: London Euston to Manchester Piccadilly						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Manchester Piccadilly	WCML, Stoke-on-Trent	HF03.1	22108001	Nuneaton, Stoke-on-Trent, Stockport	Watford Junction, Milton Keynes Central, Rugby, Tamworth Low Level, Lichfield Trent Valley, Stafford, Macclesfield
		WCML, Stoke-on-Trent	HF03.2	22108001	Milton Keynes Central, Rugby, Stoke-on-Trent, Macclesfield, Stockport	Watford Junction, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford
		WCML, Wilmslow	HF03.3	22108001	Stafford, Crewe, Wilmslow, Stockport	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley

1					2	3
<b>Service Group 3: London Euston to Manchester Piccadilly</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
		WCML. Coventry, Wilmslow	HF03.4	22108001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Wilmslow	N/A
Manchester Piccadilly	London Euston	Stoke-on-Trent, WCML	HF03.5	22108001	Stockport, Stoke-on-Trent, Nuneaton	Macclesfield, Stafford, Lichfield Trent Valley, Tamworth Low Level, Rugby, Milton Keynes Central, Watford Junction
		Stoke-on-Trent, WCML	HF03.6	22108001	Stockport, Macclesfield and Stoke-on-Trent, Rugby, Milton Keynes Central	Lichfield Trent Valley,-Tamworth Low Level, Nuneaton, Watford Junction
		Wilmslow, WCML	HF03.7	22108001	Stockport, Wilmslow, Crewe, Stafford	Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
		Stoke-on-Trent, Coventry, WCML	HF03.8	22108001	Stockport, Macclesfield, Stoke-on-Trent, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	N/A

<b>1</b>					<b>2</b>	<b>3</b>
<b>Service Group 3: London Euston to Manchester Piccadilly</b>						
<b>Service description</b>						
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Regular Calling Pattern</b>	<b>Additional stations</b>
		Wilmslow, Coventry, WCML	HF03.9	22108001	Stockport, Wilmslow, Crewe, Stafford, Wolverhampton, Birmingham New Street, Birmingham International, Coventry	N/A
Crewe	Manchester Piccadilly	Wilmslow	HF03.10	22108001	Wilmslow, Stockport	N/A

Table 4.1: Calling Patterns

1					2	3
<b>Service Group 4: London Euston to Liverpool Lime Street</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Liverpool Lime Street	WCML, Trent Valley	HF04.1	22109001	Milton Keynes Central, Crewe, Runcorn	Watford Junction, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford, Hartford
		WCML, Trent Valley	HF04.2	22109001	Tamworth Low Level, Lichfield Trent Valley, Runcorn	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Stafford, Crewe
		WCML, Coventry	HF04.3	22109001	Watford Junction, Milton Keynes Central, Rugby, Coventry, Birmingham International, Birmingham New Street, Stafford, Crewe, Runcorn	Wolverhampton
Liverpool Lime Street	London Euston	WCML, Trent Valley	HF04.4	22109001	Runcorn, Crewe, Milton Keynes Central	Hartford, Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Watford Junction
		WCML, Trent Valley	HF04.5	22109001	Runcorn, Lichfield Trent Valley, Tamworth Low Level	Crewe, Stafford, Nuneaton, Rugby, Milton Keynes Central, Watford Junction

Table 4.1: Calling Patterns

1					2	3
<b>Service Group 6: London Euston to Preston, Lancaster, Blackpool North and Glasgow Central</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Glasgow Central	WCML, Trent Valley	HF06.1	22112001	Warrington Bank Quay, Wigan North-Western Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Motherwell <sup>1, 2, 3</sup>	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford, Crewe, Lockerbie
London Euston	Lancaster	WCML, Trent Valley	HF06.2	22112001	Crewe, Warrington Bank Quay, Wigan North-Western, Preston	Rugby, Nuneaton, Stafford, Crewe
London Euston	Preston	WCML, Trent Valley	HF06.3	22112001	Crewe, Warrington Bank Quay, Wigan North-Western	Watford Junction, Milton Keynes Central, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford
Glasgow Central	London Euston	WCML, Trent Valley	HF06.4	22112001	Motherwell <sup>1, 2, 3</sup> , Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay	Lockerbie, Crewe, Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
Lancaster	London Euston	WCML, Trent Valley	HF06.5	22112001	Preston, Wigan North-Western, Warrington Bank Quay, Milton Keynes Central	Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Watford Junction

1					2	3
<b>Service Group 6: London Euston to Preston, Lancaster, Blackpool North and Glasgow Central</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Preston	London Euston	WCML, Trent Valley	HF06.6	22112001	Wigan North-Western, Warrington Bank Quay, Crewe	Stafford, Lichfield Trent Valley, Tamworth Low Level, Nuneaton, Rugby, Milton Keynes Central, Watford Junction
Blackpool North	Crewe	Preston, WCML	HF06.7	2112001	Kirkham & Wesham, Poulton le Fylde, Preston, Wigan North-Western, Warrington Bank Quay,	N/A
Crewe	Blackpool North	WCML, Preston	HF06.8	22112001	Warrington Bank Quay, Wigan North-Western, Preston, Poulton le Fylde, Kirkham & Wesham	N/A
London Euston	Blackpool North	WCML, Preston	HF06.9	22112001	Milton Keynes Central, Warrington Bank Quay, Wigan North-Western, Preston	Watford Junction, Rugby, Nuneaton, Tamworth Low Level, Lichfield Trent Valley, Stafford, Crewe, Hartford, Poulton le Fylde and Kirkham & Wesham
Blackpool North	London Euston	Preston, WCML	HF06.10	22112001	Preston, Wigan North-Western, Warrington Bank Quay, Milton Keynes Central	Kirkham & Wesham, Poulton le Fylde, Hartford, Crewe, Stafford, Lichfield Trent Valley, Tamworth Low Level, Rugby, Nuneaton, Watford Junction
Crewe	London Euston	Trent Valley, WCML	HF06.11	22112001	Stafford, Lichfield Trent Valley, Tamworth Low Level, Watford Junction	N/A

Notes to Table:

1 Limited to 13 per SX day

2 Limited to 13 SO

3 Limited to 15 SUN

Table 4.1: Calling Patterns

1					2	3
<b>Service Group 8: London Euston and Birmingham New Street to Glasgow Central and Edinburgh</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Glasgow Central	WCML, Coventry	HF08.1	22114001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Motherwell <sup>1, 2, 3</sup>	Watford Junction, Milton Keynes Central, Rugby, Lockerbie
London Euston	Edinburgh	WCML, Coventry	HF08.2	22114001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Haymarket	Watford Junction, Milton Keynes Central, Rugby, Lockerbie
Birmingham New Street	Glasgow Central	WCML	HF08.3	22114001	Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Motherwell <sup>1, 2, 3</sup>	Lockerbie
Birmingham New Street	Edinburgh	WCML	HF08.4	22114001	Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Haymarket	Lockerbie
Glasgow Central	London Euston	Coventry, WCML	HF08.5	22114001	Motherwell <sup>1, 2, 3</sup> , Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	Lockerbie, Rugby, Milton Keynes Central, Watford Junction



1					2	3
<b>Service Group 8: London Euston and Birmingham New Street to Glasgow Central and Edinburgh</b>						
<b>Service description</b>						
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Regular Calling Pattern</b>	<b>Additional stations</b>
Edinburgh	London Euston	Coventry, WCML	HF08.6	22114001	Haymarket, Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	Lockerbie, Rugby, Milton Keynes Central, Watford Junction
Glasgow Central	Birmingham New Street	WCML	HF08.7	22114001	Motherwell <sup>1, 2, 3</sup> , Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley	Lockerbie, Lancaster
Edinburgh	Birmingham New Street	WCML	HF08.8	22114001	Haymarket, Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley	Lockerbie
London Euston	Crewe	WCML, Coventry	HF08.9	22114001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe	Stoke-on-Trent
Wolverhampton	Glasgow Central	WCML	HF08.10	22114001	Stafford, Crewe, Warrington Bank Quay, Wigan North-Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Lockerbie	N/A
Preston	Birmingham New Street	WCML	HF08.11	22114001	Wigan North-Western, Warrington Bank Quay, Crewe, Wolverhampton	Stafford, Sandwell & Dudley
Lancaster	London Euston	Coventry, WCML	HF08.12	22114001	Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	N/A
Blackpool North	London Euston	Coventry, WCML	HF08.13	22114001	Preston, Wigan North-Western, Warrington Bank Quay, Crewe, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry, Rugby, Milton Keynes Central, Watford Junction	N/A

1					2	3
<b>Service Group 8: London Euston and Birmingham New Street to Glasgow Central and Edinburgh</b>						
<b>Service description</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Glasgow Central	Crewe	WCML	HF08.14	22114001	Motherwell, Lockerbie, Carlisle, Penrith, Oxenholme, Lancaster, Preston, Wigan North-Western, Warrington Bank Quay	N/A
London Euston	Preston	WCML, Coventry	HF08.15	22114001	Coventry, Birmingham International, Birmingham New Street, Sandwell & Dudley, Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western	N/A
Preston	London Euston	Coventry, WCML	HF08.16	22114001	Wigan North-Western, Warrington Bank Quay, Crewe, Stafford, Wolverhampton, Sandwell & Dudley, Birmingham New Street, Birmingham International, Coventry	N/A
Birmingham New Street	Preston	WCML	HF08.17	22114001	Wolverhampton, Stafford, Crewe, Warrington Bank Quay, Wigan North-Western	Sandwell & Dudley

Notes to Table:

1 Limited to 7 per SX day

2 Limited to 5 SO

3 Limited to 9 SUN

APPENDIX B

**Track Charges and Other Payments**

**"excluded change"** means, in relation to paragraph 2(a) of Part 7, a change to the arrangements established between Network Rail and any other person in respect of the payment of any amount under sections 6 or 8 of the Railways Act 2005;

**"Facility Charge"** means the fixed annual facility charge payable by the Train Operator to Network Rail in respect of the capital cost of the Facility Charge Works, calculated in accordance with paragraph 8A of Part 2;

**"Facility Charge Indexation"** has the meaning ascribed to it in paragraph 8A.3 of Part 2;

**"Facility Charge Works"** means the works in relation to the platform lengthening to permit eleven car pendolinos to operate on the West Coast Main Line";