

9th 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 1st December 2022

CONTENTS

1. INTERPRETATION1

2. EFFECTIVE DATE AND TERM1

3. ORR - GENERAL APPROVAL1

4. AMENDMENTS TO THE CONTRACT2

5. GENERAL2

6. THIRD PARTY RIGHTS2

7. LAW.....2

8. COUNTERPARTS2

9. ANNEX 13

THIS 9TH SUPPLEMENTAL AGREEMENT is dated 26th July 2023 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at 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 8th Floor The Point, 37 North Wharf Road, London, United Kingdom, W2 1AF (the “Train Operator”).

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- (A) Words and expressions defined in and rules of interpretation set out in the Contract shall have the same meaning and effect when used in this Supplemental Agreement except where the context requires otherwise;
- (B) “Effective Date” means the date of signature of this supplemental agreement.

2. EFFECTIVE DATE AND TERM

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

3. ORR – GENERAL APPROVAL

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009.

4. AMENDMENTS TO THE CONTRACT

4.1 Appendix 1 of Schedule 8 shall be deleted in its entirety and replaced with the entry set out in Annex 1.

5. Retrospective Effect

Notwithstanding the Effective Date, the amendments shall be applied retrospectively from the 23rd July 2023.

6. 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.

7. 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.

8. LAW

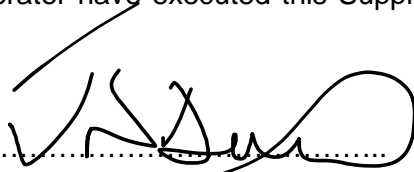
This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

9. 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, Route Director, West Coast South
Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by

Print name: Andy Mellors

A handwritten signature in black ink that reads "Andy Mellors". The signature is written in a cursive style with a clear, legible font.

Duly authorised for and on behalf of
FIRST TRENITALIA WEST COAST RAIL LIMITED

ANNEX 1

APPENDIX 1 OF SCHEDULE 8

| A | B | | C | D | | E | F | G | H | | I | J | K |
|---|-------------------|------------|--------------|-------------------|--------------|----------------------|-----|--------------|--|--|------------------|-----------------------|------------|
| Service Group | Network Rail | | Payment Rate | TOC | | Cancellation Minutes | Cap | Service code | | Direction | Monitoring Point | Weighting | |
| | Performance Point | | | Performance Point | Payment Rate | | | | | | | | |
| HF01 London Euston – Birmingham / Wolverhampton All Trains | 2019-20 | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 36 | 120 | 100 | London Euston - Birmingham/Wolverhampton | Forward | COVENTRY | [Redacted] | |
| | 2020-21 | [Redacted] | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Forward | LONDON EUSTON | [Redacted] |
| | 2021-22 | [Redacted] | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Reverse | SHREWSBURY | [Redacted] |
| | 2022-23 | [Redacted] | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Reverse | COVENTRY | [Redacted] |
| | 2023-24 | [Redacted] | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Reverse | BIRMINGHAM NEW STREET | [Redacted] |
| | | | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Reverse | WOLVERHAMPTON | [Redacted] |
| | | | | | | | | | 100 | London Euston - Birmingham/Wolverhampton | Reverse | RUGBY | [Redacted] |
| HF02 London Euston – North Wales All Trains | 2019-20 | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 76 | 270 | 104 | London Euston - North Wales | Forward | CHESTER | [Redacted] | |
| | 2020-21 | [Redacted] | | | | | | | 104 | London Euston - North Wales | Forward | CREWE | [Redacted] |
| | 2021-22 | [Redacted] | | | | | | | 104 | London Euston - North Wales | Forward | LONDON EUSTON | [Redacted] |
| | 2022-23 | [Redacted] | | | | | | | 104 | London Euston - North Wales | Forward | MILTON CENTRAL KEYNES | [Redacted] |
| | 2023-24 | [Redacted] | | | | | | | 104 | London Euston - North Wales | Reverse | CHESTER | [Redacted] |
| | | | | | | | | | 104 | London Euston - North Wales | Reverse | BANGOR | [Redacted] |
| | | | | | | | | | 104 | London Euston - North Wales | Reverse | HOLYHEAD | [Redacted] |

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| | | | | | | | | | Wales | | | |
| | | | | | | | | 104 | London Euston - North Wales | Reverse | CREWE | [Redacted] |
| | | | | | | | | 104 | London Euston - North Wales | Reverse | WREXHAM GENERAL | [Redacted] |
| | | | | | | | | 104 | London Euston - North Wales | Reverse | MILTON KEYNES CENTRAL | [Redacted] |
| HF03 London Euston - Manchester All Trains | 2019-20 [Redacted] 2020-21 [Redacted] 2021-22 [Redacted] 2022-23 [Redacted] 2023-24 [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 38 | 120 | 108 | London Euston - Manchester Piccadilly | Forward | LONDON EUSTON | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Forward | STOKE-ON-TRENT | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Forward | CREWE | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Reverse | STOKE-ON-TRENT | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Reverse | MILTON KEYNES CENTRAL | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Reverse | STOCKPORT | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Reverse | MANCHESTER PICCADILLY | [Redacted] |
| | | | | | | | | 108 | London Euston - Manchester Piccadilly | Reverse | CREWE | [Redacted] |
| HF04 London Euston - Liverpool All Trains | 2019-20 [Redacted] 2020-21 [Redacted] 2021-22 [Redacted] 2022-23 [Redacted] 2023-24 [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 65 | 270 | 109 | London Euston - Liverpool Lime Street | Forward | LONDON EUSTON | [Redacted] |
| | | | | | | | | 109 | London Euston - Liverpool Lime Street | Forward | CREWE | [Redacted] |
| | | | | | | | | 109 | London Euston - Liverpool Lime Street | Reverse | LIVERPOOL LIME STREET | [Redacted] |
| | | | | | | | | 109 | London Euston - Liverpool Lime Street | Reverse | CREWE | [Redacted] |
| HF06 London Euston - Carlisle / Scotland | 2019-20 [Redacted] 2020-21 [Redacted] 2021-22 [Redacted] | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 91 | 270 | 112 | London Euston - Carlisle/Glasgow | Forward | PRESTON | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Forward | LONDON EUSTON | [Redacted] |

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| All Trains | 2022-23 | [Redacted] | | | | | | 112 | London Euston - Carlisle/Glasgow | Forward | CARLISLE | [Redacted] |
| | 2023-24 | [Redacted] | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | BLACKPOOL | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | PRESTON | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | GLASGOW CENTRAL | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | CARLISLE | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | LANCASTER | [Redacted] |
| | | | | | | | | 112 | London Euston - Carlisle/Glasgow | Reverse | WARRINGTON BANK QUAY | [Redacted] |
| HF08 London – Scotland via West Midlands All Trains | 2019-20 | [Redacted] | [Redacted] | [Redacted] | [Redacted] | 69 | 172 | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | COVENTRY | [Redacted] |
| | 2020-21 | [Redacted] | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | MILTON KEYNES CENTRAL | [Redacted] |
| | 2021-22 | [Redacted] | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | LONDON EUSTON | [Redacted] |
| | 2022-23 | [Redacted] | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | BIRMINGHAM NEW STREET | [Redacted] |
| | 2023-24 | [Redacted] | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | PRESTON | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Forward | CREWE | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | BIRMINGHAM NEW STREET | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | COVENTRY | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | MILTON KEYNES CENTRAL | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | EDINBURGH | [Redacted] |
| | | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | PRESTON | [Redacted] |

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| | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | CARLISLE | [Redacted] |
| | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | GLASGOW CENTRAL | [Redacted] |
| | | | | | | | 114 | London Euston - Scotland via W Midlands (Class 9s) | Reverse | CREWE | [Redacted] |