

Nineteenth Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

and

WEST MIDLANDS TRAINS LIMITED
as Train Operator

relating to the Track Access Contract (Passenger Services) dated 15 May 2019

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THIS NINETEENTH SUPPLEMENTAL AGREEMENT is dated 10 November 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) **WEST MIDLANDS TRAINS LIMITED**, a company registered in England under number 09860466 having its registered office at 2nd Floor St Andrew's House, 18-20 St Andrew Street, London, United Kingdom, EC4A 3AG (the "**Train Operator**").

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 15 May 2019 in a form approved by the Office of Rail and Road pursuant to Section 18 of the Railways Act 1993 ("**the Act**") hereafter referred to as the "**Contract**".
- (B) The parties now propose to enter into this Supplemental Agreement in order to amend the Contract as described herein.

IT IS HEREBY AGREED as follows:

1. **INTERPRETATION**

In this Nineteenth 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 Principal Change Date 2023, following the reversions to Schedule 5 as applied under the Sixteenth Supplemental and the amendments made by the Seventeenth Supplemental, and the date upon which the ORR issues its approval, pursuant to Section 22 of the Act, of the terms of this Supplemental Agreement.

2. **EFFECTIVE DATE AND TERM**

The amendments to the Contract relating to Schedule 5, made pursuant to this Supplemental Agreement, shall have effect from the Effective Date.

3. **AMENDMENTS TO SCHEDULE 5**

3.1 Schedule 5 shall be deleted in its entirety and replaced with the version set out as Appendix

A to this Supplemental Agreement

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.

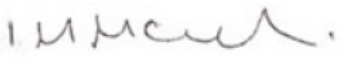
7. **COUNTERPARTS**

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 08-11-23

Print name Denise Wetton, Central Route Director
Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED


SIGNED by

Print name Ian McConnell, Managing Director
Duly authorised for and on behalf of
WEST MIDLANDS TRAINS LIMITED

Appendix A

Schedule 5

(The Services and the Specified Equipment)

0Definitions

1In this Schedule unless the context otherwise requires:

"**Calling Pattern**" means a list of stations related to one or more Passenger Train Slots, at which stops are to be Scheduled in the Working Timetable;

"**Contingent Right**" means a right under this Schedule 5 which is not a Firm Right and which is subject to the fulfilment of all competing Exercised Firm Rights and any additional contingency specified in this Schedule 5;

"**Day**" means any period of 24 hours beginning at 02:00 hours and ending immediately before the next succeeding 02:00 hours, and any reference in this Schedule to any named day of the week shall be to such period commencing on that named day;

"**Exercised**" has the meaning ascribed to it in Part D of the Network\Code;

"**Firm Right**" has the meaning ascribed to it in Part D of the Network Code;

"**Network Change**" has the meaning ascribed to it in Part G of the Network Code;

"**Off-Peak Services**" means Services Scheduled on any part of a Weekday which are not "**Peak Services**", and "Off-Peak" shall be construed accordingly;

"**Passenger Train Slot**" means a Train Slot intended by the Train Operator to be used for the provision of a Service;

"**Public Holiday**" means any day other than Saturday or Sunday on which the banks in the City of London are not open for business;

"**Reduced Regular Calling Pattern**" has the meaning ascribed to it in paragraph 4.1;

"**Regular Calling Pattern**" has the meaning ascribed to it in paragraph 4.1;

"**Scheduled**" means, in relation to the quantum, timing or any other characteristic of a train movement, that quantum, timing or other characteristic as included in the applicable Working Timetable;

"**Service Group**" means any one or more (as the context may require) of the service groups described in this Schedule;

"**Timetable Period**" means the period of time between (and including) one Timetable Change Date and (but excluding) the immediately succeeding Timetable Change Date;

"**Timing Load**" means, in relation to a Service, the timing reference code as defined from time to time in the Working Timetable;

"**Train Service Code**" or "**TSC**" means the eight character code applied in the Performance Monitoring System and used to identify Services;

"**Weekday**" means any day (including, except for the purposes of paragraphs 6 and 7, a Public Holiday) which is not a Saturday or Sunday; and

"**xx20**" means, as an example of this notation, 20 minutes past the hour.

0Unless otherwise stated, where in this Schedule a period is expressed to be between two specific times that period shall be inclusive of both such times.

1The Train Operator's rights under this Schedule as to numbers of Passenger Train Slots per Day are calculated by reference to departures from the Scheduled start point on the Day in question, notwithstanding that a Passenger Train Slot may not be Scheduled to arrive at its end point until the immediately succeeding Day.

-

0 Passenger Train Slots – Valid until Principal Change Date 2023 or earlier termination of the contract (previous consolidated after 15th Supplemental applies)

1 Passenger Train Slots

Table 2.1: Passenger Train Slots

1						2		
19 th Service Group EJ01 West Midlands Snow Hill								
Service description								
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham Snow Hill	Dorridge	Direct	1.1	12257320	172	19	19	10
Birmingham Snow Hill	Kidderminster	Direct	1.2	12332320	172	28	28	0
Birmingham Snow Hill	Leamington Spa	Direct	1.3	12332320	172	4	2	0
Birmingham Snow Hill	Stratford upon Avon	Whitlocks End	1.4	12332320	172	17	17	11
Birmingham Snow Hill	Stratford upon Avon	Dorridge	1.5	22254000	172	13	12	0
Birmingham Snow Hill	Whitlocks End	Direct	1.6	22332000	172	14	16	1
Birmingham Snow Hill	Stourbridge Junction	Direct	1.7	12332320	172	3	4	8
Birmingham Snow Hill	Worcester Foregate Street	Direct	1.8	12332320	172	28	28	10
Birmingham Snow Hill	Worcester Shrub Hill	Direct	1.9	12332320	172	7	6	0
Birmingham Moor Street	Worcester Shrub Hill	Direct	1.10	12332320	172	0	0	5
Birmingham Moor Street	Great Malvern	Direct	1.11	22332000 12332320	172	0	1	0
Dorridge	Birmingham Snow Hill	Direct	1.12	12257320	172	22	19	11
Kidderminster	Birmingham Snow Hill	Direct	1.13	12332320	172	30	29	0
Leamington Spa	Birmingham Snow Hill	Direct	1.14	12332320	172	5	3	0
Stourbridge Junction	Birmingham Snow Hill	Direct	1.15	12332320	172	6	3	7
Stratford upon Avon	Birmingham Snow Hill	Dorridge	1.16	12257320 22257000	172	15	13	0
Stratford upon Avon	Birmingham Snow Hill	Whitlocks End	1.17	12254320 22254000	172	17	18	11
Whitlocks End	Birmingham Snow Hill	Direct	1.18	12254320	172	15	16	1

1						2		
19 th Service Group EJ01 West Midlands Snow Hill								
Service description								
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Worcester Foregate Street	Birmingham Snow Hill	Direct	1.19	22332000 12332320	172	28	28	12
Worcester Shrub Hill	Birmingham Snow Hill	Direct	1.20	22332000 12332320	172	7	7	0
Worcester Foregate Street	Great Malvern	Direct	1.21	22332000	172	0	3	0
Worcester Foregate Street	Birmingham Moor Street	Direct	1.22	22332000 12332320	172	0	0	5
Stourbridge Junction	Stourbridge Town	Direct	1.23	12251310	139	107	107	44
Stourbridge Town	Stourbridge Junction	Direct	1.24	12251310	139	107	107	44
Leamington Spa	Stratford upon Avon	Direct	1.25	22257000	172	1	0	0

1						2		
7 th Service Group EJ02 Trent Valley								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Coventry	Nuneaton	Direct	2.1	22328000	172	18	17	12 ^{13th}
Nuneaton	Coventry	Direct	2.2	22328000	172	18	17	13 ^{13th}
Crewe	Northampton	Madeley Nuneaton	2.3 (110)	22330000	350/110	3	2	4 ^{13th}
Northampton	Crewe	Nuneaton Madeley	2.4	22330000	350	2	2	4 ^{13th}
Crewe	Northampton	Stoke-on-Trent	2.7 (110)	22330000	350/110	0	0	0
Coventry	Leamington Spa	Kenilworth	2.8	22255000	172	18	18 ^{13th}	18 ^{13th}
Leamington Spa	Coventry	Kenilworth	2.9	22255000	172	18	18 ^{13th}	18 ^{13th}
Crewe	Rugby	Madeley	2.31 (110)	22330000	350/110	16 ^{13th}	15	11
Rugby	Crewe	Madeley	2.41 (110)	22330000	350/110	16	15	8

1						2		
2nd 16th Service Group EJ03 West Midlands New Street Locals								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham New Street	Lichfield City	Direct	3.1	12272323 22272000	323	1	1	0
Birmingham New Street	Lichfield Trent Valley	Direct	3.2	12272323 22272000	323	35	35	29
Birmingham New Street	Bromsgrove	Direct	3.3	12272820	323	35	33	15
Birmingham New Street	Redditch	Direct	3.4	12272323 12272820	323	36	36	29
Birmingham New Street	Longbridge	Direct	3.5	12272323	323	1	3	0
Blake Street	Birmingham New Street	Direct	3.6	12272323	323	0	0	1
Lichfield City	Birmingham New Street	Direct	3.7	22272000 12272323	323	0	0	0
Birmingham New Street	Blake Street	Direct	3.8	12272323	323	0	0	0
Lichfield Trent Valley	Birmingham New Street	Direct	3.11	12272323 22272000	323	36	36	29
Bromsgrove	Birmingham New Street	Direct	3.14	12272820 12272323	323	35	33	14
Redditch	Birmingham New Street	Direct	3.19	12272323 12272820	323	36	36	28
Longbridge	Birmingham New Street	Direct	3.75	12272323	323	1	2	1
Four Oaks	Birmingham New Street	Direct	3.67	12272323	323	35	36	1
Birmingham New Street	Four Oaks	Direct	3.68	12272323	323	36	36	0

1						2		
2nd Service Group EJ03 West Midlands New Street Locals								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham International	Birmingham New Street	Direct	3.22	12259320	35011th	34 ^{13th}	34 ^{13th}	12 ^{13th}
Birmingham New Street	Birmingham International	Direct	3.23	12259320	350 ^{11th}	34 ^{13th}	34 ^{13th}	11 ^{13th}
Birmingham New Street	Coventry	Direct	3.24	12259320	350	3 ^{13th}	2 ^{13th}	1 ^{13th}
Birmingham New Street	Northampton	Direct	3.25	22259000	350	36 ^{13th}	35 ^{13th}	29 ^{13th}
Coventry	Birmingham New Street	Direct	3.26	12259320	350	1 ^{13th}	1 ^{13th}	1 ^{13th}
Coventry	Northampton	Direct	3.27	22259000	350	1 ^{13th}	1 ^{13th}	0
Northampton	Birmingham New Street	Direct	3.28	22259000	350	36 ^{13th}	38 ^{13th}	27 ^{13th}
Northampton	Coventry	Direct	3.29	22259000	350	0	0	0 ^{13th}
Birmingham New Street	Wolverhampton	Direct	3.30	12256320	350	36 ^{13th}	37 ^{13th}	16

1						2		
2 nd Service Group EJ03 West Midlands New Street Locals								
Service description						Passenger Train Slots		
Wolverhampton	Birmingham New Street	Direct	3.31	12256320	350	35 ^{13th}	35	17 ^{13th}
Coventry	Wolverhampton	Birmingham New Street	3.32	22259000	350	0	0	0

1						2		
2 nd Service Group EJ03 West Midlands New Street Locals								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham New Street	Hednesford	Walsall	3.34	12263310	350	1	1	1
Birmingham New Street	Rugeley Trent Valley	Walsall	3.36	12263310 12263810	350	36 ^{13th}	36 ^{13th}	15
Birmingham New Street	Walsall	Direct	3.38	12263310	350	32 ^{13th}	32 ^{13th}	19
Rugeley Trent Valley	Birmingham New Street	Walsall	3.41	22263000 12263810	350	35	35 ^{13th}	14
Walsall	Birmingham New Street	Direct	3.45	22329000	350	33 ^{13th}	33 ^{13th}	19
Birmingham New Street	Great Malvern	Five Ways	3.50	22329000	170	2	1	1
Birmingham New Street	Hereford	Five Ways	3.51	22329000	170	16	15	8
Birmingham New Street	Worcester Shrub Hill	Five Ways	3.52	22329000	170	5	3	2
Worcester Foregate Street	Birmingham New Street	Direct	3.54	22339000	170	0	0	3

1						2		
2 nd Service Group EJ03 West Midlands New Street Locals								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham New Street	Worcester Foregate Street	Direct	3.55	22339000	170	0	0	3
Great Malvern	Birmingham New Street	Five Ways	3.56	22329000	170	5	1	0
Hereford	Birmingham New Street	Five ways	3.57	22329000	170	15	15	8
Worcester Shrub Hill	Birmingham New Street	Five Ways	3.58	22329000	170	2	3	3
Hereford	Worcester Shrub Hill	Direct	3.59	22332000	170	3	2	1
Worcester Shrub Hill	Hereford	Direct	3.60	22332000	170	1	1	1
Great Malvern	Worcester Shrub Hill	Direct	3.61	22332000	170	0	0	0
Worcester Shrub Hill	Great Malvern	Direct	3.62	22332000	170	0	1	2
Rugby	Birmingham New St	Direct	3.70	22259000	350	0	0	1

1						2		
Service Group EJ04 West Midlands Inter Urban								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Birmingham New Street	Crewe	Penkridge / Madeley	4.1	22300000	350/110	0	2	1
Birmingham New Street	Liverpool Lime Street	Crewe, Runcorn	4.2	22300000	350/110	29	30	13
Crewe	Birmingham New Street	Penkridge / Madeley	4.4	22300000	350/110	1	1	1
Crewe	Liverpool Lime Street	Runcorn	4.5	22300000	350/110	3	3	1
Liverpool Lime Street	Birmingham New Street	Crewe, Runcorn	4.6	22300000	350/110	31	31	12
Liverpool Lime Street	Crewe	Runcorn	4.7	22300000	350/110	2	2	2 ^{13th}
Birmingham New Street	Shrewsbury	Wolverhampton	4.8	22266000	170	30	32	15
Shrewsbury	Birmingham New Street	Wolverhampton	4.9	22266000	170	31	33	14

1						2		
Service Group EJ04 West Midlands Inter Urban								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Shrewsbury	Wolverhampton	Direct	4.10	22266000	170	0 ^{13th}	0	0
Wolverhampton	Shrewsbury	Direct	4.11	22266000	170	0 ^{13th}	0	0
Crewe	Birmingham New Street	Stoke-on-Trent, Penkridge	4.13	22300000	350/110	16	16	15 ^{13th}
Birmingham New St	Crewe	Stoke-on-Trent, Penkridge	4.14	22300000	350/110	17 ^{13th}	18 ^{13th}	15 ^{13th}

Notes to Table:

¹ Peak times – arriving Euston between 0700 and 0959, departing Euston between 1600 and 1859

² Off-Peak times – arriving at and departing from a relevant station outside Peak times

³ Passenger Train Slots listed under the sub-headings “Peak times” and “Off-Peak times” are the constituent parts of, and are not in addition to, those listed under the sub-heading “Weekday”.

⁴ Shall expire PCD in 2023 and quantum shall then revert to 0.

⁵ Quantum shall revert to 3 from PCD 2023.

1						2					
7 th Service Group EJ05 WCML: London – Northampton											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Total Weekday ³	Peak times ¹		Off-Peak times ²	Saturday	Sunday
							morning Peak	evening Peak			
Bletchley	London Euston	Direct	5.1	22209000	319	4	3	0	1	3	0
Bletchley	Northampton	Direct	5.2	22209000	350	0	0	0	0	1	0
London Euston	Bletchley	Direct	5.3	22209000	319	6 ^{13th}	0	3 ^{13th}	3	4 ^{13th}	2 ^{13th}
London Euston	Milton Keynes Central	Direct	5.4	22209000	319	33 ^{13th}	0	6 ^{13th}	27 ^{13th}	27 ^{13th}	17 ^{13th}
London Euston	Northampton	Direct	5.6 Express service (110mph)	22209000	350/110	3 ^{13th}	0	1 ^{17th 4}	2 ^{17th 5}	9 ^{13th}	0
London Euston	Northampton	Direct	5.8 All stations service (100mph)	22209000	350	6 ^{13th}	0	0 ^{13th}	6 ^{13th}	12 ^{13th}	20 ^{13th}

Notes to Table:

¹ Peak times – arriving Euston between 0700 and 0959, departing Euston between 1600 and 1859

² Off-Peak times – arriving at and departing from a relevant station outside Peak times

³ Passenger Train Slots listed under the sub-headings “Peak times” and “Off-Peak times” are the constituent parts of, and are not in addition to, those listed under the sub-heading “Weekday”.

1						2					
7 th Service Group EJ05 WCML: London – Northampton											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Total Weekday	Peak times		Off-Peak times	Saturday	Sunday
							morning Peak	evening Peak			
London Euston	Rugby	Weedon	5.9 (100mph)	22209000	350	0	0	0	0	1	0
London Euston	Tring	Direct	5.11	22209000	319	30	0	7	23	25	9
London Euston	Watford Junction	Direct	5.12	22209000	350	0 ^{13th}	0	0 ^{13th}	0 ^{13th}	0	0
Milton Keynes Central	London Euston	Direct	5.13	22209000	319	32 ^{13th}	4	0	28 ^{13th}	26 ^{13th}	24 ^{13th}
Northampton	London Euston	Direct	5.16 Express service (110mph)	22209000	350/110	3 ^{13th}	1 ^{13th}	0	2 ^{13th}	2	0

1						2					
7 th Service Group EJ05 WCML: London – Northampton											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Total Weekday	Peak times		Off-Peak times	Saturday	Sunday
							morning Peak	evening Peak			
Northampton	London Euston	Direct	5.18 All Stations service (100mph)	22209000	350	6 ^{13th}	0 ^{13th}	0	6 ^{13th}	7 ^{13th}	13 ^{13th}
Rugby	London Euston	Weedon	5.19 (100mph)	22209000	350	0	0	0	0	1	0
Tring	London Euston	Direct	5.21	22209000	319	35 ^{13th}	10 ^{13th}	0	25 ^{13th}	26 ^{13th}	0 ^{13th}
Watford Junction	London Euston	Direct	5.22	22209000	350	0 ^{13th}	0 ^{13th}	0	0	0	0
Milton Keynes	Northampton	Direct	5.25	22209000	350	1	0	0	1	1 ^{13th}	0

1							2				
7 th Service Group EJ05 WCML: London – Northampton											
Service description							Passenger Train Slots				
From	To	Via	Description	TSC	Timing Load	Total Weekday	Peak times		Off-Peak times	Saturday	Sunday
							morning Peak	evening Peak			
Rugby	London Euston	Weedon	5.31 (110)	22209000	350/110	16 ^{13th}	3 ^{13th}	0	13 ^{13th}	15 ^{13th}	8 ^{13th}
Northampton	London Euston	Direct	5.32 (110)	22209000	350/110	33 ^{13th}	9 ^{13th}	0	24	34 ^{13th}	20 ^{13th}
London Euston	Rugby	Weedon	5.41 (110)	22209000	350/110	16	0	3	13	15 ^{13th}	8
London Euston	Northampton	Direct	5.42 (110)	22209000	350/110	32	0	8	24	22	17

1						2		
Service Group EJ06 WCML Branch Lines								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Bedford	Bletchley	Direct	6.1	22212000	153	17	17	0
Bletchley	Bedford	Direct	6.2	22212000	153	17	17	0
St Albans Abbey	Watford Junction	Direct	6.3	22213000	319	22	22	16
Watford Junction	St Albans Abbey	Direct	6.4	22213000	319	22	22	16

- *Passenger Train Slots*

0The Train Operator has Firm Rights to the number of Passenger Train Slots in the Working Timetable in respect of a Service Group as listed against each Service specified in Table 2.1 on the Days and within the Peak and Off-Peak times so listed using any Specified Equipment included in paragraph 5.1(a) that is capable of achieving the Timing Load shown. If the Train Operator makes an Access Proposal, or relies on a Rolled Over Access Proposal, to operate any of the Services specified in Table 2.1 using Specified Equipment that is not capable of achieving the Timing Load shown, then the rights will be treated as Contingent Rights for the purposes of Part D of the Network Code.

1In order to provide for the Scheduling of part only of Passenger Train Slots specified in Table 2.1 the Train Operator has:

- (a) Firm Rights for such a Passenger Train Slot to commence from and/or terminate at [*Not used*]; and
- (b) Contingent Rights for such a Passenger Train Slot to commence from and/or terminate at Watford Junction, Tring, Bletchley or Milton Keynes Central (in each case to or from London Euston).

0In order to provide through Services the Train Operator has:

- (a) Firm Rights to combine Passenger Train Slots at Northampton, Birmingham Snow Hill^{13th} and Rugby; and
- (a) Firm Rights to combine Passenger Train Slots with Train Service Codes 12272323 and 22272000 at Birmingham New Street ('Cross City' services)^{13th} and
- (b) Firm Rights to combine Passenger Train Slots with Train Service Codes 22328000 and 22255000 at Coventry ('Knuckle services')^{13th} and
- (c) Contingent Rights to combine Passenger Train Slots at all other locations.

Table 2.2: Additional Passenger Train Slots^{7th}

Not currently used

Additional Passenger Train Slots

0The Train Operator has Contingent Rights to additional Passenger Train Slots in the Working Timetable in respect of a Service Group up to the number listed against each Service specified in Table 2.2 and on the Days so listed.

1A Contingent Right for an additional Passenger Train Slot under paragraph 2.4 includes:

- (a) a Contingent right to call at any station listed in Table 4.1;
- (b) a Contingent Right to have Scheduled part only of the Passenger Train Slot in question; and
- (c) a Contingent Right to combine Passenger Train Slots to provide a through Service.

- *Ancillary Movements*

0The Train Operator has Firm Rights to make Ancillary Movements of Specified Equipment to the extent necessary or reasonably required to give full effect to the other Firm Rights of the Train Operator, including:

- (a) movements for the purpose of maintenance of rolling stock to and from maintenance depots;
- (b) movements for driver training purposes; and
- (c) empty stock movements.

0For the purpose of paragraph 2.6, Ancillary Movements shall not include movements of rolling stock for the purpose of testing or driver training to the extent that:

- (a) the rolling stock concerned has not achieved vehicle and route acceptance necessary for its use in the carriage of passengers on the route in question; or
- (b) where the route in question is not used by the Train Operator for carriage of passengers, the rolling stock concerned has not achieved vehicle and route acceptance necessary to operate on the route without passengers on board.

- *Relief Passenger Train Slots*

A. The Train Operator has Contingent Rights to relief Passenger Train Slots for special or seasonal events, whenever the Train Operator believes (acting in a reasonable and proper manner) that a relief Passenger Train Slot is necessary to accommodate anticipated customer demand. These Contingent Rights are subject to:

- (a) the relief Passenger Train Slot being additional to a Service for which the Train Operator has access rights in table 2.1 or 2.2; and
- (b) each relief Passenger Train Slot being allocated the relevant Train Service Code as shown in Schedule 7, Appendix 7C.

[any necessary special arrangements for 25 and 26 December.]

[arrangements specifying the treatment of Public Holidays – whether as Saturday, Sunday or Weekday services or mixture.]

The exercise of a Stabling right shall not count against the number of Passenger Train Slots listed in Table 2.1.

(Not used)

Calling Patterns

- *Table 4.1: Calling Patterns*

1 ^{16th}					2	3
Service Group EJ01 West Midlands Snow Hill						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Birmingham Snow Hill	Dorridge	Direct	1.1 1.12	12257320	Birmingham Moor St, Small heath, Tyseley, Acocks Green, Olton, Solihull, Widney Manor, Dorridge	
Birmingham Snow Hill	Kidderminster	Direct	1.2 1.13	12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Rowley Regis, Cradley Heath, Stourbridge Junction, Hagley, Blakedown	
Birmingham Snow Hill	Leamington Spa	Direct	1.3 1.14	12332320	Birmingham Moor Street, Small Heath, Tyseley, Acocks Green, Olton, Solihull, Widney Manor. Dorridge, Lapworth, Hatton, Warwick Parkway, Warwick	
Birmingham Snow Hill	Stratford upon Avon	Whitlocks End	1.4 1.17	12332320	Birmingham Moor Street, Small Heath, Tyseley, Spring Road, Hall Green, Yardley Wood, Shirley, Whitlocks End, Wythall, Earlswood (West Midlands), Henley-in-Arden, Stratford-upon-Avon Parkway	

1 16th					2	3
Service Group EJ01 West Midlands Snow Hill						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Birmingham Snow Hill	Stratford upon Avon	Dorridge	1.5 1.16	22254000	Birmingham Moor St, Small Heath, Tyseley, Acocks Green, Olton, Solihull, Widney Manor, Dorridge, Stratford-upon-Avon Parkway	
Birmingham Snow Hill	Whitlocks End	Direct	1.6 1.18	22332000	Birmingham Moor Street, Small Heath, Tyseley, Spring Road, Hall Green, Yardley Wood, Shirley	
Birmingham Snow Hill	Stourbridge Junction	Direct	1.7 1.15	12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Rowley Regis, Cradley Heath	
Birmingham Snow Hill	Worcester Foregate Street	Direct	1.8 1.19	12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Rowley Regis, Cradley Heath, Stourbridge Junction, Hagley, Blakedown, Kidderminster, Droitwich Spa.	
Birmingham Snow Hill	Worcester Shrub Hill	Direct	1.9 1.20	12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Langley Green, Rowley Regis, Old Hill, Cradley Heath, Lye, Stourbridge Junction, Hagley, Blakedown, Kidderminster, Droitwich Spa.	

1 16th					2	3
Service Group EJ01 West Midlands Snow Hill						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Birmingham Moor Street	Worcester Shrub Hill	Direct	1.10	12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Langley Green, Rowley Regis, Old Hill, Cradley Heath, Lye, Stourbridge Junction, Hagley, Blakedown, Kidderminster, Hartlebury, Droitwich Spa	
Birmingham Moor Street	Great Malvern	Direct	1.11	22332000 12332320	Jewellery Quarter, The Hawthorns, Smethwick Galton Bridge, Langley Green, Rowley Regis, Old Hill, Cradley Heath, Stourbridge Junction, Hagley, Blakedown, Kidderminster, Droitwich Spa, Worcester Shrub Hill, Hartlebury, Worcester Foregate Street, Malvern Link	
Worcester Foregate Street	Birmingham Snow Hill	Direct	1.19	22332000 12332320	Worcester Shrub Hill, Droitwich Spa, Kidderminster, Hagley, Stourbridge Junction, Cradley Heath, Rowley Regis, Smethwick Galton Bridge, The Hawthorns, Jewellery Quarter	
Worcester Shrub Hill	Birmingham Snow Hill	Direct	1.20	22332000 12332320	Droitwich Spa, Kidderminster, Blakedown, Hagley, Stourbridge Junction	
Worcester Foregate Street	Great Malvern	Direct	1.21	22332000	Malvern Link	

1 16th					2	3
Service Group EJ01 West Midlands Snow Hill						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Worcester Foregate Street	Birmingham Moor Street	Direct	1.22	22332000 12332320	Worcester Shrub Hill, Droitwich Spa, Kidderminster, Hagley, Stourbridge Junction, Cradley Heath, Rowley Regis, Smethwick Galton Bridge, The Hawthorns, Jewellery Quarter, Birmingham Snow Hill	
Stourbridge Town	Stourbridge Junction	Direct	1.23 1.24	12251310	N/A	
Leamington Spa	Stratford upon Avon	Direct	1.25	22257000	Stratford-upon-Avon Parkway	N/A

1					2	3
Service Group EJ02 Trent Valley						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Coventry	Nuneaton	Direct	2.1, 2.2	22328000	All Stations	N/A

1					2	3
Service Group EJ02 Trent Valley						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Crewe	Northampton	Madeley and Nuneaton	2.3, 2.4	22330000	Stafford, Rugeley Trent Valley, Lichfield Trent Valley, Tamworth Low Level, Atherstone, Nuneaton, Rugby, Long Buckby	Polesworth ¹ , Longport ^{11th}
Crewe	Northampton	Stoke-on-Trent	2.7	22330000	Alsager, Kidsgrove, Stoke-on-Trent, Stone, Stafford Rugeley Trent Valley, Lichfield Trent Valley, Tamworth Low Level, Atherstone, Nuneaton, Rugby, Long Buckby	Longport ^{11th}
Coventry	Leamington Spa	Kenilworth	2.8, 2.9	22255000	Kenilworth	N/A
Rugby	Crewe	Madeley	2.10 (100mph)	22330000	Nuneaton, Atherstone, Tamworth Low Level, Lichfield Trent Valley, Rugeley Trent Valley, Stafford	N/A
Crewe	Rugby	Madeley and Nuneaton	2.31 (110) 2.41 (110)	22330000	Stafford, Rugeley Trent Valley, Lichfield Trent Valley, Tamworth Low Level, Atherstone, Nuneaton,	N/A

1 16th					2	3
Service Group EJ03 West Midlands New Street Locals						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Birmingham New Street	Lichfield City	Direct	3.1 3.7	12272323 22272000	All Stations	
Birmingham New Street	Lichfield Trent Valley	Direct	3.2 3.11	12272323 22272000	All Stations	
Birmingham New Street	Bromsgrove	Direct	3.3, 3.14	12272323	All Stations	
Birmingham New Street	Redditch	Direct	3.4, 3.19	12272323 12272820	All Stations	
Birmingham New Street	Longbridge	Direct	3.5 3.75	12272323	All Stations	
Blake Street	Birmingham New Street	Direct	3.6	12272323	All Stations	
Four Oaks	Birmingham New St	Direct	3.67 3.68	12272323	All Stations	

Birmingham International	Birmingham New Street	Direct	3.22, 3.23	22259000	Lea Hall, Stechford, Adderley Park.	Marston Green,
Birmingham New Street	Coventry	Direct	3.24, 3.26	12259320	Marston Green, Birmingham International, Hampton-in-Arden, Berkswell.	Adderley Park, Stechford, Lea Hall, Tile Hill, Canley.
Birmingham New Street	Northampton	Direct	3.25, 3.28	12259320 22259000	Birmingham International, Tile Hill, Coventry, Rugby. ^{3rd}	Adderley Park, Stechford, Lea Hall, Marston Green, Hampton-in-Arden, Berkswell, Canley, Long Buckby. ^{3rd}
Rugby	Birmingham New St	Direct	3.70	22259000	Coventry, Tile Hill, Birmingham International, Marston Green	N/A
Coventry	Northampton	Direct	3.27, 3.29	22259000	All Stations	N/A
Birmingham New Street	Wolverhampton	Direct	3.30, 3.31	12256320	Smethwick Rolfe Street, Smethwick Galton Bridge, Sandwell and Dudley, Dudley Port, Tipton, Coseley	N/A
Coventry	Wolverhampton	Birmingham New Street	3.32	22259000	All Stations	N/A
Birmingham New Street	Hednesford	Walsall	3.34	12263310	All Stations	N/A
Birmingham New Street	Rugeley Trent Valley	Walsall	3.36, 3.41	12263310 12263810	Tame Bridge Parkway, Walsall, Bloxwich, Bloxwich North, Landywood, Cannock Hednesford, Rugeley Town.	Duddeston, Aston, Witton, Perry Bar, Hamstead, Bescot Stadium.

Birmingham New Street	Walsall	Direct	3.38, 3.45	12263310	Tame Bridge Parkway	Duddeston, Aston, Witton, Perry Bar, Hamstead, Bescot Stadium.
Hednesford	Birmingham New Street	Walsall	3.39	12263310	Cannock, Landywood, Bloxwich North, Bloxwich, Walsall, Tame Bridge Parkway.	Bescot Stadium, Hamstead, Perry Barr, Witton, Aston, Duddeston.
Stafford	Birmingham New Street	Wolverhampton	3.43	22300000 12256320	All Stations	N/A
Birmingham New Street	Great Malvern	Five Ways	3.50, 3.56	22329000	University, Barnt Green, Bromsgrove, Droitwich Spa, Worcester Foregate Street, Malvern Link.	Worcester Shrub Hill
Birmingham New Street	Hereford	Five Ways	3.51, 3.57	22329000	University, Bromsgrove, Droitwich Spa, Worcester Foregate Street, Malvern Link, Great Malvern, Colwall, Ledbury.	Barnt Green, Worcester Shrub Hill
Birmingham New Street	Worcester Shrub Hill	Five Ways	3.52, 3.58	22329000	University, Bromsgrove, Droitwich Spa.	N/A
Worcester Foregate Street	Birmingham New Street	Direct	3.54	22339000	Worcester Shrub Hill, Droitwich Spa, Bromsgrove, University	N/A
Worcester Shrub Hill	Hereford	Direct	3.59, 3.60	22332000	All Stations	N/A
Great Malvern	Worcester Shrub Hill	Direct	3.61, 3.62	22332000	All Stations	N/A

1					2	3
Service Group EJ04 West Midlands Inter Urban						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Birmingham New Street	Crewe	Penkridge	4.1, 4.4	22300000	Coseley, Wolverhampton, Penkridge, Stafford.	Smethwick Rolfe Street, Smethwick Galton Bridge, Sandwell and Dudley, Dudley Port, Tipton, Penkridge
Birmingham New Street	Liverpool Lime Street	Crewe, Runcorn	4.2, 4.6	22300000	Wolverhampton, Penkridge, Stafford, Crewe, Winsford, Hartford, Runcorn, Liverpool South Parkway.	Smethwick Galton Bridge, Coseley, Acton Bridge, Mossley Hill.
Liverpool Lime Street	Crewe	Runcorn	4.5, 4.7	22300000	Liverpool South Parkway, Runcorn, Acton Bridge, Hartford, Winsford.	Mossley Hill
Birmingham New Street	Shrewsbury	Wolverhampton	4.8, 4.9	22266000	Sandwell and Dudley, Wolverhampton, Bilbrook, Codsall, Albrighton, Cosford, Shifnal, Telford Central, Oakengates, Wellington.	Smethwick Galton Bridge, Dudley Port, Tipton, Coseley.
Shrewsbury	Wolverhampton	Direct	4.10, 4.11	22266000	Wellington, Oakengates, Telford Central, Shifnal, Cosford, Albrighton, Codsall, Bilbrook.	N/A

1					2	3
Service Group EJ04 West Midlands Inter Urban						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Crewe	Birmingham New St	Stoke-on-Trent, Penkridge	4.13, 4.14	22300000	Alsager, Kidsgrove, Stoke-on-Trent, Stone, Stafford, Penkridge, Wolverhampton, Coseley, Tipton, Dudley Port, Smethwick Galton Bridge, Smethwick Rolfe St	Longport ^{11th}

1					2	3
Service Group EJ05 WCML: London - Northampton						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Bletchley	London Euston	Direct	5.1, 5.3	22209000	Leighton Buzzard, Berkhamsted, Hemel Hempstead, Watford Junction, Bushey, Harrow and Wealdstone.	Cheddington, Tring, Apsley, Kings Langley, Bushey
Bletchley	Northampton	Direct	5.2	22209000	Milton Keynes Central, Wolverton, Northampton.	N/A
London Euston	Milton Keynes Central	Direct	5.4, 5.13	22209000	Watford Junction, Hemel Hempstead, Berkhamsted, Tring, Leighton Buzzard, Bletchley.	Wembley Central, Harrow and Wealdstone, Bushey, Kings Langley, Apsley, Cheddington.
London Euston	Northampton	Direct	5.6 Express service (110mph), 5.16 Express Service (110mph)	22209000	Watford Junction, Milton Keynes Central	Harrow & Wealdstone, Hemel Hempstead, Berkhamsted, Leighton Buzzard, Bletchley, Wolverton.
London Euston	Northampton	Direct	5.8 All stations service (100mph), 5.18 All stations service (100mph)	22209000	Harrow & Wealdstone, Watford Junction, Kings Langley, Apsley, Hemel Hempstead, Berkhamsted, Tring, Cheddington, Leighton Buzzard, Bletchley, Milton Keynes Central, Wolverton	Wembley Central, Bushey

1					2	3
Service Group EJ05 WCML: London - Northampton						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Euston	Rugby	Weedon	5.9, (100mph) 5.19 (100mph)	22209000	Watford Junction, Milton Keynes Central,	N/A
London Euston	Tring	Direct	5.11, 5.21	22209000	Harrow and Wealdstone, Watford Junction, Kings Langley, Apsley, Hemel Hempstead, Berkhamsted.	Bushey
London Euston	Watford Junction	Direct	5.12	22209000	Harrow and Wealdstone, Bushey.	N/A
Watford Junction	London Euston	Direct	5.22	22209000	Bushey, Harrow & Wealdstone	N/A
Milton Keynes Central	Northampton	Direct	5.25	22209000	Wolverton	N/A
London Euston	Rugby	Weedon	5.31 (110mph), 5.41 (110mph)	22209000	Milton Keynes Central	N/A
London Euston	Northampton	Direct	5.32 (110mph), 5.42 (110mph)	22209000	Watford Junction, Leighton Buzzard, Bletchley ^{13th} , Milton Keynes Central, Wolverton	

1					2	3
Service Group EJ06 WCML Branch Lines						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Bedford	Bletchley	Direct	6.1, 6.2	22212000	All Stations	N/A
St Albans Abbey	Watford Junction	Direct	6.3, 6.4	22213000	All Stations	N/A

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- *Calling Patterns*

In respect of each Service specified in column 1 of Table 4.1, the Train Operator has Firm Rights to the corresponding Calling Pattern listed in column 2 of that Table (the "**Regular Calling Pattern**") or any subset of the Calling Pattern (the "**Reduced Regular Calling Pattern**").

- *Additional calls*

The Train Operator has Contingent Rights to have Scheduled, in respect of any Passenger Train Slot, calls at one or more of the stations set out opposite the Service in column 3 of Table 4.1 being stations which do not form part of the Regular Calling Pattern.

Specified Equipment

- *Specified Equipment*

In order to provide the Services specified in this Schedule 5, subject to obtaining any necessary route clearance for the route in question, the Train Operator has:

(a) Firm Rights to operate the following railway vehicles:

Class 350, Class 350 (110mph capable), Class 323, Class 319, Class 172, Class 170, Class 153, Class 150, Class 139, Class 230, Class 1968th

and

(b) Contingent Rights to operate any railway vehicles registered with RSSB's R2 system (incorporating the former Rolling Stock Library).

For the purposes of this contract the railway vehicles specified in paragraphs 5.1(a) and 5.1(b) are known as the "Specified Equipment".

- *Train length*

B. The Train Operator has a Firm Right to the maximum train length in metres which the Network can from time to time accommodate, subject to a right of Network Rail to vary the train length in cases where the Network cannot accommodate all Access Proposals and Rolled Over Access Proposals to operate to the maximum length.

C. Nothing in paragraph 5.2 precludes the operation of trains in excess of platform lengths where appropriate measures have been taken to control, so far as is reasonably practicable, any risks introduced by the use of such longer trains.

