



## **APPLICATION TO THE OFFICE OF RAIL AND ROAD FOR A PASSENGER TRACK ACCESS CONTRACT, OR AN AMENDMENT TO AN EXISTING CONTRACT**

ORR ensures that train operating companies have fair access to the rail network and that best use is made of capacity. If a train operator wants to access the national railway network, it will need a track access agreement with Network Rail which requires ORR's approval under the Railways Act 1993. When determining access to the network, we must have regard to our [statutory duties](#), most of which are set out in section 4 of the Act. We must exercise our functions (which include the approval of access contracts) in a way that we consider best achieves those duties.

Use this form to apply to the Office of Rail and Road (ORR) for a passenger track access contract, or an amendment to an existing contract by a supplemental agreement, under sections 17-22A or the Railways Act 1993.

It sets out ORR's standard information requirements for considering applications. Our [track access guidance](#) (and our [making an application](#) guidance in particular) explains the process, timescales and the issues we will consider. Please read the guidance before completing the contract and this form.

If the facility owner and beneficiary have agreed terms, the facility owner should fill in the form. If not, the beneficiary should fill in the form.

A pre-application industry consultation is usually required before submitting an application. Please see the industry [code of practice for track access application consultations](#) for more information.

This form should be completed up to section 10 and sent to consultees along with a copy of the proposed contract or supplemental agreement. Sections 10 and 11 should be filled in after the consultation and before applying to ORR.

We are happy to talk to you informally before you apply. Please contact us [here](#). You can download a copy of this form, and of our model track access contract, from our [website](#). Please ensure that you are using the latest version of this form as published on our website. We may ask for applications which have not used the latest version to be resubmitted.

You may also use and adapt this form if necessary to apply to use railway facilities other than those of Network Rail. Do not use this form for HS1, for which a separate form is available on our [website](#).

## 1. Application Summary

### 1.1 Beneficiary company name:

West Midlands Trains Ltd
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### 1.2 Facility owner details:

Network Rail:	<input checked="" type="checkbox"/>				
Region:	Southern <input type="checkbox"/>	Eastern <input type="checkbox"/>	Northwest & Central <input checked="" type="checkbox"/>	Wales & Western <input type="checkbox"/>	Scotland's Railway <input type="checkbox"/>
Other Facility Owner:	<input type="checkbox"/>	Please state:			

### 1.3 Application under the Railways Act 1993 section:

17 <input type="checkbox"/>	18 <input type="checkbox"/>	22 <input type="checkbox"/>	22A <input checked="" type="checkbox"/>
Supplemental Number:			28 <sup>th</sup>
Current contract date:			15 <sup>th</sup> May 2019
Current contract expiry date:			PCD 2026

### 1.4 Applicant status:

Public Service Operator <input checked="" type="checkbox"/>	Public service contract start date:	19 September 2021
	Public service contract end date:	20 September 2026
	Name of funder (e.g. DfT, Local Authority):	N/A
	Does the funder support this application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Open Access <input type="checkbox"/>		
Charter Operator <input type="checkbox"/>		

### 1.5 Executive summary of the proposed contract or amendment:

The purpose of this proposed Supplemental Agreement is to update the Track Access Contract ('the Contract') between West Midlands Trains and Network Rail to provide West Midlands Trains firm access rights for 16 additional services as part of their Dec '24 timetable change bid.

Alongside this quantum being sought, the application also seeks to secure firm access rights for an additional 7 services which are already running in the base timetable with rights granted up until PCD 2024. These services had been identified as running without firm access rights during a due diligence exercise undertaken prior to the Dec '23 changes coming into effect, an extension to these rights are being sought up until contract expiry.

Proposed commencement date:	PCD 2024
End date:	End of Contract.
Date approval or directions wanted by:	N/A

### 1.6 Industry consultation:

Who carried out the consultation?	Akaash Bhandari		
Consultation start date:	20 <sup>th</sup> May 2024	Consultation end date:	21 <sup>st</sup> June 2024
Not carried out <input type="checkbox"/>			

### 1.7 Applicant details

<u>Facility Owner</u> Company: Network Rail Infrastructure Ltd Contact name: Akaash Bhandari Job title: Franchise & Access Support Manager Address: 2 <sup>nd</sup> Floor Baskerville House, Centenary Square, Broad Street, Birmingham, B1 2ND	<u>Beneficiary</u> Company: West Midlands Trains Ltd Contact name: Scott Turner Job title: Network Access Manager Address: West Midlands Trains Ltd, 134 Edmund Street, Birmingham, B3 2ES Phone: ██████████
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Phone: [REDACTED]	E-mail: [REDACTED]
E-mail: [REDACTED]	

1.7 Date of application to ORR: 24<sup>th</sup> June 2024

1.8 Checklist of documents attached to the application form:

- Proposed new contract (S17 or S18) or supplemental agreement (S22 or S22A)
- Marked up Schedule 5 (where applicable)
- Marked up comparison to model contract (where applicable)
- All consultation correspondence
- Supporting documentation required for competing services (see section 6.2)
- Other supporting documents, side letters or collateral agreements (please list):


2. Licence and railway safety certificate

2.1 Please state whether:

- you intend to operate the services yourself; or
- have them operated on your behalf. 
  - if so, please name the proposed operating company: [REDACTED]

2.2 Does the proposed operator of the services:

- (a) hold a valid train operating licence under section 8 of the Railways Act 1993 or an exemption under section 7, **and**
- (b) hold a valid safety certificate under the Railways and Other Guided Transport Systems (Safety) Regulations 2006.

If the answer to (a) **or** (b) is no, please state the point reached in obtaining a licence, exemption and/or safety certificate.

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3. The proposed contract or amendment

3.1 Application overview: Please detail the proposed contract or amendment. This should cover the services, the commercial terms, and the reasons for making the application in the terms proposed. This information should be laid out clearly and concisely, and fully highlight the changes from the previous version of the contract (in the case of an amendment).

<p>The 28<sup>th</sup> Supplemental Agreement seeks to amend West Midlands Trains' Schedule 5 Tables in their Track Access Contract to include an additional quantum of 16 access rights.</p> <p>West Midlands Trains are looking in their December 2024 timetable to carry out a number of changes to their timetable, some of which are part of an ongoing programme of reversing changes made during the covid - 19 pandemic.</p>
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Others however are changes linked to reflecting changes in passenger demand and ultimately reshape West Midlands Trains offering to its customers in line with operational feedback and experience.

### Liverpool Corridor

West Midlands Trains is looking to return Liverpool – Birmingham services back to their pre Covid quantum. The December 2019 timetable (when 2tph Birmingham – Liverpool last ran) ran 29 northbound and 31 southbound services between Birmingham New Street and Liverpool, which ran further south to/from London Euston. This service pattern was reduced to 1tph between Birmingham New Street and Liverpool only, as part of Covid service reductions however rights for these were retained rather than relinquished based on expected demand recovery, and therefore do not require consultation. However, there have been incremental service changes made between Crewe – Birmingham (and vice-versa), during and since Covid, and in particular the wholesale change to service structure delivered as part of the successful December 2022 timetable change, the return to full quantum on the Birmingham – Liverpool service group West Midlands Trains requires a small number of SX rights in addition to those already held, as follows:

#### Additional quantum required.

From	To	Via	Description	Timing load	Day of week	Required
Wolverhampton	Birmingham New Street	Direct	3.31	350	SX	1
Birmingham New Street	Crewe	Penkridge / Madeley	4.1	350/110	SX	2
Crewe	Birmingham New Street	Madeley	4.4	350/110	SX	1

Despite the requirement for a small number of additional rights, we are proposing to run a similar number of services between Birmingham and Liverpool than pre-covid (29 northbound and 31 southbound).

### Shrewsbury Corridor

During the development of the June 2024 timetable which aimed to return Birmingham – Shrewsbury services back to pre-pandemic levels further it was identified that there is a requirement to extend the twice hourly service to later in the evening during the weekday, this is a result of direct stakeholder discussion around commuting patterns and the increase in leisure travel along the route, however this was not included in the June 2024 timetable due to further work being required.

#### Additional quantum required.

From	To	Via	Description	Timing load	Day of week	Required
Birmingham New Street	Shrewsbury	Wolverhampton	4.8	170	SX	4
Birmingham New Street	Shrewsbury	Wolverhampton	4.8	170	SX	1

Alongside seeking the above quantum of rights, this application also seeks an extension of seven firm rights which were recently approved by the ORR under the 24<sup>th</sup> Supplemental Agreement. During the application to seek firm rights for the services, it was agreed to approve these for one timetable period up to PCD 2024 and this application seeks to extend these rights until Contract expiry.

Quantum of rights sought.

<b>1</b>						<b>2</b>		
<b>7<sup>th</sup>Service Group EJ02 Trent Valley</b>								
<b>Service description</b>						<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Week-day</b>	<b>Saturday</b>	<b>Sunday</b>
Nuneaton	Coventry	Direct	2.2	22328000	172	18	17	13 <sup>24th</sup>
Crewe	Rugby	Madeley	2.31 (110)	22330000	350/110	16 <sup>13th</sup>	15	11 <sup>24th</sup>

<b>1</b>						<b>2</b>		
<b>2<sup>nd</sup>Service Group EJ03 West Midlands New Street Locals</b>								
<b>Service description</b>						<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Week-day</b>	<b>Saturday</b>	<b>Sunday</b>
Birmingham International	Birmingham New Street	Direct	3.22	12259320	35011th	34 <sup>13th</sup>	34 <sup>13th</sup>	12 <sup>24th</sup>
Northampton	Birmingham New Street	Direct	3.28	22259000	350	36 <sup>13th</sup>	38 <sup>13th</sup>	28 <sup>24th</sup>
Wolverhampton	Birmingham New Street	Direct	3.31	12256320	350	35 <sup>13th</sup>	35 <sup>24th</sup>	17 <sup>13th</sup>

<b>1</b>						<b>2</b>		
<b>Service Group EJ04 West Midlands Inter Urban</b>								
<b>Service description</b>						<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Week-day</b>	<b>Saturday</b>	<b>Sunday</b>
Birmingham New St	Crewe	Stoke-on-Trent, Penkridge	4.14	22300000	350/110	17 <sup>13th</sup>	18 <sup>24th</sup>	15 <sup>13th</sup>

**3.2 Safety risks:** Please explain any important safety risks that have been identified arising from the proposal and how these will be controlled (by reference to the facility owner's safety authorisation and the train operator's safety certificate).

Maintenance colleagues at Network Rail will/have been consulted on the application and no safety risks have been identified. This was also managed as part of the TP-RAM process where no issues were raised.

**3.3 Contract duration:** For new agreements or extensions to existing agreements, please provide justification for the proposed duration and, if more than 5 years, with reference to the [Railways \(Access, Management and Licensing\) Regulations 2016](#).

Not applicable to this application

**3.4 Terms not agreed with the facility owner (for applications under sections 17 or 22A only):** Please explain any areas of the application which have ***not*** been agreed, the reasons for the failure to agree and the reasons for seeking these provisions.

Due to the requirement by the ORR to submit unsupported applications by the 20<sup>th</sup> of May 2024 Network Rail have not been able to fully agree the application or take the proposed application to a SOAR panel.

### 3.5 Bespoke provisions (departures from ORR's model access contracts)

Does the proposed contract include any departures from ORR's model access contract:

Yes  No

If yes, please set out and explain any:

- areas where the drafting of the application changes ORR's published template access contracts (as appropriate, cross-referencing to the answers below). Please also explain why these departures have been made.

- instances where the proposal departs from the charging and/or performance regimes established by ORR's latest periodic review (or subsequent interim reviews) as reflected in ORR's model access contracts, including the financial implications (e.g. establishment of an access charge supplement or rebate).

- new processes (e.g. a self-modification provision) which have been added. Please also demonstrate fully how this new process is robust and complete.

### 3.6 Consolidated contract

For amendments to existing contracts, is the version of the consolidated contract on our [website](#) fully up to date? If not, please explain why not.

The West Midlands Trains' TAC was last consolidated to incorporate the changes made by the 25<sup>th</sup> Supplemental Agreement and fully uploaded onto the ORR website.

## 4. The impacts of the proposal

**4.1 Benefits:** please set out what specific benefits the proposal will achieve. Please describe the benefits to passengers and any impact on other operators, including freight operators.

The changes required in the proposed December 2024 timetable will allow West Midlands Trains to run its timetable as indicated within its Train Service Specification.

Looking at the overall picture the benefits of the proposal are that West Midlands Trains will be able to further enhance and modify its services in line with passenger demand and reflect changes to travel habits through its service offering, in the case of the Shrewsbury enhancements this is in the form of the requirement to extend 2 Train per hour running later into the evening, whilst for Liverpool it is returning the route to its original pre covid quantum.

Finally, another major benefit of the proposed changes is an overall increase in passenger capacity in the West Midlands region along with increases extending to both Liverpool and Shrewsbury, as we move away further from the Covid – 19 pandemic and see passenger demand returning along with the increased need for modal shift of passengers to rail West Midlands Trains needs to ensure its service provision is correctly aligned to passengers for the rest of the current contract.

**4.2 Capacity:** How have you satisfied yourself that there is enough network capacity for the services in the proposal? Please include details on all relevant capacity considerations, including but not limited to track, platform availability, and power supply traction.

### Shrewsbury Services

Our proposal for December 2024 is to extend the provision for 2 trains per hour to earlier and later in the day than our existing access rights allow for. This as mentioned was originally intended to take place during the June 2024 timetable change and all additional services were considered during the development of the timetable, this development includes 26-minute turnrounds at Birmingham New St and improving right-time departure adherence along with uplifted dwell times to preserve right-time presentation, which they previously didn't have.

As is clear to see the additional services can comfortably be catered for within the busiest areas of the route as demonstrated through work alongside capacity planning.

### Liverpool - Birmingham Services

As set out in previous sections, since Covid there have been a number of minor changes to the overall timetable north of Birmingham that need reflecting in our rights tables for weekdays (SX). In December 2023, we returned the Birmingham – Liverpool route to 2tph SX peak and all-day Saturday. This service uplift has performed without issue (arguably better than pre-covid given that it operates

independently of both Chase Line and London-Euston-Birmingham services. Whilst we require a small number of rights to reflect the 2tph service SX, simply, WMT would be replicating our current peak and Saturday timetable along the Stour Valley and Stafford to Crewe, rather than seeking anything in addition, SX.

**4.3 Performance:** What is the impact on network performance? Please outline your assurance process that shows that any performance risk is tolerable in comparison to the benefits of the application. Please explain any risk mitigations. Please attach any associated evidence to support your case.

#### **Shrewsbury Services**

The fundamental hourly structure of this timetable is expected to lead to a general performance uplift, our Shrewsbury services previously observed 5-minute turnrounds at Birmingham New St, which would often lead to late departures northbound and the transferral of delay between service groups particularly on the Stour Valley corridor. We will now be observing 26-minute turnrounds at Birmingham New St which will improve right-time departure adherence and, additionally, services departing Wolverhampton onto the Stour Valley corridor, will have uplifted dwell times to preserve right-time presentation, which they previously didn't have.

#### **Liverpool Services**

West Midlands Trains does not believe the inclusion of these 4 additional rights as a result of the re-introduction of the 2tph Birmingham - Liverpool service would result in a detriment to performance. The December 2022 Concept Train Plan was performance-modelled with 2tph reflected and the results were no cause for concern at that time. Equally, there is less performance risk from this timetable compared to pre-covid given that the service structure has changed and the linkage to services on both the Chase Line and London Euston-Birmingham has been removed.

We are seeking a similar pattern on weekdays to our current Saturday timetable, albeit with one key difference being that the SX service will operate with 4-car services rather than a mix of 4- and 8-car services (as operated on Saturdays). This gives further resilience as the 4-car services allows for greater flexibility of pathing into/out of platforms at Birmingham New Street.

**4.4 Maintenance and renewals:** Are there any implications for the facility owner's maintenance and renewal activities?

The application was circulated internally amongst Network Rail's NW&C maintenance colleagues and no risks or concerns were identified during this process.

## **5. The expression of access rights**

**5.1 Changes to rights:** please provide full descriptions of any new rights required, as compared to the previous contract (in the case of an amendment). Please attach a fully marked-up version or document comparison of any tables in Schedule 5 which are being modified as a result of this application.

The application to grant these firm rights to West Midlands Trains will see the quantum of services in Schedule 5 Table 2.1 for Passenger Train Slots within the Track Access Contract increase by 16.

Annex A shows a marked up copy of the Schedule 5 tables with the changes enacted and Annex B shows a clean version of the tables from a previous consolidated agreement.



**5.2 Flexing rights:** Please explain any limitations on the facility owner's flexing rights in the proposal and the rationale for such limitations.

Not applicable to this application

**5.3 Specified equipment:** Please explain any changes to specified equipment (rolling stock). Has the vehicle and route acceptance procedure in the Network Code (Part F) has been completed? Please explain whether you have, or will have, the rolling stock necessary to exercise the rights.

Class 196 (Shrewsbury services) Class 350 (Liverpool services)

**5.4 Contractual obligations:** Are the proposed services necessary to fulfil obligations under a public service contract? For publicly contracted operators seeking additional access rights, we will expect to see evidence of funder support for the specific rights and of operators' intent and ability to operate the new services.

West Midlands Trains' Dec '24 application has been through the necessary approval processes with the DfT and WMRE (West Midlands Rail Executive). The Dec '24 timetable bid aligns with their commitments in their NRC & ABP.

**5.5 Public funding:** Other than the DfT, Welsh Government or Transport Scotland, are the proposed services subject to financial support from central or local government including PTEs. If so, please give details.

Not applicable to this application

**5.6 Long Term Planning Process:** Is the Long Term Planning Process (or similar devolved authority or regional service delivery project) relevant to this application? If so, please explain how the proposed rights are consistent or inconsistent with this.

All changes contained within this proposal have been bid for as part of the Long-Term Planning Process.

## 6. Competing passenger services:

We would expect to apply the 'not primarily abstractive' test to:

- (i) a new open access service which would compete with franchised services and so impact on the public sector funder's budget;
- (ii) a new franchised service which would compete with an existing franchised service, where we would expect to focus the test on areas where the competing franchised services are operated on behalf of different funders or where for some other reason there are particular concerns over the impact on a funder's budget; and

- (iii) a new service, which might be open access or franchised, which would compete with an existing open access service and which, if it caused the existing open access operator to withdraw from the market, could reduce overall competition on the network.

6.1 Please state if your application is for a competing passenger service, and if so please describe the nature of the competition:

As part of this application for quantum of rights it has been identified there are a number of competing aspirations for capacity at Birmingham New Street from PCD 2024 and beyond.

Below outlines the operators seeking rights at Birmingham New Street

**CrossCountry Trains**

As part of the timetable change, XCTL will introduce a daily though service in each direction between Cardiff and Edinburgh, promoting Union Connectivity. This utilizes existing paths between Birmingham and Edinburgh, and the rights required are new access rights. These rights have been sold on a contingent basis up to SCD 2025 and the output of the plan is as below

- 2 SX rights 221 Cardiff – Birmingham
- 1 SX right 221 Nottingham – Birmingham
- 2 SX rights 221 Birmingham – Bristol Temple Meads via Gloucester
- 1 SX right 221 Birmingham – Cardiff
- 1 SX right 221 Gloucester – Cardiff
- 1 SX right 170 Nottingham – Gloucester
- 1 SO Seasonal and 1 SU Seasonal right 221 Birmingham – Newcastle
- 2 SX rights 221 Newcastle – Birmingham plus 1 Seasonal SO and 1 Seasonal SU 221 right
- 1 SX right 221 York – Birmingham plus 1 Seasonal SO and 1 Seasonal SU 221 right
- 1 SX right 221 Manchester – Birmingham

**Alliance Rail**

Alliance Rail currently have aspirations to operate services between Cardiff Central and Edinburgh from PCD 2025. Below is a brief description of the service plan Alliance Rail have aspirations to operate services from in PCD 2025.

- **Alliance Rail:** 5 tpd each direction, PCD 2025 – PCD 2032 (Cardiff Central, Newport, Severn Tunnel Junction, Gloucester, Birmingham New Street, Derby, Sheffield, Doncaster, York, Newcastle, Edinburgh Waverley)

**West Midlands Trains**

As part of their Dec '24 application West Midlands Trains are seeking a new quantum of rights for services to run between Birmingham New Street and Kings Norton which are covered in the 22<sup>nd</sup> Supplemental Agreement for their Camp Hill line application. Below lists the quantum being sought for services to run to and from Birmingham New Street

1						2		
2 <sup>nd</sup> 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	Kings Norton	Moseley	3.76	????	172	33	33	15
Kings Norton	Birmingham New Street	Moseley	3.77	????	172	34	34	15

The other competing aspiration we have identified from West Midlands Trains themselves are covered within their 30<sup>th</sup> Supplemental Agreement and they are seeking an additional quantum of services to run between on the Cross City line from SCD 2025. Below lists the full quantum being sought

From	To	Via	Description	TSC	Timing Load	Weekday	Saturday
Birmingham New Street	Lichfield City	Direct	3.1	12272323 22272000	323	1	1
Birmingham New Street	Lichfield Trent Valley	Direct	3.2	12272323 22272000	323	53 <sup>30th</sup> 35	53 <sup>30th</sup> 35
Birmingham New Street	Bromsgrove	Direct	3.3	12272820	323	35	33
Birmingham New Street	Redditch	Direct	3.4	12272323 12272820	323	36	36
Birmingham New Street	Longbridge	Direct	3.5	12272323	323	1	3
Blake Street	Birmingham New Street	Direct	3.6	12272323	323	0	0
Lichfield City	Birmingham New Street	Direct	3.7	22272000 12272323	323	0	0
Birmingham New Street	Blake Street	Direct	3.8	12272323	323	0	0
Lichfield Trent Valley	Birmingham New Street	Direct	3.11	12272323 22272000	323	54 <sup>30th</sup> 36	54 <sup>30th</sup> 36

**6.2** For competing services, please also confirm that you have attached as part of your submission to ORR the following:

- Business plan, including details of:
  - forecasts of passenger traffic and revenues, including forecast methodology;
  - pricing strategies;
  - ticketing arrangements;
  - rolling stock specifications (e.g. load factor, number of seats, wagon configuration);
  - marketing strategy;
  - estimated elasticities of the services (e.g. price elasticity, elasticity with respect to quality characteristics of the services).
- Demand forecasting (including associated spreadsheet models) demonstrating modelled generation : abstraction ratio.
- Indicative timetables, including associated .spg files

## 7. Incentives

**7.1 Train operator performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving operator performance.

Not applicable to this application

**7.2 Facility owner performance:** please describe any planned performance improvement initiatives and/or enhancement projects associated with the operation of the proposed services aimed at improving the facility owner's performance.

Not applicable to this application

**7.3 Monitoring of services:** Will all proposed services be monitored for performance throughout their journey? If not, please explain.

The performance of these services will be kept under regular review. Network Rail and West Midlands Trains will monitor performance along these lines of route every four to six weeks and feedback findings to their respective performance teams for visibility.

**7.4 Performance regime changes (for applications under sections 17 or 22A only):** where applicable, please provide justification for any changes to Schedule 8 of the track access contract in the proposal. If necessary, please provide any relevant information in support of the changes proposed.

Due to the requirement by the ORR to submit unsupported applications by the 20<sup>th</sup> of May 2024 Network Rail have not been able to fully agree the application or take the proposed application to a SOAR panel.

## 8. Enhancement

**8.1 Enhancement details:** where the proposal provides for the delivery of any network enhancements, or the services in the proposal are subject to any planned network enhancements, please give full details of the relevant enhancement schemes, including a summary of outputs from the scheme, timescales and the extent to which the network change procedure in the Network Code (Part G) has been completed (where appropriate, by reference to submissions made under ORR's enhancement reporting framework).

Not applicable to this application

**8.2 Enhancement charges:** please confirm that the arrangements for the funding of any network enhancements are consistent with the [investment framework](#), and summarise the level and duration of payments, and the assumed rate of return.

Not applicable to this application

## 9. Other

**9.1 Associated applications to ORR:** please state whether this application is being made in parallel with, or relates to, any other current or forthcoming application to ORR (e.g. in respect of track, station or light maintenance depot access contracts). Where the application is being made in parallel with any other application from the same operator, please ensure the applications are consistent with one another. Where the application relies on another operator relinquishing access rights, please provide evidence that this process has been completed.

- 29<sup>th</sup> supplemental agreement application for full rights for 19 services.
- 22<sup>nd</sup> supplemental agreement application for Camp Hill – Dec '24 rights.

**9.2 Side letters and collateral agreements:** please confirm here that the whole of the proposal between the parties has been submitted with this application and that there are no side letters or other documents which affect it.

Not applicable to this application

**9.3 Confidential redactions:** please list any information that you have redacted from any documentation sent to consultees. If there has been no pre-application consultation, please list any information you want us to exclude from publication. Please provide full reasons for any redactions.

Not applicable to this application

## 10. Pre-application consultation

### 10.1 The consultation:

If consultation has not been carried out, explain why not. If it has, please list the consultees.

Who conducted the consultation?

List all consultees who responded and include their responses and any associated documentation or correspondence between the parties.

**10.2 Resolved issues:** please explain any issues raised by consultees which have been resolved.

**10.3 Unresolved issues:** Please explain any issues raised by consultees which have ***not*** been satisfactorily resolved and why you think these issues should not stop ORR approving the application.

**10.4 Subsequent Changes:** Have any changes been made to the proposal following consultation?

## 11. Certification

*Warning: Under section 146 of the Railways Act 1993, any person who, in giving any information or making any application under or for the purposes of any provision of the Railways Act 1993, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, is guilty of an offence and so liable to criminal prosecution.*

**For agreed applications under section 18 or 22, Network Rail should complete the information below. For disputed applications under section 17 or 22A, the beneficiary should complete it.**

I certify that the information provided in this form is true and complete to the best of my knowledge

Signed

Date **17<sup>th</sup> May 2024**

Name (in caps) **SCOTT TURNER** Job title Network Access Manager

For (company) **West Midlands Trains Ltd**

## 12. Submission

**12.1 What to send:** please supply the application form, the proposed contract or amendment and, where possible, any other supporting information, in electronic form by e-mail, **in plain Microsoft Word or Open Document Text format** (i.e. excluding any macros, auto-para or page numbering, or other auto-formatting).

### 12.2 Where to send it:

Email: [track.access@orr.gov.uk](mailto:track.access@orr.gov.uk)