

FORTIETH 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 19 MAY 2019

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THIS FORTIETH SUPPLEMENTAL AGREEMENT is dated
made

2025 and

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) **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 19 May 2019 in a form approved by the Office of Rail and Road and 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 pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2023 in order to amend the Contract as described herein.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- 1.1 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; and
- 1.2 “Effective Date” means: 2025

2. ORR GENERAL APPROVAL

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2023.

3. 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.

4. AMENDMENTS TO THE CONTRACT

- 4.1 Appendix 1 to Schedule 8 shall be deleted in its entirety and replaced with the version set out in Annex A to this Supplemental Agreement.

5. GENERAL

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”, “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.

6. 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.

7. LAW

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

8. COUNTERPARTS

This Supplemental Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original, but all the counterparts shall together constitute but one and the same instrument.

IN WITNESS WHEREOF Network Rail and the Train Operator have, by their duly authorised representatives, entered into this Supplemental Agreement on the date first above written.

SIGNED by)

duly authorised for and on behalf of)

NETWORK RAIL)
INFRASTRUCTURE LIMITED)

SIGNED by

) 

duly authorised for and on behalf of) Ian McConnell
WEST MIDLANDS TRAINS LIMITED) Managing Director)

Annex A

Appendix 1^{26th} 40th

A	B	C	D	E	F	G	H		I	J	K
Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
EJ01 West Midlands - Snow Hill Off-Peak	2024-25	█	█	█	38	180	254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Forward	BIRMINGHAM SNOW HILL	█
	2025-26	█					254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Reverse	STRATFORD UPON AVON	█
	2026-27	█					254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Reverse	WHITLOCKS END	█
	2027-28	█					257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Forward	BIRMINGHAM SNOW HILL	█
	2028-29	█					257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	DORRIDGE	█
							257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	LEAMINGTON SPA	█
							257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	STRATFORD UPON AVON	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	GREAT MALVERN	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	KIDDERMINSTER	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	STOURBRIDGE JUNCTION	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	WORCESTER FOREGATE STREET	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	WORCESTER SHRUB HILL	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Reverse	BIRMINGHAM SNOW HILL	█
				332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Reverse	KIDDERMINSTER	█			

OFFICIAL

A	B	C	D	E	F	G	H		I	J	K
Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
EJ01 West Midlands - Snow Hill Peak	2024-25	█	█	█	44	180	254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Forward	BIRMINGHAM SNOW HILL	█
	2025-26	█					254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Reverse	STRATFORD UPON AVON	█
	2026-27	█					254	Birmingham Snow Hill-Shirley/Henley-Stratford U Av	Reverse	WHITLOCKS END	█
	2027-28	█					257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Forward	BIRMINGHAM SNOW HILL	█
	2028-29	█					257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	DORRIDGE	█
							257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	LEAMINGTON SPA	█
							257	Birmingham Snow Hill-Dorridge-L Spa-Stratford U Av	Reverse	STRATFORD UPON AVON	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	GREAT MALVERN	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	KIDDERMINSTER	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	STOURBRIDGE JUNCTION	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	WORCESTER FOREGATE STREET	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Forward	WORCESTER SHRUB HILL	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Reverse	BIRMINGHAM SNOW HILL	█
							332	Birmingham SH-Stourbge Jct-K'minster/B'grove-Worct	Reverse	KIDDERMINSTER	█
EJ02 Trent Valley All Trains	2024-25	█	█	█	87	270	255	Coventry - Leamington Shuttle	Forward	COVENTRY	█
	2025-26	█					255	Coventry - Leamington Shuttle	Reverse	LEAMINGTON SPA	█
	2026-27	█					328	Coventry - Nuneaton	Forward	COVENTRY	█
	2027-28	█					328	Coventry - Nuneaton	Reverse	NUNEATON	█

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Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
	2028-29	████					330	Rugby/Coventry-Nuneaton-Stafford-Crewe/Stoke	Forward	CREWE	████
							330	Rugby/Coventry-Nuneaton-Stafford-Crewe/Stoke	Forward	STAFFORD	████
							330	Rugby/Coventry-Nuneaton-Stafford-Crewe/Stoke	Reverse	RUGBY	████
							330	Rugby/Coventry-Nuneaton-Stafford-Crewe/Stoke	Reverse	STAFFORD	████
EJ03 West Midlands - New Street (Local) Off-Peak	2024-25	████	████	████	32	150	256	Birmingham - Wolverhampton - Stafford	Forward	WOLVERHAMPTON	████
	2025-26	████					256	Birmingham - Wolverhampton - Stafford	Reverse	BIRMINGHAM NEW STREET	████
	2026-27	████					259	Birmingham New Street/Coventry-Rugby-Northampton	Forward	BIRMINGHAM NEW STREET	████
	2027-28	████					259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	BIRMINGHAM INTERNATIONAL	████
	2028-29	████					259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	COVENTRY	████
							259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	NORTHAMPTON	████
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Forward	BIRMINGHAM NEW STREET	████
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	HEDNESFORD	████
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	RUGELEY TOWN	████
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	RUGELEY TRENT VALLEY	████
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	WALSALL	████
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BIRMINGHAM NEW STREET	████

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Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BROMSGROVE	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	LONGBRIDGE	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	REDDITCH	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	BIRMINGHAM NEW STREET	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	FOUR OAKS	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD CITY	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD TRENT VALLEY	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B)	Forward	GREAT MALVERN	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B)	Forward	HEREFORD	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B)	Forward	WORCESTER SHRUB HILL	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B)	Reverse	BIRMINGHAM NEW STREET	■
EJ03 West Midlands - New Street (Local) Peak	2024-25	■	■	■	19	130	256	Birmingham - Wolverhampton - Stafford	Forward	WOLVERHAMPTON	■
	2025-26	■	■	■			256	Birmingham - Wolverhampton - Stafford	Reverse	BIRMINGHAM NEW STREET	■
	2026-27	■	■	■			259	Birmingham New Street/Coventry-Rugby-Northampton	Forward	BIRMINGHAM NEW STREET	■
	2027-28	■	■	■			259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	BIRMINGHAM INTERNATIONAL	■
	2028-29	■	■	■			259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	COVENTRY	■

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Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
							259	Birmingham New Street/Coventry-Rugby-Northampton	Reverse	NORTHAMPTON	■
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Forward	BIRMINGHAM NEW STREET	■
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	HEDNESFORD	■
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	RUGELEY TOWN	■
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	RUGELEY TRENT VALLEY	■
							263	B'ham - Walsall - Hednesford - Rugeley - Stafford	Reverse	WALSALL	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BIRMINGHAM NEW STREET	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BROMSGROVE	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	LONGBRIDGE	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	REDDITCH	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	BIRMINGHAM NEW STREET	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	FOUR OAKS	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD CITY	■
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD TRENT VALLEY	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	GREAT MALVERN	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	HEREFORD	■
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	WORCESTER SHRUB HILL	■

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							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Reverse	BIRMINGHAM NEW STREET	█
EJ04 West Midlands Inter Urban All Trains	2024-25	█	█	█	55	270	266	B'ham - Wolverhampton - Wellington/Shrewsbury	Forward	SHREWSBURY	█
	2025-26	█					266	B'ham - Wolverhampton - Wellington/Shrewsbury	Forward	WELLINGTON	█
	2026-27	█					266	B'ham - Wolverhampton - Wellington/Shrewsbury	Reverse	BIRMINGHAM NEW STREET	█
	2027-28	█					266	B'ham - Wolverhampton - Wellington/Shrewsbury	Reverse	WOLVERHAMPTON	█
	2028-29	█					300	Birmingham New St-Crewe-Liverpool Lime St	Forward	CREWE	█
							300	Birmingham New St-Crewe-Liverpool Lime St	Forward	LIVERPOOL LIME STREET	█
							300	Birmingham New St-Crewe-Liverpool Lime St	Reverse	BIRMINGHAM NEW STREET	█
							300	Birmingham New St-Crewe-Liverpool Lime St	Reverse	CREWE	█
							300	Birmingham New St-Crewe-Liverpool Lime St	Reverse	WOLVERHAMPTON	█
EJ05 WCML: London - Northampton Off-Peak	2024-25	█	█	█	28	180	209	London Euston - Milton Keynes - Northampton	Forward	MILTON KEYNES CENTRAL	█
	2025-26	█					209	London Euston - Milton Keynes - Northampton	Forward	NORTHAMPTON	█
	2026-27	█					209	London Euston - Milton Keynes - Northampton	Forward	RUGBY	█
	2027-28	█					209	London Euston - Milton Keynes - Northampton	Forward	TRING	█
	2028-29	█					209	London Euston - Milton Keynes - Northampton	Forward	WATFORD JUNCTION	█
							209	London Euston - Milton Keynes - Northampton	Reverse	LONDON EUSTON	█

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