

Jonathan Rodgers
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Aiden Martin
Customer Manager
Network Rail Infrastructure Limited
1 Eversholt Street
London
NW1 2DN

Benjamin Rule
Production Director
XC Trains Limited
5th Floor
Cannon House
18 The Priory Queensway
Birmingham
B4 6BS

Dear Aiden and Benjamin

**Forty third supplemental agreement to the track access contract
between Network Rail Infrastructure Limited and XC Trains Limited**

1. We have today approved the above supplemental agreement submitted to us formally on 6 March 2017 under section 22 of the Railways Act 1993 (the Act). The purpose of this letter is to set out the reasons for our decision.
2. The purpose of this agreement is to add an additional service from Birmingham New Street to Leicester on winter and summer Sundays, in order to ease crowding issues on current services (increasing the current number from 12 to 13. This increase in services is currently covered by a general approval which runs from 11 December 2016 to 10 March 2017.
3. Network Rail undertook the usual industry consultation. There were responses from Transport Focus, Nexus, GWR and Northern. No objections were raised.
4. We reviewed the application and had noted some minor drafting points. These were amended before the agreement was formally submitted. We had no other concerns.
5. Under clause 18.2.4 of the track access contract, Network Rail is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. ORR's copy should be sent for my attention.

6. In accordance with section 72 of the Act, we will place a copy of the approval notice and the agreement on our public register. Copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at the Department for Transport and Peter Craig at Network Rail. Copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jonathan Rodgers', is written on the page.

Jonathan Rodgers