

**Jonathan Rodgers**  
**Senior Executive, Access & Licensing**

2 May 2018



Julia Stanyard  
Customer Manager (West Midlands &  
Chiltern – LNW Route)  
Network Rail Infrastructure Ltd  
Baskerville House, Centenary Square  
Broad St, Birmingham  
B1 2ND

James Carter  
Network Access Manager  
West Midlands Trains Limited  
5<sup>th</sup> Floor, 102 New Street  
Birmingham  
B2 4JB

Dear Julia and James

**Approval of the 6th supplemental agreement to the track access contract between Network Rail Infrastructure Limited (Network Rail) and West Midlands Trains Limited (WMT) (jointly “the parties”)**

1. We have today approved the above supplemental agreement submitted to us formally on 25 April 2018 under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. The purpose of this letter is to set out the reasons for our decision.

*Purpose of the agreement*

2. The purpose of this agreement is to extend six off peak Birmingham New Street to Walsall return services to Rugeley Trent Valley. This application originally included some extensions to Bromsgrove but these now form part of the 7<sup>th</sup> Supplemental Agreement.

*Industry Consultation*

3. Network Rail conducted an industry consultation on the application between 4 December 2017 and 11 January 2018. There were no responses regarding the Rugeley Trent Valley aspects of the application.

*Our review*

4. Our review did not identify any issues and we are satisfied that approval is in accordance with our statutory duties under Section 4 of the Railways Act 1993.
5. In considering the agreement and in reaching our decision, we have had to weigh and strike the appropriate balance in discharging our statutory duties under section 4 of the Act. We have concluded that approval of this supplemental agreement is consistent with our section 4 duties, in particular those relating to protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).
6. 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. Please send the conformed copy to me at ORR.
7. Electronic copies of this letter, the approval notice and the agreement will be sent to Keith Merritt at Department for Transport and Peter Craig at Network Rail. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jonathan Rodgers', with a stylized, cursive script.

**Jonathan Rodgers**