

## Sixth Supplemental Agreement

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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 SIXTH SUPPLEMENTAL AGREEMENT** is dated 18<sup>th</sup> February 2020  
and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Network Rail, 1 Eversholt Street, London NW1 2DN (“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”).

**Background:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 19 May 2019 as amended by various supplemental agreements (which track access contract as subsequently amended is hereafter referred to as the “**Contract**”).
- (B) The parties wish to amend the Contract in the manner and on the terms described below.

**IT IS HEREBY AGREED** as follows:

**1. INTERPRETATION**

- a) In this Supplemental Agreement 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.
- b) “Effective Date” means 02:00 on 5<sup>th</sup> February 2020.

**2. EFFECTIVE DATE AND TERM**

The amendments 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.

**3. ORR GENERAL APPROVAL**

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009.

#### **4. AMENDMENTS TO THE CONTRACT**

4.1 Amendments to Appendix 1 of Schedule 8 as follows:-

- a) Appendix 1 of Schedule 8, in relation to Service Group EJ03 Off Peak, shall be deleted in its entirety and replaced by a new Appendix 1 for EJ03 Off peak as set out in Appendix A to this supplemental agreement.
- b) Appendix 1 of Schedule 8, in relation to Service Group EJ03 Peak, shall be deleted in its entirety and replaced by a new Appendix 1 for EJ03 Peak as set out in Appendix A to this supplemental agreement.

#### **5. EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT**

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 with effect from and including the date hereof 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 law in England and Wales.

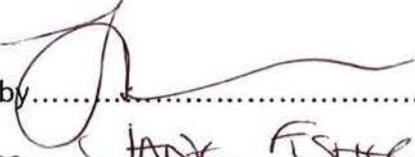
#### **8. COUNTERPARTS**

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..........

Print name.....D. PENNEY.....  
Duly authorised for and on behalf of  
**NETWORK RAIL INFRASTRUCTURE LIMITED**

SIGNED by..........

Print name.....JANE FISHER.....  
Duly authorised for and on behalf of  
**WEST MIDLANDS TRAINS LIMITED**

## APPENDIX A

EJ03 West Midlands – New Street (Local) Off-Peak	2019-20	[redacted]	[redacted]	[redacted]	32	150	256	Birmingham - Wolverhampton - Stafford	Forward	WOLVERHAMPTON	[redacted]
	2020-21						256	Birmingham - Wolverhampton - Stafford	Reverse	BIRMINGHAM NEW STREET	[redacted]
	2021-22						259	Birmingham New Street/Coventry-Rugby- Northampton	Forward	BIRMINGHAM NEW STREET	[redacted]
	2022-23						259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	BIRMINGHAM INTERNATIONAL	[redacted]
	2023-24						259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	COVENTRY	[redacted]
							259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	NORTHAMPTON	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Forward	BIRMINGHAM NEW STREET	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Reverse	HEDNESFORD	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Reverse	RUGELEY TOWN	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Reverse	RUGELEY TRENT VALLEY	[redacted]

							Staffor				
							263	Birmingham-Walsall-Hednesford-Rugeley Town-Staffor	Reverse	WALSALL	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BIRMINGHAM NEW STREET	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	LONGBRIDGE	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	REDDITCH	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BROMSGROVE	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	BIRMINGHAM NEW STREET	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	FOUR OAKS	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD CITY	[redacted]
							272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD TRENT VALLEY	[redacted]
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	GREAT MALVERN	[redacted]
							329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	HEREFORD	[redacted]
							329	Hereford-Gt Malvern-Worcester-Birmingham NS	Forward	WORCESTER SHRUB HILL	[redacted]

								(via B			
							329	Hereford-Gt Malvern- Worcester-Birmingham NS (via B	Reverse	BIRMINGHAM NEW STREET	[redacted]
EJ03	2019-20	[redacted]	[redacted]	[redacted]	19	130	256	Birmingham - Wolverhampton - Stafford	Forward	WOLVERHAMPTON	[redacted]
West	2020-21										
Midlands –	2021-22						256	Birmingham - Wolverhampton - Stafford	Reverse	BIRMINGHAM NEW STREET	[redacted]
New Street (Local)	2022-23						259	Birmingham New Street/Coventry-Rugby- Northampton	Forward	BIRMINGHAM NEW STREET	[redacted]
Peak	2023-24						259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	BIRMINGHAM INTERNATIONAL	[redacted]
							259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	COVENTRY	[redacted]
							259	Birmingham New Street/Coventry-Rugby- Northampton	Reverse	NORTHAMPTON	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Forward	BIRMINGHAM NEW STREET	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Reverse	HEDNESFORD	[redacted]
							263	Birmingham-Walsall- Hednesford-Rugeley Town- Staffor	Reverse	RUGELEY TOWN	[redacted]

						263	Birmingham-Walsall-Hednesford-Rugeley Town-Staffor	Reverse	RUGELEY TRENT VALLEY	[redacted]
						263	Birmingham-Walsall-Hednesford-Rugeley Town-Staffor	Reverse	WALSALL	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BIRMINGHAM NEW STREET	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	LONGBRIDGE	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	REDDITCH	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Forward	BROMSGROVE	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	BIRMINGHAM NEW STREET	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	FOUR OAKS	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD CITY	[redacted]
						272	Lichfield-Redditch (Blake Street-Longbridge)	Reverse	LICHFIELD TRENT VALLEY	[redacted]
						329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	GREAT MALVERN	[redacted]
						329	Hereford-Gt Malvern-Worcester-Birmingham NS (via B	Forward	HEREFORD	[redacted]

							329	Hereford-Gt Malvern- Worcester-Birmingham NS (via B	Forward	WORCESTER SHRUB HILL	[redacted]
							329	Hereford-Gt Malvern- Worcester-Birmingham NS (via B	Reverse	BIRMINGHAM NEW STREET	[redacted]