

FORTY THIRD 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 FORTY THIRD SUPPLEMENTAL AGREEMENT is dated
and made

20 June

2025

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 2009 in order to amend the Contract as described herein.

IT IS HEREBY AGREED as follows:

• **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: the date of signature of this General Approval

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 90 days after the General Approval is signed and submitted.

4. AMENDMENTS TO THE CONTRACT

Specific line entries relating to Service Group EJ01 in Table 2.2 Additional Passenger Train Slots the tables shall be deleted and replaced with the table as 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

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duly authorised for and on behalf of

)

Denise Wetton
Route Director Central - 20/06/25

**NETWORK RAIL
INFRASTRUCTURE LIMITED**

)

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SIGNED by

)



duly authorised for and on behalf of
WEST MIDLANDS TRAINS LIMITED

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Ian McConnell
Managing Director

Annex A*Table 2.2: Additional Passenger Train Slots* ^{33rd 34th 35th 36th 37th 38th 41st 42nd 43rd}

1						2		
Service Group EJ01 West Midlands Snow Hill¹								
Service description						Passenger Train Slots		
Stourbridge Junction	Birmingham Snow Hill	Direct	1.15	12332320	172	1 ²	0	0
Worcester Foregate Street	Birmingham Snow Hill	Direct	1.19	22332000 12332320	172	0	0	2 ^{42nd}
Worcester Shrub Hill	Birmingham Snow Hill	Direct	1.20	22332000 12332320	172	0	0	2 ^{42nd}

¹ Rights shall expire at 01:59 on the Principle Change Date 14th December 2025 ^{42nd}² Right shall expire 90 days after the approval date of this general approval