



Network Rail Infrastructure Limited
Waterloo General Office
London SE1 8SW

West Midlands Trains
2nd Floor St Andrew's House
18-20 Andrew Street
London
United Kingdom
EC4A 3AG

03/09/2024

URGENT: ATTENTION the Company Secretary

Network Code Condition J4: Failure to Use Notice

This letter constitutes a **Failure to Use Notice** and is served pursuant to Condition J4.4 of the Network Code.

Failure to Use

Network Rail Infrastructure Limited considers that there has been a Failure to Use by **West Midlands Trains Ltd** in relation to the following Quantum Access Rights listed in **Appendix 1 to this letter** ("the Quantum Access Rights") because you have failed to secure the quantum of Train Slots in the New Working Timetable which the Quantum Access Rights permits

Rights Subject to Surrender

We require you to surrender the following Rights Subject to Surrender:

The Quantum Access Rights which are listed in Appendix 1 of this letter.

Date of Surrender

We intend that the Rights Subject to Surrender will be surrendered with effect from **the date on which notice is given to the Office of Rail and Road**.

In accordance with Condition J4.8 you may, within 10 working days of receipt of this Notice, issue a Counter Notice.

In accordance with Condition J11.2.1, Network Rail shall publish an accurate and up-to-date copy or statement of this Failure to Use Notice.

Yours faithfully
Akaash Bhandari
Franchise & Access Support Manager
Network Rail Infrastructure Ltd

Appendix A – Quantum of Rights to be Removed

From	To	Via	TSC	Dayset	Firm or Contingent
Birmingham New Street	Crewe	Penkridge/Madeley	22300000	1 SU	Firm
Birmingham New Street	Liverpool Lime Street	Crewe/Runcorn	22300000	3 SO	Firm
Birmingham New Street	Worcester Shrub Hill	Five Ways	22329000	1 SX & 3 SO	Firm
Worcester Shrub Hill	Birmingham New Street	Five Ways	22329000	1 SO	Firm
Crewe	Liverpool Lime Street	Runcorn	22300000	1 SX & 1 SO	Firm
Birmingham New Street	Crewe	Stoke-on-Trent/Penkridge	22300000	1 SO	Firm
Liverpool Lime Street	Birmingham New Street	Crewe/Runcorn	22300000	1 SO	Firm
Liverpool Lime Street	Crewe	Runcorn	22300000	1 SO	Firm
Birmingham New Street	Shrewsbury	Wolverhampton	22266000	1 SU	Firm
London Euston	Tring	Direct	22209000	9 SU	Firm
Tring	London Euston	Direct	22209000	1 SO	Firm
London Euston	Bletchley	Direct	22209000	1 SO	Firm
London Euston	Rugby	Weedon	22209000	1 SO	Firm
Northampton	London Euston	Direct	22209000	1 SX	Firm
Rugby	London Euston	Weedon	22209000	1 SO	Firm
London Euston	Northampton	Direct	22209000	1 SO	Firm
Birmingham Moor Street	Great Malvern	Direct	22332000 & 12332320	1 SO	Firm
Kidderminster	Birmingham Snow Hill	Direct	12332320	1 SX	Firm
Stourbridge Junction	Birmingham Snow Hill	Direct	12332320	5 SX & 2 SO	Firm
Birmingham Snow Hill	Kidderminster	Direct	12332320	1 SO	Firm
Worcester Foregate Street	Great Malvern	Direct	22332000	3 SO	Firm
Birmingham Snow Hill	Stourbridge Junction	Direct	12332320	3 SX & 2 SO	Firm
Hereford	Worcester Shrub Hill	Direct	22332000	1 SX	Firm
Great Malvern	Worcester Shrub Hill	Direct	22332000	1 SU	Firm
Worcester Shrub Hill	Great Malvern	Direct	22332000	1 SU	Firm

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St Albans Abbey	Watford Junction	Direct	22213000	2 SX & 4 SO	Firm
Watford Junction	St Albans Abbey	Direct	22213000	2 SX & 4 SO	Firm
Birmingham New Street	Crewe	Stoke-on-Trent/Penkridge	22300000	17 SX, 16 SO and 15 SU Part Rights (Birmingham – Stafford)	Firm
Crewe	Birmingham New Street	Stoke-on-Trent/Penkridge	22300000	16 SX, 16 SO and 15 SU Part Rights (Stafford – Birmingham)	Firm