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26<sup>th</sup> August 2014

Dear XXXXX

**FRANCHISE AGREEMENT (THE “FRANCHISE AGREEMENT”) DATED 20 JUNE 2007 ENTERED INTO BETWEEN THE SECRETARY OF STATE FOR TRANSPORT (“THE SECRETARY OF STATE”) AND LONDON & BIRMINGHAM RAILWAY LIMITED (“THE FRANCHISEE”) – SERVICE LEVEL COMMITMENT (SLC) DECEMBER 2014 DEROGATION FOR ROUTES G, P, L AND D TIMETABLES AND MAY 2015 CHANGES TO ROUTES F, G, P, L AND D TIMETABLES**

Words and expressions defined in the Franchise Agreement have the same meaning when used herein unless the context otherwise implies.

London Midland (LM) has requested approval to operate an amended timetable for the December 2014 Timetable for Routes G, P, L and D, and a derogation against its SLC for Routes F, G, P, L and D for the May 2015 timetable, as detailed below.

**Route G and Route P:** Removal of calls at Stone, Kidsgrove & Alsager from the 17 46 SX Euston – Crewe, mitigated through diversion and inclusion of additional calls at Stone, Kidsgrove & Alsager in the 19 01 SX Birmingham New Street – Crewe. These changes will allow the 17 46 Euston – Crewe to be increased from 4 to 8 coaches to reduce the level of crowding on this service.

**Route L:** Increases in Maximum Journey Times for services on the Birmingham New Street – Lichfield City, Four Oaks and Redditch (and return) routes. These changes reflect increases to Sectional Running Times (SRTs) on the Chester Road – Erdington and Aston – Duddleston sections following timing runs; and timetable changes between Barnt Green & Redditch following completion of the Alvechurch loop project. The revised Maximum Journey Time in each case is specified in the table below:

## Maximum Journey Times

### A. From Birmingham New Street

| Route                                  | Monday - Friday  | Saturday   | Sunday     |
|--|--|--|------------|
| Birmingham New Street - Lichfield City | <b>36 minutes.</b><br>Two services may take up to 39 minutes | <b>36 minutes.</b><br>Two services may take up to 39 minutes | 37 minutes |
| Birmingham New Street - Longbridge     | 21 minutes   | 21 minutes   | N/A        |
| Birmingham New Street - Four Oaks      | <b>26 minutes.</b>   | <b>26 minutes.</b>   | N/A        |
| Birmingham New Street - Redditch       | 39 minutes*  | 39 minutes*  | 37 minutes |

*\*during the period of three trains per hour operation one train per hour may take up to 41 minutes*

### B. To Birmingham New Street

| Route                                  | Monday - Friday  | Saturday          | Sunday     |
|--|--|-------------------|------------|
| Lichfield City - Birmingham New Street | <b>37 minutes.</b><br>One service may take up to 38 minutes. | 37 minutes        | 38 minutes |
| Longbridge - Birmingham New Street     | 21 minutes   | 21 minutes        | N/A        |
| Four Oaks - Birmingham New Street      | <b>25 minutes</b>  | <b>25 minutes</b> | N/A        |
| Redditch - Birmingham New Street       | <b>40 minutes</b>  | <b>40 minutes</b> | 37 minutes |

**Route D:** Additional morning SuO (Sundays Only) Worcester Shrub Hill – Great Malvern service and retiming of the 10 07 SuO Great Malvern – Stratford-on-Avon service later, omitting the call at Worcester Shrub Hill. This will allow a better spread of services between Worcester and Great Malvern on Sunday mornings.

**Route F:** Inclusion of additional calls at Coventry Arena and Bermuda Park on the Coventry – Nuneaton services, and increases in Maximum Journey Time in both directions. This reflects the completion of the new stations, and allows for possible future flexing by Network Rail of timetables approaching Coventry. The revised Maximum Journey Time is specified in each case in the table below:

| <i>Route</i>      | <i>Monday - Friday</i> | <i>Saturday</i> | <i>Sunday</i> |
|-------------------|------------------------|-----------------|---------------|
| Coventry-Nuneaton | 22 minutes             | 22 minutes      | 22 minutes    |
| Nuneaton-Coventry | 22 minutes             | 22 minutes      | 22 minutes    |

The amended timetable authorisation for Routes G, P, L and D is intended to take effect from 14th December 2014 and end on 16th May 2015. Derogations for Routes F, G, P, L and D will take effect from 17th May 2015 and end on the expiry of the current franchise (31<sup>st</sup> March 2016).

In granting the above approvals, the Department notes that none of the above results in LM requiring less drivers or traincrew to operate their services.

By this letter the Secretary of State grants the Franchisee the amended timetable approval and derogation in the following terms:

- (a) Consent is given to operate an amended timetable for the December 2014 timetable for Routes G, P, L and D.
- (b) Consent is given for a derogation to the SLC for the May 2015 timetable for Routes G, P, L and D, and for the increased Maximum Journey Time between Coventry and Nuneaton for Route F.

For the avoidance of doubt, the following aspects of the overall request submitted by the Franchisee have been REFUSED:

- (c) On Route L, the increase in the Maximum Journey Time to 41 minutes between Redditch & Birmingham New Street on Saturdays. LM should limit the Maximum Journey Time to 40 minutes to be consistent with the value for Mondays – Fridays.
- (d) On Route F, the increase in the Maximum Journey Time to 24 minutes between Nuneaton & Coventry in Route F. LM should limit the Maximum Journey Time to 22 minutes to be consistent with the value for the opposite direction.

The approval of revised Maximum Journey Times for (c) and (d) above should be taken from the SLC extracts as shown for each Route above.

As is normal practice with derogation, a copy of this letter will be placed on the Secretary of State's Public Register.

Yours sincerely,

Paul Seller  
Deputy Director, Rail Commercial