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13 August 2024 (Date of Redactions Approval) (CCT 4441887)

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- (1) The Secretary of State for Transport
- (2) Abellio East Midlands Limited

East Midlands Railway

**Business Plan Commitments
1 April 2024 - 31 March 2025
(agreed 29 May 2025)**

BPC Ref	Business Plan	Sub Plan	Commitment
13	Train Service Operations Plan	Rolling Stock	<p>13.1 For the purpose of this Business Plan Commitment:</p> <p>(a) “Bedford Cauldwell Depot” means Bedford Cauldwell Depot, 5B Cauldwell Walk, Bedford, MK42 9DT;</p> <p>(b) “Infrastructure Upgrades” means the works to improve the Class 360 light maintenance capability of Bedford Cauldwell Depot and the installation of hand washing facilities at Kettering Depot sidings; and</p> <p>(c) “Kettering Depot” means Kettering Depot Sidings, Station Road, Kettering, NN15 7HJ.</p> <p>13.2 Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall:</p> <p>(a) by no later than [REDACTED], achieve completion of the works equivalent to GRIP 6 for the Infrastructure Upgrades; and</p> <p>(b) in delivering this BPC, incur a maximum expenditure which, when added to ERMA Final Part Year Actual Costs incurred in relation to such development and design work, does not exceed [REDACTED] carrying out its obligations under paragraph 13.2(a).</p>
38	Train Service Operations Plan	Rolling Stock	<p>Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall use all reasonable endeavours award Pre-Provisional Acceptance to Hitachi for the first Class 810 Unit by [REDACTED], or such other date as may be agreed between the parties to the MSA.</p>

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			<p><i>For the purpose of this Business Plan Commitment:</i></p> <p>(a) <i>"MSA" means the manufacturing and supply agreement in respect of the New Five Car BMUs between (1) Hitachi Rail Limited (a company incorporated in England and Wales with company number 05598549 and whose registered address is at 7th Floor, One New Ludgate, 60 Ludgate Hill, London, EC4M 7AW) ("Hitachi Rail"); (2) Rock Rail East Midlands Plc (a company incorporated in England and Wales with company number 12096266 and whose registered address is at Capital Tower, 91 Waterloo Road, London, SE1 8RT) ("Rock Rail"); and (3) the Operator dated 16 August 2019;</i></p> <p>(b) <i>"New Five Car BMUs" means one hundred and sixty five (165) new bi-mode vehicles formed into thirty three (33) five car units as referred to in Table 2 (Specified additional Rolling Stock) at Appendix 1 (The Composition of the Train Fleet) to Chapter 4.3 (The Rolling Stock) and references to a "New Five Car BMU" shall be construed accordingly; and</i></p> <p>(c) <i>"Rolling Stock Lease" means the rolling stock operating lease between (1) Rock Rail and (2) the Operator in respect of the New Five Car BMUs dated 16 August 2019.</i></p>
39	Train Service Operations Plan	Rolling Stock	<p>39.1 For the purposes of this Business Plan Commitment:</p> <p>(a) "Derby Etches Park Depot" means Etches Park Depot, Deadmans Lane, Derby, DE24 8BS;</p> <p>(b) "Etches Park Infrastructure Upgrades" means:(i) the upgrade works to the depot building and locality that currently maintains the Class 222 fleet and will be used for servicing and maintenance of the Class 810 fleet (the "Derby Etches Park North Shed Works"); and(ii) the upgrade works to the depot building and locality that currently maintains the Class 170 and Class 180 fleets (the "Derby Etches Park South Shed Works").</p> <p>(c) Details of the contents of each "Works Package(s)" are set out in the Fleet</p>

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			<p>Replacement Programme Assumptions Document.</p> <p>39.2 Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall:</p> <p>(a) by no later than [REDACTED] :(i) complete construction, procurement or installation to GRIP 6 (or equivalent) of all the Work Packages (with the exception of the Vehicle Equipment Measurement System (VEMS) Work Package, needed for the completion of the Derby Etches Park North Shed Works; and(ii) deliver completion of the physical (Civils) works to GRIP 6 (or equivalent) of the Vehicle Equipment Measurement System (VEMS) Work Package and any other pre installation preparatory works necessary and possible for the completion of the Derby Etches Park North Works - VEMS;(iii) deliver completion of the physical works to GRIP 6 (or equivalent) of the remaining Work Packages needed for the completion of the Derby Etches Park South Shed Works;</p> <p>(b) [REDACTED], incur a maximum expenditure which, when added to the previously actual costs incurred in relation to design work, surveys and/or works (as the case may be):(i) does not exceed [REDACTED] in carrying out the Derby Etches Park North Shed Works; and(ii) does not exceed [REDACTED] in carrying out the Derby Etches Park South Shed Works.</p>
42	Collaboration Plan	Communities	<p>The Operator shall use all reasonable endeavours to continue to co-operate with Leicester City Council in relation to the use of the “Leicester Levelling Up Fund” at Leicester Station to aid the delivery of the refurbishment of the Station booking hall into a larger space and to provide a new Station entrance. Co-operation shall be aligned with the tri-partite framework agreement entered into between the Operator, Leicester City Council and Network Rail (the "Framework Agreement").</p> <p>This Business Plan Commitment shall be evidenced on an annual basis by the Operator providing the Secretary of State with examples of the minutes from the</p>

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			relevant other meetings.
50	People	Apprenticeship Service Digital Account	<p>A. The Operator shall use the government “Apprenticeship Service” which is accessed online at .gov.uk and create a digital account (“Apprenticeship Service Digital Account”) (set up via Sign in to your apprenticeship service account - GOV.UK (www.gov.uk)) by no later than 30 May 2024.</p> <p>B. The Operator shall, throughout the Business Plan Year, use all reasonable endeavours to utilise the entirety of the funds allocated to the Operator within the Apprenticeship Service Digital Account to support the continued training of the Operator’s apprentices.</p>
51	People	D&I Strategy	<p>A. By no later than 20 December 2024 the Operator shall update their D&I Action Plan to include a commentary on how the Operator will work towards recruiting apprentices from its existing workforce and new recruits from veterans, ethnic minorities, women, and other underrepresented groups.</p> <p>B. The Operator shall report on its performance in relation to the recruitment of apprentices as part of its D&I Annual Report.</p>
52	Environmental Sustainability Plan	Net Zero Carbon Rail	<p>By no later than 31 January 2025, the Operator shall use reasonable endeavours to revise the Decarbonisation Roadmap to reflect any comments received from the Secretary of State. The Operator shall, once approved by the Secretary of State, implement the strategic approach and roadmap setting for a decarbonisation pathway to total net zero carbon (of both traction and non-traction carbon) by 2050 which will demonstrate that:</p> <p>(a) the Operator shall work closely with Rail Safety and Standards Board in the implementation of the decarbonisation pathway;</p> <p>(b) Science based targets for carbon emissions (including annual targets to be achieved by the Operator within the Contract Term) have been updated to reflect feedback and comment from the Science Based Target Initiative (SBTi) following</p>

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			<p>submission target verification in March 2024, and;</p> <p>(c) the scope and methodology used to develop the decarbonisation strategy are consistent with the most-up-to-date industry strategies.</p>
53	Environment and Sustainability	Air Quality Improvement Plans	<p>The Operator shall, by no later than 31 January 2025, use reasonable endeavours to work with RSSB to develop a plan for improving air quality at stations (the “Air Quality Improvement Plan”) in accordance with RSSB’s published guidance. The Air Quality Improvement Plan shall include:</p> <p>(a) the scope, covered stations, and the rationale or data used for definition of the scope;</p> <p>(b) the establishment of a baseline, identifying significant emission sources and potential air pollution hotspots, describing the process for pinpointing key sources and hotspots at covered stations;</p> <p>(c) a description of activities and actions on stakeholder engagement, consultation, and Steering Group establishment;</p> <p>(d) a comprehensive list of all considered mitigation measures and details of measures to be taken forward (subject to future funding being made available); and</p> <p>(e) details for proposed progress reporting.</p>
54	Environment and Sustainability	Noise Monitoring	<p>The Operator shall, by no later than 30 September 2024, use reasonable endeavours to work collaboratively with RSSB and Network Rail to develop a strategy for the monitoring and management of environmental noise (including from train warning horns) ("Noise Management Strategy") in accordance with RSSB published guidance.</p>

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55	Leadership and Management Plan	Rail Data Marketplace: Data Publication	<p>The Operator shall:</p> <p>(a) make available to the Secretary of State, by 30 September 2024 a Rail Data Marketplace open data publication pipeline, setting out the specific data and frequency open datasets are to be published; and</p> <p>(b) in line with frequency set out in the open data publication pipeline maintain the upload of the data.</p> <p>“Rail Data Marketplace” means the online publishing platform for rail data found at www.raildata.org.uk</p>
56	Leadership and Management Plan	Open Data Champion	Commencing from 28 April 2024, the Operator shall, throughout the Business Plan Year 24/25, ensure the Open Data Champion attends consultative meetings such as the open data champion forum which meets every other month.
57	Leadership and Management Plan	Rail Data Marketplace: Data Publication	The Operator shall develop a Passenger Count Strategy by 31 October 2024 that proposes initiatives and investment required to improve the coverage and accuracy of passenger count data.
58	Leadership and Management Plan	Rail Data Marketplace: Data Publication	<p>From 30 September 2024, the Operator shall publish, on the Rail Data Marketplace, the planned seating and standing capacity data (where possible and applicable differentiated between standard class, first class, and standard premium) for each train service in the current timetable period:</p> <ul style="list-style-type: none"> • per train • per station stop • weekdays vs Saturday vs Sunday, <p>and the Operator shall publish this data free of charge and at all times, on the Rail Data Marketplace. The format and specification of this data will be subject to further consultation and clarification via the Open Data Marketplace.</p>

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			Should an alternative approach to providing this data be agreed between EMR and the DfT as a result of discussions on the Rail Data Marketplace then this Business Plan Commitment shall be amended to reflect this.
59	Leadership and Management Plan	Rail Data Marketplace: Data Publication	<p>From 30 September 2024, the Operator shall publish, on the Rail Data Marketplace, on at least a daily basis, the planned train formation and orientation for each train service in the current timetable period:</p> <ul style="list-style-type: none"> • per train • per station stop • weekdays vs Saturday vs Sunday, <p>and the Operator shall publish this data free of charge and at all times, on the Rail Data Marketplace. The format and specification of this data will be subject to further consultation and clarification via the Open Data Marketplace.</p> <p>Should an alternative approach to providing this data be agreed between EMR and the DfT as a result of discussions on the Rail Data Marketplace then this Business Plan Commitment shall be amended to reflect this.</p>
60	Leadership and Management Plan	Suicide Prevention Plan	<p>The Operator shall:</p> <p>(a) by no later than 30 May 2024 inform the Secretary of State as to how many public facing Business Employees are trained in suicide prevention; and</p> <p>(b) Maintain this training amongst public facing Business Employees during the Business Plan Year 24/25, evidencing training materials by 1 March 2025.</p>
61	Leadership and Management Plan	Safeguarding on Rail Scheme	<p>Commencing from 28 April 2024, the Operator shall, throughout the Business Plan Year 24/25 continue to report on a Quarterly basis:</p> <ul style="list-style-type: none"> (a) safeguarding incidents being reported through Operator systems; (b) safeguarding incidents being reported to the British Transport Police (c) new starters undergoing a basic DBS check (or higher if required for the role);

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			<p>(d) public facing staff trained in safeguarding; and (e) Safeguarding Champions within the organisation.</p>
62	Leadership and Management Plan	Data Governance	<p>The Operator shall, by no later than 30 May 2024, identify an accountable individual who must have the authority to make decisions, delegate suitable tasks as needed to other competent persons, and sponsor initiatives to achieve reform objectives (the Data Owner) and commence work on data sharing.</p> <p>Commencing from 28 April 2024, the Operator shall, throughout the Business Plan Year 24/25, ensure that the Data Owner will:</p> <p>(a) where appropriate, ensure that data is shared across the industry to support collaborative working (including the development of a data interface where required);</p> <p>(b) ensure that improvements are made to data quality and standardisation (including the data itself, the processes, governance and ways of working with the data); and</p> <p>(c) work across organisations to build an understanding and capability for data and associated technologies and to deliver joint data initiatives for improving analytics and services for passengers.</p>
63	Leadership Management Plan	Delivery of business plan	<p>The Operator shall use all reasonable endeavours to work with the Department for Transport and Transport for the East Midlands to review, and when applicable, work towards implementing customer benefits identified in the medium and long-term strategy for East Midlands Railway.</p> <p>This Business Plan Commitment shall be evidenced through the minutes of the Strategy Steering Group meetings.</p>

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64	Accessibility	Station Accessibility Measures	<p>The Operator shall,</p> <p>(a) by no later than [REDACTED], deliver Minor Works accessibility improvement projects at stations to a value not exceeding [REDACTED];</p> <p>(b) provide an update of the projects and progress against budget on a Quarterly basis.</p>
65	Accessibility	Availability of Assistance at Stations	<p>The Operator shall, by no later than 31 May 2025, provide to the Secretary of State a report showing the availability of assistance (per the ORR definition) at all EMR operated stations within the Business Plan Year in a format which can be used as a baseline for improvement in subsequent Business Plan Years (subject to additional funding/resource being made available through the business planning process if appropriate).</p>
66	Accessibility	Accessibility Complaints Monitoring	<p>Commencing from the 28 April 2024, the Operator shall, throughout the Business Plan Year 24/25, seek to reduce repeated complaints on the same accessibility areas on EMR Services and at Stations where EMR is Station Facility Operator by taking pro-active steps to address the underlying cause of such complaints. This will be reported on a Quarterly basis.</p>
67	Accessibility	Accessibility Awareness Campaign	<p>The Operator shall, by no later than [REDACTED] deliver an awareness campaign through their standard marketing and social media channels, which is aligned in approach with Network Rail and the Rail Delivery Group campaigns, with the aim of improving customer awareness of what passenger assistance options are available to them.</p>

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68	Accessibility	Accessibility Audit Data	The Operator shall, by no later than 31 March 2025, embed improvements to accessibility audit data into their customer facing channels, including the Station Information pages on their website, National Rail enquiries, as well as within passenger assist channels for both customers and staff.
69	Customer and Communities	Social Value Report	<p>The Operator shall:</p> <p>(a) by no later than 27 September 2024, produce and issue to the Secretary of State the details of projects, aims and measures which the Operator shall implement within the Business Plan Year, with the intention of leaving a positive and lasting impact on the local communities in relation to which the Passenger Services are provided; and</p> <p>(b) by no later than 1 August 2025 publish a social value report utilising the RSSB Rail Social Value Tool, which shall include:</p> <ul style="list-style-type: none"> i. an overview of the progress the Operator has made in delivering the projects detailed under limb (a) above; and ii. detail of future projects and aims and measures which the Operator shall develop and implement within the next Business Plan Year with the intention of leaving a positive and lasting impact on the local communities in relation to which the Passenger Services are provided.
70	Customer and Communities	Vocational skills training	<p>The Operator shall, by no later than 31 March 2025, deliver one vocational skills training / work experience course (10-15 participants) working with a local provider, such as the Prince's Trust (or a suitable alternative).</p> <p>As part of the evidencing of this commitment, the Operator shall provide the amount of social value created along with the number students who enrolled vs those who successfully completed.</p>

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71	Customer and Communities	Customer & Communities Investment.	<p>The Operator shall throughout the Rail Year identify to the Secretary of State EMR Community Fund Projects which contribute towards delivering allocation of the £200k value for delivery by 31 March 2025.</p> <p>In this Business Plan Commitment “EMR Community Fund Projects” means funding to support community schemes and initiatives at Stations to both Community Rail Partnerships and other local community organisations.</p>
72	Customer and Communities	Station Vision Plan	<p>The Operator shall, by no later than 31 March 2025, share a Station Vision Plan which shall:</p> <ul style="list-style-type: none"> (a) set out the Operator’s future vision for stations, identifying the core values that shape how EMR stations will look, feel and operate; and (b) review stations against the vision criteria to identify known gaps and investment required to deliver improvements.
73	Customer and Communities	Customer Experience Plan	<p>The Operator shall use reasonable endeavours to work with bodies including the East Midlands Combined County Authority (EMCCA) and Transport for the East Midlands (TfEM) in the following areas:</p> <ul style="list-style-type: none"> (a) improving the connectivity, accessibility and experience for all customers accessing the Operator’s services; (b) strategies, policies, procedures and action plans in connection with sustainable transport, including the implementation of improved sustainable transport facilities (such as bus waiting shelters, cycle hubs, EV charging, improved journey information); and (c) measures of the customer experience in integrated transport. <p>For the purpose of this Business Plan Commitment, this means through forums</p>

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			created by EMCCA and TfEM for the purposes of promoting greater co- operation with other providers of transport services in the geographical area where the Passenger Services operate and to facilitate the implementation of development schemes for improvements in intermodal infrastructure and funding.
74	Customer and Communities	Station	Subject to funding via the Industry Revenue Generating Initiatives fund, the Operator shall use reasonable endeavours to deliver station car park improvements by [REDACTED] . The car park improvements shall be through the installation of a barrierless ANPR (Automatic Number Plate Recognition) system which will allow station teams to focus on station duties and give a more seamless customer offering, as well as supporting passengers with additional needs.
75	Collaboration	Train Service Operations Plan	<p>Following the Engineering Access Review, the Operator shall submit an update of the progress made to the Secretary of State by 31 March 2025 to align with industry planning processes.</p> <p>After the update, the Operator and the Secretary of State shall discuss, options and recommendations coming out of the Engineering Access Review.</p> <p>For the purposes of this Business Plan Commitment, "Engineering Access Review" means the Operator's review of the infrastructure maintenance plan and engineering access requirements undertaken during the 2023/24 Business Plan Year which identified opportunities to offer more or different maintenance windows, reduce whole industry costs and maximise revenue growth.</p>
76	Collaboration	Train Fleet updates to comply with Digital Signalling	Commencing from 28 April 2024, the Operator shall, during the Business Plan Year 24/25 (or unless otherwise agreed or specified by the Secretary of State), work towards ensuring that by [REDACTED] all its Train Fleet used for the provision of Passenger Services are fitted with European Train Control System (ETCS) equipment or equipment compatible with any signalling renewal or enhancement under an ETCS programme.

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			<p>The requirement includes working with the Secretary of State and the Digital Signalling Portfolio Team:</p> <ul style="list-style-type: none"> (a) to plan procurement and fitment activities, commence design, place orders for long lead materials, and/or commence fitment of rolling stock for relevant fleets in accordance with the Long Term Deployment Portfolio; and (b) to plan for driver and other staff training in support of the future deployment of ETCS, and the fitment of relevant equipment to trains.
77	Collaboration	Digital Signalling	<p>Commencing from 28 April 2024, The Operator shall, during the Business Plan Year 24/25, collaborate with the Secretary of State and Network Rail in planning for the migration of the network to ETCS Level 2 as part of the Digital Signalling Portfolio. This may encompass various activities, such as:</p> <ul style="list-style-type: none"> (a) attending a cross Train Operator stakeholder group; (b) supporting individual Train Operator sessions as required by the Secretary of State and the Digital Signalling Portfolio team to develop individual operator plans for migration to ETCS; and (c) Supporting and contributing as required to wider industry initiative relating to ETCS considering, for example, approaches to procurement for onboard fitment, driver training and business change and the trackside.
78	Collaboration Plan	Communities	<p>The Operator will continue to work with the Secretary of State and relevant third-party funders on the Town Deal funded Boston Scheme and Skegness Scheme. The Operator shall use all reasonable endeavours to comply with its obligations under said contracts. For the purpose of this Business Plan Commitment:</p> <ul style="list-style-type: none"> (a) “Boston Scheme” means the upgrade and refurbishment of Boston Railway Station, offering an improved experience to all station visitors and the

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			<p>surrounding community.</p> <p>(b) “Skegness Scheme” means the reconfiguration of Skegness Station to allow for increased prime retail space for commercial offerings and enhancements that improve access routes into the station to help improve links and integration with the surrounding community.</p>
79	Revenue	Ticketless travel	<p>Commencing from 28 April 2024, the Operator shall, during the Business Plan Year 24/25:</p> <p>(a) deliver four (4) Ticketless Travel Surveys;</p> <p>(b) by 31 October 2024, develop and submit to the Secretary of State for consideration a strategy focussing on reducing ticketless travel rates.</p>
80	Revenue	Ticketing and Retailing	<p>Commencing from 28 April 2024, the Operator shall, during the Business Plan Year 24/25 update all information provided to passengers (via the Operator's websites and mobile apps, as well as all non-digital information channels), in line with any changes made to the National Rail Conditions of Travel.</p>
81	Revenue	Revenue Growth	<p>The Operator shall:</p> <p>a) report to the Secretary of State each Quarter on the percentage of services Monday to Saturday, on which a Standard Class and First Class catering was available (not counting those Passenger Services on which no such service provision was planned).</p> <p>b) provide the Department with a Class 810 Catering Strategy Proposal by [REDACTED].</p>

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82	Train Service Operations Plan	Rolling Stock	<p>Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall by no later than [REDACTED] complete First In Class of the Class 158 Fleet Refurbishment.</p> <p><i>For the purpose of this Business Plan Commitment:</i></p> <p>(a) “Class 158 Fleet” means the units and vehicles identified as being Class 158 in Table 1 (Original Rolling Stock) of Appendix 1 (The Composition of the Train Fleet) to Chapter 4.3 (The Rolling Stock); and</p> <p>(b) “Class 158 Fleet Refurbishment” means the internal refurbishment agreed between the Operator, the Secretary of State and the relevant rolling stock leasing companies for all of the Class 158 Fleet.</p>
83	Train Service Operations Plan	Train Service operations improvement	<p>The Operator shall review the deployment of Class 158 and Class 170 rolling stock to regional routes with the goal of increasing capacity and revenue on the Liverpool to Norwich route. The Operator shall share the outcome with the Department at the Strategy Steering Group, with progress evidenced by [REDACTED] via the minutes of these meetings. [REDACTED].</p>
84	Train Service Operations Plan	Train Service operations improvement	<p>Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall:</p> <p>Develop a business case for required fleet stabling and/or maintenance provision by [REDACTED].</p>

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85	Train Service Operations Plan	Rolling Stock	<p>Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall by no later than 31 March 2025 complete First In Class of the Class 170 Fleet Refurbishment.</p> <p>For the purpose of this Business Plan Commitment:</p> <p>(a) “Class 170 Fleet” means the units and vehicles identified as being Class 170 in Table 1 (Original Rolling Stock) of Appendix 1 (The Composition of the Train Fleet) to Chapter 4.3 (The Rolling Stock); and</p> <p>(b) “Class 170 Fleet Refurbishment” means the internal refurbishment agreed between the Operator, the Secretary of State and the relevant rolling stock leasing companies for all of the Class 170 Fleet [REDACTED].</p>
86	Train Service Operations Plan	Rolling Stock	<p>Subject to the provisions and protections of paragraphs 3.1, 4.1 and 5.1 of Chapter 7.8 (Fleet Replacement Programme and Capital Works Programme) (which (for the avoidance of doubt) the Parties acknowledge shall apply following any change to the FRP Assumptions), the Operator shall by no later than [REDACTED] complete Detailed Design of the Class 360 Fleet Refurbishment.</p> <p>For the purpose of this Business Plan Commitment:</p> <p>(a) “Class 360 Fleet” means the units and vehicles identified as being Class 360 in Table 1 (Original Rolling Stock) of Appendix 1 (The Composition of the Train Fleet) to Chapter 4.3 (The Rolling Stock); and</p> <p>(b) “Class 360 Fleet Refurbishment” means the internal refurbishment agreed between the Operator, the Secretary of State and the relevant rolling stock leasing company for all of the Class 360 Fleet.</p>