

# FORTY NINTH Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**

as Network Rail

and

**EAST COAST MAIN LINE COMPANY LIMITED**

as Train Operator

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**relating to amendments to a Track Access  
Contract (Passenger Services) dated 04 February 2005**

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**THIS SUPPLEMENTAL AGREEMENT is dated 18 September 2015 and made between:**

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under company number 02904587, having its registered office at 1 Eversholt Street, London, NW1 2DN ("**Network Rail**"); and
- (2) **EAST COAST MAIN LINE COMPANY LIMITED**, a company registered in England under number 4659708 having its registered office at Friars Bridge Court, 41-45 Blackfriars Road, London, SE1 8NZ (the "**Train Operator**").

**Background:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 04 February 2005 as amended by various supplemental agreements (which track access contract as subsequently amended is hereafter referred to as the "**Contract**").
- (B) The parties now propose to enter into this Supplemental Agreement in order to amend the Contract as described herein.

**IT IS HEREBY AGREED** as follows:

**1. INTERPRETATION**

- 1.1 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.

**2. EFFECTIVE DATE AND TERM**

- 2.1 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 on the Expiry Date or earlier termination of the Contract.
- 2.2 Effective Date means the later of 02:00 on the Principal Change Date 2015 and the date on which the parties enter into this Supplemental Agreement pursuant to directions issued by the Office of Rail Regulation under Section 22A of the Act.

**3. AMENDMENTS TO THE CONTRACT**

The Contract shall be amended as follows:

- 3.1 Annex B to Part 3 of Schedule 4 – Lookup Table for EBM Weights shall be deleted and replaced in its entirety with that shown in Appendix 1 of this Supplemental Agreement.

3.2 Under section 2 Passenger Train Slots within Schedule 5 that part of Table 2.2 of the Contract relating to Service Group 2 London – North East and Scotland shall be amended, by adding two new rows and the associated footnote as set out in Appendix 2 of this Supplemental Agreement.

3.3 Appendix 1 of Schedule 8 of the Contract shall be replaced in its entirety with that shown in Appendix 3 of this Supplemental Agreement.

#### **4. 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.

#### **5. LAW**

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with the laws of England and Wales.

#### **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. 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 one and the same instrument.

**IN WITNESS** of which Network Rail and the Train Operator have, by their duly authorised representatives, respectively entered into this Supplemental Agreement on the date first above written.

SIGNED BY )

for and on behalf of )  
**NETWORK RAIL** )  
**INFRASTRUCTURE LIMITED** )



SIGNED BY )

for and on behalf of )  
**EAST COAST MAIN LINE** )  
**COMPANY LIMITED** )



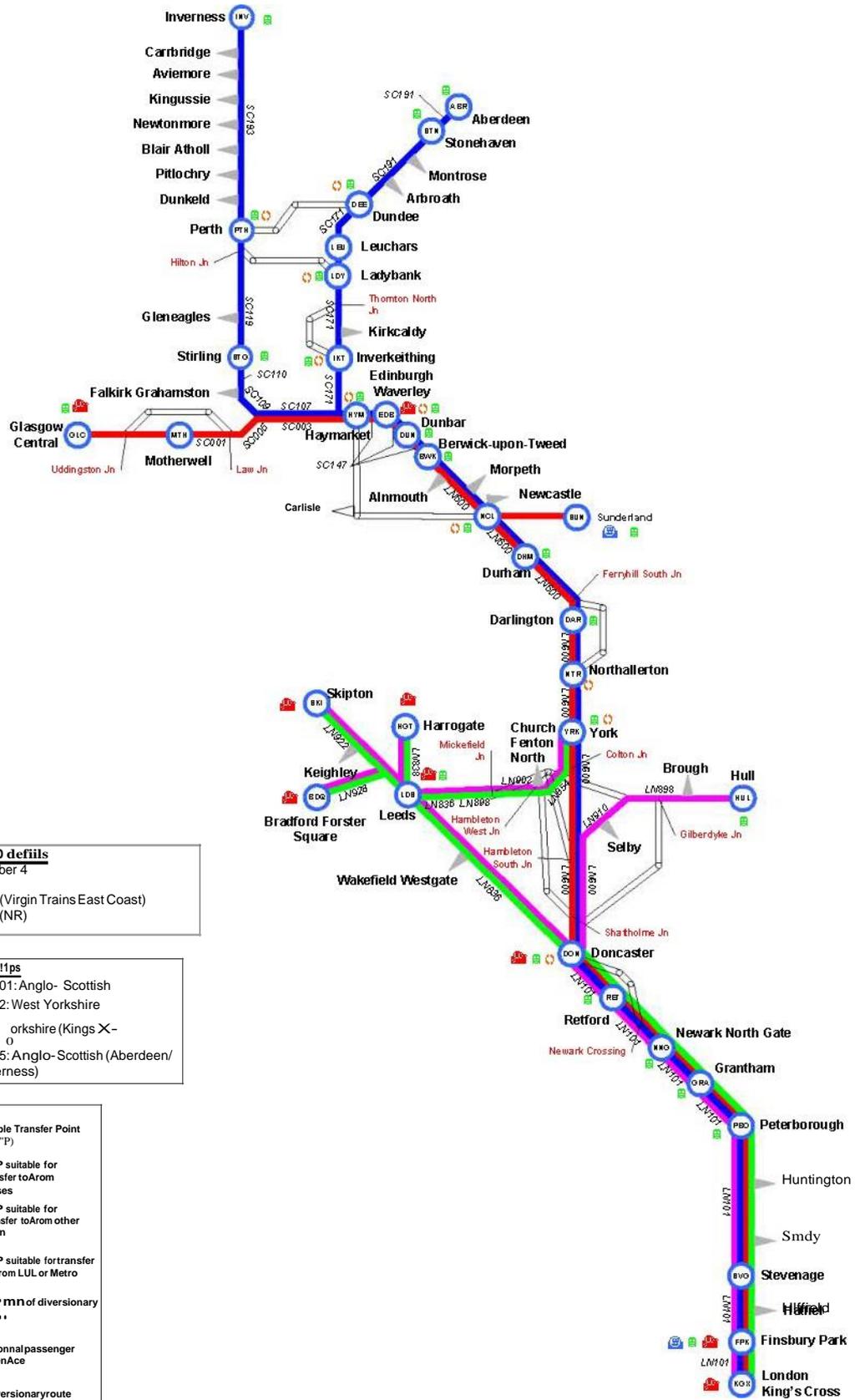
MARK RICH DENT

16<sup>th</sup> Sept 2013





Edinburgh W8terley (EOB)	Edinburgh Haymarket (HYM)			180021	Full bus replacement between Edinburgh W8terley (EOB) and Edinburgh Haymarket (HYM)	H805	100%	EOB	HYM	125								0	0
Edinburgh Haymarket (HYM)	Stirling (STG)			160028	Full bus replacement between Edinburgh Haymarket (HYM) and Stirling (STG)	H805	100%	STG	HYM	125								0	0
Stirling (STG)	Perth (PTH)	Inclusive of Hilton Junction		160029	Full bus replacement between Stirling (STG) and Perth (PTH)	H805	100%	PTH	STG	34.25								0	0
Stirling (STG)	Perth (PTH)	Exclusive of Hilton Junction		150C30	Partial bus between Perth and Stirling and dNen'ia Udybank	H805	100%					PTH	STG	34.25				0	0
Perth (PTH)	Inverness (INV)			180031	Full bus replacement between Perth (PTH) and Inverness (INV)	H805	100%	INV	PTH	118.00								0	0
Edinburgh W8terley (EOB)	Edinburgh Haymarket (HYM)			180032	Full bus replacement between Edinburgh W8terley (EOB) and Edinburgh Haymarket (HYM)	H805	100%	HYM	EDB	125								0	0
Edinburgh Haymarket (HYM)	Inverkeithing (IKT)			190033	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					DEE	LEU	8.25				0	0
Edinburgh Haymarket (HYM)	Inverkeithing (IKT)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					LEU	LDY	11.75				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					LDY	IKT	26.00				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					IKT	HYM	12.00				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					HYM	EDB	125				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					DEE	LEU	8.25				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					LEU	LOY	11.75				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					LDY	IKT	26.00				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					IKT	HYM	12.00				0	0
Inverkeithing (IKT)	Ladybank (LDY)			1180034	Partial bus replacement between Dundee and Edinburgh W8terley	H805	100%					HYM	EOB	1.25				0	0
Leuchars (LEU)	Dundee (DEE)	Inclusive of Dundee		1180036	Full bus replacement between Leuchars (LEU) and Dundee (DEE)	H805	100%	DEE	LEU	8.25								0	0
Leuchars (LEU)	Dundee (DEE)	Exclusive of Dundee		160037	Partial bus between Dundee and Edinburgh W8terley via Perth	H805	100%					DEE	LEU	8.25				0	0
Leuchars (LEU)	Dundee (DEE)	Exclusive of Dundee		160037	Partial bus between Dundee and Edinburgh W8terley via Perth	H805	100%					LEU	LOY	11.75				0	0
Leuchars (LEU)	Dundee (DEE)	Exclusive of Dundee		160037	Partial bus between Dundee and Edinburgh W8terley via Perth	H805	100%					LDY	IKT	26.00				0	0
Leuchars (LEU)	Dundee (DEE)	Exclusive of Dundee		160037	Partial bus between Dundee and Edinburgh W8terley via Perth	H805	100%					IKT	HYM	12.00				0	0
Leuchars (LEU)	Dundee (DEE)	Exclusive of Dundee		160037	Partial bus between Dundee and Edinburgh W8terley via Perth	H805	100%					HYM	EDB	125				0	0
Dundee (DEE)	Stonehaven (STN)			160038	Full bus replacement between Dundee (DEE) and Aberdeen (ABO)	H805	100%	ABO	STN	16.25								0	0
Dundee (DEE)	Stonehaven (STN)			160038	Full bus replacement between Dundee (DEE) and Aberdeen (ABO)	H805	100%	STN	DEF	55.00								0	0
Stonehaven (STN)	Aberdeen (ABO)			160019	Full bus replacement between Stonehaven (STN) and Aberdeen (ABO)	H805	100%	ABO	STN	16.25								0	0



Final VERSJOD details  
 Version Number 4  
 16109115  
 Approved by (Virgin Trains East Coast)  
 Approved by (NR)

**Seryjce GrQ1'ps**  
 — HB01: Anglo- Scottish  
 — HB02: West Yorkshire  
 — HB03: Yorkshire (Kings X-  
 0  
 — HB05: Anglo-Scottish (Aberdeen/  
 Inverness)

- Stable Transfer Point (L/L'P)
- vrP suitable for transfer to Arom buses
- vrP suitable for transfer to Arom other train
- vrP suitable for transfer to Arom LUL or Metro
- vrP mn of diversionary
- Nonnalpassenger senAce
- Diversionaryroute

HB	LET	H801	ANGLO - SCOTIISH	All Trains
HB	LET	H802	WEST YORKSHIRE	All Trains
HB	LET	H804	WEST YORKHIRE (Kings X - Bradford / Hull)	All Trains
HB	LET	H805	ANGLO - SCOT (Aberdeen / Inverness}	All Trains

LN 101 London Kings Cross to Ioversall Carr J1  
 LN 105 Moorgate to Finsbury Park Jn  
 LN 110 Canonbury West Jcn to Finsbury Park Jn  
 LN 120 Alexandra Palace to Langley Jn (via Hertford)  
 LN 125 Hitchin Cambridge Jcn to Royston (Inclusive)  
 LN 170 Werrington Junction to Gainsborough Trent (via Lincoln)  
 LN 175 Sleaford South Jn to Sleaford  
 LN 180 Sleaford North Jn to Sleaford  
 LN 185 Allington West Jcn to Skegness  
 LN 190 Allington East Jcn to Allington North Jn (Allington Chord)  
 LN 195 Grantham Nottingham Branch Jn to Bottesford West Jn  
 LN 200 Wrawby Junction to Pelham Street Junction  
 LN 206 Newark Castle to West Holmes Jn  
 LN3201 St Pancras International to Chesterfield (via Derby)  
 LN3204 Trent South Jn to Nottingham East Jn  
 LN3207 Trent East Jn to Clay Cross South Jn (Erewash Valley line)  
 LN3210 Junction Road Jn to Carlton Road Jn (Tottenham Lines)  
 LN3213 Moorgate to Carlton Road Jn (Moorgate Lines)  
 LN3216 Farningdon Jn to Blackfriars  
 LN3219 Cricklewood Curve Jn to Dudding Hill J1  
 LN3222 Brent Curve Jn to Dudding Hill Jn  
 LN3228 Trent East Jn to Sheet Stores Jn  
 LN3231 Wigston South Jn to Glen Parva Jn  
 LN3232 Wigston North Jn to Hinckley (Inclusive)  
 LN3234 Syston East Jn to Syston North Jn  
 LN3237 Loughborough South Jn to Hotchley Hill (British Gypsum)  
 LN3246 Ambergate Jn to Matlock  
 LN3249 Lenton Stn Jn to Lenton Nth Jn  
 LN3252 Mansfield Jn to Trowell Jn  
 LN3255 Radford Jn to Kirkby Lane End Jn  
 LN3261 Trent South Jn to Meadow Lane Jn (High Level Goods Line)  
 LN3264 Attenborough Jn to Toton Jn (High Level Goods Line)  
 LN3267 Stapleford and Sandiacre to Stanton Gate  
 LN3270 Codrington Park Jn to Ironville GF  
 LN3273 Pye Bridge Jn to Shirebrook  
 LN3501 Derby London Road to Tamworth (exclusive)  
 LN3505 North Stafford Jn to Stoke Jn (exclusive)  
 LN3515 Melbourne Jn to Siffin  
 LN3520 Sheet Stores Jn to Stenson Jn  
 LN3525 Knighton Jn to Leicester Jn (Burton Goods Line)  
 LN3535 Birmingham Curve Jn to Branston Jn  
 LN3601 Kettering North Jn to Manton Jn  
 LN3605 Corby BSC Works to Corby North Jn  
 LN3610 Corby Automobile Terminal to Corby North Jn  
 LN3615 Helpston Jn to Syston South Jn  
 LN3620 Menon Jn GF to Ashfordby  
 LN3625 Nottingham East to Newark Castle  
 LN3635 Bottesford West Jn to Netherfield Jn  
 LN3645 Netherfield to Gedling Colliery

LN600 Doncaster Loversall Carr to Marshall Meadows  
 LN627/676 Longlands Jn - Stockton Cut Jn - Sunderland - Greensfield Jn - King Edward Bridge Stn Jn. and Branches  
 LN631/632 Darlington - Stockton Cut Jn - Saltburn  
 LN634 Guisborough Jn to Whitby  
 LN646 Norton to Ferryhill  
 LN678 Darlington to Bishop Auckland  
 LN682 King Edward Bridge South Junction to Carlisle  
 LN684 Newcastle Goods Lines  
 LN694 Benton Nth Jn. to Butterwell Jn and Morpeth North Junction (Blyth and Tyne)  
 LN722 Doncaster Area Goods Lines  
 LN726 Gainsborough to Bessacarr Junction  
 LN7361752 Cleethorpes to Doncaster  
 LN736 Wrawby Junction to Nunnery Main Line Junction  
 LN740f42 Immingham to Brocklesby Junction (exclusive)  
 LN744 Haborough Junction to Barton on Humber  
 LN758 Brantcliffe Junction to St Catherines Junction  
 LN766 Bentley Jn to Hexthorpe Jn (Doncaster Avoiding Line)  
 LN768 Mansfield West Junction to Shireoaks Junctions  
 LN774 Barrow Hill to Oxcroft/Bolsover  
 LN784 High Mamh3m and Branches to Shirebrook Junctions  
 LN804 Clay Cross Junction - Sheffield - Church Fenton via Pontefract  
 LN806 Tipton Jn. to Masborough Junction via 'Old Road'  
 LN816 Beighton Junction to Woodhouse Junction  
 LN826 Doncaster to Swinton  
 LN828/830 Mexborough - Atdwarke Jn. - Woodburn Junction  
 LN836 Doncaster to Holbeck Junction  
 LN836/898/854 Holbeck Junction to Cotton Junction  
 LN838 York - Harrigate - Leeds  
 LN842 Stainforth Junction to Adwick Junction/Carcroft Junction  
 LN848 Hare Park Junction to Crofton West Junction  
 LN850 Wakefield Kirkgate to Wakefield Westgate  
 LN852 Holbeck Junction to Bradford Interchange  
 LN854 Milner Royo Junction to Heaton Lodge Junction  
 LN854/858 Hall Royd Junction to Mill Lane Junction  
 LN860/854 Diggles Junction to Horbury Junction and Wharfedale Junction  
 LN862 Barnsley to Huddersfield  
 LN868/854 Wharfedale Junction to Miford Junction via Barnsley  
 LN872 Airedale Junction to Leeds West Junction/Whitehall Junction  
 LN875 Castleford to Pontefract  
 LN880 York to Scarborough  
 LN882 Wakefield to Gode  
 LN888 Shaftholme Junction to Ferrybridge North Junction  
 LN898 Micklefield to Hull  
 LN912 Theme Junction to Gilberdyke  
 LN914 Hull to Seamer  
 LN916 Hessle Road Junction to Saltend & Freight Sidings  
 LN922/924/928 Armley Junction to Hellfield, Ilkley and Bradford  
 LN926 Doldley Jn to Guiseley

## Appendix 2

### Schedule 5 Table 2.2: Additional Passenger Train Slots

Table 2.2: Additional Passenger Train Slots 37<sup>th</sup> 48<sup>th</sup>

1					2					
Service Group 2 London – North East and Scotland										
Service description					Additional Passenger Train Slots					
From	To	Via	Description	TSC	Total Weekday	Peak times <sup>1</sup>		Off-Peak times <sup>2</sup>	Saturday	Sunday
						morning Peak	evening Peak			
Sunderland	Newcastle	Pelaw Jn	Northbound	21700001	1					
Newcastle	Sunderland	Pelaw Jn	Southbound	21700001	1					

Note – The Train Operator’s right to operate services to and from Sunderland are conditional on completion of a drivers’ walkway at Sunderland Station, or alternative arrangements acceptable to Network Rail.

### Appendix 3

#### Appendix 1

A	B	C	D	E	F	G	H	I	J	K	L		M	N	O
Service Group	Network Rail				TOC				Cancellation Minutes	Cap	Service Code	Direction	Monitoring Point	Weighting	
	Performance Point	Payment Rate			Performance Point	Payment Rate									
		<u>(Not Used)</u>	<u>(Not Used)</u>	Total		<u>(Not Used)</u>	<u>(Not Used)</u>	Total							
HB01 ANGLO— SCOTTISH All Trains				✂	✂			✂	90	270	700	London Kings X – York – Newcastle – Edinburgh - Glasgow	Forward Forward Forward Forward Forward Reverse Reverse Reverse Reverse Reverse	London Kings Cross Peterborough Edinburgh Doncaster Newcastle York Glasgow Central Peterborough Newcastle Edinburgh York Sunderland	✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂
HB02 WEST YORKSHIRE All Trains				✂	✂			✂	90	270	702	London Kings X – Peterborough - Leeds	Forward Forward Reverse Reverse Reverse	Wakefield Westgate London Kings Cross Peterborough Newark Northgate Peterborough Leeds	✂ ✂ ✂ ✂ ✂

HB04 WEST YORKHIRE (Kings X - Bradford / Hull) All Trains				✂	✂			✂	270	270	703	London Kings X – Bradford – Harrogate - Hull	Forward Forward Reverse Reverse Reverse Reverse Reverse Reverse	London Kings Cross Doncaster Bradford Forster Square Wakefield Westgate Peterborough Doncaster Skipton Leeds Hull	✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂
HB05 ANGLO - SCOT (Aberdeen / Inverness) All Trains				✂	✂			✂	270	270	701	London Kings X – Aberdeen / Inverness	Forward Forward Forward Reverse Reverse Reverse Reverse Reverse Reverse	London Kings Cross Newcastle Edinburgh York Inverness Edinburgh Newcastle Aberdeen York Stirling	✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂ ✂