

7th Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

and

ABELLIO SCOTRAIL LIMITED
as Train Operator

relating to amendments to the Track Access Contract
(Passenger Services) dated 03 March 2016
Additional Tain – Muir of Ord Service and Calling Patterns
Corrections

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THIS 7TH SUPPLEMENTAL AGREEMENT is dated 10 July 2017 and made

Between:

- (1) Network Rail Infrastructure Limited, ("Network Rail"), a company registered in England under number 2904587 having its registered office at 1 Eversholt Street, London NW1 2DN; and
- (2) Abellio ScotRail Limited, (the "Train Operator"), a company registered in Scotland under number SC450732 having its registered office at 5th Floor, Culzean Building 36 Renfield Street, Glasgow, G2 1LU, United Kingdom.

Background:

- (A) Abellio ScotRail Limited and Network Rail Infrastructure Limited entered into a Track Access Contract (Passenger Services)(which is hereafter referred to as the "Contract") dated 03 March 2016 in a form approved by the Office of Rail and Road pursuant to section 18(7) of the Act.
- (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

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;
- 1.2 "**Effective Date**" means the date upon which the Office of Rail and Road issues its approval, pursuant to Section 22 of the Act, of the terms of this Supplemental Agreement; and
- 1.3 "Appendix" shall mean the appendices and their relevant parts and attached hereto.

2. EFFECTIVE DATE AND DURATION

The amendments made to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect at 2359 hours on the Expiry Date or earlier termination of the Contract.

3. AMENDMENTS TO THE CONTRACT

- 3.1 In Table 2.1 of Schedule 5 of the Contract the entry for Service 542 (Inverness - Wick), in Service Group HA04, shall be deleted and replaced with the entry as shown in Appendix A to this Supplemental Agreement.
- 3.2 In Table 4.1 of Schedule 5 of the Contract the entry for Service 542 (Inverness - Wick), in Service Group HA04, shall be deleted and replaced with the entry as shown in Appendix B to this Supplemental Agreement.
- 3.3 In Table 4.1 of Schedule 5 of the Contract the entry for Service 560 (Glasgow North electrics (Westbound)) in service Group HA06, shall be deleted and replaced with Appendix C to this Supplemental Agreement.
- 3.4 In Table 4.1 of Schedule 5 of the Contract the entry for Service 579 (South West Services) in service Group HA03, shall be deleted and replaced with Appendix D to this Supplemental Agreement.

4. EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT

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.

5. LAW

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

6. THIRD PARTY RIGHTS

No rights shall be conferred under or arising out of this Supplemental Agreement on any person other than the Parties to this Supplemental Agreement and there shall not be created in any circumstances a jus quaesitum tertio in favour of any person.

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 WHEREOF this Supplemental Agreement comprising this, the foregoing 2 pages and Appendices A - D to this Supplemental Agreement, are executed as follows:-

SIGNED on behalf of **NETWORK RAIL INFRASTRUCTURE LIMITED** by
DAVID DICKSON at GLASGOW on
10 JULY 2017 in the presence of:-

Witness: Nick King

Full Name: NICHOLAS PRAGS

Address: 151 ST VINCENT STREET
GLASGOW
G2 5NW

David Dickson

SIGNED on behalf of **ABELLIO SCOTRAIL LIMITED** by SAM PRICE
at GLASGOW on 10 JULY 2017 in the
presence of:-

Witness: James M Craig

Full Name: JAMES M. CRAIG

Address: ATRIUM COURT
50 WATERLOO STREET
GLASGOW G2 6HQ

Sam Price

Appendix A

Table 2.1: Passenger Train Slots

1						2		
Service Group HA04: Highland Rural								
Service 542: Inverness – Wick						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Inverness	Ardgay	Dingwall	4.1	23542003	158	1	1	0
Inverness	Dingwall	Dingwall	4.2	23543003	158	1	1	0
Inverness	Invergordon	Dingwall	4.3	23542003	158	1	1	1
Inverness	Tain	Dingwall	4.4	23542003	158	1(+1 FO)	2	3
Inverness	Wick	Thurso	4.5	23542003	158	4	4	1
Ardgay	Inverness	Dingwall	4.6	23542003	158	2	2	0
Dingwall	Inverness	Beaully	4.7	23543003	158	1	1	0
Invergordon	Inverness	Dingwall	4.8	23542003	158	1	1	1
Lairg	Inverness	Dingwall	4.9	23542003	158	1	1	0
Tain	Inverness	Dingwall	4.10	23542003	158	1	1	3
Tain	Muir of Ord	Dingwall	4.12	23542003	158	1 FO	1	0
Wick	Inverness	Thurso	4.11	23542003	158	4	4	1

Appendix B

Table 4.1: Calling Patterns

1					2	3
Service Group HA04: Highland Rural						
Service 542: Inverness – Wick						
Between	And	Via	Description	TSC	Regular Calling Pattern ¹	Additional Stations
Inverness	Ardgay	Dingwall	4.1, 4.6	23542003	Beauly, Muir of Ord, Conon Bridge, Dingwall, Alness, Invergordon, Fearn, Tain	
Inverness	Dingwall	Dingwall	4.2, 4.7	23542003	Beauly, Muir of Ord, Conon Bridge	
Inverness	Invergordon	Dingwall	4.3, 4.8	23542003	Beauly, Muir of Ord, Conon Bridge, Dingwall, Alness	
Inverness	Tain	Dingwall	4.4, 4.10	23542003	Beauly, Muir of Ord, Conon Bridge, Dingwall, Alness, Invergordon, Fearn,	
Inverness	Wick	Thurso	4.5, 4.11	23542003	Beauly, Muir of Ord, Conon Bridge, Dingwall, Alness, Invergordon, Fearn, Tain, Ardgay, Culrain, Invershin, Lairg, Rogart, Golspie, Brora, Helmsdale, Kildonan, Kinbrace, Forsinard, Altnabreac, Scotscalder, Georgemas Junction, Thurso, Georgemas Junction	Dunrobin Castle
Lairg	Inverness	Dingwall	4.9	23542003	Invershin, Culrain, Ardgay, Tain, Fearn, Invergordon, Alness, Dingwall, Conon Bridge, Muir of Ord, Beauly	
Tain	Muir of Ord	Dingwall	4.12	23542003	Invergordon, Dingwall	

Appendix C

Table 4.1: Calling Patterns

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Westbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Airdrie	Balloch	Singer	6.1	13560015	Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Drumchapel, Drumry, Singer, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Renton, Alexandria	
Airdrie	Helensburgh Central	Singer	6.2	13560015	Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Drumchapel, Drumry, Singer, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Airdrie	Helensburgh Central	Yoker	6.3	13560015	Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Airdrie	Milngavie	Partick	6.4	13560015	Coatbridge Sunnyside, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Bearsden, Hillfoot	

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Westbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Bathgate	Helensburgh Central	Singer	6.5	13560015	Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Drumchapel, Drumry, Singer, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Bathgate	Helensburgh Central	Yoker	6.6	13560015	Drumgelloch, Airdrie, Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Bathgate	Milngavie	Partick	6.7	13560015	Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatbridge Sunnyside, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Bearsden, Hillfoot	
Cumbernauld	Dumbarton Central	Springburn, Yoker	6.8	13560015	Greenfaulds, Gartcosh, Stepps, Springburn, Barnhill, Alexandria Parade, Duke Street, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Jordanhill, Scotstounhill, Garscadden, Yoker, Clydebank, Dalmuir, Kilpatrick, Bowling, Dumbarton East	
Cumbernauld	Garscadden	Springburn	6.9	13560015	Greenfaulds, Gartcosh, Stepps, Springburn, Barnhill, Alexandria Parade, Duke Street, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Jordanhill, Scotstounhill	
Cumbernauld	Partick	Springburn	6.10	13560015	Greenfaulds, Gartcosh, Stepps, Springburn, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick	Barnhill, Alexandria Parade, Duke Street

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Westbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Dalmuir	Balloch	Dumbarton East	6.11	13560015	Dumbarton East, Dumbarton Central, Dalreoch, Renton, Alexandria	
Dalmuir	Dumbarton Central	Dumbarton East	6.12	13560015	Kilpatrick, Bowling, Dumbarton East	
Dalmuir	Helensburgh Central	Dumbarton East	6.13	13560015	Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Edinburgh Waverley	Airdrie	Bathgate	6.14	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Armadale, Blackridge, Caldercruix, Drumgelloch	
Edinburgh Waverley	Bathgate	Uphall	6.15	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North	
Edinburgh Waverley	Dalmuir	Yoker	6.16	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Jordanhill, Scotstounhill, Garscadden, Yoker, Clydebank	
Edinburgh Waverley	Garscadden	Partick	6.17	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatbridge Sunnyside, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland	Coatdyke, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Westbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Edinburgh Waverley	Helensburgh Central	Singer	6.18	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Drumchapel, Drumry, Singer, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	
Edinburgh Waverley	Helensburgh Central	Yoker	6.19	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Drumgelloch, Airdrie, Coatdyke, Coatbridge Sunnyside, Blairhill, Easterhouse, Garrowhill, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Dalmuir, Dumbarton East, Dumbarton Central, Dalreoch, Cardross, Craigendoran	Armadale, Blackridge, Caldercruix
Edinburgh Waverley	Milngavie	Partick	6.20	13560015	Haymarket, Edinburgh Park, Uphall, Livingston North, Bathgate, Armadale, Blackridge, Caldercruix, Drumgelloch, Airdrie, Coatbridge Sunnyside, Shettleston, Carntyne, Bellgrove, High Street, Glasgow Queen Street, Charing Cross, Partick, Hyndland, Anniesland, Westerton, Bearsden, Hillfoot	
Yoker	Balloch	Dumbarton East	6.21	13560015	Clydebank, Dalmuir, Kilpatrick, Bowling, Dumbarton East, Dumbarton Central, Dalreoch, Renton, Alexandria	

Appendix D

Table 4.1: Calling Patterns

1					2	3
Service Group HA03: South West Rural Services						
Service 579: South West Services						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Ayr	Stranraer	Girvan	3.1, 3.13	13577015 23579003	Maybole, Girvan, Barrhill	
Dumfries	Carlisle	Gretna	3.2, 3.3, 3.4, 3.6, 3.9, 3.10, 3.12	23579003	Gretna Green, Annan	
Carlisle	Newcastle	Hexham	3.3, 3.6, 3.12	21793003	Haltwhistle, Hexham, Metro Centre	Wetheral, Brampton (Cumbria), Bardon Mill, Haydon Bridge, Corbridge, Riding Mill, Stocksfield, Prudhoe, Wylam, Blaydon, Dunston
Glasgow Central	Dumfries	Kilmarnock	3.4, 3.6, 3.10, 3.11, 3.12	23579003	Barrhead, Dunlop, Stewarton, Kilmaurs, Kilmarnock, Auchinleck, New Cumnock, Kirkconnel, Sanquhar, Dumfries,	Crossmyloof, Pollokshaws West, Kennishead, Priesthill, Nitshill
Glasgow Central	Stranraer	Kilmarnock	3.7, 3.14	13568015 23579003 13577015	Barrhead, Dunlop, Stewarton, Kilmaurs, Kilmarnock, Troon, Ayr, Maybole, Girvan, Barrhill	Prestwick Town
Kilmarnock	Stranraer	Girvan	3.8, 3.15	13577015 23579003	Troon, Ayr Maybole, Girvan, Barrhill	Prestwick Town