

THIRTY SIXTH SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

NORTHERN TRAINS LIMITED

as Train Operator

relating to the Track Access Contract (Passenger
Services) dated 03 MARCH 2016

CONTENTS

1. INTERPRETATION	1
2. OFFICE OF RAIL AND ROAD GENERAL APPROVAL	1
3. EFFECTIVE DATE AND TERM	1
4. AMENDMENTS TO THE CONTRACT	2
5. GENERAL	2
6. THIRD PARTY RIGHTS	2
7. LAW	2
8. COUNTERPARTS	2

THIS THIRTY SIXTH SUPPLEMENTAL AGREEMENT is dated

2021

and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at 1 Eversholt Street, London, NW1 2DN ("**Network Rail**"); and
- (2) **NORTHERN TRAINS LIMITED**, a company registered in England under number 03076444, having its registered office at Albany House, Floor 8, 94-98 Petty France, London, England, SW1H 9EA (the "**Train Operator**").

BACKGROUND:

- (A) Network Rail and Arriva Rail North Limited entered into a Track Access Contract (Passenger Services) dated 3 March 2016 as amended by various supplemental agreements (which track access contract as subsequently amended is hereafter referred to as the "**Contract**").
- (B) On 1st March 2020, the rights and obligations of Arriva Rail North Limited under the contract were transferred to the Train Operator pursuant to a transfer scheme made by the Secretary of State for Transport on 1st March under schedule 2 of the Railways Act 2005.
- (C) The parties propose to amend the Contract in the manner and on the terms described below.

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; and
- 1.2 "Effective Date" means: The date of signature of this Supplemental Agreement

2. ORR GENERAL APPROVAL

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009.

3. EFFECTIVE DATE AND TERM

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 at the Expiry Date or earlier termination of the Contract.

4. AMENDMENTS TO THE CONTRACT

4.1 In Paragraph 5.1 of Schedule 5 of the Contract, the table shall be deleted in its entirety and replaced with the version as set out in Annex 1 of this Supplemental Agreement.

4.2 In Appendix 7C Default Consist Data, of Schedule 7 of the Contract, the table shall be deleted in its entirety and replaced with the version as set out in Annex 2 of this Supplemental Agreement

5. GENERAL

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.

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. LAW

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

8. 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 but one and the same instrument.

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

SIGNED by)
)
duly authorised for and on behalf of)
NETWORK RAIL)
INFRASTRUCTURE LIMITED)



SIGNED by)
)
duly authorised for and on behalf of)
NORTHERN TRAINS LIMITED)



Annex 1

Table 5.1 : Specified Equipment^{36th}

Class 150 DMU
Class 153 DMU
Class 155 DMU
Class 156 DMU
Class 158 DMU
Class 170 DMU
Class 185 DMU
Class 195 DMU ^{10th}
Class 321 EMU
Class 322 EMU
Class 323 EMU
Class 333 EMU
Class 331 EMU ^{10th}
Class 319 EMU
Class 769 EDMU ^{10th}
Class 37 locomotive
Class 47 locomotive
Mark II Coaches

Annex 2

APPENDIX 7C – DEFAULT TRAIN CONSIST DATA^{36th}

11792920	Train movement (s) between Newcastle and Hartlepool and Middlesbrough via Sunderland	1 x Class 150 Diesel Multiple Unit (2 power cars)
11802820	Train movement (s) between Leeds or Wakefield Westgate and Barnsley and Sheffield	1 x Class 150 Diesel Multiple Unit (2 power cars)
11803920	Train movement (s) between Huddersfield and Sheffield	1 x Class 150 Diesel Multiple Unit (2 power cars)
11804920	Train movement (s) between Sheffield and Worksop, Retford and Lincoln	1 x Class 150 Diesel Multiple Unit (2 power cars)
11807820	Train movement (s) between Sheffield and Doncaster via Rotherham Central and Adwick or Selby	1 x Class 156 Diesel Multiple Unit (2 power cars)
11808920	Train movement (s) between Sheffield or Thorne North and Hull not via Rotherham Central via Goole or Selby	1 x Class 156 Diesel Multiple Unit (2 power cars)

Train Service		
11810920	Train movement (s) between Leeds and Moorthorpe and Sheffield	1 x Class 150 Diesel Multiple Unit (2 power cars)
11816820	Train movement (s) between Doncaster and Thorne North or Goole	1 x Class 156 Diesel Multiple Unit (2 power cars)
11818620	Train movement (s) between Leeds, Shipley and Bradford Forster Square	1 x Class 333 Electric Multiple Unit (2 motor vehicles and 2 trailer vehicles)
11819020	Train movement (s) between Leeds and Ilkley	1 x Class 333 Electric Multiple Unit (2 motor vehicles and 2 trailer vehicles)
11820820	Train movement (s) between Bradford Forster Square and Skipton	1 x Class 333 Electric Multiple Unit (2 motor vehicles and 2 trailer vehicles)
11821020	Train movement (s) between Bradford Forster Square and Ilkley	1 x Class 333 Electric Multiple Unit (2 motor vehicles and 2 trailer vehicles)
11822820	Train movement (s) between Wakefield Westgate, Wakefield Kirkgate and Pontefract and Knottingley	1 x Class 153 Diesel Multiple Unit (1 power car)

Train Service		
11824820	Train movement (s) between Leeds and Doncaster	1 x Class 321 Electric Multiple Unit (1 motor vehicle and 3 trailer vehicles)
11825820	Train movement (s) between Doncaster and Scunthorpe	1 x Class 156 Diesel Multiple Unit (2 power cars)
11830820	Train movement (s) between Leeds and Harrogate or Knaresborough	1 x Class 150 Diesel Multiple Unit (3 power cars)
11830920	Train movement (s) between Leeds and Harrogate and York	1 x Class 150 Diesel Multiple Unit (3 power cars)
11835920	Train movement (s) between Leeds and Selby	1 x Class 150 Diesel Multiple Unit (2 power cars)
11837920	Train movement (s) between Leeds and York	1 x Class 150 Diesel Multiple Unit (3 power cars)
11838821	Train movement (s) between Hull and Bridlington and Scarborough	1 x Class 156 Diesel Multiple Unit (2 power cars)

Train Service Code	Type of Train Movement	Default Train Consist Data
11841820	Train movement (s) between Leeds and Knottingley and Goole	1 x Class 150 Diesel Multiple Unit (2 power cars)
11868820	Train movement (s) between Leeds and Halifax and Hebden Bridge or Huddersfield via Bradford Interchange	1 x Class 158 Diesel Multiple Unit (3 power cars)
11868821	Train movement (s) between Huddersfield and Wakefield Westgate	1 x Class 150 Diesel Multiple Unit (2 power cars)
11870820	Train movement (s) between Leeds and Skipton	1 x Class 333 Electric Multiple Unit (2 motor vehicles and 2 trailer vehicles)
11871821	Train movement (s) between Leeds and Manchester Victoria	1 x Class 158 Diesel Multiple Unit (3 power cars)
11874020	Train movement (s) between Leeds and Huddersfield or Marsden or Brighouse or Hebden Bridge via Dewsbury	1 x Class 150 Diesel Multiple Unit (3 power cars)
12220110	Train movement (s) between Manchester Victoria and Stalybridge or Greenfield	1 x class 150 Diesel Multiple Unit (2 power cars)
12220821	Train movement (s) between Manchester Victoria and Huddersfield	1 x class 150 Diesel Multiple Unit (2 power cars)

Train Service Code	Type of Train Movement	Default Train Consist Data
12223820	Train movement (s) between Manchester Victoria or Bolton and Blackburn	1 x class 150 Diesel Multiple Unit (2 power cars)
12224110	Train movement (s) between Manchester Piccadilly or Manchester Victoria and Bolton and Wigan Wallgate	1 x class 150 Diesel Multiple Unit (2 power cars)
12224820	Train movement (s) between Manchester Piccadilly or Manchester Victoria and Bolton, Wigan Wallgate and Southport	1 x class 156 Diesel Multiple Unit (2 power cars)
12225110	Train movement (s) between Manchester Victoria and Atherton and Wigan Wallgate	1 x class 150 Diesel Multiple Unit (2 power cars)
12225820	Train movement (s) between Manchester Victoria and Atherton, Wigan Wallgate and Southport	1 x class 156 Diesel Multiple Unit (2 power cars)
12226110	Train movement (s) between Manchester Piccadilly and Marple or Rose Hill via Reddish North or Guide Bridge	1 x class 150 Diesel Multiple Unit (2 power cars)
12226820	Train movement (s) between Manchester Oxford Road or Manchester Piccadilly and Stockport or New Mills Central and Chinley and Sheffield.	1 x class 150 Diesel Multiple Unit (2 power cars)
12228110	Train movement (s) between Manchester Piccadilly and Hazel Grove	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)

Train Service		
12228820	Train movement (s) between Salford Crescent or Manchester Piccadilly and Buxton	1 x class 156 Diesel Multiple Unit (2 power cars)
12229110	Train movement (s) between Manchester Piccadilly and Stockport	1 x class 150 Diesel Multiple Unit (2 power cars)
12229820	Train movement (s) between Manchester Piccadilly or Stockport and Altrincham, Northwich, and Chester	1 x class 150 Diesel Multiple Unit (2 power cars)
12230110	Train movement (s) between Manchester Piccadilly and Glossop and Hadfield	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)
12231820	Train movement (s) between Deansgate or Manchester Oxford Road or Manchester Piccadilly and Macclesfield and Stoke on Trent	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)
12232820	Train movement (s) between Manchester Piccadilly and Wilmslow or Alderley Edge or Crewe via Stockport	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)
12233110	Train movement(s) between Manchester Piccadilly and Manchester Airport	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)

Train Service Code	Type of Train Movement	Default Train Consist Data
2233820	Train movement (s) between Manchester Piccadilly and Wilmslow or Alderley Edge or Crewe via Manchester Airport or Styal line.	1 x class 323 Electric Multiple Unit (2 motor units and 1 trailer unit)
12236820	Train movement (s) between Manchester Piccadilly or Manchester Oxford Road, Irlam, Glazebrook and Warrington Central	1 x class 150 Diesel Multiple Unit (2 power cars)
12240820	Train movement (s) between Kirkby and Wigan Wallgate	1 x class 150 Diesel Multiple Unit (2 power cars)
12242110	Train movement (s) between Manchester Victoria , Rochdale and Todmorden	1 x class 150 Diesel Multiple Unit (2 power cars)
12248822	Train movement (s) between Liverpool Lime Street and Manchester Airport	1 x class 156 Diesel Multiple Unit (2 power cars)
12249820	Train movement (s) between Liverpool Lime Street and Wigan North Western and Preston or Blackpool North or Morecambe	1 x class 156 Diesel Multiple Unit (2 power cars)
12291820	Train movement (s) between Liverpool Lime Street and Warrington Bank Quay	1 x class 319 Electric Multiple Unit (1 motor unit and 3 trailer units)
22291000	Train movement (s) between Liverpool Lime Street and Ellesmere Port	1 x class 150 Diesel Multiple Unit (2 power cars)

Train Service		
12298820	Train movement (s) between Liverpool Lime Street and Earlestown, Newton le Willows, Manchester Victoria or Manchester Oxford Rd	1 x class 319 Electric Multiple Unit (1 motor unit and 3 trailer units)
12297820	Train movement (s) between Liverpool Lime Street and Wigan North Western via St Helens or Earlestown	1 x class 319 Electric Multiple Unit (1 motor unit and 3 trailer units)
12299820	Train movement (s) between Liverpool Lime Street and Warrington Central	1 x class 150 Diesel Multiple Unit (2 power cars)
12349820	Train movement (s) between Manchester Piccadilly or Manchester Victoria or Bolton or Blackburn and Clitheroe	1 x class 150 Diesel Multiple Unit (2 power cars)
12355820	Train movement (s) between Manchester Airport or Manchester Piccadilly or Manchester Victoria or Manchester Oxford Road and Bolton or Atherton, Preston and Blackpool North	1 x class 156 Diesel Multiple Unit (2 power cars)
12358800	Train movement(s) between Carlisle and Whitehaven (Cumbria County Council Supported)	1 x class 153 Diesel Multiple Unit (1 power car)
12974820	Ancillary movements to/from Newton Heath, Longsight, Stockport, Wigan, Chester and Edge Hill	1 x class 150 Diesel Multiple Unit (2 power cars)
Train Service Code	Type of Train Movement	Default Train Consist Data

21151900	Train movement (s) between Leeds and Settle and Kirkby Stephen and Carlisle	1 x Class 156 Diesel Multiple Unit (2 power cars)
21737000	Train movement (s) between Leeds and Blackpool North	1 x Class 158 Diesel Multiple Unit (2 power cars)
21791000	Train movement (s) between Newcastle and Saltburn via Durham	1 x Class 156 Diesel Multiple Unit (2 power cars)
21793000	Train movement (s) between Newcastle and Carlisle	1 x Class 156 Diesel Multiple Unit (2 power cars)
21794000	Train movement (s) between Newcastle and Morpeth and Chathill	1 x Class 156 Diesel Multiple Unit (2 power cars)
21796000	Train movement (s) between Newcastle and MetroCentre and Hexham	1 x Class 156 Diesel Multiple Unit (2 power cars)
21799000	Empty trains to/from Heaton LMD	2 x Class 156 Diesel Multiple Unit (2 power cars)
Train Service Code	Type of Train Movement	Default Train Consist Data

21800000	Train movement (s) between Middlesbrough and Nunthorpe and Whitby	1 x Class 156 Diesel Multiple Unit (2 power cars)
21801000	Train movement (s) between Bishop Auckland and Darlington and Saltburn or Hartlepool	1 x Class 156 Diesel Multiple Unit (2 power cars)
21805000	Train movement (s) between Retford and Cleethorpes	1 x Class 153 Diesel Multiple Unit (1 power car)
21806000	Train movement (s) between York and Selby or Hull	1 x Class 156 Diesel Multiple Unit (2 power cars)
21826000	Train movement (s) between Cleethorpes and Barton on Humber	1 x Class 153 Diesel Multiple Unit (1 power car)
21831000	Empty trains to/from Neville Hill LMD	1 x Class 156 Diesel Multiple Unit (2 power cars)
21845000	Train movement (s) between Sheffield and Pontefract and York	1 x Class 150 Diesel Multiple Unit (2 power cars)
Train Service Code	Type of Train Movement	Default Train Consist Data

21853000	Train movement (s) between Sheffield, Barnsley and Leeds (fast trains)	1 x Class 158 Diesel Multiple Unit (2 power cars)
21865000	Train movement (s) between Leeds, Sheffield and Chesterfield and Nottingham	1 x Class 158 Diesel Multiple Unit (2 power cars)
21869000	Train movement (s) between Leeds and Lancaster or Morecambe	1 x Class 150 Diesel Multiple Unit (2 power cars)
22227000	Train movement (s) between Stockport and Stalybridge	1 x class 150 Diesel Multiple Unit (2 power cars)
22229000	Train movement(s) between Altrincham and Chester (Sunday Services)	1 x class 150 Diesel Multiple Unit (2 power cars)
22239000	Train movement (s) between Blackpool North, and Preston and Carlisle (Dalesrail)	1 x class 156 Diesel Multiple Unit (2 power cars)
22291000	Train movement (s) between Ellesmere Port and or Helsby and Warrington	1 x class 150 Diesel Multiple Unit (2 power cars)
22350000	Train movement (s) between Colne and Burnley and Blackburn and Preston, Blackpool South or Blackpool North	1 x class 150 Diesel Multiple Unit (2 power cars)
Train Service Code	Type of Train Movement	Default Train Consist Data

22351000	Train movement (s) between Preston and Ormskirk	1 x class 153 Diesel Multiple Unit (1 power car)
22352000	Train movement (s) between Preston or Lancaster and Morecambe or Heysham	1 x class 153 Diesel Multiple Unit (1 power car)
22354000	Train movement (s) between Preston, Lancaster and Barrow	1 x class 156 Diesel Multiple Unit (1 power car)
22355000	Train movement (s) between Preston and Blackpool North	1 x class 150 Diesel Multiple Unit (2 power cars)
22358000	Train movement (s) between Barrow and Millom and Sellafield, Whitehaven and Carlisle	1 x class 153 Diesel Multiple Unit (1 power car)
12357820 ^(2nd)	Train movement (s) between Manchester Airport Manchester Victoria Bolton Wigan Preston and Barrow in Furness	1 x class 158 Diesel Multiple Unit (3 power cars)
12362822 ^(2nd)	Train movement (s) between Manchester Airport and Blackpool North via Bolton and Preston	1 x class 156 Diesel Multiple Unit (2 power cars)
22361000 ^(2nd)	Train movement (s) between Lancaster Oxenholme and Windermere	1 x class 158 Diesel Multiple Unit (3 power cars)

