

ELEVENTH SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

and

CALEDONIAN SLEEPER LIMITED
as Train Operator

relating to the Track Access Contract (Passenger
Services) dated 2 MARCH 2018

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 ELEVENT SUPPLEMENTAL AGREEMENT is dated 27 June 2025 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London, SE1 8SW ("**Network Rail**"); and
- (2) **CALEDONIAN SLEEPER LIMITED**, a company registered in Scotland under number SC328825 having its registered office at Basement and Ground Floor Premises, 1-5 Union Street, Inverness, Scotland, IV1 1PP (the "Train Operator")

WHEREAS:

- (A) The Parties entered into a Track Access Contract (Passenger Services) dated 2 March 2018 in a form approved by the Office of Rail and Road and pursuant to Section 18 of the Railways Act 1993 ("**the act**") hereafter referred to as the "**Contract**"
- (B) The parties now propose to enter into this Supplemental Agreement pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2023 in order to amend the Contract as described herein.

IT IS HEREBY AGREED as follows:

- **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 General Approval

2. ORR GENERAL APPROVAL

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2023.

3. EFFECTIVE DATE AND TERM

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 90 days after the General Approval is signed and submitted. Where identified rights have been deleted as part of this application the deletion will remain in effect beyond the expiry date of this application.

4. AMENDMENTS TO THE CONTRACT

The line entry for Edinburgh Waverley to Aberdeen in Service 559 relating to Service Group ES01 in Table 2.2 Passenger Train Slots shall be deleted and replaced with the table as set out in Annex A to 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.

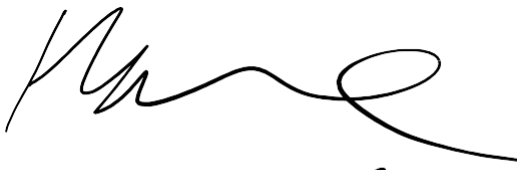
8. COUNTERPARTS

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

)

HENRY BATES

**NETWORK RAIL
INFRASTRUCTURE LIMITED**

)

)

SIGNED by HENRY BATES, FREIGHT & CUSTOMER DIRECTOR

)

duly authorised for and on behalf of

)

)

CALEDONIAN SLEEPER LIMITED

)



SIGNED by SAMUEL PRICE, DIRECTOR AND GENERAL COUNSEL

Annex A**Passenger Train Slots***Table 2.2: Passenger Train Slots*

1						2		
Service Group ES01: Anglo-Scottish Overnight								
Service 559 – London – Aberdeen						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Edinburgh Waverley	Aberdeen	Dundee	1.6	23559003	12567350	1	1 ¹	0
Aberdeen	Edinburgh Waverley	Dundee	1.7	23559004	12567350	1	0	1

¹ Right shall expire 90 days after the approval date of this general approval