

**31ST SUPPLEMENTAL AGREEMENT**

**between**

**NETWORK RAIL INFRASTRUCTURE LIMITED**

**and**

**FIRST TRANSPENNINE EXPRESS LIMITED**

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**Relating to changes to Table 4.1 Schedule 5 of the Track Access Contract**

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This 31st SUPPLEMENTAL AGREEMENT is dated 14/03/2020 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) **FIRST TRANSPENNINE EXPRESS LIMITED**, a company registered in England under number 09000801 having its registered office at 4th Floor, Capital House, 25 Chapel Street, London, NW1 5DH.

**Background:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 03 March 2016 in a form approved and directed by the Office of Rail and Road pursuant to section 17 of the Railways Act 1993 ("the Act") 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.
- 1.2 Effective Date means the later of 0200hrs on 14th March 2020 and the date on which the Office of Rail and Road gives its approval, pursuant to section 22 of the Act, of the terms of this Supplemental Agreement.

**2. EFFECTIVE DATE AND TERM**

The amendments 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.

**3. AMENDMENTS TO THE CONTRACT**

Table 4.1 of Schedule 5 to the Contract shall be deleted in its entirety and replaced with Table 4.1 as set out in Annex A.

**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 law 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 Paul James

PRINT NAME PAUL JAMES

Duly authorised for and on behalf of

**NETWORK RAIL INFRASTRUCTURE LIMITED**

SIGNED BY 

PRINT NAME DARREN HIGGINS

Duly authorised for and on behalf of

**FIRST TRANSPENNINE EXPRESS LIMITED**

## ANNEX A

Schedule 5 Table 4.1 will be updated as follows:

### 4 Calling Patterns

Table 4.1: Calling Patterns<sup>15th</sup>

1					2	3
Service Group: North Transpennine <sup>19th</sup>						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Manchester Piccadilly	Huddersfield		Eastbound	21733000	Stalybridge, Greenfield, Marsden,	Slaithwaite, Mossley
Huddersfield	Leeds		Eastbound	21733000	Deighton, Mirfield, Ravensthorpe, Dewsbury, Batley, Morley	Cottingley

1					2	3
Service Group: North Transpennine <sup>19th</sup>						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Manchester Airport	Middlesbrough		Eastbound	21734000	Manchester Piccadilly, Manchester Oxford Road, Manchester Victoria, Huddersfield, Dewsbury, Leeds, York, Thirsk, Northallerton, Yarm, Thornaby	Cross Gates, Garforth, Darlington
Manchester Piccadilly	Hull		Eastbound	21733000	Stalybridge, Mossley, Slaithwaite, Huddersfield, Dewsbury, Batley, Leeds, Garforth, Selby, Brough	Howden, South Milford, Greenfield and Marsden
Liverpool Lime Street	Newcastle	Manchester Victoria	Eastbound	21731000	Newton Le Willows, Manchester Victoria, Huddersfield, Leeds, York, Northallerton, Darlington, Durham, Chester-le-Street	Stalybridge, Thirsk, Lea Green
Liverpool Lime Street	Scarborough	Manchester Piccadilly	Eastbound	21732000 21734000	Lea Green, Newton Le Willows, Stalybridge, Huddersfield, Dewsbury, Leeds, Garforth, York, Malton, Seamer	Widnes, Irlam
Manchester Airport	York		Eastbound	21734000	Manchester Piccadilly, Manchester Oxford Road, Manchester Victoria, Huddersfield, Leeds	Dewsbury, Garforth, Cross Gates

1					2	3
Service Group: North Transpennine <sup>19th</sup>						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
York (1st)	Newcastle		Eastbound	21731000		Darlington, Durham
Newcastle	Edinburgh Waverly		Eastbound	21731000		Alnmouth, Berwick-upon-Tweed, Morpeth
Newcastle	Liverpool Lime Street	Manchester Victoria	Westbound	21731000	Chester-le-Street, Durham, Darlington, Northallerton, York, Leeds, Huddersfield, Manchester Victoria, Newton Le Willows	Thirsk, Lea Green
Leeds	Huddersfield		Westbound	21733000	Morley, Batley, Dewsbury, Ravensthorpe, Mirfield, Deighton,	Cottingley
Huddersfield	Manchester Piccadilly		Westbound	21733000	Marsden, Greenfield, Stalybridge	Mossley, Slaithwaite
Scarborough	Liverpool Lime Street	Manchester Piccadilly	Westbound	21732000	Seamer, Malton, York, Leeds, Dewsbury, Huddersfield, Stalybridge, Manchester Victoria, Newton Le Willows, Lea Green	



1					2	3
Service Group: North Transpennine <sup>19th</sup>						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Middlesbrough	Manchester Airport		Westbound	21734000	Thornaby, Yarm, Northallerton, Thirsk, York, Leeds, Dewsbury, Huddersfield, Manchester Victoria, Manchester Oxford Road, Manchester Piccadilly	Garforth, Darlington
York	Manchester Airport		Westbound	21734000	Garforth, Leeds, Huddersfield, Manchester Victoria, Manchester Oxford Road, Manchester Piccadilly	Dewsbury
Hull	Manchester Piccadilly		Westbound	21733000	Brough, Selby, Garforth Leeds, Batley, Dewsbury, Huddersfield, Slaithwaite, Mossley, Stalybridge	Howden, South Milford, Greenfield and Marsden
Newcastle <sup>(1st)</sup>	York		Westbound	21731000		Durham, Darlington
Hull <sup>(9th)</sup>	Manchester Victoria		Westbound	21733000	Brough, Selby, Leeds, Dewsbury	
Edinburgh Waverly	Newcastle		Westbound	21731000		Dunbar, Morpeth, Alnmouth



1					2	3
Service Group: South Transpennine						
Service description						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Cleethorpes	Manchester Airport	Stockport	Westbound Weekdays Saturdays Sundays	11817020	Grimsby Town, Barnetby, Scunthorpe, Doncaster, Meadowhall, Sheffield, Stockport, Manchester Piccadilly,	Habrough, Althorpe, Crowle, Thorne South, Hatfield & Stainforth, Kirk Sandall, Dore, Chinley, Mauldeth Road, Burnage, East Didsbury, Gatley, Heald Green
Cleethorpes	Manchester Airport	Stockport, Rotherham Central	Westbound Sundays	11817020	Grimsby Town, Habrough, Barnetby, Scunthorpe, Doncaster, Conisbrough, Mexborough, Swinton (S. Yorks), Rotherham Central, Meadowhall, Sheffield, Stockport, Manchester Piccadilly	

1					2	3
Service Group: Anglo-Scottish						
Service description						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
Manchester Airport	Glasgow Central	Carlisle	Northbound	21730001	Heald Green, Manchester Piccadilly, Manchester Oxford Road, Wigan North Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Lockerbie, Carstairs, Motherwell	
Manchester Airport	Edinburgh	Carlisle	Northbound	21730001	Heald Green, Manchester Piccadilly, Manchester Oxford Road, Wigan North Western, Preston, Lancaster, Oxenholme Lake District, Penrith, Carlisle, Lockerbie, Haymarket	
Glasgow Central	Manchester Airport	Carlisle	Southbound	21730001	Lockerbie, Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North Western, Manchester Oxford Road, Manchester Piccadilly, Heald Green	
Edinburgh	Manchester Airport	Carlisle	Southbound	21730001	Haymarket, Lockerbie, Carlisle, Penrith, Oxenholme Lake District, Lancaster, Preston, Wigan North Western, Manchester Oxford Road, Manchester Piccadilly, Heald Green	