# EIGHTY FIRST SG SUPPLEMENTAL AGREEMENT

between

# NETWORK RAIL INFRASTRUCTURE LIMITED

and

# ARRIVA TRAINS WALES/ TRENAU ARRIVA CYMRU LIMITED

relating to Schedule 5

### THIS EIGHTY FIRST SG SUPPLEMENTAL AGREEMENT

is dated

19th Mar

2017 and made between:

- (1) NETWORK RAIL INFRASTRUCTURE LIMITED ("Network Rail"), a private company limited by shares registered in England under company number 02904587, having its registered office at 1 Eversholt Street, London, NW1 2DN; and
- (2) ARRIVA TRAINS WALES/TRENAU ARRIVA CYMRU LIMITED (the "Train Operator"), a private company limited by shares registered in England and Wales under company number 04337645, having its registered office at St. Mary's House, 47 Penarth Road, Cardiff CF10 5DJ.

### Whereas:

- A. The parties entered into a Track Access Contract (Passenger Services) dated 5 February 2004 pursuant to Section 18 (7) of the Act as amended by various supplemental agreements in a form approved pursuant to Section 22 of the Act (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 vary the Contract to enable the Train Operator to operate additional Services, being an amendment to the Contract of the kind specified in paragraph 14 of the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009;

### 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

Effective Date" shall mean the later of:

- a) The date of this agreement; and
- b) 0200 hours on 21 May 2017

## 2. OFFICE OF RAIL REGULATION – 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 DURATION

3.1 The amendments made to the Contract shall have effect from the Effective Date and shall cease to have effect after 90 days.

### 4. AMENDMENTS TO SCHEDULE 5 of THE CONTRACT

4.1 In Schedule 5, Table 2.2: Additional Passenger Train Slots shall be replaced by that table shown in Appendix 1 to this Supplemental Agreement.

#### 5. 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 Effective Date 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. LAW

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

### 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 but one and the same instrument.

#### 8. 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.

**IN WITNESS WHEREOF** 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

In Papisorthe

SIGNED BY

for and on behalf of

ARRIVA TRAINS WALES/ TRENAU ARRIVA CYMRU LIMITED

# Appendix 1

1					2								
					Additional	Passenger '	Train Slots						
Service Descrip	Description: Valley Lines and Cardiff Local Services			Total	T	T							
From	To	Via	Description	TSC	Weekday	Saturday	Sunday						
Cardiff Central	Pontypridd	Danescourt	9.1.1	25447000	6	6	0						
Pontypridd	Gardiff Central	Danescourt	9.1.2	25447000	5	6	0					-	
Taffs Well	Cardiff Central	Llandaf	5.8.4	25447000	1	1	0						
		and the second se			-								
1						1							
Service Group:	HL05					Passenger	Train Slots						
Service Description: Valley Lines and Cardiff Local Services							1	Peak Times	-		Sat	urday	
	1	T	1		1	Total	Morning		Off-peak	Total		1	
From	To	Via	Description	TSC		Weekday	Peak	Evening Peak	times	Saturday	Peak	Off-Peak	Sunday
Cardiff Central	Radyr	Danescourt	5.2.1	25440000		1	1	0	0	0	0	0	0
Barry	Cardiff Central	Cogan	5.4.1	25442000	-	1	1	1	0	0	0	0	0
Barry Island	Cardiff Central	Cogan	5.4.2	25442000	-	0	0	0	0	0	0	0	1
					-								
Cardiff Central	Barry	Cogan	5.4.3	25442000	-	1	1	0	0	0	0	0	0
Cardiff Central	Barry Island	Cogan	5.4.4	25442000		0	0	0	0	0	0	0	1
Deda	Cardiff Central	Llandaf	5.8.4	25447000			1	0	C	0	0	0	0
Radyr	Cardin Central	L'anga	0.0.4	2044/000				v			U.		č.
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						AD							
1						2							
Service Group:						Passenger	Train Slots						
Service Descrip	tion: West Wales	(Summer)			. Internet								
					Timing	Total							
From	To	Via	Description	TSC	Load	Weekday		Sunday					
Bridgend	Cardiff	Pontyciun	2.5.6	25348000	142	1	0	0					
				0			10 IV.		10.				
\$											_		
Service Group:						Passenger	Train Slots						
Service Descrip	tion: Valley Lines	and Cardiff Loci	al Services			Peak Times			1000 10		Saturday		
	-	1.00		200.0	Timing	Total	Morning	and the second second	Off-peak	Total			
From	То	Via	Description	TSC	Load	Weekday	Peak	Evening Peak	times	Saturday	Peak	Off-Peak	Sunday
Cardiff Central	Taffs Well	Llandaf	5.8.7	25447000	142	1	1.1	0	0	1	1	0	0
		Heath High	5.9.8	25448000	142	1.	0	0	1	0	0	0	0
Ystrad Mynach	Cardiff Central									1.00	1. ATA .	1.1	- 22
Ystrad Mynach	Cardiff Central	Level					· · · · · · · · · · · · · · · · · · ·	123					
Ystrad Mynach	Cardiff Central							1.5	_	· · · ·			
Ystrad Mynach	Cardiff Central					2		12			-		
1						2 Passenger		12	7		-		
1 Service Group:	HL08	Level				2 Passenger Train Stots		¥2	3				
1 Service Group:		Level	ter)		Testing	Train Stots		12 	=				
1 Service Group: Service Descrip	HL08 stion: North Wales	Level	1	1.00	Timing	Train Slots Totai							
1 Service Group: Service Descrip From	HL08 ition: North Wales	Level Interurban (Win Via	Description	TSC	Load	Train Slots Totai Weekday		Sunday					
1 Service Group: Service Descrip	HL08 stion: North Wales	Level	1	TSC 22340000		Train Slots Totai	Saturday 0	Sunday 2					
1 Service Group: Service Descrip From	HL08 ition: North Wales	Level Interurban (Win Via	Description		Load	Train Slots Totai Weekday							
1 Service Group: Service Descrip From Chester 1	HL08 Itloni North Wales To Crewe	Level Interurban (Win Via	Description		Load	Train Slots Totai Weekday 0	o						
1 Service Group: Service Descrip From Chester 1 Service Group:	HL08 stion: North Wales To Crewe HL08	Level Interurban (Win Via Beeston	Description 8.1.6		Load	Train Slots Totai Weekday	o						
1 Service Group: Service Descrip From Chester 1 Service Group:	HL08 Itloni North Wales To Crewe	Level Interurban (Win Via Beeston	Description 8.1.6		Load 150	Train Slots Totai Weekday 0 2 Passenger	o						
1 Service Group: From Chester 1 Service Group: Service Descrip	HL08 North Wales To Crewe HL08 North Wales	Level Interurban (Win Via Beeston	Description 8.1.6	22340000	Load 150	Train Slots Totai Weekday 0 2 Passenger Totai	0 Train Slots	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From	HL08 stion: North Wales To Crewe HL08 stion: North Wales To	Level Interurban (Win Via Beeston Interurban (Sun Via	Description 8.1.6 mmer) Description	22340000 TSC	Load 150 Timing Load	Train Slots Totai Weekday 0 Passenger Totai Weekday	0 Train Slots Saturday						
1 Service Group: From Chester 1 Service Group: Service Descrip	HL08 North Wales To Crewe HL08 North Wales	Level Interurban (Win Via Beeston	Description 8.1.6	22340000	Load 150	Train Slots Totai Weekday 0 2 Passenger Totai	0 Train Slots	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From	HL08 stion: North Wales To Crewe HL08 stion: North Wales To	Level Interurban (Win Via Beeston Interurban (Sun Via	Description 8.1.6 mmer) Description	22340000 TSC	Load 150 Timing Load	Train Slots Totai Weekday 0 Passenger Totai Weekday	0 Train Slots Saturday	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From Chester 1	HL08 Kloni. North Wales To Crewe HL08 Kloni: North Wales To Crewe	Level Interurban (Win Via Beeston Interurban (Sun Via	Description 8.1.6 mmer) Description	22340000 TSC	Load 150 Timing Load 150	Train Slots Totai Weekday 0 2 Passenger Totai Weekday 0	0 Train Slots Saturday 0	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From Chester 1 Service Group:	HL08 stlon: North Wales To Crewe HL08 stlon: North Wales To Crewe HL07	Lavel Interurban (Win Via Beeston Via Beeston	Description 8.1.6 mmer) Description	22340000 TSC	Load 150 Timing Load 150 2 Additional	Train Slots Totai Weekday 0 Passenger Totai Weekday	0 Train Slots Saturday 0	2					
1 Service Group: Service Descrip From Chester 1 Service Group: From Chester 1 Service Group: Service Group: Service Gescrip	HL08 Rion: North Wales To Crewe HL08 Rion: North Wales To Crewe HL07 Rion: North Wales	Lavel Interurban (Win Via Beeston Via Beeston Branches	Description 8.1.6 mmer) Description 8.1.7	22340000 TSC 22340000	Load 150 Timing Load 150 2 Additional Total	Train Slots Totai Weekday 0 2 Passenger Totai Weekday 0 Passenger	0 Train Slots Saturday C	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From Chester 1 Service Group:	HL08 To Crewe HL08 Zion: North Wales To Crewe HL07 To To To	Lavel Interurban (Win Via Beeston Via Beeston	Description 8.1.6 mmer) Description	22340000 TSC	Load 150 Timing Load 150 2 Additional	Train Slots Totai Weekday 0 2 Passenger Totai Weekday 0	0 Train Slots Saturday 0	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From Chester 1 Service Group: Service Geoup: Service Descrip	HL08 To Crewe HL08 Alon: North Wales To Crewe HL07 Alon: North Wales To Wrexham	Lavel Interurban (Win Via Beeston Via Beeston Branches	Description 8.1.6 mmer) Description 8.1.7	22340000 TSC 22340000	Load 150 Timing Load 150 2 Additional Total	Train Slots Totai Weekday 0 2 Passenger Totai Weekday 0 Passenger	0 Train Slots Saturday C	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Group: Service Group: Service Group: Service Group: Bidston	HL08 To Crewe HL08 Zion: North Wales To Crewe HL07 To To To	Level Interurban (Win Via Beeston Via Beeston Branches Via	Description 8.1.6 Description 8.1.7 Description 9.2.1	22340000 TSC 22340000 TSC	Load 150 Timing Load 150 2 Additional Total Weekday	Train Slots Totai Weekday 0 Passenger Total Weekday 0 Passenger Saturday	0 Train Slots Saturday 0 Train Slots Sunday	2					
1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From Chester 1 Service Group: Service Descrip From	HL08 To Crewe HL08 Alon: North Wales To Crewe HL07 Alon: North Wales To Wrexham	Level Interurban (Win Via Beeston Via Beeston Branches Via	Description 8.1.6 Description 8.1.7 Description	22340000 TSC 22340000 TSC	Load 150 Timing Load 150 2 Additional Total Weekday	Train Slots Totai Weekday 0 Passenger Total Weekday 0 Passenger Saturday	0 Train Slots Saturday 0 Train Slots Sunday	2					

1		_	2						
Service Group: H	IL02		Passenger	Passenger Train Slots					
Service Descripti	ion: West Wales	(Winter)							
From	То	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday	
Carmarthen	Fishguard Harbour	Clarbeston Road	2.2.1	25432000	142	1	1	0	
Carmarthen	Swansea	Llanelli	2.2.3	25432000	142	0	0	5	
Fishguard Harbour	Carmarthen	Whitland	2.2.5	25432000	142	1	1	0	
Fishguard Harbour	Swansea	Whitland	2.2.7	25432000	142	1	1	0	
Swansea	Carmarthen	Llanelli	2.2.10	25432000	142	0	0	3	
Swansea	Haverfordwest	Whitland	2.2.12	25432000	142	0	0	1	
Pembroke Dock	Swansea	Llanelli	2.4.3	25432000	142	0	0	2	
Swansea	Pembroke Dock	Llanelli	2.4.4	25432000	142	0	0	2	
Swansea	Cardiff	Pontyclun	2.5.4 Slow	25348000	142	2	2	0	
						10			
1			2						
Service Group: H			Passenger Train Slots						
Service Descripti	ion: West Wales	(Summer)	- Million						
From	То	Via	Description	TSC	Timing	Total Weekday	Saturday	Sunday	

From	То	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Carmarthen	Fishguard Harbour	Clarbeston Road	2.2.1	25432000	142	1	1	0
Carmarthen	Milford Haven	Whitland	2.2.2	25432000	142	0	0	1
Carmarthen	Swansea	Llanelli	2.2.3	25432000	142	0	0	6
Fishguard Harbour	Carmarthen	Whitland	2.2.5	25432000	142	1	1	0
Fishguard Harbour	Swansea	Whitland	2.2.7	25432000	142	1	1	0
Swansea	Carmarthen	Llanelli	2.2.10	25432000	142	0	0	3
Swansea	Haverfordwest	Whitland	2.2.12	25432000	142	0	0	1
Swansea	Pembroke Dock	Llanelli	2.4.4	25432000	142	0	0	3
Cardiff	Swansea	Pontyclun	2.5.1 Slow	25438000	142	0	0	0
Swansea	Cardiff	Pontyclun	2.5.4 Slow	25438000	142	2	2	0