

# Sixty Fifth Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**

as Network Rail

and

**ABELLIO EAST ANGLIA LIMITED**

as Train Operator

Relating to the Track Access Contract dated December  
10<sup>th</sup> 2004

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**THIS SIXTY-FIFTH SUPPLEMENTAL AGREEMENT** is dated 24 / 4 / 2018 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 EAST ANGLIA LIMITED**, (the "Train Operator"), a company registered in England under number 07861414 having its registered office at St Andrew's House, 2<sup>nd</sup> Floor, 18-20 St Andrew's Street, London, EC4A 3AG

**WHEREAS:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 10<sup>th</sup> December 2004 in a form approved by the Office of Rail and Road pursuant to section 18(7) of the Act, as amended by various supplemental agreements each in a form approved by ORR pursuant to section 22 of the Act and subsequently assigned pursuant to Section 12(2) of the Railways Act (2005) (which track access contract is 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**

In this Supplemental Agreement:

- (A) 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;
- (B) "Effective Date" means the later of:
  - (1) 02.00 20 May 2018; and
  - (2) the date upon which the ORR issues 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 pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect on the expiry or earlier termination of the Contract.

3. **AMENDMENTS TO SCHEDULE 5**

3.1 In Schedule 5 of the Contract, Table 2.1 'Passenger Train Slots' EB06 West Anglia Outers shall be deleted in its entirety and replaced with the version contained in Appendix 1 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. **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.

6. **LAW**

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

7. **COUNTERPARTS**

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

**IN WITNESS** whereof the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written

SIGNED by..........

Print name.....MELIHA DUZMAZ.....

Duly authorised for and on behalf of  
**NETWORK RAIL INFRASTRUCTURE LIMITED**

SIGNED by..........

Print name.....JAMIE BURLES.....

Duly authorised for and on behalf of  
**ABELLIO EAST ANGLIA LIMITED**

Appendix 1:

**2. Passenger Train Slots**

Table 2.1: Passenger Train Slots

1						2					
Service Group EB06 West Anglia Outer											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Liverpool Street	Kings Lynn	Brimsdown	Semi fast (EB06.7)	Off-Peak: 21915000 Peak: 25913000 <sup>h</sup>	317	n/a	1	1	2	0	0
Liverpool Street	Cambridge	Brimsdown	Stopping (EB06.2)	Off-Peak: 21913000 Peak: 25913000	317	n/a	6	9	15	3	1
Liverpool Street	Cambridge	Brimsdown	Fast (EB06.3)	Off-Peak: 21913000 Peak: 25913000	317	n/a	2	14	16	18	15
Liverpool Street	Cambridge North	Brimsdown	Stopping (EB06.16)	Off-Peak: 21913000 Peak: 25913000	317	n/a	2	13	15	17	14
Liverpool Street	Stansted Airport	Brimsdown	Fast (EB6.4)	Off-Peak: 21911000 Peak: 25911000	379	n/a	12	62	74	74	73
Liverpool Street	Stansted Airport	Southbury	Fast (EB06.5)	21911000	379	n/a	0	2	2 <sup>l</sup>	1	0

1						2					
Service Group EB06 West Anglia Outer											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Liverpool Street	Bishops Stortford	Brimsgate	Stopping (EB06.1)	21913000	317	n/a	0	1 <sup>1</sup>	1	0	2
Cambridge	Ely	Direct	Non stop (EB06.12)	21915000	317	n/a	n/a	3	3	0	0
Bishops Stortford	Cambridge	Direct	Stopping (EB06.8)	21913000	317	n/a	n/a	1	1	0	0
Kings Lynn	Liverpool Street	Brimsgate	Semi fast (EB06.7)	25913000 <sup>h</sup>	317	2	n/a	0	2	0	0
Cambridge	Liverpool Street	Brimsgate	Stopping (EB06.2)	Off-Peak: 21913000 Peak: 25913000	317	9	n/a	22	18	2	0
Cambridge	Liverpool Street	Brimsgate	Fast (EB06.3)	Off-Peak: 21913000 Peak: 25913000	317	3	n/a	10	13	17	17
Cambridge	Liverpool Street	Southbury	Stopping (EB06.5)	21913000	317	0	n/a	0	0	1	0
Cambridge North	Liverpool Street	Brimsgate	Stopping (EB06.16)	Off-Peak: 21913000 Peak: 25913000	317	n/a	n/a	0	13	17	13
Stansted Airport	Liverpool Street	Brimsgate	Fast (EB06.4)	Off-Peak: 21911000 Peak: 25911000	379	12	n/a	59	71	73	69
Stansted Airport	Liverpool Street	Southbury	Stopping (EB06.5)	21911000	379	0	n/a	6	6	2	6

1						2					
Service Group EB06 West Anglia Outer											
Service description						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Bishops Stortford	Liverpool Street	Brimmsdown	Stopping (EB06.1)	21913000	317	n/a	n/a	1 <sup>k</sup>	1	1	1
Cambridge North	Bishops Stortford	Direct	Stopping (EB06.17)	21913000	317	n/a	n/a	0	0	0	1
Cambridge North	Stratford	Brimmsdown	Stopping (EB06.18)	21913000	317	n/a	n/a	0	0	0	1
Cambridge	Cambridge North	Direct	Fast (EB06.19)	2191300	317	n/a	n/a	0	0	0	1
Cambridge	Stansted Airport	Direct	Stopping (EB06.11)	21913000	317	n/a	n/a	8	8	16	15
Stansted Airport	Cambridge	Direct	Stopping (EB06.11)	21913000	317	n/a	n/a	8	8	16	15
Cambridge	Stratford	Brimmsdown	Stopping (EB06.11)	21913000	317	n/a	n/a	0	1	0	0
Ely	Cambridge	Direct	Semi fast (EB06.6)	21915000	317	n/a	n/a	4	4	0	0
Cambridge	Bishops Stortford	Direct	Stopping (EB06.8)	21913000	317	n/a	n/a	1	1 <sup>n</sup>	1	0

Notes to Tables:

<sup>1</sup> Passenger Train Slots listed under the sub-headings "Peak times" and "Off-Peak times" are the constituent parts of, and are not in addition to, those listed under the sub-heading "Weekday".

<sup>a</sup> In order to provide through Services, these Passenger Train Slots may be Scheduled so as to combine at Ipswich with an Ipswich to Peterborough Passenger Train Slot from Service Group EB05.

<sup>b</sup> In order to provide through Services, these Passenger Train Slots may be Scheduled so as to combine at Ipswich with a Peterborough Passenger Train Slot from Service Group EB05.

<sup>c</sup> In order to provide through Services, these Passenger Train Slots may be Scheduled so as to combine at Norwich with a Norwich to Great Yarmouth Passenger Train Slot from Service Group EB05.

<sup>d</sup> Plus two additional Passenger Train Slots between May-September inclusive.

- <sup>e</sup> In order to provide through Services, these Passenger Train Slots may be Scheduled so as to combine at Norwich with a Great Yarmouth to Norwich Passenger Train Slot from Service Group EB05.
- <sup>f</sup> Plus one additional Passenger Train Slot in between May-September inclusive.
- <sup>g</sup> In order to provide through Services, these Passenger Train Slots may be Scheduled so as to combine at Ipswich with a Liverpool Street/Colchester to Ipswich Passenger Train Slot from Service Group EB03.
- <sup>h</sup> Plus six additional Passenger Train Slots between May-September inclusive.
- <sup>i</sup> TSC between Cambridge, Ely and Kings Lynn is 25915000 at all times.
- <sup>j</sup> The Train Operator shall be entitled to operate this service on Mondays only and one Passenger Train Slot on Fridays only.
- <sup>k</sup> The Train Operator shall be entitled to operate this service on Monday to Thursday only.
- <sup>l</sup> The Train Operator shall be entitled to operate this service on Tuesday, Wednesday and Thursday only.
- <sup>m</sup> Plus four additional Passenger Train Slots on Mondays and Fridays only between May-September inclusive.
- <sup>n</sup> The Train Operator shall be entitled to operate this service on Fridays only