

5th Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

and

ABELLIO SCOTRAIL LIMITED
as Train Operator

relating to amendments to the Track Access Contract
(Passenger Services) dated 03 March 2016
Additional Helensburgh – Springburn Service

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THIS 5TH SUPPLEMENTAL AGREEMENT is dated 8 February 2017 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 ScotRail Limited, (the "Train Operator"), a company registered in Scotland under number SC450732 having its registered office at 5th Floor, Culzean Building 36 Renfield Street, Glasgow, G2 1LU, United Kingdom.

Background:

- (A) Abellio ScotRail Limited and Network Rail Infrastructure Limited entered into a Track Access Contract (Passenger Services)(which is hereafter referred to as the "Contract") dated 03 March 2016 in a form approved by the Office of Rail and Road pursuant to section 18(7) of the Act.
- (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:

- 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;
- 1.2 "**Effective Date**" means the date upon which the Office of Rail and Road issues its approval, pursuant to Section 22 of the Act, of the terms of this Supplemental Agreement; and
- 1.3 "Appendix" shall mean the appendices and their relevant parts and attached hereto.

2. EFFECTIVE DATE AND DURATION

The amendments made to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect at 2359 hours on the Expiry Date or earlier termination of the Contract.

3. AMENDMENTS TO THE CONTRACT

- 3.1 In Table 2.1 of Schedule 5 of the Contract the entry for Service 560 (Glasgow North Electrics (Eastbound)), in Service Group HA06, shall be deleted and replaced with the entry as shown in Appendix A to this Supplemental Agreement.
- 3.2 In Table 4.1 of Schedule 5 of the Contract the entry for Service 560 (Glasgow North Electrics (Eastbound)), in Service Group HA06, shall be deleted and replaced with the entry as shown in Appendix B to this Supplemental Agreement.
- 3.3 In Table 6.1 of Schedule 5 of the Contract the entry for Service 563 in Service Group HA06 shall be deleted and replaced with the entry shown in Appendix C 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. LAW

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with the laws of Scotland.

6. THIRD PARTY RIGHTS

No rights shall be conferred under or arising out of this Supplemental Agreement on any person other than the Parties to this Supplemental Agreement and there shall not be created in any circumstances a jus quaesitum tertio in favour of any person.

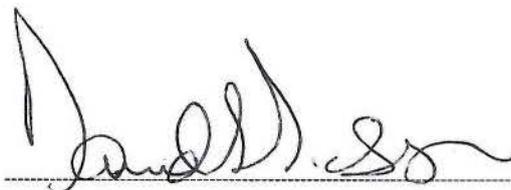
7. COUNTERPARTS

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 WHEREOF this Supplemental Agreement comprising this, the foregoing 2 pages and Appendices A - C to this Supplemental Agreement, are executed as follows:-

SIGNED on behalf of **NETWORK RAIL INFRASTRUCTURE LIMITED** by
DAVID DICKSON at GLASGOW on
08 FEBRUARY 2017 in the presence of:-

Witness: 
Full Name: NICHOLAS PROCTOR
Address: 151 ST VINCENTS STREET
GLASGOW
G2 5NW



SIGNED on behalf of **ABELLIO SCOTRAIL LIMITED** by KENNY McPHEE
at GLASGOW on 9 FEBRUARY 2017 in the
presence of:-

Witness: 
Full Name: SARAH PRICE
Address: 50 WATERLOO
STREET, GLASGOW
G2 6HQ



Appendix A

Table 2.1 : Passenger Train Slots

1						2				
Service Group HA06: Strathclyde Electrics										
Service 560: Glasgow North Electrics (Eastbound)										
From	To	Via	Description	TSC	Timing Load	Total week-day	Peak	Off-peak	Saturday	Sunday
Balloch	Airdrie	Singer	6.30	13560015	75EMUAC	35	7	28	35	0
Balloch	Dalmuir	Dumbarton East	6.31	13560015	75EMUAC	1	0	1	1	0
Balloch	Yoker	Dumbarton East	6.32	13560015	75EMUAC	0	0	0	0	2
Bathgate	Edinburgh Waverley	Uphall	6.33	13560015	75EMUAC	2	0	2	2	1
Dalmuir	Airdrie	Singer	6.34	13560015	75EMUAC	1	0	1	1	0
Dalmuir	Cumbernauld	Yoker, Springburn	6.35	13560015 ¹	75EMUAC	1	0	1	1	0
Dalmuir	Edinburgh Waverley	Singer	6.36	13560015	75EMUAC	0	0	0	0	1
Dalmuir	Edinburgh Waverley	Yoker	6.37	13560015	75EMUAC	1	0	1	0	0
Dumbarton Central	Cumbernauld	Yoker, Springburn	6.38	13560015 ¹	75EMUAC	33	6	27	33	0

1						2				
Service Group HA06: Strathclyde Electrics										
Service 560: Glasgow North Electrics (Eastbound)										
From	To	Via	Description	TSC	Timing Load	Total week-day	Peak	Off-peak	Saturday	Sunday
Dumbarton Central	Dalmuir	Dumbarton East	6.39	13560015	75EMUAC	2	0	2	2	0
Dumbarton Central	Springburn	Yoker	6.40	13560015	75EMUAC	1	0	1	1	0
Garscadden	Cumbernauld	Springburn	6.41	13560015 ¹	75EMUAC	1	0	1	1	0
Garscadden	Edinburgh Waverley	Partick	6.42	13560015	75EMUAC	1	0	1	1	0
Helensburgh Central	Airdrie	Singer	6.43	13560015	75EMUAC	0	0	0	0	5
Helensburgh Central	Airdrie	Yoker	6.44	13560015	75EMUAC	1	0	1	1	0
Helensburgh Central	Bathgate	Singer	6.45	13560015	75EMUAC	0	0	0	0	1
Helensburgh Central	Bathgate	Yoker	6.46	13560015	75EMUAC	2	0	2	2	0
Helensburgh Central	Dalmuir	Dumbarton East	6.47	13560015	75EMUAC	0	0	0	0	1
Helensburgh Central	Edinburgh Waverley	Singer	6.48	13560015	75EMUAC	0	0	0	0	24
Helensburgh Central	Edinburgh Waverley	Yoker	6.49	13560015	75EMUAC	33	6	27	33	0

1						2				
Service Group HA06: Strathclyde Electrics										
Service 560: Glasgow North Electrics (Eastbound)										
From	To	Via	Description	TSC	Timing Load	Total week-day	Peak	Off-peak	Saturday	Sunday
Helensburgh Central	Springburn	Yoker	6.53	13560015	75EMUAC	1	1	0	0	0
Hyndland	Edinburgh Waverley	Partick	6.50	13560015	75EMUAC	2	0	2	2	0
Milngavie	Edinburgh Waverley	Partick	6.51	13560015	75EMUAC	24	7	17	24	0
Partick	Cumbernauld	Springburn	6.52	13560015	75EMUAC	0	0	0	0	16

1 Trains change TSC at Springburn to 13561015

Appendix B

Table 4.1: Calling Patterns

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Eastbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Balloch	Airdrie	Singer	6.30	13560015	Alexandria, Renton, Dalreoch, Dumbarton Central, Dumbarton East, , Dalmuir, Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke	
Balloch	Dalmuir	Dumbarton East	6.31	13560015	Alexandria, Renton, Dalreoch, Dumbarton Central, Dumbarton East	
Balloch	Yoker	Dumbarton East	6.32	13560015	Alexandria, Renton, Dalreoch, Dumbarton Central, Dumbarton East, Bowling, Kilpatrick, Dalmuir, Clydebank	
Bathgate	Edinburgh Waverley	Uphall	6.33	13560015	Livingston North, Uphall, Edinburgh Park, Haymarket	
Dalmuir	Airdrie	Singer	6.34	13560015	Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke	
Dalmuir	Cumbernauld	Yoker, Springburn	6.35	13560015	Clydebank, Yoker, Garscadden, Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Duke Street, Alexandra Parade, Barnhill, Springburn, Stepps, Gartcosh, Greenfaulds	

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Eastbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Dalmuir	Edinburgh Waverley	Singer	6.36	13560015	Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	
Dalmuir	Edinburgh Waverley	Yoker	6.37	13560015	Clydebank, Yoker, Garscadden, Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Coatbridge Sunnyside, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	
Dumbarton Central	Cumbernauld	Yoker, Springburn	6.38	13560015	Dumbarton East, Bowling, Kilpatrick, Dalmuir, Clydebank, Yoker, Garscadden, Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Duke Street, Alexandra Parade, Barnhill, Springburn, Stepps, Gartcosh, Greenfaulds	
Dumbarton Central	Dalmuir	Dumbarton East	6.39	13560015	Dumbarton East, Bowling, Kilpatrick	
Dumbarton Central	Springburn	Yoker	6.40	13560015	Dumbarton East, Bowling, Kilpatrick, Dalmuir, Clydebank, Yoker, Garscadden, Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Duke Street, Alexandra Parade, Barnhill	
Garscadden	Cumbernauld	Yoker	6.41	13560015	Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Duke Street, Alexandra Parade, Barnhill, Springburn, Stepps, Gartcosh, Greenfaulds	

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Eastbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Garscadden	Edinburgh Waverley	Partick	6.42	13560015	Scotstounhill, Jordanhill, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Garrowhill, Easter House, Blairhill, Coatbridge Sunnyside, Coatdyke, Airdrie, Drumgelloch, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	
Helensburgh Central	Airdrie	Singer	6.43	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke	
Helensburgh Central	Airdrie	Yoker	6.44	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Coatbridge Sunnyside,	
Helensburgh Central	Bathgate	Singer	6.45	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale	
Helensburgh Central	Bathgate	Yoker	6.46	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Coatbridge Sunnyside, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale	
Helensburgh Central	Dalmuir	Dumbarton East	6.47	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East	

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Eastbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Helensburgh Central	Edinburgh Waverley	Singer	6.48	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Singer, Drumry, Drumchapel, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	
Helensburgh Central	Edinburgh Waverley	Yoker	6.49	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Dalmuir, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Garrowhill, Easterhouse, Blairhill, Coatbridge Sunnyside, Coatdyke, Airdrie, Drumgelloch, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	Caldercruix, Blackridge, Armadale
Helensburgh Central	Sprigburn	Yoker	6.53	13560015	Craigendoran, Cardross, Dalreoch, Dumbarton Central, Dumbarton East, Partick, Charing Cross, Glasgow Queen Street, High Street	Dalmuir
Hyndland	Edinburgh Waverley	Partick	6.50	13560015	Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Coatbridge Sunnyside, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	
Milngavie	Edinburgh Waverley	Partick	6.51	13560015	Hillfoot, Bearsden, Westerton, Anniesland, Hyndland, Partick, Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Carntyne, Shettleston, Coatbridge Sunnyside, Airdrie, Drumgelloch, Caldercruix, Blackridge, Armadale, Bathgate, Livingston North, Uphall, Edinburgh Park, Haymarket	Blairhill, Coatdyke

1					2	3
Service Group HA06: Strathclyde Electric						
Service 560: Glasgow North Electrics (Eastbound)						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Partick	Cumbernauld	Singer	6.52	13560015	Charing Cross, Glasgow Queen Street Low Level, High Street, Bellgrove, Duke Street, Alexandra Parade, Barnhill, Springburn, Stepps, Gartcosh, Greenfaulds	

Appendix C

Table 6.1: Journey Time Protection

					2	3	4
Service Group HA06 Strathclyde Electric							
Service 563: Argyle Line							
From	To	Via	Description	TSC	Protection Type (MJT or MKJT)	Days of the week	Journey Time (minutes)
Larkhall ¹	Milngavie	Blantyre	6.80	23563015	Maximum Journey Time	Monday to Saturday	29
Milngavie ¹	Cumbernauld	Blantyre	6.103	23563015	Maximum Journey Time	Monday to Saturday	29
Milngavie ¹	Motherwell	Blantyre	6.014	23563015	Maximum Journey Time	Monday to Saturday	29

1 Journey Time Protection applies between Glasgow Central and Milngavie only