

EIGHTY FOURTH SG SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED

and

ARRIVA TRAINS WALES/ TRENAU ARRIVA CYMRU LIMITED

relating to Schedule 1, 5 & 8

THIS EIGHTY FOURTH SG SUPPLEMENTAL AGREEMENT

is dated 08/12/17 201 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 amend Schedule 1, 5 and 8 of the Contract in order to enable the Train Operator to provide additional services.

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:

- 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
- 0200 hours on 10th December 2017

2. EFFECTIVE DATE AND DURATION

- 2.1 The amendments made to the Contract shall have effect from the Effective Date and shall cease effect on the expiry or earlier termination of the Contract.

3. AMENDMENTS TO SCHEDULE 5 of THE CONTRACT

- 3.1 In Schedule 1 and in the preamble to the Contract, Network Rail's registered address shall be deleted and replaced by the address in Appendix 1 to this Supplemental Agreement.
- 3.2 In Schedule 5, Table 2.1: Passenger Train Slots, the entries in Service Group HL02 (Winter) relating to the descriptions 2.2.3, 2.2.7, 2.2.10, and 2.2.11 shall be deleted and replaced with those set out in Appendix 2 to this Supplemental Agreement
- 3.3 In Schedule 5, Table 2.1: Passenger Train Slots, the entries in Service Group HL02 (Summer) relating to the descriptions 2.2.3, 2.2.7, 2.2.10, and 2.2.11 shall be deleted and replaced with those set out in Appendix 2 to this Supplemental Agreement."

Appendix 1

Registered Office:

Network Rail,
2nd Floor,
One Eversholt Street,
London,
NW1 2DN

Appendix 2

1						2		
Service Group: HL02						Passenger Train Slots		
Service Description: West Wales (Winter)						Total Weeks	Saturday	Sunday
From	To	Via	Description	TSC	Timing Load			
Carmarthen	Swansea	Llanelli	2.2.3	25432000	142	9	9	5
Fishguard Harbour	Swansea	Whitland	2.2.7	25432000	142	2	2	2
Swansea	Carmarthen	Llanelli	2.2.10	25432000	142	9	9	3
Swansea	Fishguard Harbour	Whitland	2.2.11	25432000	142	3	2	3

1						2		
Service Group: HL02						Passenger Train Slots		
Service Description: West Wales (Summer)						Total Weeks	Saturday	Sunday
From	To	Via	Description	TSC	Timing Load			
Carmarthen	Swansea	Llanelli	2.2.3	25432000	142	9	9	5
Fishguard Harbour	Swansea	Whitland	2.2.7	25432000	142	2	2	2
Swansea	Carmarthen	Llanelli	2.2.10	25432000	142	9	9	3
Swansea	Fishguard Harbour	Whitland	2.2.11	25432000	142	3	2	3

Appendix 3

Service Group	Network Rail				Train Operator				Cancellation Minutes	Cap	Train Service Code	Direction	Marketing Point	Weighting	
	Performance Point	Payment Rate			Performance Point	Payment Rate									
		Notused	Notused	Total		Notused	Notused	Total							
HL01	2014-15								25	270	261	Birmingham - Wrexham - Chester	Forward	Wellington	
Birmingham to Shrewsbury and beyond	2015-16										261	Birmingham - Wrexham - Chester	Forward	Shrewsbury	
	2016-17										261	Birmingham - Wrexham - Chester	Forward	Chester	
	2017-18										261	Birmingham - Wrexham - Chester	Reverse	Birmingham International	
	2018-19										261	Birmingham - Wrexham - Chester	Reverse	Birmingham New Street	
											261	Birmingham - Wrexham - Chester	Reverse	Wolverhampton	
											261	Birmingham - Wrexham - Chester	Reverse	Shrewsbury	
											261	Birmingham - Wrexham - Chester	Reverse	Wrexham General	
											334	Aberystwyth - Shrewsbury	Forward	Aberystwyth	
											334	Aberystwyth - Shrewsbury	Reverse	Shrewsbury	
											334	Aberystwyth - Shrewsbury	Reverse	Machynlleth	
Atriana											335	Machynlleth - Puffin	Forward	Barnold	
											335	Machynlleth - Puffin	Forward	Puffin	
											335	Machynlleth - Puffin	Reverse	Machynlleth	