

# 20<sup>th</sup> Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED** as  
Network Rail

and

**ABELLIO SCOTRAIL LIMITED** as  
Train Operator

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relating to amendments to the Track Access Contract dated 03  
March 2016  
Schedule 5 - May 2020 Timetable Changes

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THIS 20<sup>TH</sup> SUPPLEMENTAL AGREEMENT is dated 7 April 2020 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) The Train Operator and Network Rail 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 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 17 May 2020; 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 following entries shall be deleted and replaced with the entries as shown in Appendix A to this Supplemental Agreement:

- (a) Service 5870 (Fife Outer Circle (Clockwise)) and Service 5871 (Fife Inner Circle (Anti Clockwise)) in Service Group HA02;
- (b) Service 547 (Aberdeen – Inverness) in Service Group HA04;
- (c) Service 573 (Glasgow - Ayr) in Service Group HA05;
- (d) Service 564 (Glasgow – Edinburgh via Shotts / Carstairs) in Service Group HA06; and
- (e) Service 575 (Glasgow - Croy – Dunblane – Dundee (Southbound)) in Service Group HA07.

3.2 In table 2.2 of Schedule 5 of the Contract the following entries shall be deleted and replaced with the entries as shown in Appendix B to this Supplemental Agreement: (a) Service 576 (Edinburgh – Dunblane – Perth) in Service Group HA02.

3.3 In table 2.2 of Schedule 5 of the Contract the following entries shall be inserted as shown in Appendix C to this Supplemental Agreement:

- (a) Service Service 5870 (Fife Outer Circle (Clockwise)) and 5871 (Fife Inner Circle (Anti Clockwise)) in Service Group HA02; and
- (b) Servcie 564 (Glasgow – Edinburgh via Shotts / Carstairs) in Service Group HA06.

3.4 In table 4.1 of Schedule 5 of the Contract the following entries shall be deleted and replaced with the entries as shown in Appendix D to this Supplemental Agreement:

- (a) Service 5870 (Fife Outer Circle (Clockwise)) and Service 5871 (Fife Inner Circle (Anti Clockwise)) in Service Group HA02;
- (b) Service 573 (Glasgow - Ayr) in Service Group HA05; and
- (c) Service 575 (Glasgow - Croy – Dunblane – Dundee) in Service Group HA07.

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.

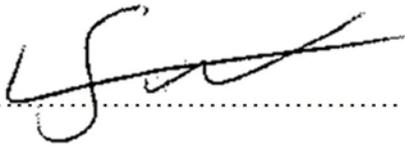
7. COUNTERPARTS

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 and the foregoing 3 pages and Appendices A - D are executed as follows:-

SIGNED on behalf of NETWORK RAIL INFRASTRUCTURE LIMITED by Liam Sumpter at Glasgow on 7 April 2020 in the presence of:-

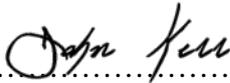
Witness:  .....

Full Name: .....Nicholas Prag..... 

Address: .....151 St Vincent Street.....  
.....Glasgow.....

SIGNED on behalf of ABELLIO SCOTRAIL LIMITED by at John Kerr  
on in the presence Bathgate 7/4/2020 of:-

Witness:  .....

Full Name: Ben Avery ..... 

Address: Bathgate .....

## Appendix A

Table 2.1: Passenger Train Slots

1						2		
Service Group HA02: East Coast Suburban								
Service 5870: Fife Outer Circle (Clockwise)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Edinburgh Waverley	Cardenden	Dunfermline	2.50	23587003	158	1	0	0
Edinburgh Waverley	Cowdenbeath	Dunfermline	2.51	23587003	158	9	9	0
Edinburgh Waverley	Glenrothes with Thornton	Dunfermline	2.52	23587003	158	18	18	11
Edinburgh Waverley	Perth	Dunfermline	2.53	23587003 <sup>1</sup>	158	2	2	1
Glenrothes with Thornton	Edinburgh Waverley <sup>2</sup>	Burntisland	2.54	23587003	158	21	20	11
Kirkcaldy	Edinburgh Waverley	Burntisland	2.55	23587003	158	4	3	1

1 Trains change TSC at Glenrothes with Thornton to 23549003

2 The Train Operator must make an Access Proposal to combine 3 Weekday Train Slots with the corresponding Train Slots in Service Group HA02, Service 586, Description 2.40 to provide a through journey to Tweedbank.

Table 2.1: Passenger Train Slots

1						2		
Service Group HA02: East Coast Suburban								
Service 5871: Fife Inner Circle (Anti clockwise)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Edinburgh Waverley	Glenrothes with Thornton	Burntisland	2.70	23587103	158	23	23	10
Edinburgh Waverley	Inverkeithing	South Gyle	2.71	23587103	158	0	0	1
Edinburgh Waverley	Kirkcaldy	Burntisland	2.72	23587103	158	3	2	1
Edinburgh Waverley	South Gyle	Haymarket	2.80	23587103	158	2	0	0
Cardenden	Edinburgh Waverley	Dunfermline	2.74	23587103	158	1	0	0
Cowdenbeath	Edinburgh Waverley	Dunfermline	2.75	23587103	158	7	7	0
Dunfermline Queen Margaret	Edinburgh Waverley	Dunfermline	2.76	23587103	158	1	0	0
Glenrothes with Thornton	Edinburgh Waverley <sup>2</sup>	Dunfermline	2.77	23587103	158	19	19	10
Markinch	Edinburgh Waverley	Dunfermline	2.78	23587103	158	2	1	0

Perth	Edinburgh Waverley	Dunfermline	2.79	23549003 <sup>1</sup>	158	2	1	1
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1 Trains change TSC at Glenrothes with Thornton to 23587103

2 The Train Operator must make an Access Proposal to combine 1 Weekday Train Slot with the corresponding Train Slot in Service Group HA02, Service 586, Description 2.40 to provide a through journey to Tweedbank.

Table 2.1: Passenger Train Slots

						2		
Service Group HA04: Highland Rural								
Service 547: Aberdeen – Inverness						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Aberdeen	Dyce	Direct	4.50	23547003	158	1	1	0
Aberdeen	Inverness	Keith	4.51	23547003	158	11	11	5
Aberdeen	Inverurie	Dyce	4.52	23547003	158	26	24	6
Elgin	Inverness	Nairn	4.53	23547003	158	7	7	0
Dyce	Aberdeen	Direct	4.54	23547003	158	1	1	0
Huntly	Aberdeen	Dyce	4.55	23547003	158	1	0	0
Inverness	Aberdeen <sup>1,2</sup>	Keith	4.56	23547003	158	11	11	5
Inverness	Elgin	Nairn	4.57	23547003	158	7	7	2
Inverurie	Aberdeen <sup>3,4</sup>	Dyce	4.58	23547003	158	27	25	6

1 The Train Operator must make an Access Proposal to combine 1 Weekday and 1 Saturday Train Slot with the corresponding Train Slots in Service Group HA01, Service 541, Description 1.23, to provide a through journey to Edinburgh Waverley.

2 The Train Operator must make an Access Proposal to combine 1 Weekday Train Slot with the corresponding Train Slot in Service Group HA01, Service 540, Description 1.10, to provide a through journey to Stonehaven.

3 The Train Operator must make an Access Proposal to combine 1 Sunday Train Slot with the corresponding Train Slots in Service Group HA01, Service 540, Description 1.8, to provide a through journey to Glasgow Queen Street.

Table 2.1: Passenger Train Slots

4 The Train Operator must make an Access Proposal to combine 1 Weekday Train Slot with the corresponding Train Slot in Service Group HA01, Service 540, Description 1.10, to provide a through journey to Montrose.

1						2				
Service Group HA05: Ayrshire and Inverclyde										
Service 573: Ayr										
From	To	Via	Description	TSC	Timing Load	Total week-day	Peak	Off-peak	Saturday	Sunday
Glasgow Central	Ayr	Paisley Gilmour Street	6.140	13573015	380-4	60	8	52	57	25
Glasgow Central	Irvine	Paisley Gilmour Street	6.141	13573015	380-4	1	0	1	0	0
Ayr	Glasgow Central <sup>1</sup>	Paisley Gilmour Street	6.142	13573015	380-4	60	5	55	59	26
Kilwinning	Glasgow Central	Paisley Gilmour Street	6.144	13573015	380-4	1	1	0	0	0

1 The Train Operator must make an Access Proposal to combine 4 Weekday and 4 Saturday Train Slots with the corresponding Train Slots in Service Group HA07, Service 564, Description 7.17 to provide a through journey to Edinburgh Waverley.

Table 2.1: Passenger Train Slots

1						2		
Service Group HA07 – Glasgow Suburban North								
Service 575: Glasgow – Croy – Dunblane – Dundee (Southbound)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Alloa	Glasgow Queen Street	Croy	7.70	13575825	158	27	27	13
Alloa	Stirling	Direct	7.71	13575825	158	1	1	0
Dunblane	Glasgow Queen Street	Croy	7.72	13575825	158	3	4	0
Dundee	Glasgow Queen Street	Croy	7.73	23540003 <sup>1</sup>	158	1	1	0
Perth	Glasgow Queen Street	Stirling	7.75	23549003 <sup>1</sup>	158	2	1	0
Stirling	Glasgow Queen Street	Croy	7.76	13575825	158	6	3	0

**Table 2.1: Passenger Train Slots**

1 Trains change TSC at Dunblane to 13575825

Table 2.1: Passenger Train Slots

1						2		
Service Group HA07: Glasgow Suburban North								
Service 575: Glasgow – Croy – Dunblane – Dundee (Northbound)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total weekday	Saturday	Sunday
Glasgow Queen Street	Alloa	Croy	7.80	13575825	158	27	28	13
Glasgow Queen Street	Dunblane	Croy	7.81	13575825	158	4	4	0
Glasgow Queen Street	Dundee	Croy	7.82	13575825 <sup>1</sup>	158	1	0	0
Glasgow Queen Street	Perth	Croy	7.85	13575825 <sup>2</sup>	158	0	1	1
Glasgow Queen Street	Stirling	Croy	7.86	13575825	158	6	2	0

1 Trains change TSC at Dunblane to 23540003

2 Trains change TSC at Dunblane to 23549003

## Appendix B

Table 2.2: Additional Passenger Train Slots

1					2		
Service Group HA02: East Coast Suburban							
Service 576 – Edinburgh – Dunblane - Perth					Passenger Train Slots		
From	To	Via	Description	TSC	Total weekday	Saturday	Sunday
Edinburgh Waverley	Alloa	Falkirk Grahamston		23576003	1 <sup>3</sup>	1 <sup>3</sup>	0
Edinburgh Waverley	Dunblane	Falkirk Grahamston		23576003	6 <sup>1</sup>	7 <sup>1</sup>	0
Alloa	Edinburgh Waverley	Falkirk Grahamston		23576003	1 <sup>3</sup>	1 <sup>3</sup>	0
Dunblane	Edinburgh Waverley	Falkirk Grahamston		23576003	5 <sup>2</sup>	4	0
Stirling	Edinburgh Waverley	Falkirk Grahamston		23576003	0	1	0

1 The quantum of rights shall reduce by 2 on Subsidiary Change Date 2020 2 The

quantum of rights shall reduce by 1 on Subsidiary Change Date 2020

3 The quantum of rights shall reduce by 1 on Subsidiary Change Date 2021

## Appendix C

Table 2.2: Additional Passenger Train Slots

1					2		
Service Group HA02: East Coast Suburban							
Service 576 – Service 5870: Fife Outer Circle (Clockwise)					Passenger Train Slots		
From	To	Via	Description	TSC	Total weekday	Saturday	Sunday
Kirkcaldy	Haymarket	Burntisland		23587003	2 <sup>1</sup>	0	0

1 The quantum of rights shall reduce by 1 on Subsidiary Change Date 2021

Table 2.2: Additional Passenger Train Slots

1					2		
Service Group HA02: East Coast Suburban							
Service 576 – Service 5871: Fife Outer Circle (Anti Clockwise)					Passenger Train Slots		
From	To	Via	Description	TSC	Total weekday	Saturday	Sunday
Haymarket	Kirkcaldy	Burntisland		23587003	1 <sup>1</sup>	0	0

1 The quantum of rights shall reduce by 2 on Subsidiary Change Date 2021

Table 2.2: Passenger Train Slots

1	2
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Service Group HA06: Glasgow Suburban South								
Service 564: Glasgow – Edinburgh via Shotts / Carstairs								
From	To	Via	Description	TSC	Timing Load	Total week-day	Saturday	Sunday
Edinburgh Waverley	Glasgow Central	Shotts		13564825	150	2 <sup>1</sup>	2 <sup>1</sup>	0
Glasgow Central	Edinburgh Waverley	Shotts		13564825	150	2 <sup>1</sup>	2 <sup>1</sup>	0

1 The quantum of rights shall reduce by 2 on Subsidiary Change Date 2021

## Appendix D

Table 4.1: Calling Patterns

1					2		3
Service Group HA02: East Coast Suburban							
Service 5870: Fife Outer Circle (Clockwise)							
Between	And	Via	Description	TSC	Regular Calling Pattern		Additional Stations
Edinburgh Waverley	Cardenden	Dunfermline	2.50	23587003	Haymarket, South Gyle, Dalmeny, North Queensferry, Inverkeithing, Rosyth, Dunfermline Town, Dunfermline Queen Margaret, Cowdenbeath Lochgelly		

Edinburgh Waverley	Cowdenbeath	Dunfermline	2.51	23587003	Haymarket, South Gyle, Dalmeny, North Queensferry, Inverkeithing, Rosyth, Dunfermline Town, Dunfermline Queen Margaret	Edinburgh Gateway
Edinburgh Waverley	Glenrothes with Thornton	Dunfermline	2.52	23587003	South Gyle, Dalmeny, North Queensferry, Inverkeithing, Rosyth, Dunfermline Town, Dunfermline Queen Margaret, Cowdenbeath, Lochgelly, Cardenden	Edinburgh Gateway
Edinburgh Waverley	Perth	Dunfermline	2.53	23587003 23549003	Haymarket, South Gyle, Dalmeny, North Queensferry, Inverkeithing, Rosyth, Dunfermline Town, Dunfermline Queen Margaret, Cowdenbeath, Lochgelly, Cardenden, Glenrothes with Thornton, Markinch, Ladybank	Edinburgh Gateway
Glenrothes with Thornton	Edinburgh Waverley	Burntisland	2.54	23587003	Kirkcaldy, Kinghorn, Burntisland, Aberdour, Dalgety Bay, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	Edinburgh Gateway
Kirkcaldy	Edinburgh Waverley	Burntisland	2.55	23587003	Kinghorn, Burntisland, Aberdour, Dalgety Bay, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	Edinburgh Gateway

Table 4.1: Calling Patterns

1					2	3
Service Group HA02: East Coast Suburban						
Service 5871: Fife Inner Circle (Anti Clockwise)						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Edinburgh Waverley	Glenrothes with Thornton	Burntisland	2.70	23587103	Haymarket, South Gyle, Dalmeny, North Queensferry, Inverkeithing, Dalgety, Aberdour, Burntisland, Kinghorn, Kirkcaldy	Edinburgh Gateway
Edinburgh Waverley	Inverkeithing	South Gyle	2.71	23587103	Haymarket, South Gyle, Dalmeny, North Queensferry	Edinburgh Gateway

Edinburgh Waverley	Kirkcaldy	Burntisland	2.72	23587103	Haymarket, South Gyle, Dalmeny, North Queensferry, Inverkeithing, Dalgety, Aberdour, Burntisland, Kinghorn	Edinburgh Gateway
Edinburgh Waverley	South Gyle	Haymarket	2.80	23587103	Haymarket	
Cardenden	Edinburgh Waverley	Dunfermline	2.74	23587103	Lochgelly, Cowdenbeath, Dunfermline Queen Margaret, Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	
Cowdenbeath	Edinburgh Waverley	Dunfermline	2.75	23587103	Dunfermline Queen Margaret, Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	
Dunfermline Queen Margaret	Edinburgh Waverley	Dunfermline	2.76	23587103	Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, South Gyle, Haymarket	
Glenrothes with Thornton	Edinburgh Waverley	Dunfermline	2.77	23587103	Cardenden, Lochgelly, Cowdenbeath, Dunfermline Queen Margaret, Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	Edinburgh Gateway
Markinch	Edinburgh Waverley	Dunfermline	2.78	23587103	Glenrothes with Thornton, Cardenden, Lochgelly, Cowdenbeath, Dunfermline Queen Margaret, Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	Edinburgh Gateway
Perth	Edinburgh Waverley	Dunfermline	2.79	23587103 23549003	Ladybank, Markinch, Glenrothes with Thornton, Cardenden, Lochgelly, Cowdenbeath, Dunfermline Queen Margaret, Dunfermline Town, Rosyth, Inverkeithing, North Queensferry, Dalmeny, South Gyle, Haymarket	Edinburgh Gateway

Table 4.1: Calling Patterns

1					2	3
Service Group HA05: Ayrshire and Inverclyde						
Service 573: Glasgow – Ayr						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Glasgow Central	Ayr	Paisley Gilmour Street	6.140, 6.142	13573015	Paisley Gilmour Street, Johnstone, Kilwinning, Irvine, Barassie, Troon, Prestwick International Airport, Prestwick Town, Newton-on-Ayr	Milliken Park, Howwood, Lochwinnoch, Glengarnock, Dalry
Glasgow Central	Irvine	Paisley Gilmour Street	6.141	13573015	Paisley Gilmour Street, Johnstone, Milliken Park, Howwood, Lochwinnoch, Glengarnock, Dalry, Kilwinning	
Kilwinning	Glasgow Central	Paisley Gilmour Street	6.144	13573015	Dalry, Glengarnock, Lochwinnoch, Howwood, Milliken Park, Johnstone, Paisley Gilmour Street	

Table 4.1: Calling Patterns

1					2	3
Service Group HA07: Glasgow Suburban North						
Service 575: Glasgow – Croy – Dunblane – Dundee						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Glasgow Queen Street	Alloa	Croy	7.70, 7.80	13575825 23575903	Bishopbriggs, Lenzie, Croy, Larbert, Stirling	

Alloa	Stirling	Direct	7.71	23575903	Direct	
Glasgow Queen Street	Dunblane	Croy	7.72, 7.81	13575825 23575903	Bishopbriggs, Lenzie, Croy, Larbert, Stirling, Bridge of Allan	
Glasgow Queen Street	Dundee	Croy	7.73, 7.82	13575825 23575903 23540003	Bishopbriggs, Lenzie, Croy, Larbert, Stirling, Bridge of Allan, Dunblane, Gleneagles, Perth, Invergowrie	
Glasgow Queen Street	Perth	Croy	7.75, 7.85	13575825 23575903  23549003	Bishopbriggs, Lenzie, Croy, Larbert, Stirling, Bridge of Allan, Dunblane, Gleneagles	
Glasgow Queen Street	Stirling	Croy	7.76, 7.86	13575825 23575903	Bishopbriggs, Lenzie, Croy, Larbert	