

TWENTY FOURTH SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

HULL TRAINS COMPANY LIMITED

as Train Operator

relating to the Track Access Contract dated 17 March
2016

THIS TWENTY FOURTH SUPPLEMENTAL AGREEMENT is dated 9 September 2022 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) - **HULL TRAINS COMPANY LIMITED**, (the "Train Operator"), a private company limited by shares registered in England under company number 3715410, having its registered office at 4th Floor, Europa House, 184 Ferensway, Hull HU1 3UT.

WHEREAS:

- (A) - The parties entered into a Track Access Contract (Passenger Services) dated 17 March 2016 following directions issued by the Office of Rail and Road pursuant to Section 17 of the Act (the "Agreement").
- (B) - Network Rail and the Train Operator wish to amend the Contract in order to amend Appendix 1 of Schedule 8 within the Contract to reflect revised berthing offsets in service group PF01.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement, words and expressions defined in and rules of interpretation set out in the Agreement shall have the same meaning and effect when used in this Supplemental Agreement except where the context requires otherwise.

2. EFFECTIVE DATE AND TERM

- 2.1 - The amendments made to the Agreement as set out in this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect on the Subsidiary Change Date 2022.
- 2.2 - "Effective Date" means the date of this Supplemental Agreement.

3. RETROSPECTIVE EFFECT

- 3.1 - Notwithstanding the Effective Date the amendments shall be applied retrospectively from 00:01 on 26 June 2022.

4. ORR – GENERAL APPROVAL

- 4.1 - This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009.

5. AMENDMENTS TO THE AGREEMENT

The Contract shall be amended as follows:

- 5.1 - Appendix 1 of Schedule 8 will be deleted and replaced in its entirety with the version set out as Annex 1 to this Supplemental Agreement.

The parties are seeking to make this amendment in order to adjust values in columns B and D of Appendix 1 to neutralise the impact of changes made to berthing offsets.

5. EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE AGREEMENT

The parties agree that the Agreement, 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 Agreement to “the Agreement”, “herein”, “hereof”, “hereunder” and other similar expressions shall, unless the context requires otherwise, be read and construed as a reference to the Agreement as amended by this Supplemental Agreement.

6. 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.

7. LAW

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

8. 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.

IN WITNESS WHEREOF Network Rail and the Train Operator have, by their duly authorised representatives, entered into this Supplemental Agreement on the date first above written.

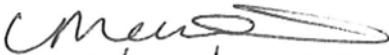
SIGNED by



Sarah Reid

duly authorised for and on behalf of)
NETWORK RAIL)
INFRASTRUCTURE LIMITED)

SIGNED by)

LOUISE MENDHAM
PRODUCTION DIRECTOR

08/09/2022

)
duly authorised for and on behalf of)
HULL TRAINS COMPANY LIMITED)

ANNEX 1

APPENDIX 1 OF SCHEDULE 8

A	B		C	D		E	F	G	H		I	J	K
Service Group	Network Rail			TOC		Cancellation Minutes	Cap	Service code		Direction	Monitoring Point	Weighting	
	Performance Point		Payment Rate	Performance Point	Payment Rate								
PF01 Kings Cross - Hull All Trains	2019-20	[Redacted]	[Redacted]	[Redacted]	[Redacted]	90	180	750	Kings Cross - Hull	Forward	LONDON KINGS CROSS	[Redacted]	
	2020-21	[Redacted]						750	Kings Cross - Hull	Forward	GRANTHAM	[Redacted]	
	2021-22	[Redacted]						750	Kings Cross - Hull	Forward	SELBY	[Redacted]	
	2022-23	[Redacted]						750	Kings Cross - Hull	Reverse	DONCASTER	[Redacted]	
	2023-24	[Redacted]						750	Kings Cross - Hull	Reverse	HULL	[Redacted]	
								750	Kings Cross - Hull	Reverse	SELBY	[Redacted]	
								750	Kings Cross - Hull	Reverse	BEVERLEY	[Redacted]	