

Ninety-Fourth Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

ARRIVA RAIL LONDON LIMITED

as Train Operator

relating to the Track Access Contract (Passenger Services) dated 9 November 2007

*Passenger Access (Short Term Timetable and Miscellaneous Changes)
General Approval 2009*

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THIS NINETY-FOURTH SUPPLEMENTAL AGREEMENT is dated 07 / 11 / 2024 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London, SE1 8SW (“Network Rail”); and
- (2) **ARRIVA RAIL LONDON LIMITED**, a company registered in England under number 04165861, having its registered office at 1 Admiral Way, Doxford International Business Park, Sunderland, Tyne & Wear, SR3 3XP (the “**Train Operator**”).

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 9th November 2007 in a form approved by the Office of Rail and Road (“ORR”) 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 (which track access contract as subsequently amended is hereafter referred to as the “Contract”).
- (B) The parties propose to enter into this Supplemental Agreement to amend Table 2.2 under ‘Additional Passenger Train Slots’ within Schedule 5 of the Track Access Contract.

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; and
- (B) “Effective Date” means the date of this Supplemental Agreement.

2. **ORR GENERAL APPROVAL**

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

3. **EFFECTIVE DATE AND TERM**

The amendments made to the Contract as set out in this Supplemental Agreement shall have effect from the “Effective Date” and shall cease to have effect at PC2024.

4. AMENDMENTS TO THE CONTRACT

4.1 In Schedule 5 of the Contract, Table 2.2 under ‘Additional Passenger Train Slots’ shall be deleted in its entirety and replaced with the new Table 2.2 as represented in the Annex to this Supplemental Agreement.

5. EFFECTS 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.

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 Lucy McAuliffe



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

SIGNED by)
)

duly authorised for and on behalf of)
ARRIVA RAIL LONDON LIMITED)



7th November 2024

9 **ANNEX****Additional Passenger Train Slots***Table 2.2: Additional Passenger Train Slots^{55th, 66th, 94th}*

1					2		
Service Group EK01							
Service description: North London Line					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Stratford	Willesden Junction High Level <u>or</u> Willesden Junction Low Level	Gospel Oak	All Stations	22214000	0	1 ¹	0

¹ This Contingent Right shall expire at PCD 2024.

1					2		
Service Group EK02							
Service description: Watford to London Euston					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Watford	London Euston		All Stations	22216000	0	0	1 ²

² This Contingent Right shall expire at PCD 2024.