

# Ninety-Fifth 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

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**THIS NINETY-FIFTH SUPPLEMENTAL AGREEMENT** is dated 11<sup>th</sup> December 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 9<sup>th</sup> 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 wish to amend Schedule 5 of the Track Access Contract in the terms as detailed below:

**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: 02:00hrs, 15<sup>th</sup> December 2024 (PCD 2024).

2. **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 Subsidiary Change Date 2027 or earlier termination of the Contract, with the exception of the two rights footnoted in service groups EK01 and EK02 which will cease to have effect at SCD 2025.

3. **AMENDMENTS TO THE CONTRACT**

- 3.1 Schedule 5, Tables 2.1 shall be removed in their entirety and replaced with the Tables 2.1 as detailed in the Appendix to this Supplemental Agreement.

4. **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.

5. **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.

6. **LAW**

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

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 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, Route Director Sussex

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

**SIGNED** by



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

8 **APPENDIX A**2 **Passenger Train Slots**

Table 2.1: Passenger Train Slot

						2					
<b>Service Group: EK01</b>											
<b>Service description: Orbitals</b>						<b>Passenger Train Slots</b>					
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Peak times</b>		<b>Off-Peak times</b>	<b>Weekday</b>	<b>Saturday</b>	<b>Sunday</b>
						<b>Morning Peak</b>	<b>Evening Peak</b>				
Richmond	Stratford	Gospel Oak	All Stations	22214000	378/710	N/A	N/A	N/A	78	70	57
Richmond	Willesden Junction High Level	Acton Central	All Stations	22214000	378/710	N/A	N/A	N/A	2	2	0
Willesden Junction High Level <b>or</b> Willesden Junction Low Level	Stratford	Gospel Oak	All Stations	22214000	378/710	N/A	N/A	N/A	1	1 <sup>1</sup>	1
Stratford	Richmond	Gospel Oak	All Stations	22214000	378/710	N/A	N/A	N/A	80	71	55
Willesden Junction High Level	Richmond	Acton Central	All Stations	22214000	378/710	N/A	N/A	N/A	2	1	2
Stratford	Willesden Junction High Level <b>or</b> Willesden Junction Low Level	Gospel Oak	All Stations	22214000	378/710	N/A	N/A	0	4	4 <sup>1</sup>	1
Camden Road	Stratford	Canonbury	All Stations	22214000	378/710	N/A	N/A	0	1	0	0
Stratford	Camden Road	Canonbury	All Stations	22214000	378/710	N/A	N/A	0	1	0	1

<sup>1</sup> One firm right between Stratford to Willesden Jn via Gospel Oak firm right shall expire on the Subsidiary Change Date (May) 2025.

1						2					
Service Group: EK01											
Service description: Orbitals						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
Clapham Junction	Stratford	Gospel Oak	All Stations	22214000 and 22204000 (to Willesden Junction)	378/710	N/A	N/A	N/A	77	67	49
Stratford	Clapham Junction	Gospel Oak	All Stations	22214000 and 22204000 (from Willesden Junction)	378/710	N/A	N/A	N/A	77	68	51
Clapham Junction	Willesden Junction High Level	Kensington Olympia	All Stations	22204000	378/710	N/A	N/A	N/A	4	6	13
Willesden Junction High Level	Clapham Junction	Kensington Olympia	All Stations	22204000	378/710	N/A	N/A	N/A	7	5	11
Gospel Oak	Clapham Junction	Willesden Junction High Level	All Stations	22214000 and 22204000 (from Willesden Junction)	378/710	N/A	N/A	N/A	0	0	1
Gospel Oak	Barking Riverside	South Tottenham	All Stations	21921000	710	N/A	N/A	N/A	69	69	57
Barking Riverside	Gospel Oak	South Tottenham	All Stations	21921000	710	N/A	N/A	N/A	72	70	58

1						2					
Service Group: EK02 -											
Service description Watford DC						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						Morning Peak	Evening Peak				
London Euston	Watford Junction	DC Electric Lines	All Stations	22216000	710	0	12	62	74	73	65
Watford Junction	London Euston	DC Electric Lines	All Stations	22216000	710	12	0	62	74	72	63 <sup>2</sup>
Watford Junction	Willesden Junction Low Level	DC Electric Lines	All stations	22216000	710	0	0	N/A	0	1	1

<sup>2</sup> One firm right between Watford to Euston via DC lines shall expire on the Subsidiary Change Date (May) 2025.

1						2					
Service Group: EK03											
Service description: East London Line						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
New Cross Gate Connection Point	West Croydon	Norwood Junction	All Stations	22215003	378	0	12	62	74	73	58
West Croydon	New Cross Gate Connection Point	Norwood Junction	All Stations	22215003	378	12	0	61	73	73	55
New Cross Gate Connection Point	Crystal Palace	Sydenham	All Stations	22215003	378	0	12	62	74	74	63
Crystal Palace	New Cross Gate Connection Point	Sydenham	All Stations	22215003	378	12	0	62 + 1 FO	74+ 1 FO	75	61
Highbury & Islington	Western Curve Connection Point	Canonbury	All Stations	22215003	378	0	24	125	149	149	123
Western Curve Connection Point	Highbury & Islington	Canonbury	All Stations	22215003	378	24	0	123	147	148	125
Old Kent Road Junction Connection Point	Clapham Junction	Denmark Hill	All Stations	22206000	378	0	12	60	72	72	65
Clapham Junction	Old Kent Road Junction Connection Point	Denmark Hill	All Stations	22206000	378	12	0	58	70	70	63
Old Kent Road Junction Connection Point	Battersea Park	Denmark Hill	All Stations	22206000	378	0	0	1	1	2	0
Battersea Park	Old Kent Road Junction Connection Point	Denmark Hill	All Stations	22206000	378	0	0	2	2	2	1



1						2					
<b>Service Group: EK04</b>											
<b>Service description: West Anglia Inners</b>						<b>Passenger Train Slots</b>					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Chingford	Liverpool Street	Clapton	Stopping	Peak: 25235001  Off Peak: 21235001	710	12	0	62	74	74	67
Liverpool Street	Chingford	Clapton	Stopping	Peak: 25235001  Off Peak: 21235001	710	0	12	64	76	76	70
Enfield Town	Liverpool Street	Seven Sisters	Stopping	Peak: 25234001  Off Peak: 21234001	710	12	0	36+1 FO	48+1 FO	37	32
Liverpool Street	Enfield Town	Seven Sisters	Stopping	Peak: 25234001  Off Peak: 21234001	710	0	11	37	48	38	33
Cheshunt	Liverpool Street	Southbury	Stopping	Peak: 25234001  Off Peak: 21234001	710	7	0	31	38	38	33

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Liverpool Street	Cheshunt	Southbury	Stopping	Peak: 25234001  Off Peak: 21234001	710	0	6	32	38	38	32
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1						2					
<b>Service Group: EK05</b>											
<b>Service description: Romford to Upminster</b>						<b>Passenger Train Slots</b>					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday <sup>1</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Romford	Upminster	Direct	All Stations	21237001	710	0	0	32	32	32	23
Upminster	Romford	Direct	All Stations	21237001	710	0	0	32	32	32	23

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<sup>1</sup> Passenger Train Slots listed under the sub-headings “Peak times” and “Off-Peak times” are the constituent parts of, and are not in addition to, those listed under the sub-heading “Weekday”.