

FORTY-THIRD

Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

LONDON NORTH EASTERN RAILWAY LIMITED

as Train Operator

**relating to amendments to a Track Access
Contract (Passenger Services) dated 03 March 2017**

THIS SUPPLEMENTAL AGREEMENT is dated 06 February 2025 and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under company number 02904587, having its registered office at Waterloo General Office, London, SE1 8SW ("**Network Rail**"); and
- (2) **LONDON NORTH EASTERN RAILWAY LIMITED**, a company registered in England under number 04659712 having its registered office at West Offices, Station Rise, York YO1 6GA (the "**Train Operator**").

Background:

- (A) Network Rail and East Coast Main Line Company Limited entered into a Track Access Contract (Passenger Services) dated 03 March 2017 as amended by various supplemental agreements (which track access contract as subsequently amended is hereafter referred to as the "**Contract**").
- (B) On 24 June 2018 the rights and obligations of East Coast Main Line Company Limited under the Contract were transferred to the Train Operator pursuant to a transfer scheme made by the Secretary of State for Transport on 21 June 2018 under Schedule 2 of the Railways Act 2005.
- (C) Network Rail and the Train Operator (the Parties) now propose to enter into this Supplemental Agreement in order to amend the Contract to reflect revised berthing offsets in service groups HB02 and HB04.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

- 1.1 In this Supplemental Agreement 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.

2. EFFECTIVE DATE AND TERM

- 2.1 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 on the Expiry Date or earlier termination of the Contract.
- 2.2 "Effective Date" means the date of this Supplemental Agreement.

3. OFFICE OF RAIL AND ROAD – GENERAL APPROVAL

- 3.1 This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2023.

4. AMENDMENTS TO THE CONTRACT

The Contract shall be amended as follows:

- 4.1 Appendix 1 of Schedule 8 shall be deleted in its entirety and replaced with the entry set out in Annex 1 of this Supplemental Agreement.

The Performance Points listed in columns B and D within Appendix 1 of Schedule 8 are to be amended to reflect corrections to berthing offsets.

5. EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT

The parties agree that the Contract, as amended by this Supplemental Agreement, shall remain in full force and effect in accordance with its terms, and with effect from and including the date hereof 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. LAW

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with the laws of England and Wales.

7. 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.

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 one and the same instrument.


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

SIGNED BY)



for and on behalf of) Paul Rutter
NETWORK RAIL) Route Director East Coast
INFRASTRUCTURE LIMITED)

SIGNED BY)



MARK DENT
SALES & OPERATIONS DIRECTOR

for and on behalf of)
LONDON NORTH EASTERN)
RAILWAY LIMITED)

ANNEX 1

Appendix 1

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 (£)							
HB01 Anglo - Scottish All Trains	2024-25	████	████	████	█	270	700	Kings X - York - Newcastle - Edinburgh / Glasgow	Forward	DARLINGTON	████
	2025-26	████					700	Kings X - York - Newcastle - Edinburgh / Glasgow	Forward	LONDON KINGS CROSS	████
	2026-27	████					700	Kings X - York - Newcastle - Edinburgh / Glasgow	Forward	NEWCASTLE	████
	2027-28	████					700	Kings X - York - Newcastle - Edinburgh / Glasgow	Forward	PETERBOROUGH	████
	2028-29	████					700	Kings X - York - Newcastle - Edinburgh / Glasgow	Forward	YORK	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	DARLINGTON	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	EDINBURGH	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	MIDDLESBROUGH	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	NEWCASTLE	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	PETERBOROUGH	████
							700	Kings X - York - Newcastle - Edinburgh / Glasgow	Reverse	YORK	████
HB02 West Yorkshire All Trains	2024-25	████	████	████	█	270	702	London Kings X - Pborough - Leeds- Harrogate- Linc	Forward	DONCASTER	████
	2025-26	████					702	London Kings X - Pborough - Leeds- Harrogate- Linc	Forward	LONDON KINGS CROSS	████
	2026-27	████					702	London Kings X - Pborough - Leeds- Harrogate- Linc	Forward	PETERBOROUGH	████
	2027-28	████					702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	BRADFORD	████
	2028-29	████					702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	DONCASTER	████
							702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	HARROGATE	████

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 (£)							
							702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	LEEDS	■
							702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	LINCOLN	■
							702	London Kings X - Pborough - Leeds- Harrogate- Linc	Reverse	PETERBOROUGH	■
HB04	2024-25	■	■	■	■	270	703	London Kings X - Bradford - Harrogate - Hull	Forward	DONCASTER	■
West Yorkshire (Kings X - Bradford / Hull)	2025-26	■					703	London Kings X - Bradford - Harrogate - Hull	Forward	LONDON KINGS CROSS	■
All Trains	2026-27	■					703	London Kings X - Bradford - Harrogate - Hull	Forward	PETERBOROUGH	■
	2027-28	■					703	London Kings X - Bradford - Harrogate - Hull	Reverse	DONCASTER	■
	2028-29	■					703	London Kings X - Bradford - Harrogate - Hull	Reverse	HULL	■
							703	London Kings X - Bradford - Harrogate - Hull	Reverse	LEEDS	■
							703	London Kings X - Bradford - Harrogate - Hull	Reverse	PETERBOROUGH	■
							703	London Kings X - Bradford - Harrogate - Hull	Reverse	SKIPTON	■
HB05	2024-25	■	■	■	■	270	701	London Kings X - Aberdeen / Inverness	Forward	DARLINGTON	■
Anglo - Scot (Aberdeen / Inverness)	2025-26	■					701	London Kings X - Aberdeen / Inverness	Forward	EDINBURGH	■
All Trains	2026-27	■					701	London Kings X - Aberdeen / Inverness	Forward	LONDON KINGS CROSS	■
	2027-28	■					701	London Kings X - Aberdeen / Inverness	Forward	NEWCASTLE	■
	2028-29	■					701	London Kings X - Aberdeen / Inverness	Forward	YORK	■

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Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service Code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate (£)	Performance Point	Payment Rate (£)							
							701	London Kings X - Aberdeen / Inverness	Reverse	ABERDEEN	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	DARLINGTON	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	EDINBURGH	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	GLASGOW	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	INVERNESS	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	NEWCASTLE	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	STIRLING	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	SUNDERLAND	██████
							701	London Kings X - Aberdeen / Inverness	Reverse	YORK	██████