

# 62nd 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<sup>th</sup> November 2007

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**THIS 62<sup>ND</sup> SUPPLEMENTAL AGREEMENT** is dated 14 / 5 / 19 2019 and made

**BETWEEN:**

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at 1 Eversholt Street, London, NW1 2DN ("Network Rail"); and
- (2) **ARRIVA RAIL LONDON LIMITED**, a company registered in England under number 05668786, having its registered office at Great Central House, Marylebone Station, Melcombe Place, London, NW1 6JJ ("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 the Contract in the terms described below.

**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; and
- 1.2 "Effective Date" means the later of:
  - (1) 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
  - (2) 0200 hours on the Subsidiary Change Date 2019
- 1.3 "Annex" shall mean the annexes and their relevant parts and attached hereto.

**2. EFFECTIVE DATE AND TERM**

- 2.1. The amendments to the Contract pursuant to 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.

**3. AMENDMENTS TO THE CONTRACT**

- 3.1 Table 2.1 'Passenger Train Slots' of Schedule 5 of the Contract shall be deleted and replaced in its entirety with the new table 2.1 set out in Annex A to this Supplemental Agreement.

**4. GENERAL**

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 document.

IN WITNESS whereof the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written.

SIGNED by.....*M Dymarz*.....

Print name.....*MELIHA Dymarz*.....

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

SIGNED by.....*W. Rogers*.....

Print name.....*WILLIAM ROGERS*.....

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

## Annex A

### 2 Passenger Train Slots

Table 2.1: Passenger Train Slots <sup>60th, 62nd</sup>

						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
						Morning Peak	Evening Peak				
Richmond	Stratford	Gospel Oak	All Stations	22214000	378	N/A	N/A	N/A	70	70	57
Richmond	Willesden Junction High Level	Acton Central	All Stations	22214000	378	N/A	N/A	N/A	1	1	0
Willesden Junction High Level <u>or</u> Willesden Junction Low Level	Stratford	Gospel Oak	All Stations	22214000	378	N/A	N/A	N/A	1	1	1
Stratford	Richmond	Gospel Oak	All Stations	22214000	378	N/A	N/A	N/A	70	72	54
Willesden Junction High Level	Richmond	Acton Central	All Stations	22214000	378	N/A	N/A	N/A	1 <sup>a</sup>	1	3 <sup>a</sup>
Stratford	Willesden Junction High Level <u>or</u> Willesden Junction Low Level	Gospel Oak	All Stations	22214000	378	N/A	N/A	N/A	4 <sup>a</sup>	4 <sup>a</sup>	1 <sup>a</sup>
Camden Road	Stratford	Canonbury	All Stations	22214000	378	N/A	N/A	N/A	1	0	0
Stratford	Camden Road	Canonbury	All Statis	22214000	378	N/A	N/A	N/A	0	0	1

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	378	N/A	N/A	N/A	66 <sup>a</sup>	67 <sup>a</sup>	49 <sup>a</sup>
Stratford	Clapham Junction	Gospel Oak	All Stations	22214000	378	N/A	N/A	N/A	67 <sup>a</sup>	68 <sup>a</sup>	50 <sup>a</sup>
Clapham Junction	Willesden Junction High Level	Kensington Olympia	All Stations	22204000	378	N/A	N/A	N/A	6 <sup>a</sup>	6 <sup>a</sup>	13 <sup>a</sup>
Willesden Junction High Level	Clapham Junction	Kensington Olympia	All Stations	22204000	378	N/A	N/A	N/A	6 <sup>a</sup>	5 <sup>a</sup>	13 <sup>a</sup>
Gospel Oak	Barking	South Tottenham	All Stations	21921000	172	N/A	N/A	N/A	70	69	57
Barking	Gospel Oak	South Tottenham	All Stations	21921000	172	N/A	N/A	N/A	71	70	59
Woodgrange Park	Willesden Low Level	South Tottenham	All Stations	21921000	172	N/A	N/A	N/A	1	0	0
Barking	South Tottenham	Blackhorse Road	All Stations	21921000	172	N/A	N/A	N/A	1	0	0
South Tottenham	Gospel Oak	Upper Holloway	All Stations	21921000	172	N/A	N/A	N/A	1	0	0
Barking	Upper Holloway	South Tottenham	All Stations	21921000	172	N/A	N/A	N/A	1	0	0

						2					
<b>Service Group: EK02</b>											
<b>Service description Watford DC</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				
<b>Service Group: EK02</b>											
London Euston	Watford Junction	DC Electric Lines	All Stations	22216000	378	0	12 <sup>a</sup>	61 <sup>a</sup>	73 <sup>a</sup>	73 <sup>a</sup>	63 <sup>a</sup>
Watford Junction	London Euston	DC Electric Lines	All Stations	22216000	378	12 <sup>a</sup>	0	61 <sup>a</sup>	73	72 <sup>a</sup>	62 <sup>a</sup>
London Euston	Willesden Jn Low Level	DC Electric Lines	All Stations	22216000	378	0	0	1 <sup>a</sup>	1 <sup>a</sup>	2 <sup>a</sup>	2 <sup>a</sup>
Willesden Jn Low Level	London Euston	DC Electric Lines	All Stations	22216000	378	0	0	1 <sup>a</sup>	1 <sup>a</sup>	0	0



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	61	73	73	58
West Croydon	New Cross Gate Connection Point	Norwood Junction	All Stations	22215003	378	12	0	61 <sup>a</sup>	73 <sup>a</sup>	73 <sup>a</sup>	55
New Cross Gate Connection Point	Crystal Palace	Sydenham	All Stations	22215003	378	0	12	62	74	74	55
Crystal Palace	New Cross Gate Connection Point	Sydenham	All Stations	22215003	378	12	0	63 <sup>a</sup>	75 <sup>a</sup>	75 <sup>a</sup>	55 <sup>a</sup>
Highbury & Islington	Western Curve Connection Point	Canonbury	All Stations	22215003	378	0	24	125 <sup>a</sup>	149 <sup>a</sup>	149 <sup>a</sup>	131
Western Curve Connection Point	Highbury & Islington	Canonbury	All Stations	22215003	378	24	0	124 <sup>a</sup>	148 <sup>a</sup>	148 <sup>a</sup>	129
Old Kent Road Junction Connection Point	Clapham Junction	Denmark Hill	All Stations	22206000	378	0	12	60	72	74 <sup>a</sup>	66
Clapham Junction	Old Kent Road Junction Connection Point	Denmark Hill	All Stations	22206000	378	12	0	58	70	72 <sup>a</sup>	64
Old Kent Road Junction Connection Point	Battersea Park	Denmark Hill	All Stations	22206000	378	0	0	1	1	0	0
Battersea Park	Old Kent Road Junction Connection Point	Denmark Hill	All Stations	22206000	378	0	0	2	2	0	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	315	12	N/A	62	74	74	67
Liverpool Street	Chingford	Clapton	Stopping	Peak: 25235001 Off Peak: 21235001	315	N/A	12	64	76	76	69
Enfield Town	Liverpool Street	Seven Sisters	Stopping	Peak: 25234001 Off Peak: 21234001	315	11	N/A	36	47	36	32
Liverpool Street	Enfield Town	Seven Sisters	Stopping	Peak: 25234001 Off Peak: 21234001	315	N/A	11	37	48	38	33
Cheshunt	Liverpool Street	Southbury	Stopping	Peak: 25234001 Off Peak: 21234001	315	7	N/A	31	38	37	33
Liverpool Street	Cheshunt	Southbury	Stopping	Peak: 25234001 Off Peak: 21234001	315	N/A	6	32	38	38	32

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	315	N/A	N/A	32	32	32	23
Upminster	Romford	Direct	All Stations	21237001	315	N/A	N/A	32	32	32	23

<sup>a</sup> From the Subsidiary Change Date, 2020, the quantum will revert back to the quantum as specified in the Fifty-Eighth Supplemental Agreement.

<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”.

Table 2.1A: Night Overground Passenger Train Slots<sup>59th</sup>

1						2	
Service Group							
Service description						Night Overground Passenger Train Slots	
From	To	Via	Description	TSC	Timing Load	Saturday	Sunday
Western Curve Connection Point	Highbury & Islington	Canonbury	All Stations	22215003	378	21	27
Highbury & Islington	Western Curve Connection Point	Canonbury	All Stations	22215003	378	19	24