

SEVENTY SEVENTH SG SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED

and

ARRIVA TRAINS WALES/ TRENAU ARRIVA CYMRU LIMITED

relating to Schedule 5

THIS SEVENTY SEVENTH SG SUPPLEMENTAL AGREEMENT

is dated 5th January 2017 and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED** ("**Network Rail**"), a private company limited by shares registered in England under company number 02904587, having its registered office at 1 Eversholt Street, London, NW1 2DN; and
- (2) **ARRIVA TRAINS WALES/TRENAU ARRIVA CYMRU LIMITED** (the "**Train Operator**"), a private company limited by shares registered in England and Wales under company number 04337645, having its registered office at St. Mary's House, 47 Penarth Road, Cardiff CF10 5DJ.

Whereas:

- A. The parties entered into a Track Access Contract (Passenger Services) dated 5 February 2004 pursuant to Section 18 (7) of the Act as amended by various supplemental agreements in a form approved pursuant to Section 22 of the Act (which track access contract as subsequently amended is hereafter referred to as the "**Contract**");
- B. The parties now propose to enter into this Supplemental Agreement in order to vary the Contract to enable the Train Operator to operate additional Services, being an amendment to the Contract of the kind specified in paragraph 14 of the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009;

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

"**Effective Date**" shall mean the later of:

- a) The date of this agreement; or
- b) 0200 hours on 8th January 2017.

2. OFFICE OF RAIL REGULATION – 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 DURATION

- 3.1 The amendments made to the Contract shall have effect from the Effective Date.
- 3.2 Those amendments made pursuant to Clause 4.1 of this Supplemental Agreement shall cease to have effect after 90 days.

4. AMENDMENTS TO SCHEDULE 5 of THE CONTRACT

- 4.1 Table 2.2: Additional Passenger Train Slots shall be replaced by that table shown in Appendix

Appendix 1

1					2		
Service Group: HL05					Additional Passenger Train Slots		
Service Description: Valley Lines and Cardiff Local Services					Total Weekday	Saturday	Sunday
From	To	Via	Description	TSC			
Cardiff Central	Pontypridd	Danescourt	9.1.1	25447000	6	6	0
Pontypridd	Cardiff Central	Danescourt	9.1.2	25447000	5	5	0
Cardiff Central	Penarth	Grangetown	5.5.1	25443000	0	0	1
Penarth	Cardiff Central	Grangetown	5.5.2	25443000	0	0	1
Cardiff Central	Rhymney	Heath High Level	5.9.5	25448000	0	0	1
Cardiff Central	Ystrad Mynach	Heath High Level	5.9.6	25448000	0	0	4
Rhymney	Cardiff Central	Heath High Level	5.9.7	25448000	0	0	1
Ystrd Mynach	Cardiff Central	Heath High Level	5.9.8	25448000	0	0	4
Taffs Well	Cardiff Central	Llandaf	5.8.4	25447000	1	1	0
1					2		
Service Group: HL07					Additional Passenger Train Slots		
Service Description: North Wales Branches					Total Weekday	Saturday	Sunday
From	To	Via	Description	TSC			
Bidston	Wrexham Central	Penyfford	9.2.1	12342800	0	0	1
Wrexham Central	Bidston	Penyfford	9.2.2	12342800	0	0	1