

**23RD SUPPLEMENTAL AGREEMENT**

**between**

**NETWORK RAIL INFRASTRUCTURE LIMITED**

**and**

**FIRST TRANSPENNINE EXPRESS LIMITED**

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**relating to changes to Schedule 5 of the Track Access Contract for introduction of  
new access rights in all service groups**

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This 23<sup>rd</sup> SUPPLEMENTAL AGREEMENT is dated *15th MAY* 2019 and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under company number 02904587, having its registered office at 1 Eversholt Street, London NW1 2DN ("**Network Rail**"); and
- (2) **FIRST TRANSPENNINE EXPRESS LIMITED**, a company registered in England under number 09000801 having its registered office at 50 Eastbourne Terrace, Paddington, London W2 6LG.

**Background:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 03 March 2016 in a form approved and directed by the Office of Rail and Road pursuant to section 17 of the Railways Act 1993 ("the Act") hereafter referred to as the "**Contract**".
- (B) The parties now propose to enter into this Supplemental Agreement in order to amend the Contract as described herein.

**IT IS HEREBY AGREED** as follows:

**1. INTERPRETATION**

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 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 later of:
  - a) 02:00 on 19 May 2019 and
  - b) the date on which the Office of Rail and Road issues its approval of the terms of this Supplemental Agreement under Section 22 of the Act.

**3. AMENDMENTS TO THE CONTRACT**

- 3.1 Schedule 5 of The Contract shall be amended as follows:
- 3.2 The Service Group EA07 (Anglo Scottish) of Table 2.1 of Schedule 5 to the Contract shall be deleted and replaced with the version set out in Annex A.
- 3.3 A new Table 2.2 will be inserted as set out in Annex B. This amends the Table 2.2 proposed to be introduced by the 22<sup>nd</sup> Supplemental Agreement.

**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 M.S. Frobisher

PRINT NAME M.S. FROBISHER

Duly authorised for and on behalf of

**NETWORK RAIL INFRASTRUCTURE LIMITED**

SIGNED BY 

PRINT NAME DARREN HIGGINS

Duly authorised for and on behalf of

**FIRST TRANSPENNINE EXPRESS LIMITED**

1						2		
Service Group: Anglo-Scottish								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Manchester Airport	Glasgow Central	Shap, Carlisle and Beattock	Northbound	21730001	185	1	1	0
Manchester Piccadilly	Glasgow Central	Shap, Carlisle and Beattock	Northbound	21730001	185	1	0	0
Manchester Airport	Preston	Farnworth Corridor	Northbound	21730001	185	0	1	0
Liverpool Lime Street	Glasgow Central		Northbound	21730001	350 or 185	3	3	3
Liverpool Lime Street	Oxenholme		Northbound	21730001	350 or 185	1	1	1
Edinburgh Waverley	Manchester Airport	Kirknewton, Carlisle, Shap and Farnworth Corridor.	Southbound	21730001	350	7	6	6

1						2		
Service Group: Anglo-Scottish								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Glasgow Central	Manchester Piccadilly	Beattock, Carlisle, Shap and Farnworth Corridor	Southbound	21730001	350	0	0	0
Glasgow Central	Liverpool Lime Street		Southbound	21730001	185 or 350	3	3	3
Carlisle	Liverpool Lime Street		Southbound	21730001	185 or 350	1	1	1

1						2		
Service Group: North Transpennine (Eastbound)								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Manchester Airport	Newcastle		Eastbound	21734000 21731000	185	2	1	4
Liverpool Lime Street	Scarborough	Manchester Victoria	Eastbound	21732000 21734000	185	1	1	0
Manchester Airport	Scarborough	Manchester Victoria	Eastbound	21734000 21732000	185	0	1	2
Manchester Airport	York	Manchester Victoria	Eastbound	21734000	185	0	0	2
York	Newcastle		Eastbound	21731000	185	11	14	7

1						2		
Service Group: North Transpennine (Westbound)								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Newcastle	Durham	Chester-Le-Street	Westbound	21731000 21732000	185	0	1	0
Scarborough	Manchester Airport	Manchester Victoria	Westbound	21732000 21734000	185	2	3	2
York	Manchester Airport	Manchester Victoria	Westbound	21734000	185	1	0	0
York	Liverpool Lime Street	Manchester Victoria	Westbound	21731000	185	0	1	0
Newcastle	York		Westbound	21731000	185	13	14	6

**Service Group: Anglo-Scottish<sup>15th</sup>**

1						2		
Service Group: Anglo-Scottish								
Service description						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Manchester Airport	Edinburgh Waverley	Farnworth Corridor., Shap, Carlisle and Kirknewton	Northbound	21730001	350	0	1	1
Manchester Airport	Edinburgh Waverley	Farnworth Corridor., Shap, Carlisle and Kirknewton	Northbound	21730001	185	0	0	1
Manchester Airport	Glasgow Central	Farnworth Corridor., Shap, Carlisle and Beattock	Northbound	21730001	350	1	0	1
Manchester Piccadilly	Glasgow Central	Shap, Carlisle and Beattock	Northbound	21730001	185	0	1	0
Edinburgh Waverley	Manchester Airport	Kirknewton, Carlisle, Shap and Farnworth Corridor.	Southbound	21730001	350	1	0	0