

**10<sup>th</sup> SUPPLEMENTAL AGREEMENT**

**Between**

**NETWORK RAIL INFRASTRUCTURE LIMITED**

**- and -**

**XC TRAINS LIMITED**

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**relating to amendments to the Track Access Contract  
(Passenger Services) dated 8<sup>th</sup> August 2017**

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**THIS 10<sup>th</sup> SUPPLEMENTAL AGREEMENT** is dated the *30 Oct* 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) **XC Trains Limited**, a company registered in England under number 04402048 having its registered office at C/O Arriva PLC, 1 Admiral Way, Doxford International Business Park, Sunderland, SR3 3XP (the "**Train Operator**").

#### **WHEREAS**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 8<sup>th</sup> August 2017 as amended by various Supplemental Agreements (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 amend the Contract as described herein.

**IT IS HEREBY AGREED** as follows:

#### **1 INTERPRETATION**

1.1 In this Supplemental Agreement, unless the context otherwise requires, 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 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.

#### **2 EFFECTIVE DATE AND TERM**

The amendments to the Contract made pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect on the expiry of the Contract.

#### **3 AMENDMENTS TO THE CONTRACT**


In Clause 1.1, the definition of "Expiry Date" shall be deleted and replaced with the following:

"means the Principal Change Date 2020,"

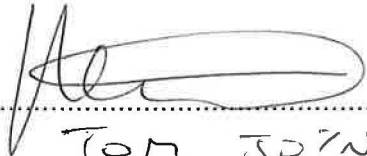
#### **4 EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT**

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

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

Signed by   
Print name ANDY SAUNDERS

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

Signed by   
Print name TOM JONES

Duly authorised for and on behalf of  
**XC TRAINS LIMITED**