

DATED

26th March 2002

WIRRAL BOROUGH COUNCIL

- and -

MERSEYSIDE PASSENGER TRANSPORT EXECUTIVE

AGREEMENT

Johanna Miller
Borough Solicitor and Secretary
Town Hall Wallasey

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THIS AGREEMENT is made the 26th day of March 2001

BETWEEN

- (1) **WIRRAL BOROUGH COUNCIL** of Town Hall Brighton Street Wallasey
Merseyside CH44 8ED ("the Council")
- (2) **MERSEYSIDE PASSENGER TRANSPORT EXECUTIVE** of 24 Hatton
Garden Liverpool ("MPTA")

NOW IT IS AGREED as follows

1 DEFINITIONS AND INTERPRETATION

In this Agreement the words and expressions in this Clause are to have the meanings specified

- 1.1.1 if any party at any time comprises two or more persons, the obligations of that party are to be joint and several obligations of those persons,
- 1.1.2 words importing one gender include all other genders, words importing the singular include the plural and vice versa and any reference to a person includes a reference to a company authority board department or other body
- 1.1.3 reference to a clause without further designation is to be construed as a reference to the clause of this deed so numbered and
- 1.1.4 the clause headings do not form part of this Agreement and are not to be taken into account for the purposes of its construction or interpretation
- 1.2 "the Level Crossing" means the level crossing to be constructed over the Railway Line in accordance with this Agreement

- in a position which shall be agreed
between the parties
- 1.3 "the Open" means the British Open Golf
Championship
- 1.4 "the Practice Ground" means the 15th hole and the 14th
green of the Hoylake Municipal
Course at Meols Drive Hoylake
- 1.5 "the Railway Line" means the Birkenhead to Hoylake
railway line running parallel to
Meols Drive Hoylake

2 AGREEMENT

The Council and the MPTE agree that on each occasion that the Open is played at the Royal Liverpool Golf Club Meols Drive Hoylake Wirral:

- 2.1 the MPTE shall procure the construction on the Railway Line of a level crossing to a specification determined by Railtrack plc prior to the start of the Open which level crossing shall remain on the Railway Line for the duration of the Open
- 2.2 the MPTE will ensure all reasonable and unimpeded access for the duration of the Open over the Level Crossing for members of the public and persons authorised by the Council and the Royal and Ancient Golf Club for access to and egress from the Practice Ground
- 2.3 the MPTE will procure that trains using the Railway Line will terminate at Hoylake Station for the duration of the Open and that suitable omnibuses will be provided at the cost of the MPTE to convey rail

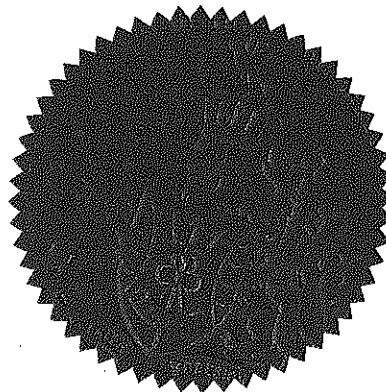
passengers not attending the Open between Hoylake and West Kirby
Wirral

2.4 the MPTE will provide suitable omnibuses to provide transport to and
from the Open from the agreed car parks provided by the Council for
the duration of the Open

2.5 the Council will procure the construction of the Level Crossing at no
cost to the MPTE and shall make good any damage to the Railway
Line caused by the construction of the Level Crossing

DELIVERED as a Deed on the date which appears at the head of this
document

THE COMMON SEAL
OF WIRRAL BOROUGH
COUNCIL was hereunto
affixed in the presence of




Authorised Officer

THE COMMON SEAL
OF MERSEYSIDE PASSENGER
TRANSPORT EXECUTIVE
was hereunto affixed
in the presence of


Authorised Signatory

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