

60th Supplemental Agreement

between

NETWORK RAIL INFRASTRUCTURE LIMITED

as Network Rail

and

FIRST GREATER WESTERN LIMITED

as Train Operator

relating to the Track Access Contract (Passenger Services)
dated 4th March 2016

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THIS 60TH SUPPLEMENTAL AGREEMENT is dated 10th November 2020 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) **FIRST GREATER WESTERN LIMITED**, (the “Train Operator”), a company registered in England under number 05113733 having its registered office at Milford House, 1 Milford Street, Swindon SN1 1HL.

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 4th March 2016 on terms approved, and pursuant to directions issued, by ORR under section 18 of the Act.
- (B) The parties enter into this Supplemental Agreement in order to make amendments to Schedule 5 Tables 2.1, and 4.1 of the Contract to provide Firm rights for service changes to be introduced on the December 2020 Principal Change date.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- (A) 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;
- (B) “Effective Date” means the later of:
 - 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
 - 0200 hours 13th December 2020.

2. EFFECTIVE DATE AND TERM

The amendments to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date.

3. AMENDMENTS TO THE CONTRACT

- 3.1 In Schedule 5 Table 2.1, the tables for service groups EF01, EF04, EF11 and EF12 shall be replaced by the entries set out in Annex 1.
- 3.2 In Schedule 5 Table 4.1, the table for service group EF13 shall be replaced by the entry set out in Annex 2.

4. GENERAL

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 during the period in which the amendments made by this Supplemental Agreement are to have effect, all references in the Contract to “the contract” or, as the case may be, the “Agreement”, “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

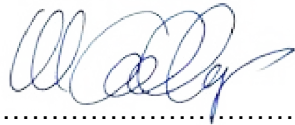
This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

7. COUNTERPARTS

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

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
Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

name...Mike Gallop.....

SIGNED

by.....

Print
Duly authorised for and on behalf of
FIRST GREATER WESTERN LIMITED

name.....

7. COUNTERPARTS

This Supplemental Agreement may be executed in two counterparts which, taken together, shall constitute one and the same document. Either party may enter into this Supplemental Agreement by signing either of such counterparts.

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.....

Duly authorised for and on behalf of

NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED

by



Print

name...**Matthew Golton**.....

Duly authorised for and on behalf of

FIRST GREATER WESTERN LIMITED

ANNEX 1

Table 2.1 Passenger Train Slots 1st, 14th, 20th, 30th, 38th, 48th, 49th, 62nd, 63rd

1						2					
Service Group EF01											
Service Description LONDON - BRISTOL						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington	Bristol Temple Meads	Chippenham	EF01.101	25370002	800	0	3 ⁹	24	27 ¹⁴	27WP 23SP	19 ⁴
London Paddington	Bristol Temple Meads	Chippenham	EF01.102 Fast	25370002	800	0	3	0	3	0	0
Bristol Temple Meads	London Paddington	Chippenham	EF01.103	25370002	800	5	0	26	31	26WP 22SP	17
London Paddington	Bristol Temple Meads	Bristol Parkway	EF01.104 Fast	25370002	800	0	0	15 ⁵	15 ¹⁰	0	1
Bristol Temple Meads	London Paddington	Bristol Parkway	EF01.105	25370002	800	0	0	1	1	0	0
Bristol Temple Meads	London Paddington	Bristol Parkway	EF01.106 Fast	25370002	800	0	0	14 ⁶	14 ¹¹	0	0
Swindon	London Paddington		EF01.107 Fast	25370002	800	0	0	1	1	0	0
London Paddington	Weston-super-Mare	Chippenham	EF01.108	25370002	800	0	1	1	2	2WP 6SP	6
London Paddington	Weston-super-Mare	Bristol Parkway	EF01.109 Fast	25370002	800	0	0	4 ⁷	4 ¹²	0	0
Weston-super-Mare	London Paddington	Chippenham	EF01.110	25370002	800	2	0	0	2	3WP 7SP	7
Weston-super-Mare	London Paddington	Bristol Parkway	EF01.111 Fast	25370002	800	0	0	4 ⁸	4 ¹³	0	0
London Paddington	Taunton	Chippenham and Weston-super-Mare	EF01.112	25370002	800	0	2	0	2	3	1
Taunton	London Paddington	Weston-super-Mare and Chippenham	EF01.113	25370002	800	0	0	1	1	3	1

1						2					
Service Group EF01											
Service Description LONDON - BRISTOL						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Taunton	London Paddington	Weston-super-Mare and Chippenham	EF01.114 Fast	25370002	800	1	0	0	1	0	0
London Paddington	Exeter St Davids	Chippenham	EF01.115	25370002	800	0	0	2	2	1	0
Exeter St Davids	London Paddington	Bristol Parkway	EF01.116 Fast	25370002	800	0	0	1	1	0	0

Notes to Table:

¹ Peak times – arriving London Paddington between 07.30 and 10.01, departing London Paddington between 16.30 and 19.00

² Off-Peak times - arriving at and departing from a relevant station outside Peak times

³ 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”.

⁴ Minus one right between 28th June and 13th September 2020.

⁵ From the Subsidiary Change Date in 2021 the quantum reduces to 6.

⁶ From the Subsidiary Change Date in 2021 the quantum reduces to 5.

⁷ From the Subsidiary Change Date in 2021 the quantum reduces to 2.

⁸ From the Subsidiary Change Date in 2021 the quantum reduces to 1.

⁹ From the Subsidiary Change Date in 2021 the quantum reduces to 2.

¹⁰ From the Subsidiary Change Date in 2021 the quantum reduces to 6

¹¹ From the Subsidiary Change Date in 2021 the quantum reduces to 5.

¹² From the Subsidiary Change Date in 2021 the quantum reduces to 2.

¹³ From the Subsidiary Change Date in 2021 the quantum reduces to 1.

¹⁴ From the Subsidiary Change Date in 2021 the quantum reduces to 26.

Table 2.1 Passenger Train Slots ^{1st, 10th, 14th, 20th, 22nd, 30th, 38th, 48th, 55th, 49th, 58th}

1						2					
Service Group EF 04											
Service Description LONDON - WEST OF ENGLAND											
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington	Plymouth	Hungerford, Castle Cary and Taunton	EF04.101	25397003	800	0	2 FO 2 FSX	7 FSX 6 FO	9 FSX 8 FO	6 WP 5 SP	8 WP 6 SP
Plymouth	London Paddington	Taunton, Castle Cary and Hungerford	EF04.102	25397003	800	3	0	4 FSX 5 FO	8 FO 7 FSX	6 WP 3 SP	7 WP 5 SP
London Paddington	Plymouth	Chippenham	EF04.103	25397003	800	0	0	0	0	0	2 ⁴
Plymouth	London Paddington	Weston-super-Mare and Chippenham	EF04.104	25397003	800	0	0	0	0	0	4
London Paddington	Penzance	Hungerford, Castle Cary and Taunton	EF04.105	25397003	800	0	3	8 FO 7 FSX	10 FSX 11 FO	8 WP 11 SP	7 WP 8 SP
Penzance	London Paddington	Taunton, Castle Cary and Hungerford	EF04.106	25397003	800	0	1	10	11	8 WP 11 SP	7 WP 8 SP
London Paddington	Penzance	Chippenham	EF04.107	25397003	800	0	0	0	0	1	1
Penzance	London Paddington	Chippenham	EF04.108	25397003	800	0	0	1	1	1	0

OFFICIAL

1						2					
Service Group EF 04											
Service Description LONDON - WEST OF ENGLAND											
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington	Paignton	Hungerford, Castle Cary and Taunton	EF04.109	25397003	800	0	1	2	3	1 WP 3 SP	1
Paignton	London Paddington	Taunton, Castle Cary and Hungerford	EF04.110	25397003	800	0	0	3	3	3 SP 1 WP	1
Paignton	London Paddington	Weston-super-Mare and Chippenham	EF04.112	25397003	800	0	0	0	0	0	1
London Paddington	Exeter St Davids	Hungerford, Castle Cary and Taunton	EF04.113 (Exeter Service)	25397003	800	0	1FSX	2	3	3	4
Exeter St Davids	London Paddington	Taunton, Castle Cary and Hungerford	EF04.114 (Exeter Service)	25397003	800	0	0	2	2	4	4
London Paddington	Taunton	Hungerford and Castle Cary	EF04.115	25397003	800	0	0	0	0	0	0
Taunton	London Paddington	Castle Cary and Hungerford	EF04.116	25397003	800	0	0	0	0	1 WP 0 SP	0
London Paddington	Frome	Hungerford and Westbury	EF04.117	25397003	800	0	1	0	1	0	0

1						2					
Service Group EF 04											
Service Description LONDON - WEST OF ENGLAND											
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Frome	London Paddington	Westbury and Hungerford	EF04.118	25397003	800	1	0	0	1	0	0
Bristol Temple Meads	London Paddington	Hungerford	EF04.119 (Westbury Service)	25397003	800	1	0	0	1	0	0
London Paddington	Newquay	Hungerford, Castle Cary and Taunton	EF04.120	25397003	800	0	0	0	0	0 WP 2 SP	0 WP 1 SP
Newquay	London Paddington	Taunton, Castle Cary and Hungerford	EF04.121	25397003	800	0	0	0	0	0 WP 3 SP	0 WP 1 SP
London Paddington	Penzance	whichever route is open	EF04.122 (Sleeper Service)	25396002	75-57350	0	0	1	1	0	1
Penzance	London Paddington	whichever route is open	EF04.123 (Sleeper Service)	25396002	75-57350	0	0	1	1	0	1

Notes to Table:

¹ Peak times – arriving London Paddington between 07.30 and 10.01, departing London Paddington between 16.30 and 19.00

² Off-Peak times - arriving at and departing from a relevant station outside Peak times

³ 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”.

⁴ Plus 1 right between 28/06/2020 and 13/09/2020 to facilitate an extended London Paddington to Bristol Temple Meads service.

Table 2.1 Passenger Train Slots *1st, 2nd, 5th, 30th, 31st, 38th, 48th*

1						2		
Service Group EF11								
Service Description EXETER SUBURBAN						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Paignton	Exmouth		EF11.101	25462001 and 25482001	150	29	28	16
Exeter St. Davids	Exmouth		EF11.102	25482001	150	3	4	10
Barnstaple	Exeter Central		EF11.103	25480001 and 254820001	150	1	0	0
Barnstaple	Exeter St. Davids		EF11.104	25480001	150	3	4	3
Exmouth	Exeter St. Davids		EF11.105	25482001	150	6	5	11
Exmouth	Exeter Central		EF11.106	25482001	150	0	0	0
Exmouth	Paignton		EF11.107	25482001 and 25462001	150	26	27	15
Exeter Central	Barnstaple		EF11.109	25480001	150	0	0	5
Exeter St Davids	Barnstaple		EF11.110	25480001	150	3	3	1
Paignton	Exeter St. Davids		EF11.111	25462001	150	4	3	1
Paignton	Newton Abbot		EF11.112	25462001	150	1	2	0
Plymouth	Exeter St. Davids		EF11.113	25462001	150	10	9	7
Exeter St. Davids	Paignton		EF11.114	25462001	150	8	4	1
Newton Abbot	Paignton		EF11.115	25462001	150	0	1	0
Exeter St. Davids	Plymouth		EF11.116	25462001	150	11	12	6
Exeter Central	Paignton		EF11.119	25462001	150	0	0	1
Barnstaple	Exeter St James Park		EF11.120	25480001 and 25482001	150	13	14	10
Exeter St James Park	Barnstaple		EF11.121	25482001 and 25480001	150	14	14	10

Notes to Table:

None

Table 2.1 Passenger Train Slots 3rd, 5th, 10th, 22nd, 30th, 31st, 38th, 48th, 58th

1						2		
Service Group EF12								
Service Description DEVON AND CORNWALL						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Liskeard	Plymouth		EF12.101	25474001	150	1	0 WP 1 SP	0
Plymouth	Liskeard		EF12.102	25474001	150	1	0	0
Plymouth	Par		EF12.103	25474001	150	0	0 WP 3 SP	0
Penzance	Plymouth		EF12.104	25474001	150	21	18 WP 14 SP	8
Plymouth	Penzance		EF12.105	25474001	150	22 MO 23 MSX	19 WP 14 SP	8
Penzance	Truro		EF12.106	25474001	150	1	1	0
Par	Penzance		EF12.107	25474001	150	0	1 WP 0 SP	0
St Erth	Par		EF12.108	25479001 and 25474001	150	0	0 WP 1 SP	0
Plymouth	Newquay		EF12.109	25474001 and 25477001	150	0	0 WP 1SP	0
Newquay	Plymouth		EF12.110	25477001 and 2547001	150	0	0 WP 1SP	0
Plymouth	Gunnislake		EF12.110	25473001	150	9	8	5 1 SP
Gunnislake	Plymouth		EF12.111	25473001	150	9	8	5 1 SP
Looe	Liskeard		EF12.112	25476001	150	15	15	8
Liskeard	Looe		EF12.113	25476001	150	15	15	8
Par	Newquay		EF12.114	25477001	150	8	7	3 WP 4 SP

1						2		
Service Group EF12								
Service Description DEVON AND CORNWALL						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Newquay	Par		EF12.115	25477001	150	8	7	3 WP 4 SP
Falmouth Docks	Truro		EF12.116	25478001	150	30	30	10
Truro	Falmouth Docks		EF12.117	25478001	150	30	30	10
Penzance	St. Ives		EF12.118	2547001 and 25479001	150	1	3	1
St. Ives	Penzance		EF12.119	25479001 and 2547001	150	1	3	1
St. Erth	St. Ives		EF12.120	25479001	150	27	22	16 WP 19 SP
St. Ives	St. Erth		EF12.121	25479001	150	27	22	16 WP 19 SP
Truro	Par		EF11.122	25479001 and 25474001	150	1	0	0

Notes to Table:

None.

Annex 2

Table 4.1: Calling Patterns ^{14th, 38th, 48th}

1					2	3
Service Group EF 13						
Service Description SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Portsmouth Harbour	Westbury	Southampton Central	EF13.101 and EF13.102	25470001	Portsmouth & Southsea, Fratton, Fareham, Southampton Central, Romsey, Salisbury, Warminster	Cosham, Southampton Airport Parkway, Eastleigh, Mottisfont & Dunbridge, Dean, Dilton Marsh, Hedge End
Portsmouth Harbour	Cardiff Central	Southampton Central	EF13.104 and EF13.108	25470001	Portsmouth & Southsea, Fratton, Fareham, Southampton Central, Romsey, Salisbury, Warminster, Westbury, Trowbridge, Bath Spa, Keynsham, Bristol Temple Meads, Severn Tunnel Junction, Newport	Cosham, Southampton Airport Parkway, Eastleigh, Mottisfont & Dunbridge, Dean, Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Lawrence Hill, Stapleton Road, Filton Abbey Wood, Patchway, Pilning, Bristol Parkway, Hedge End
Brighton	Bristol Temple Meads,	Southampton Central	EF13.105 and EF13.137	25470001	Hove, Shoreham-by-Sea, Worthing, Barnham, Chichester, Havant, Fareham, Southampton Central, Romsey, Salisbury, Warminster, Westbury, Bath Spa, Keynsham,	Cosham, Mottisfont & Dunbridge, Dean, Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Hedge End
Brighton	Cardiff Central	Southampton Central	EF13.106 and EF13.111	25470001	Hove, Shoreham-by-Sea, Worthing, Barnham, Chichester, Havant, Fareham, Southampton Central, Romsey, Salisbury, Warminster, Westbury, Bath Spa, Keynsham, Bristol Temple Meads, Filton Abbey Wood, Severn Tunnel Junction Newport	Cosham, Mottisfont & Dunbridge, Dean, Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Lawrence Hill, Stapleton Road, Patchway, Pilning, , Hedge End
Portsmouth Harbour	Bristol Temple Meads	Southampton Central	EF13.107 and EF13.138	25470001	Portsmouth & Southsea, Fratton, Fareham, Southampton Central, Romsey, Salisbury, Warminster, Westbury, Trowbridge, Bath Spa, Keynsham	Cosham, Mottisfont & Dunbridge, Dean, Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Hedge End

1					2	3
Service Group EF 13						
Service Description SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Brighton	Romsey		EF13.110	25470001	Hove, Shoreham-by-Sea, Worthing, Barnham, Chichester, Havant, Fareham, Southampton Central,	Cosham, Hedge End
Brighton	Portsmouth Harbour		EF13.112 and EF13.136	25470001	Hove, Shoreham-by-Sea, Worthing, Barnham, Chichester, Havant, Fratton, Portsmouth & Southsea	Hedge End, Emsworth, Southbourne, Angmering and Portslade.
Cardiff Central	Warminster		EF13.113	25471001	Newport, Severn Tunnel Junction, Patchway, Filton Abbey Wood, Bristol Temple Meads, Bath Spa, Bradford on Avon, Trowbridge, Westbury	Pilning, Stapleton Road, Lawrence Hill, Keynsham, Oldfield Park, Freshford, Avoncliff
Southampton Central	Westbury		EF13.114 and EF13.123	25470001	Romsey, Salisbury, Warminster	Mottisfont & Dunbridge, Dean, Dilton Marsh
Bristol Temple Meads	Frome		EF13.115 and 125	25471001	Keynsham, Bath Spa, Trowbridge, Westbury	Oldfield Park, Freshford, Avoncliff, Bradford-on-Avon,
Frome	Westbury		EF13.116 and EF13.128	25471001		
Bristol Temple Meads	Westbury		EF13.117, EF13.126	25471001 and 25470001	Keynsham, Bath Spa, Trowbridge	Oldfield Park, Freshford, Avoncliff, Bradford-on-Avon,
Westbury	Swindon	Melksham	EF13.118 and 119	25485000	Trowbridge, Melksham, Chippenham	
Weymouth	Westbury		EF13.120 and EF13.127	25471001	Dorchester West, Yeovil Pen Mill, Castle Cary, Frome	Upwey, Maiden Newton, Chetnole, Yetminster, Thornford, Bruton,
Weymouth	Bristol Temple Meads		EF13.121 and EF.129	25471001	Dorchester West, Yeovil Pen Mill, Castle Cary, Frome, Westbury, Trowbridge, Bradford-on-Avon, Bath Spa	Upwey, Maiden Newton, Chetnole, Yetminster, Thornford, Bruton, Avoncliff, Freshford, Oldfield Park
Westbury	Southampton Central		EF13.123	25470001	Frome, Castle Cary, Yeovil Pen Mill and Dorchester West,	Bruton, Thornford, Yetminster, Chetnole, Maiden Newtown and Upwey
Westbury	Bath		EF13.124	25470001	Trowbridge and Bradford-on-Avon	Avoncliff and Freshford

1					2	3
Service Group EF 13						
Service Description SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Westbury	Warminster		EF13.130 and EF13.131	25470001		Dilton Marsh
Bristol Temple Meads	Warminster		EF13.132	25470001	Bath Spa, Bradford on Avon, Trowbridge, Westbury	Keynsham, Oldfield Park, Freshford, Avoncliff, Dilton Marsh
Salisbury	Bristol Temple Meads		EF13.134	25470001	Warminster, Westbury, Trowbridge, Bath Spa, Keynsham	Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park
Bristol Temple Meads	Portsmouth and Southsea		EF13.137	25470001	Fratton, Fareham, Southampton Central, Romsey, Salisbury, Warminster, Westbury, Trowbridge, Bath Spa, Keynsham	Cosham, Mottisfont & Dunbridge, Dean, Dilton Marsh, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Hedge End

Notes to Table:

None