

# 83<sup>rd</sup> 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 4<sup>th</sup> March 2016

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**THIS 83<sup>rd</sup> SUPPLEMENTAL AGREEMENT** is dated 4<sup>th</sup> November 2022 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 4<sup>th</sup> March 2016 on terms approved, and pursuant to directions issued, by ORR under section 17 of the Act.
- (B) The parties enter into this Supplemental Agreement in order to amend Schedule 5 Tables 2.1, 2.2, and 4.1 of the Contract to extend through to expiry date of the Contract rights already included but dated to end in PCD 2022, but which now are required to run through to contract expiry. This includes redating of rights and removal of rights.

**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:
  - (a) 02.00 on 11<sup>th</sup> December 2022; or
  - (b) 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 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 entry for service group EF13 shall be replaced by the entry set out in Annex 1.
- 3.2 In Schedule 5 Table 2.2, the entry for service group EF13 shall be replaced by the entry set out in Annex 2.
- 3.3 In Schedule 5 Table 4.1, the entry for service group EF13 shall be replaced by the entry set out in Annex 3.

### **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.

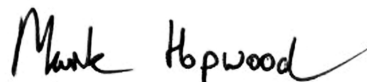
**SIGNED (02/11/2022)**

by  .....

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

David Davidson, Route Director, Western

**SIGNED**

by  .....

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

name Mark Hopwood .....

**ANNEX 1***Table 2.1 Passenger Train Slots*

1						2		
<b>Service Group</b>		<b>EF 13</b>						
<b>Service Description</b>		<b>SOUTH WALES – SOUTH COAST</b>				<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Weekday</b>	<b>Saturday</b>	<b>Sunday</b>
Portsmouth Harbour	Westbury	Southampton Central	EF13.101	25470001	158	0	1	1
Westbury	Portsmouth Harbour	Southampton Central	EF13.102	25470001	158	1	1	0
Portsmouth Harbour	Cardiff Central	Southampton Central	EF13.104	25470001	158	15	15	10
Brighton	Bristol Temple Meads	Southampton Central	EF13.105	25470001	158	1	1	1
Brighton	Cardiff Central	Southampton Central	EF13.106	25470001	158	0	0	1
Bristol Temple Meads	Portsmouth Harbour	Southampton Central	EF13.107	25470001	158	1	1	0
Cardiff Central	Portsmouth Harbour	Southampton Central	EF13.108	25470001	158	15	15	12
Bristol Parkway	Bath Spa		EF13.109	25470001	158	1	0	0
Romsey	Brighton		EF13.110	25470001	158	0	0	1
Cardiff Central	Brighton	Southampton Central	EF13.111	25470001	158	0	0	3
Portsmouth Harbour	Brighton		EF13.112	25470001	158	1	1	0
Cardiff Central	Warminster		EF13.113	25471001	150	0	0	1
Southampton Central	Westbury		EF13.114	25470001	158	4	3	0

1						2		
Service Group		EF 13						
Service Description		SOUTH WALES – SOUTH COAST				Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Frome	Bristol Temple Meads		EF13.115	25471001	150	1	0	2
Frome	Westbury		EF13.116	25471001	150	3	2	2
Westbury	Frome		EF13.128	25471001	150	1	0	2
Westbury	Bristol Temple Meads		EF13.117	25471001	150	4	8 WP 6 SP	1
Westbury	Swindon	Melksham	EF13.118	25485001	150	9	8	7 WP 8 SP
Swindon	Westbury	Melksham	EF13.119	25485001	150	9	9	7 WP 8 SP
Weymouth	Westbury		EF13.120	25471001	150	0	0	1
Weymouth	Bristol Temple Meads		EF13.121	25471001	150	8	7 WP 8 SP	4
Westbury	Salisbury		EF13.122	25470001	158	2	2	1
Westbury	Southampton Central		EF13.123	25470001	158	2	3	0
Westbury	Bath		EF13.124	25470001	158	0	1	0
Bristol Temple Meads	Frome		EF13.125	25471001	150	4	3	1
Bristol Temple Meads	Westbury		EF13.126	25471001	150	7	6	1
Westbury	Weymouth		EF13.127	25471001	150	1	1	1
Bristol Temple Meads	Weymouth		EF13.129	25471001	150	7	7 WP 8 SP	4

1						2		
<b>Service Group</b>		<b>EF 13</b>						
<b>Service Description</b>		<b>SOUTH WALES – SOUTH COAST</b>				<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Weekday</b>	<b>Saturday</b>	<b>Sunday</b>
Westbury	Warminster		EF13.130	25470001	150	1	3	1
Warminster	Westbury		EF13.131	25470001	150	1	1	1
Warminster	Bristol Temple Meads		EF13.132	25470001	150	4	1	1
Salisbury	Bristol Temple Meads		EF13.122	25470001	158	1	1	1
Bristol Temple Meads	Brighton		EF13.135	25470001	158	1	1	0
Brighton	Portsmouth Harbour		EF13.136	25470001	158	0	0	1
Bristol Temple Meads	Portsmouth and Southsea	Southampton Central	EF13.137	25470001	158	1	0	0
Portsmouth Harbour	Bristol Temple Meads	Southampton Central	EF13.138	25470001	158	1	0	0
Portsmouth & Southsea	Bristol Temple Meads	Southampton Central	EF13.139	25470001	158	0	1	0
Bristol Temple Meads	Fareham	Southampton Central	EF13.140	25470001	158	0	1	0
Fareham	Portsmouth and Southsea		EF13.141	25470001	158	0	1 <sup>3</sup>	0
Fratton	Bristol Temple Meads		EF13.142	25470001	158	1	0	0



**Notes to Table:**

<sup>1</sup> Not used

<sup>2</sup> Not used

<sup>3</sup> Applies 46 weeks in 52 during each Principal and following Subsidiary Timetable combined, and not when footnote 1 to Table 2.2 provides a right.

**ANNEX 2***Table 2.2: Additional Passenger Train Slots*

1					2		
<b>Service Group</b>		<b>EF13</b>					
<b>Service Description</b>		<b>SOUTH WALES - SOUTH COAST</b>			<b>Additional Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Weekday</b>	<b>Saturday</b>	<b>Sunday</b>
Fareham	Portsmouth and Southsea		EF13.201	25470001	0	1 <sup>1</sup>	0
Portsmouth Harbour	Cardiff Central		EF13.202	25470001	0	0	1
Portsmouth Harbour	Bristol Temple Meads		EF13.203	25470001	0	0	1
Salisbury	Bristol Temple Meads		EF13.204	25470001	1	1	0
Westbury	Salisbury		EF13.205	25470001	1	0	0

**Notes to Table:**

<sup>1</sup> Applies 6 weeks in 52 during each Principal and following Subsidiary Timetable combined, and not when footnote 3 to Table 2.1 provides a right.

## ANNEX 3

Table 4.1: Calling Patterns <sup>14th, 38th, 48th, 60th, 64th, 72nd</sup>

1					2	3
<b>Service Group</b> EF 13						
<b>Service Description</b> 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
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

1					2	3
<b>Service Group</b> EF 13						
<b>Service Description</b> SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
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
Westbury	Warminster		EF13.130 and EF13.131	25470001		Dilton Marsh
Westbury	Salisbury		EF13.122	25470001		Dilton Marsh, Warminster
Westbury	Salisbury		EF13.205	25470001		Dilton Marsh, Warminster
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
Salisbury	Bristol Temple Meads		EF13.204	25470001		Warminster, Dilton Marsh, Westbury, Trowbridge, Bradford-on-Avon, Avoncliff, Freshford, Oldfield Park, Bath Spa, Keynsham
Bristol Temple Meads	Portsmouth and Southsea		EF13.137 and EF13.139	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
Bristol Temple Meads	Fareham		EF13.140	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
Fareham	Portsmouth and Southsea		EF13.141 and EF13.201	25470001	Fratton, Fareham,	

1					2	3
<b>Service Group</b> EF 13						
<b>Service Description</b> SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Fratton	Portsmouth and Southsea		EF13.142	25470001	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