

48TH SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

And

GOVIA THAMESLINK RAILWAY LIMITED
as Train Operator

relating to the Track Access Contract (Passenger
Services) dated 02 March 2016

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THIS 48TH SUPPLEMENTAL AGREEMENT is dated 6th December 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) **GOVIA THAMESLINK RAILWAY LIMITED**, a company registered in England under number 07934306, having its registered office at 3rd Floor, 41-51 Grey Street, Newcastle upon Tyne, NE1 6EE (the "Train Operator").

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 02 March 2016 in a form approved by the Office of Rail and Road ("ORR") pursuant to Section 18(7) of the Act, as amended by various supplemental agreements each in a form approved by ORR pursuant to Section 22 of the Act (which track access contract as subsequently amended is hereafter referred to as the "Contract").
- (B) The parties wish to amend the Contract in the terms described below.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- 1.1 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:
 - (1) 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.
- 1.3 "Annex" shall mean the annexes and their relevant parts and attached hereto.

2. EFFECTIVE DATE AND TERM

- 2.1. The amendments to the Contract pursuant to 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.

3. AMENDMENTS TO THE CONTRACT

- 3.1 Table 2.1 Passenger Train Slots of Schedule 5 of the Contract, the entries relating to Service Groups ET05 and ET09 shall be deleted in their entirety and replaced by those as set out in Annex A to this Supplemental Agreement.
- 3.2 Table 2.1 Table 2.1 Passenger Train Slots of Schedule 5 of the Contract, the entries relating to footnotes 59 to 66 shall be deleted in their entirety and replaced by those as set out in annex A to this Supplemental Agreement.
- 3.3 Table 2.2 Additional Passenger Train Slots of Schedule 5 of the Contract, footnote 4 shall be deleted and replaced in its entirety by that set out in Appendix A to this Supplemental Agreement.
- 3.3 Table 4.1 Calling Patterns of Schedule 5 of the Contract, the entries relating to Service Groups ET07, under description 7.10/7.13 and 7.11 and ET09, under description 9.17/9.18 9.27/9.33, shall be and replaced by those as set out in Annex B to this Supplemental Agreement.

4. GENERAL

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”, “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 any number of counterparts, each of which when executed and delivered shall constitute an original, but all the counterparts shall together constitute but one and the same document.

IN WITNESS whereof 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: Katie Frost, Sussex Route Director

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by 

Print name: Patrick Verwer

Duly authorised for and on behalf of
GOVIA THAMESLINK RAILWAY LIMITED

Annex A

Table 2.1 amendments

1						2					
Service Group: ET05 ⁶⁶											
Service description: Great Northern Outer											
From	To	Via	Description	TSC	Timing Load	Peak times ⁵		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Peterborough	King's Cross	Welwyn Garden City	5.1	21727000	387	6	0	6	12	3	3
Peterborough	King's Cross	Welwyn Garden City	5.2	21727000	387	0	0	0	0	0	1
Peterborough	King's Cross	Welwyn Garden City	5.3	22727100	700	0	0	4	4	4	4
Peterborough	Blackfriars	Welwyn Garden City	5.4	22727100	700	6	0	30 ³⁸	36 ³⁸	36 ³⁸	16 ³⁸
King's Lynn	King's Cross	Welwyn Garden City	5.5	21725000	387	5	0	17	22	19	-16
King's Lynn	Cambridge		5.7	21725000	387	0	0	1	1	1	0
Ely	King's Cross	Welwyn Garden City	5.8	21725000	387	0	0	12	12	17	0
Ely	Cambridge		5.9	21725000	387	0	0	-5	5	2	0

1						2					
Service Group: ET05 ⁶⁶											
Service description: Great Northern Outer											
From	To	Via	Description	TSC	Timing Load	Peak times ⁵		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				

Cambridge	Blackfriars	Welwyn Garden City	5.13	22726100	700	6 ⁴⁰	0	26 ⁴⁰	32 ⁴⁰	18 ⁴⁰	14 ⁴⁰
Cambridge	King's Cross	Welwyn Garden City	5.14	21725000	387	1	0	0	1	0	1
Cambridge	King's Cross	Welwyn Garden City	5.15	22726100	700	0	0	1	1	2	3
Cambridge	King's Cross	Welwyn Garden City	5.16	21726100	700	6	0	23	29	21	17
Baldock	King's Cross	Welwyn Garden City	5.17	21726000	387	4	0	1	5	0	0
Royston	King's Cross	Welwyn Garden City	5.18	22726100	700	0	0	1	1	0	0
Royston	King's Cross	Welwyn Garden City	5.19	21726000	387	1	0	0	1	0	0
Letchworth Garden City	King's Cross	Welwyn Garden City	5.20	22726100	700	0	0	6	6	18	3

1						2					
Service Group: ET05 ⁶⁶											
Service description: Great Northern Outer											
From	To	Via	Description	TSC	Timing Load	Peak times ⁵		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
King's Cross	Peterborough	Welwyn Garden City	5.21	21727000	387	0	5	5	10	3	3
King's Cross	Peterborough	Welwyn Garden City	5.22	22727100	700	0	0	3	3	4	4
King's Cross	Peterborough	Welwyn Garden City	5.23	21727000	387	0	0	0	0	0	1
St Pancras International	Peterborough	Welwyn Garden City	5.24	22727100	700	0	6 ⁴¹	30 ⁴¹	36 ⁴¹	36 ⁴¹	13 ⁴¹
King's Cross	King's Lynn	Welwyn Garden City	5.25	21725000	387	0	4	18	22	21	16

Cambridge	King's Lynn		5.26	21725000	387	0	0	3	3	0	0
King's Cross	Ely	Welwyn Garden City	5.27	21725000	387	0	3	11	14	14	0
Cambridge	Ely		5.28	21725000	387	0	0	3	3	1	0
St Pancras International	Cambridge	Welwyn Garden City	5.31	22726100	700	0	3 ⁴³	15 ⁴³	18 ⁴³	18 ⁴³	14 ⁴³

1						2					
Service Group: ET05⁶⁶											
Service description: Great Northern Outer											
From	To	Via	Description	TSC	Timing Load	Peak times ⁵		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
King's Cross	Baldock	Welwyn Garden City	5.32	21726000	387	0	7	0	7	0	0
King's Cross	Cambridge	Welwyn Garden City	5.33	21725000	387	0	0	1	1	1	0
King's Cross	Cambridge	Welwyn Garden City	5.34	22726100	700	0	0	2	2	2	2
King's Cross	Cambridge	Welwyn Garden City	5.35	21725000/21726000	387	0	0	1	1	1	0
King's Cross	Letchworth Garden City	Welwyn Garden City	5.37	22726100	700	0	0	5	5	15	5
King's Cross	Royston	Welwyn Garden City	5.38	22726100	700	0	0	0	0	1	0
King's Cross	Cambridge	Welwyn Garden City	5.39	22726100	700	0	6	24	30	22	18

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Victoria	Crystal Palace	Streatham Hill	9.1	24782000	377	0	6 ⁴⁴	30 ⁴⁴	36 ⁴⁴	36 ⁴⁴	32
Streatham Hill	Crystal Palace	Gipsy Hill	9.2	24782000	377	0	0 ⁴⁴	2 ⁴⁴	2 ⁴⁴	2 ⁴⁴	0
Crystal Palace	London Victoria	Streatham Hill	9.3	24782000	377	6 ⁴⁵	0	28 ⁴⁵	34 ⁴⁵	35 ⁴⁵	32
Crystal Palace	Streatham Hill	Gipsy Hill	9.4	24782000	377	0	0	0	0	1 ⁴⁵	0
Crystal Place	London Bridge	Sydenham	9.5	24783000	377	0	6 ⁴⁶	32 ⁴⁶	38 ⁴⁶	38 ⁴⁶	33
London Bridge	Crystal Palace	Sydenham	9.6	24783000	377	0	6 ⁴⁷	28 ⁴⁷	34 ⁴⁷	36 ⁴⁷	33
London Victoria	West Croydon	Streatham Hill	9.7	24782000	377	0	6	30	36	27	0
West Croydon	London Victoria	Streatham Hill	9.8	24782000	377	6	0	28	34	28	0
Norwood Junction	London Victoria	Streatham Hill	9.9	24782000	377	0	0	3	3	2	0

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Victoria	Epsom Downs	Norbury	9.10	24782000	377	0	6	30	36	35	29
Selhurst	Epsom Downs	West Croydon	9.11	24782000	377	0	0	1	1	0	0
Epsom Down	London Victoria	Norbury	9.12	24782000	377	5	0	29	34	33	29
Selhurst	London Victoria	Norbury	9.13	24782000	377	3	0	2	5	2	4
London Victoria	Selhurst	Norbury	9.14	24782000	377	0	0	0	0	0	3
London Victoria	East Croydon	Norbury	9.15	24782000	377	0	0	2	2	0	0
London Bridge	West Croydon	Sydenham	9.16	24783000	377	0	0	0	0	0	0
London Bridge	Coulsdon Town	Sydenham	9.17	24783000	377	0	1	0	1	0	0
London Victoria	Epsom	Hackbridge	9.19	24785000	377	0	0	2	2	1	3
Epsom	London Victoria	Hackbridge	9.20	24785000	377	0	0	3	3	2	3
Epsom	London Victoria	Norbury	9.21	24782000	377	0	0	0	0	0	0

1						2					
Service Group: ET09											
Service description: Southern Metro											

From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Victoria	Caterham	Norbury	9.25	24786000	377	0	5	4	9	0	0
London Victoria	Tattenham Corner	Norbury	9.26	24786000	377	0	0	1	1	0	0
London Bridge	Caterham	Sydenham	9.27	24786000	377	0	6	34	40	36	0
London Bridge	Caterham	Peckham Rye	9.29	24787000	377	0	0	23	23	33	0
Purley	Tattenham Corner		9.30	24786000	377	0	10	33	43	37	17
Tattenham Corner	Purley		9.31	24786000	377	11	0	30	41	35	17
Caterham	London Victoria	Norbury	9.32	24786000	377	5	0	1	6	0	0
Caterham	London Bridge	Sydenham	9.33	24786000	377	6	0	29	35	35	0

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Caterham	London Bridge	Peckham Rye	9.35	24787000	377	0	0	22	22	33	0
London Bridge	Beckenham Junction	Peckham Rye	9.36	24787000	377	0	6	28	34	30	0
Beckenham Junction	London Bridge	Peckham Rye	9.37	24787000	377	6	0	28	34	32	0
London Bridge	Selhurst	Peckham Rye	9.38	24787000	377	0	6	7	13	4	0

Selhurst	London Bridge	Peckham Rye	9.39	24787000	377	2	0	5	7	2	0
London Bridge	Sutton	Peckham Rye & Hackbridge	9.40	24787000	377	0	4	5	9	0	0
London Bridge	Sutton	Sydenham	9.41	24783000	377	0	5	4	9	0	0
Sutton	London Bridge	Hackbridge & Peckham Rye	9.42	24787000	377	5	0	4	9	0	0

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Sutton	London Bridge	Wallington and Peckham Rye	9.43	24787000	377	4	0	3	7	0	0
Streatham Hill	London Bridge	Tulse Hill	9.44	24787000	377	0	0	1	1	0	0
Crystal Palace	London Bridge	Tulse Hill	9.47	24787000	377	0	0	2	2	0	0
London Bridge	East Croydon	Sydenham	9.49	24783000	377	0	0	4	4	3	0
London Bridge	East Croydon	Tulse Hill	9.50	24787000	377	0	0	0	0	0	33
East Croydon	London Bridge	Tulse Hill	9.51	24787000	377	0	0	0	0	0	33
London Bridge	Norwood Junction	Tulse Hill	9.52	24787000	377	0	0	1 FO	1 FO	2	2

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁶		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Victoria	Norwood Junction	Streatham Hill	9.53	24787000	377	0	0	2 FO	2 FO	2	1
London Victoria	Sutton	Norbury	9.54	24782000	377	0	6	30	36	37	5
Sutton	London Victoria	Norbury	9.55	24782000	377	7	0	29	36	36	4
Epsom Downs	Sutton		9.56	24782000	377	0	0	1	1	1	0
London Victoria	Dorking	Epsom	9.57	24745000	377	0	3	14	17	24	32
London Victoria	Horsham	Epsom	9.58	24745000	377	0	3	14	17	11	3
Dorking	London Victoria	Epsom	9.59	24745000	377	3	0	15	18	21	29
Horsham	London Victoria	Epsom	9.60	24745000	377	3	0	13	16	12	0
London Bridge	Caterham	Purley	9.61	24787000	377	0	0	0	0	0	33
Caterham	London Bridge	Purley	9.62	24787000	377	0	0	0	0	0	33

Footnotes to Table 2.1

59 These access rights expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to them forming through services with ET05.

60 A quantum of 12 Sunday access rights expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to them forming through services with ET05.

61 A quantum of 2 Sunday access rights expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to them forming through services with ET05.

62 A quantum of 5 Morning Peak and 14 Sunday access rights expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to them forming through services with ET05.

63 1 off peak access right expires as a firm right at SCD2024 (IN LINE WITH ECML POLICY) due to it forming through services with ET05.

64 A quantum of 29 off peak access rights, all Saturday and all Sunday access right expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to them forming through services with ET05.

65 This access right expires as firm rights at SCD2024 (IN LINE WITH ECML POLICY) due to it forming a through service with ET05.

66 The access rights in Service Group ET05 expire as firm rights at SCD2024 (IN LINE WITH ECML POLICY) .

Footnotes to Table 2.2

4 These access rights expire at SCD2024 (IN LINE WITH ECML POLICY)

Appendix B

Table 4.1 amendments

1					2	3
Service Group: ET07						
Service description: Southern Coastway (Non London)						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Brighton	Hastings		7.10/7.13	24743000	Falmer, Lewes, Glynde, Berwick, Polegate, Hampden Park, Eastbourne, Hampden Park, Prevensey & Westham, Normans Bay, Cooden Beach, Collington, Bexhill, St Leonards Warrior Square, Hastings	London Road (Brighton), Moulscomb, Pevensey Bay
Brighton	Hastings		7.11	24743000	Lewes, Polegate, Eastbourne, Hampden Park, Pevensey & Westham, Bexhill, St Leonards Warrior Square,	London Road (Brighton), Moulscomb, Falmer

1					2
Service Group: ET09					
Service description: Southern Metro					
Between	And	Via	Description	TSC	Regular Calling Pattern
London Bridge	Coulsdon Town	Sydenham	9.17/9.18	24783000	New Cross Gate, Brockley, Honor Oak Park, Forest Hill, Sydenham, Penge West, Anerley, Norwood Junction, East Croydon, South Croydon, Purley Oaks, Reedeham,
London Bridge	Caterham	Sydenham	9.27/9.33	24786000	Norwood Junction, East Croydon, South Croydon, Purley Oaks, Purley Kenley, Whyteleafe, Whyteleafe South