

# 49th 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 49TH 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 3<sup>rd</sup> 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 the late of:
  - (1) 0200 hours on the December 11<sup>th</sup> 2022; or
  - (2) 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 ET10 and ET11 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 Passenger Train Slots of Schedule 5 of the Contract, footnote 67 is to be deleted in its entirety.
- 3.3 Table 4.1 Calling Patterns of Schedule 5 of the Contract, the entries relating to Service Groups ET01, ET02 (description 2.1 to 2.6 only), ET11 and ET12 shall be deleted 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: ET10 45th SA											
Service description: Southern West London Line											
From	To	Via	Description	TSC	Timing Load	Peak times <sup>7</sup>		Off-Peak times <sup>2</sup>	Total Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
East Croydon	Watford Junction		10.1	24968000	377	3	3	9	15	17	0
Watford Junction	East Croydon		10.2	24968000	377	5	3	7	15	17	0
Clapham Junction	Watford Junction		10.3	24968000	377	0	0	2	2	2	15

1						2					
Service Group: ET10											
Service description: Southern West London Line											
From	To	Via	Description	TSC	Timing Load	Peak times <sup>7</sup>		Off-Peak times <sup>2</sup>	Total Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Watford Junction	Clapham Junction		10.4	24968000	377	0	0	3	3	3	15

East Croydon	Hemel Hempstead		10.5	24968000	377	1	0	1	2	0	0
Hemel Hempstead	East Croydon		10.6	24968000	377	1	0	1	2	0	0
Shepherd's Bush	Clapham Junction		10.7	24968000	377	0	0	0	0	0	2
Clapham Junction	Shepherd's Bush		10.8	24968000	377	0	0	0	0	0	2
Watford Junction	South Croydon		10.09	24968000	377	1	0	0	1	0	0

1						2					
Service Group: ET11											
Service description: Gatwick Express											
From	To	Via	Description	TSC	Timing Load	Peak times <sup>8</sup>		Off-Peak times <sup>2</sup>	Total Weekday <sup>3</sup>	Saturday <sup>8</sup>	Sunday <sup>8</sup>
						Morning Peak	Evening Peak				
Brighton	London Victoria		11.1	24969000	387	6	0	29	35	35	0
Gatwick Airport	London Victoria		11.2	24969000	387	0	0	1	1	1	36
London Victoria	Brighton		11.3	24969000	387	0	6	30	36	36	0
London Victoria	Gatwick Airport		11.4	24969000	387	0	0	0	0	0	36

## Appendix B

Table 4.1 Amendments

1					2	3
<b>Service Group: ET01</b>						
<b>Service description: Thameslink North Outer</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
St Pancras International	Bedford		1.1	22720000	West Hampstead Thameslink, St Albans City, Harpenden, Luton Airport Parkway, Luton, Leagrave, Harlington, Flitwick	Brent Cross
St Pancras International	Bedford		1.2	22720000	Kentish Town, West Hampstead Thameslink, Cricklewood, Hendon, Mill Hill Broadway, Elstree & Borehamwood, Radlett, St Albans City, Harpenden, Luton Airport Parkway, Luton, Leagrave, Harlington, Flitwick	Brent Cross
St Pancras International	Bedford		1.3	22720000	St Albans City, Harpenden, Luton Airport Parkway, Luton, Leagrave, Harlington, Flitwick	Brent Cross
St Pancras International	Bedford		1.4	22720000	St Albans City, Harpenden, Luton, Flitwick	Luton Airport Parkway
St Pancras	Bedford		1.5	22720000	Luton Airport Parkway, Luton	Leagrave, Harlington Flitwick



1					2	3
<b>Service Group: ET01</b>						
<b>Service description: Thameslink North Outer</b>						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
International						
Bedford	St Pancras		1.6	22720000	Flitwick, Harlington, Leagrave, Luton, Luton Airport Parkway, Harpenden, St Albans City , Radlett, Elstree & Borehamwood, Mill Hill Broadway, Hendon, Cricklewood, West Hampstead Thameslink, Kentish Town	
Bedford	Blackfriars		1.7	22720000	Flitwick, Harlington, Leagrave, Luton, Luton Airport Parkway, Harpenden, St Albans City, West Hampstead Thameslink, St Pancras International , Farringdon, City Thameslink	Brent Cross
Bedford	Blackfriars		1.8	22720000	Flitwick, Harlington, Leagrave, Luton, Luton Airport Parkway, Harpenden, St Albans City , Radlett, Elstree & Borehamwood, Mill Hill Broadway, Hendon, Cricklewood, West Hampstead Thameslink, Kentish Town, St Pancras International , Farringdon, City Thameslink	Brent Cross
Bedford	Blackfriars		1.9	22720000	Flitwick, Harlington, Leagrave, Luton, Luton Airport Parkway, Harpenden, St Albans City, St Pancras International , Farringdon, City Thameslink	Brent Cross

1					2		3	
Service Group: ET01								
Service description: Thameslink North Outer								
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations		
Bedford	Blackfriars		1.10	22720000	Flitwick, Leagrave, Luton, Harpenden, St Albans City, St Pancras Intentional, Farringdon, City Thameslink	Harlington		
Bedford	Blackfriars		1.11	22720000	Luton, St Albans City, St Pancras International , Farringdon, City Thameslink	Luton Airport Parkway		
Flitwick	Blackfriars		1.12	22720000	Harlington, Leagrave, Luton, Luton Airport Parkway, Harpenden, St Albans City, St Pancras International , Farringdon, City Thameslink			
Luton	Blackfriars		1.13	22720000	Luton Airport Parkway, St Albans, St Pancras International , Farringdon, City Thameslink			

1					2		3	
Service Group: ET02								
Service description: Thameslink Sussex Outer								
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations		
Blackfriars	Brighton	London	2.1	22721000	London Bridge, East Croydon, Gatwick Airport, Three Bridges,	Hassocks, Preston Park,		

1					2		3	
Service Group: ET02								
Service description: Thameslink Sussex Outer								
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations		
		Bridge			Haywards Heath, Wivelsfield, Burgess Hill	Balcombe		
Blackfriars	Brighton	London Bridge	2.2	22721000	London Bridge, East Croydon, Gatwick Airport, Three Bridges, Balcombe, Haywards Heath, Burgess Hill, Hassocks, Preston Park			
Blackfriars	Brighton	Selhurst	2.3	22721000	East Croydon, Gatwick Airport, Three Bridges, Haywards Heath, Wivelsfield, Burgess Hill, Hassocks, Preston Park	Purley, Redhill, Horley, Balcombe		
London Bridge	Brighton		2.4	22721000	East Croydon, Gatwick Airport, Three Bridges, Balcombe, Haywards Heath, Burgess Hill, Hassocks			
Brighton	St Pancras International	London Bridge	2.5	22721000	Burgess Hill, Wivelsfield, Haywards Heath, Three Bridges, Gatwick Airport, East Croydon, London Bridge, Blackfriars, City Thameslink, Farringdon	Preston Park, Hassocks, Balcombe		
Brighton	St Pancras International	London Bridge	2.6	22721000	Preston Park, Hassocks, Burgess Hill, Haywards Heath, Balcombe, Three Bridges, Gatwick Airport, East Croydon, London Bridge, Blackfriars, City Thameslink, Farringdon			

1					2		3
Service Group: ET11							
Service description: Gatwick Express							
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations	
London Victoria	Brighton		11.1/11.3	24969000	Gatwick Airport, Haywards Heath	Burgess Hill, Hassocks, Preston Park	

1					2		3
Service Group: ET12							
Service description: Thameslink North Metro							
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations	
St Pancras International	Luton		12.1	22728000	West Hampstead Thameslink, Mill Hill Broadway, Elstree and Borehamwood, Radlett, St Albans City, Harpenden, Luton Airport Parkway	Kentish Town, Hendon, Cricklewood, Brent Cross	
St Pancras International	St Albans		12.2	22728000	Kentish Town, West Hampstead Thameslink, Cricklewood, Hendon, Mill Hill Broadway, Elstree and Borehamwood,	Brent Cross	

1					2	3
Service Group: ET12						
Service description: Thameslink North Metro						
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations
					Radlett,	
St Pancras International	West Hampstead Thameslink		12.3	22728000	Kentish Town	
Luton	Blackfriars		12.5	22728000	Luton Airport Parkway, Harpenden, St Albans City, Radlett, Elstree & Borehamwood, Mill Hill Broadway, West Hampstead Thameslink, London St Pancras International, Farringdon, City Thameslink	Hendon, Cricklewood, Kentish Town, Brent Cross
Luton	St Pancras		12.6	22728000	Luton Airport Parkway, Harpenden, St Albans City, Radlett, Elstree & Borehamwood, Mill Hill Broadway, Hendon, Cricklewood, West Hampstead Thameslink, Kentish Town	Brent Cross
St Albans	Blackfriars		12.7	22728000	Radlett, Elstree & Borehamwood, Mill Hill Broadway, Hendon, Cricklewood, West Hampstead Thameslink, Kentish Town, St Pancras International, Farringdon, City Thameslink	Brent Cross
West Hampstead Thameslink	Blackfriars		12.8	22728000	St Pancras International, Farringdon, City Thameslink	

1					2		3
Service Group: ET12							
Service description: Thameslink North Metro							
From	To	Via	Description	TSC	Regular Calling Pattern	Additional stations	
Kentish Town	Blackfriars		12.9	22728000	St Pancras International, Farringdon, City Thameslink		
St Pancras International	Blackfriars		12.10	22728000	Farringdon, City Thameslink		