

87th 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 87TH SUPPLEMENTAL AGREEMENT is dated 24th January 2023 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 Table 2.1 and Table 2.2 of the Contract to provide Firm and Contingent rights for service changes introduced under the 86th GA Supplemental Agreement on the December 2022 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 11th March 2023.

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 entries for service groups EF07 and EF10 shall be replaced by the entries set out in Annex 1.
- 3.2 In Schedule 5 Table 2.2, the entry for service group EF08 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 David Davidson, Route Director, Western

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

SIGNED by.....


Richard Rowland
Customer Service & Operations Director

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

Annex 1

1						2		
Service Group EF07								
Service Description READING AND OXFORD SUBURBAN						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Oxford	Reading		EF07.101	25513005	165 - 1	2	1	0
Reading	Oxford		EF07.102	25513005	165 - 1	3	0	1
Reading	Didcot Parkway		EF07.103	25513005	387	0	1	0
Didcot Parkway	Reading		EF07.104	25513005	387	1	0	0
Oxford	Didcot Parkway		EF07.105	25513005	165 - 1	9	8	0
Didcot Parkway	Oxford		EF07.106	25513005	165 - 1	1	9	0
Oxford	Banbury		EF07.107	25514005	165 - 1	12	9	3 SP
Banbury	Oxford		EF07.108	25514005	165 - 1	12	10	3 SP
Reading	Basingstoke		EF07.109	25518007	165 - 1	37	36	17
Reading	Basingstoke		EF07.123	25518007	165 - 1	6	0	0
Basingstoke	Reading		EF07.110	25518007	165 - 1	37	35	16

OFFICIAL

1						2		
Service Group EF07								
Service Description READING AND OXFORD SUBURBAN						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Basingstoke	Reading		EF07.123	25518007	165 - 1	6	0	0
Reading	Newbury		EF07.111	25519007	387	26	19	0
Newbury	Reading		EF07.112	25519007	387	24	18	0
Reading	Bedwyn		EF07.113	25519007	165 - 1	1	3	8
Bedwyn	Reading		EF07.114	25519007	165 - 1	1	2	8
Newbury	Bedwyn		EF07.115	25519007	165 - 1	17	17	0
Bedwyn	Newbury		EF07.116	25519007	165 - 1	16	17	0
Worcester Shrub Hill	Oxford		EF07.117	25524005	165 - 1	1	0	0
Oxford	Worcester Foregate Street		EF07.118	25524005	165 - 1	1	0	0
Great Malvern	Evesham		EF07.119	25524005	800	0	1	0
Oxford	Moreton-in-Marsh		EF07.120	25524005	800	1	0	0
Oxford	Banbury	Non-stop	EF07.121	25514005	800	2	0	0
Banbury	Oxford	Non-stop	EF07.122	25514005	800	2	0	0
Evesham	Oxford		EF07.120	25524005	800	1	0	0

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Notes to Table:

None.

1						2		
Service Group		EF10						
Service Description		BRISTOL SUBURBAN				Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Bristol Temple Meads	Gloucester		EF10.101	25484001	150	17	15	8
Gloucester	Bristol Temple Meads		EF10.102	25484001	150	17	14	8
Gloucester	Exeter St Davids		EF10.148	25484001 and 25484001	150	1	0	0
Bristol Temple Meads	Cheltenham Spa	Gloucester	EF10.103	25484001	150	0	1	1
Cheltenham Spa	Bristol Temple Meads	Gloucester	EF10.104	25484001	150	1	2	1
Bristol Temple Meads	Worcester Shrub Hill		EF10.105	25484001	150	5	2	2
Worcester Shrub Hill	Bristol Temple Meads	Gloucester	EF10.106	25484001	150	6	2	2
Gloucester	Worcester Shrub Hill		EF10.107	25484001	150	2	1	0
Worcester Shrub Hill	Gloucester		EF10.108	25484001	150	0	1	0
Bristol Temple Meads	Great Malvern	Gloucester	EF10.109	25484001	150	5	1	0
Great Malvern	Bristol Temple Meads	Gloucester	EF10.110	25484001	150	4	2	0
Worcester Foregate Street	Bristol Temple Meads	Gloucester	EF10.111	25484001	150	4	12	5
Bristol Temple Meads	Worcester Foregate Street	Gloucester	EF10.112	25484001	150	3	11	4
Gloucester	Great Malvern		EF10.113	25484001	150	0	1	0
Cheltenham Spa	Gloucester		EF10.146	25484001	150	0	0	1
Swindon	Cheltenham Spa	Gloucester	EF10.115	25486001	150	3	1	2

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1						2		
Service Group		EF10						
Service Description		BRISTOL SUBURBAN				Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Cheltenham Spa	Swindon	Gloucester	EF10.116	25486001	150	1	1	1
Swindon	Gloucester		EF10.117	25486001	150	0	1	0
Gloucester	Swindon		EF10.118	25486001	150	1	0	0
Bath Spa	Bristol Parkway	Bristol Temple Meads	EF10.119	25488001	150	1	0	0
Bristol Parkway	Bristol Temple Meads		EF10.120	25488001	150	9	14	0
Bristol Temple Meads	Bristol Parkway		EF10.121	25488001	150	11	13	0
Bristol Parkway	Bath Spa		EF10.122	25488001	165-1	3	0	0
Bristol Temple Meads	Cardiff Central	The Severn Tunnel	EF10.123	25460001	150	5	8	9
Cardiff Central	Bristol Temple Meads	The Severn Tunnel	EF10.124	25460001	150	5	9	2
Avonmouth	Bristol Temple Meads		EF10.125	25466001	150	1	3	2
Avonmouth	Severn Beach		EF10.149	25466001	150	1	0	0
Avonmouth	Weston-super-Mare		EF10.148	25467001 and 25466001	150	11	10	0
Bristol Temple Meads	Avonmouth		EF10.126	25466001	150	12	13	2
Severn Beach	Bristol Temple Meads		EF10.127	25466001	150	20	17	7
Bristol Temple Meads	Severn Beach		EF10.128	25466001	150	10	7	7
Weston-super-Mare	Severn Beach		EF10.146	25467001 and 25466001	150	11	11	8
Severn Beach	Weston-super-Mare		EF10.146	25467001 and 25466001	150	2	1	8
Weston-super-Mare	Avonmouth		EF10.148	25467001 and 25466001	150	1	0	0
Taunton	Bristol Temple Meads	Weston-super-Mare	EF10.131	25467001	150	1	5	4

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1						2		
Service Group		EF10						
Service Description		BRISTOL SUBURBAN				Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Bristol Temple Meads	Taunton	Weston-super-Mare	EF10.132	25467001	150	2	2	5
Bristol Temple Meads	Exeter St. Davids	Weston-super-Mare	EF10.133	25467001	150	4	9WP, 8SP	5
Bristol Temple Meads	Exeter St. Davids	Fast	EF10.147	25467001	150	1	0	0
Exeter St. Davids	Bristol Temple Meads	Weston-super-Mare	EF10.134	25467001	150	4	2	4
Bristol Temple Meads	Weston-super-Mare		EF10.135	25467001	150	2	8	7
Weston-super-Mare	Bristol Temple Meads ¹¹		EF10.136	25467001	150	3	8	9
Taunton	Bristol Parkway	Bristol Temple Meads	EF10.137	25467001 and 25488001	150	1	1	0
Bristol Parkway	Taunton	Bristol Temple Meads	EF10.138	25488001 and 25467001	150	1	0	0
Taunton	Cardiff Central	The Severn Tunnel	EF10.139	25467001 and 25460001	150	12	6	1
Exeter St Davids	Cardiff Central	The Severn Tunnel	EF10.140	25467001 and 25460001	150	4	5	6
Cardiff Central	Taunton	The Severn Tunnel	EF10.141	25460001 and 25467001	150	6	6	5
Cardiff Central	Exeter St Davids	The Severn Tunnel	EF10.142	25460001 and 25467001	150	8	4	7
Bristol Parkway	Weston-super-Mare	Bristol Temple Meads	EF10.143	25488001 and 25467001	150	0	0	0
Weston-super-Mare	Bristol Parkway	Bristol Temple Meads	EF10.144	25467001 and 25488001	150	1	0	0
Exeter St. Davids	Bristol Parkway	Weston-super-Mare	EF10.145	25488001 and 25467001	150	0	0	1

Notes to Table:

None

Annex 2

1					2		
Service Group EF08							
Service Description THAMES VALLEY BRANCHES					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Reading	Twyford	-	EF08.201	25511007	1	0	0
Twyford	Reading	-	EF08.202	25511007	0	1 ¹	1 ¹

Notes to Table:

¹. Will not apply on dates routine maintenance access is planned.