

52nd 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 52ND SUPPLEMENTAL AGREEMENT is dated 26th April 2023 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London, SE1 8SW ("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 the late of:
 - (1) 0200 hours on the 21st May 2023; 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 ET02 and ET07 (in its entirety) shall be deleted and replaced by those as set out in Annex A to this Supplemental Agreement.
- 3.2 Table 4.1 Calling Patterns of Schedule 5 of the Contract, the entries relating to Service Groups ET02 and ET07 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 Lucy McAuliffe, Route Director Sussex

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED


SIGNED by

Ralph Pidsley

Duly authorised for and on behalf of
GOVIA THAMESLINK RAILWAY LIMITED

Appendix A - Table 2.1 Amendments

Service Group: ET02											
Service description: Thameslink Sussex Outer											
From	To	Via	Description	TSC	Timing Load	Peak times ¹		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
Blackfriars ⁶⁰	Gatwick Airport ⁶⁰	London Bridge	2.12	22729000	700	0	6 ²⁰	26 ²⁰	32 ²⁰	32 ²⁰	22 ²⁰
Blackfriars	Three Bridges	Selhurst	2.16	22729000	700	0	0	4 ²⁰	4 ²⁰	4 ²⁰	1 ²⁰
Blackfriars ⁵⁹	Horsham ⁵⁹	London Bridge	2.21	22729000	700	0	6 ²⁵	30 ²⁵	36 ²⁵	35 ²⁵	14 ²⁵

1						2		
Service Group: ET07								
Service Description: Southern Coastway (Non London)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Brighton	Lewes		7.1	24743000	377	37	35	2
Lewes	Brighton		7.2	24743000	377	37	35	1
Lewes	Seaford		7.3	24743000	377	1	0	0
Brighton	Seaford		7.4	24743000	377	36	37	32
Seaford	Brighton		7.5	24743000	377	38	37	31
Brighton	Newhaven Harbour		7.6	24743000	377	1	0	0

Newhaven Harbour	Brighton		7.7	24743000	377	1	0	0
Brighton	Eastbourne		7.8	24743000	377	17	18	15
Eastbourne	Brighton		7.9	24743000	377	15	15	16
Brighton	Hastings		7.10	24743000	377	1	0	0
Brighton	Hastings		7.11	24743000	377	3	2	1
Eastbourne	Hastings		7.12	24743000	377	1	0	0
Hastings	Brighton		7.13	24743000	377	4	1	0
Brighton	Ore		7.14	24743000	377	17	17	3
Eastbourne	Ashford International		7.15	24743000	171	18	16	14
Hastings	Ashford International		7.16	24743000	171	2	1	1
Rye	Ashford International		7.17	24743000	171	4	0	0
Ashford International	Eastbourne		7.18	24743000	171	16	17	14
Ashford International	Hastings		7.19	24743000	171	4	1	1
Ashford International	Rye		7.20	24743000	171	4	0	0
Eastbourne	Ore		7.21	24743000	377	0	3	1

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Service Group: ET07								
Service Description: Southern Coastway (Non London) (continued)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Ore	Eastbourne		7.22	24743000	377	1	1	1
Ore	Brighton		7.23	24743000	377	18	18	3
Brighton	Hove		7.24	24744000	377	34	36	17
Hove	Brighton		7.25	24744000	377	34	36	14
Brighton	West Worthing		7.26	24744000	377	27	35	0

Brighton	Littlehampton		7.27	24744000	377	11	1	1
West Worthing	Brighton		7.28	24744000	377	31	33	0
Littlehampton	Brighton		7.29	24744000	377	2	0	1
Barnham	Portsmouth Harbour		7.30	24744000	377	2	2	0
Brighton	Portsmouth Harbour		7.31	24744000	377	9	18	15
Brighton	Portsmouth & Southsea		7.32	24744000	377	9	0	0
Portsmouth Harbour	Brighton		7.33	24744000	377	10	17	14
Portsmouth & Southsea	Brighton		7.34	24744000	377	8	0	0
Brighton	Southampton Central	Swanwick	7.35	24744000	377	16	17	14
Barnham	Southampton Central	Swanwick	7.36	24744000	377	2	2	0
Littlehampton	Southampton Central	Swanwick	7.37	24744000	377	1	0	1

1						2		
Service Group: ET07								
Service Description: Southern Coastway (Non London) (Continued)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Southampton Central	Brighton	Swanwick	7.38	24744000	377	14	16	15
Southampton Central	Brighton	Eastleigh	7.39	24744000	377	2	0	0
Southampton Central	Banham		7.40	24744000	377	1	0	0
Southampton Central	Littlehampton	Swanwick	7.41	24744000	377	2	3	2
Brighton	Chichester		7.42	24744000	377	1	1	0
Chichester	Brighton		7.43	24744000	377	4	1	0
Brighton	Havant		7.44	24744000	377	1	0	0

Barnham	Bognor Regis		7.45	24744000	377	18	17	3
Bognor Regis	Barnham		7.46	24744000	377	16	18	2
Littlehampton	Bognor Regis		7.47	24744000	377	21	18	16
Littlehampton	Chichester		7.48	24744000	377	1	0	0
Bognor Regis	Littlehampton		7.49	22744000	377	20	18	17
Littlehampton	Portsmouth & Southsea		7.50	24744000	377	15	15	0
Littlehampton	Portsmouth Harbour		7.51	24744000	377	1	1	1
Portsmouth & Southsea	Littlehampton		7.52	24744000	377	15	16	0
Portsmouth Harbour	Littlehampton		7.53	24744000	377	2	2	2
Barnham	Portsmouth & Southsea		7.54	24744000	377	0	1	0
Brighton	Chichester	Littlehampton	7.55	24744000	377	0	0	0

Appendix B – Table 4.1 Amendments

Service Group: ET02						
Service description: Thameslink Sussex Outer						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Three Bridges	St Pancras International	London Bridge	2.18	22729000	Gatwick Airport East Croydon, London Bridge, Blackfriars, City Thameslink, Farringdon	Horley, Salfords, Earlswood, Redhill, Coulsdon South, Purley, Norwood Junction
Blackfriars	Horsham	London Bridge	2.21	22729000	London Bridge, East Croydon, Coulsdon South, Merstham, Redhill, Gatwick Airport, Three Bridges, Crawley, Ifield, Littlehaven,	Norwood Jn, Purley, Earlswood, Salfords, Horley, Faygate

Service Group: ET07						
Service description: Southern Coastway (Non London)						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
Brighton	Ore		7.14 / 7.23	24743000	Falmer, Lewes, Glynde, Polegate, Eastbourne, Hampden Park, Pevensey & Westham, Bexhill, St Leonards Warrior Square, Hastings	London Road Brighton, Moulsecoomb Norman's Bay, Cooden Beach, Collington