

# One Hundred and First Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**

as Network Rail

and

**SE TRAINS LIMITED**

as Train Operator

Relating to amendments to the Track Access Contract  
(Passenger Services) dated 06 December 2007

*Passenger Access (Short Term Timetable and Miscellaneous  
Changes) General Approval 2009*

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**THIS ONE HUNDRED AND FIRST SUPPLEMENTAL AGREEMENT** is dated 28 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) **SE TRAINS LIMITED**, a company registered in England and Wales under company number 03266762, having its registered office at Second Floor, 4 More, London Riverside, London, SW1 2AU (the "**Train Operator**").

**BACKGROUND:**

- (A) London & South Eastern Railway Limited ("**LSER**") and Network Rail entered into a Track Access Contract (Passenger Services) dated 06 December 2007 as amended by various supplemental agreements (which track access contract as subsequently amended is hereafter referred to as the "**Contract**").
- (B) The Contract was transferred by way of a Statutory Transfer Scheme from LSER to the Train Operator on 17 October 2021.
- (C) The parties now propose to enter into this Supplemental Agreement in order to amend the Contract as described herein.

**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; and
- (B) "**Effective Date**" means 02:00 23<sup>rd</sup> July 2023

2. **ORR GENERAL APPROVAL**

This Supplemental Agreement is entered into pursuant to the Passenger Access (Short Term Timetable and Miscellaneous Changes) General Approval 2009.

3. **EFFECTIVE DATE AND TERM**

The amendments made to the Contract as set out in this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect at 02:00 hours on 4th September 2023.

4. **AMENDMENTS TO THE CONTRACT**

4.1 From the Effective Date, Table 2.2 of Schedule 5 of the Contract shall be amended by the addition of the details set out in Appendix A.

5. **EFFECTS OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT**

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 "this 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.

6. **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.

7. **LAW**

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with English Law.

8. **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 one and the same instrument.

IN WITNESS WHEREOF Network Rail and the Train Operator have, by their duly authorised representatives, entered into this Supplemental Agreement on the date first above written.

**SIGNED** by Adrian Hanstock  
duly authorised for and on behalf of  
**NETWORK RAIL**  
**INFRASTRUCTURE LIMITED**

)  
)  
) DocuSigned by:  
) *Adrian Hanstock*  
) FC46437242C945E...  
)

**SIGNED** by Steve White  
duly authorised for and on behalf of  
**SE TRAINS LIMITED**

)  
)  
) DocuSigned by:  
) *Steve White*  
) BCDDBC4066DEE4F6...  
)

**Appendix A**

Table 2.2 of Schedule 5

1						Passenger Train Slots					
Service Group HU01 Kent Mainline off Peak (including Saturday and Sunday) / HU04 Kent Mainline Peak											
Service description											
From	To	Via	Description	TSC	Timing Load	Peak Times		Off Peak times	Total Weekday	Saturday	Sunday
						AM Peak	PM Peak				
London Victoria	Ramsgate	Abbey Wood/Rainham		24604004	375	0	0	1 C	0	0	0
London Cannon Street	Ramsgate	Abbey Wood/Rainham		24605004	375	0	0	0	0	0	1 D
Ramsgate	London Cannon Street	Abbey Wood/Rainham		24605004	375	0	0	0	0	0	1 D

C additional services will operate between 24<sup>th</sup> July- 1<sup>st</sup> September 2023

D additional services will operate between 23<sup>rd</sup> July- 3<sup>rd</sup> September 2023