

# 16<sup>th</sup> Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**  
as Network Rail

and

**TRANSPORT FOR WALES RAIL LTD**  
as Train Operator

relating to the Track Access Contract (Passenger Services) dated 6<sup>th</sup> August 2020

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**THIS 16<sup>TH</sup> SUPPLEMENTAL AGREEMENT** is dated

7th August 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, United Kingdom, SE1 8SW (“Network Rail”); and
- (2) **TRANSPORT FOR WALES RAIL LTD** (the “Train Operator”), a company registered in England and Wales under number 12619906, whose registered office is at 3 Llys Cadwyn, Pontypridd, CF37 4TH

**WHEREAS:**

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 6<sup>th</sup> August 2020 on terms approved, and pursuant to directions issued, by ORR under section 17 of the Act which has been amended by various Supplemental Agreements, each in a form approved by ORR pursuant to section 22 of the Act (the “Contract”).
- (B) The parties propose to enter into this Supplemental Agreement in order to amend Appendix 1 of Schedule 8 within the Track Access Contract to reflect revised berthing offsets in service groups HL03 and HL08.

**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 date of this Supplemental Agreement

## **2. 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 the Expiry Date or earlier termination of the Contract.

## **3. ORR – GENERAL APPROVAL**

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

## **4. AMENDMENTS TO THE CONTRACT**

Appendix 1 of Schedule 8 shall be deleted in its entirety and replaced with the entry set out in Annex 1.

## **5. 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.

## **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 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.



Nick Millington

**SIGNED** by.....

Print name.....

Duly authorised for and on behalf of

**NETWORK RAIL INFRASTRUCTURE LIMITED**



**SIGNED** by.....

Jan Chaudhry-Van der Velde

Print name.....

Duly authorised for and on behalf of

**TRANSPORT FOR WALES RAIL LTD**

## ANNEX 1

## Appendix 1

A	B	C	D	E	F	G	H	I	J	K	
Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate	Performance Point	Payment Rate							
HLO2 South, West & Central Wales All Trains	2019-20 2.0607	£2,166.40	1.129	£2,600.35	74	270	431	Cardiff - Maesteg	Forward	CARDIFF CENTRAL	0.0975
	2020-21 2.0574						431	Cardiff - Maesteg	Reverse	BRIDGEND	0.0571
	2021-22 2.0542  2022-23 2.0493  2023-24 2.0493						431	Cardiff - Maesteg	Reverse	PONTYCLUN	0.0310
							431	Cardiff - Maesteg	Reverse	MAESTEG	0.0331
							432	Swansea - Milford Haven (Fast)	Forward	SWANSEA	0.0504
							432	Swansea - Milford Haven (Fast)	Forward	CARMARTHEN	0.0236
							432	Swansea - Milford Haven (Fast)	Forward	LLANELLI	0.0129
							432	Swansea - Milford Haven (Fast)	Reverse	LLANELLI	0.0451
							432	Swansea - Milford Haven (Fast)	Reverse	MILFORD HAVEN	0.0283
							432	Swansea - Milford Haven (Fast)	Reverse	CARMARTHEN	0.0543
							432	Swansea - Milford Haven (Fast)	Reverse	FISHGUARD HARBOUR	0.0070
							435	Swansea - Shrewsbury	Forward	SHREWSBURY	0.0104
435	Swansea - Shrewsbury	Forward	LLANDRINDOD	0.0110							

							435	Swansea - Shrewsbury	Reverse	LLANDRINDOD	0.0078
							435	Swansea - Shrewsbury	Reverse	SWANSEA	0.0156
							438	South Wales Mainline	Forward	CARDIFF CENTRAL	0.1565
							438	South Wales Mainline	Forward	BRIDGEND	0.0582
							438	South Wales Mainline	Forward	PONTYCLUN	0.0028
							438	South Wales Mainline	Reverse	PORT TALBOT	0.0904
							438	South Wales Mainline	Reverse	NEATH	0.0329
							438	South Wales Mainline	Reverse	SWANSEA	0.0909
							439	Barry - Bridgend via Aberthaw	Forward	BARRY	0.0222
							439	Barry - Bridgend via Aberthaw	Reverse	BRIDGEND	0.0610
HLO3	2019-20 1.3024	£620.21	0.7522	£1,396.4 6	103	270	429	Cardiff - Birmingham	Forward	GLOUCESTER	0.1180
Wales to England	2020-21 1.3004						429	Cardiff - Birmingham	Forward	CHELTENHAM SPA	0.0456
All Trains	2021-22 1.2984						429	Cardiff - Birmingham	Forward	NEWPORT	0.0500
	2022-23 1.2964						429	Cardiff - Birmingham	Reverse	NEWPORT	0.1146
	2023-24 1.2965						429	Cardiff - Birmingham	Reverse	CARDIFF CENTRAL	0.1154
							444	Cardiff - Ebbw Vale	Forward	EBBW VALE TOWN	0.2850
							444	Cardiff - Ebbw Vale	Reverse	CARDIFF CENTRAL	0.2714
HLO4	2019-20 2.6432	£2,537.3 4	1.5192	£1,505.5 8	106	270	261	Shrewsbury - Wrexham - Chester	Forward	CHESTER	0.0940
Cambrian	2020-21 2.6387						261	Shrewsbury - Wrexham - Chester	Forward	SHREWSBURY	0.0785
All Trains											

	2021-22 2.6342						261	Shrewsbury - Wrexham - Chester	Forward	WELLINGTON	0.2201
	2022-23 2.6325						261	Shrewsbury - Wrexham - Chester	Reverse	BIRMINGHAM NEW STREET	0.1843
	2023-24 2.6325						261	Shrewsbury - Wrexham - Chester	Reverse	SHREWSBURY	0.0480
							261	Shrewsbury - Wrexham - Chester	Reverse	WOLVERHAMPTON	0.0650
							261	Shrewsbury - Wrexham - Chester	Reverse	WREXHAM GENERAL	0.0277
							261	Shrewsbury - Wrexham - Chester	Reverse	BIRMINGHAM INTERNATIONAL	0.0525
							334	Aberystwyth - Birmingham	Forward	ABERYSTWYTH	0.0774
							334	Aberystwyth - Birmingham	Reverse	SHREWSBURY	0.0419
							334	Aberystwyth - Birmingham	Reverse	MACHYNLETH	0.0102
							335	Machynlleth - Pwllheli	Forward	PWLLHELI	0.0330
							335	Machynlleth - Pwllheli	Forward	BARMOUTH	0.0219
							335	Machynlleth - Pwllheli	Reverse	MACHYNLETH	0.0455
HLO5 Cardiff Valleys Off-Peak	2019-20 0.7981	£2,109.0 2	0.7645	£414.24	39	150	440	Cardiff - Radyr via City Line	Forward	CARDIFF CENTRAL	0.0110
	2020-21 0.7970						442	Barry Island - Cardiff Central	Forward	CARDIFF CENTRAL	0.0676
	2021-22 0.7958						442	Barry Island - Cardiff Central	Reverse	BARRY	0.0996
	2022-23 0.8011						443	Penarth - Cardiff Central	Forward	CARDIFF CENTRAL	0.0210
	2023-24 0.8011						443	Penarth - Cardiff Central	Reverse	PENARTH	0.0538



HLO5 Cardiff Valleys Peak	2019-20 0.6762	£2,554.7 8	1.0112	£31.85	29	150	440	Cardiff - Radyr via City Line	Forward	CARDIFF CENTRAL	0.0141
	2020-21 0.6753						442	Barry Island - Cardiff Central	Forward	CARDIFF CENTRAL	0.0823
	2021-22 0.6744						442	Barry Island - Cardiff Central	Reverse	BARRY	0.0547
	2022-23 0.6762						443	Penarth - Cardiff Central	Forward	CARDIFF CENTRAL	0.0304
	2023-24 0.6762						443	Penarth - Cardiff Central	Reverse	PENARTH	0.0242
HLO6 Marches All Trains	2019-20 3.2486	£3,175.95	1.2767	£1,449.4 7	77	270	267	Shrewsbury - Crewe	Forward	CREWE	0.0213
	2020-21 3.2435						267	Shrewsbury - Crewe	Reverse	SHREWSBURY	0.0249
	2021-22 3.2383						434	Cardiff - Manchester / Liverpool / Holyhead	Forward	MANCHESTER PICCADILLY	0.1383
	2022-23 3.2331						434	Cardiff - Manchester / Liverpool / Holyhead	Forward	CREWE	0.0714
	2023-24 3.2331						434	Cardiff - Manchester / Liverpool / Holyhead	Forward	SHREWSBURY	0.0572
							434	Cardiff - Manchester / Liverpool / Holyhead	Forward	HEREFORD	0.0401
							434	Cardiff - Manchester / Liverpool / Holyhead	Forward	ABERGAVENNY	0.0819
							434	Cardiff - Manchester / Liverpool / Holyhead	Forward	NEWPORT	0.0623
							434	Cardiff - Manchester / Liverpool / Holyhead	Forward	CRAVEN ARMS	0.0387
							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	ABERGAVENNY	0.0172
	434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	CRAVEN ARMS	0.0152						

							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	HEREFORD	0.0771
							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	SHREWSBURY	0.0658
							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	NEWPORT	0.0724
							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	CARDIFF CENTRAL	0.1420
							434	Cardiff - Manchester / Liverpool / Holyhead	Reverse	CREWE	0.0742
HLO7	2019-20 1.3664	£117.20	1.0660	£50.21	100	270	338	Blaenau Ffestiniog - Llandudno	Forward	LLANDUDNO	0.1152
North Wales	2020-21 1.3636						338	Blaenau Ffestiniog - Llandudno	Forward	LLANDUDNO JUNCTION	0.0408
Rural	2021-22 1.3607						338	Blaenau Ffestiniog - Llandudno	Reverse	LLANDUDNO JUNCTION	0.0705
All Trains	2022-23 1.3578						338	Blaenau Ffestiniog - Llandudno	Reverse	BLAENAU FFESTINIOG	0.0713
	2023-24 1.3578						342	Wrexham - Bidston	Forward	BIDSTON	0.1966
							342	Wrexham - Bidston	Forward	SHOTTON	0.1499
							342	Wrexham - Bidston	Reverse	SHOTTON	0.1213
							342	Wrexham - Bidston	Reverse	WREXHAM CENTRAL	0.2344
HLO8	2019-20 2.3389	£2,783.38	1.1918	£2,307.01	77	180	340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Forward	CHESTER	0.0558
Inter Urban	2020-21 2.3356						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Forward	LLANDUDNO JUNCTION	0.1553
North Wales	2021-22 2.3323						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Forward	BANGOR	0.0578
All Trains											

2022-23 2.3292  2023-24 2.3321						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Forward	HOLYHEAD	0.0258
						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Reverse	CHESTER	0.1473
						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Reverse	CREWE	0.0381
						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Reverse	BANGOR	0.0090
						340	Llandudno/Bangor/Holyhead-Chester/Crewe/Birmingham	Reverse	LLANDUDNO JUNCTION	0.0134
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Forward	LLANDUDNO JUNCTION	0.0000
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Forward	CHESTER	0.1379
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Forward	RUNCORN EAST	0.0170
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Forward	WARRINGTON BANK QUAY	0.0835
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Reverse	WARRINGTON BANK QUAY	0.0512
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Reverse	RUNCORN EAST	0.0170
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Reverse	MANCHESTER OXFORD ROAD	0.1775
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Reverse	CHESTER	0.0000
						345	Llandudno/Bangor/Holyhead-Chester/Crewe/Manchester	Reverse	MANCHESTER AIRPORT	0.0134

Peak is defined as - SX Cardiff Central - 06:30 to 09:00 16:00 to 18:30

## SO Cardiff Central – 09:00 to 17:00

A	B	C	D	E	F	G	H		I	J	K
CVL Service Group	Network Rail		TOC		Cancellation Minutes	Cap	Service code		Direction	Monitoring Point	Weighting
	Performance Point	Payment Rate	Performance Point	Payment Rate							
HLO5 Cardiff Valleys Off-Peak	2019-20 0.7981	£2,109.02	0.7583	£414.24	39	150	430	Cardiff Queen Street - Cardiff Bay	Forward	CARDIFF QUEEN STREET	0.0300
	2020-21 0.7970						430	Cardiff Queen Street - Cardiff Bay	Reverse	CARDIFF BAY	0.0351
	2021-22 0.7958						440	Cardiff - Radyr via City Line	Reverse	RADYR	0.0240
	2022-23 0.8011						447	Cardiff Central - Treherbert	Reverse	TAFFS WELL	0.0060
	2023-24 0.8011						441	Cardiff - Aberdare	Forward	ABERDARE	0.0231
							441	Cardiff - Aberdare	Forward	PONTYPRIDD	0.0370
							441	Cardiff - Aberdare	Forward	MOUNTAIN ASH	0.0077
							441	Cardiff - Aberdare	Reverse	PONTYPRIDD	0.0097
							441	Cardiff - Aberdare	Reverse	CARDIFF QUEEN STREET	0.0424
							445	Cardiff Central - Coryton	Forward	CORYTON	0.0257
							445	Cardiff Central - Coryton	Reverse	CARDIFF QUEEN STREET	0.0119
							446	Cardiff Central - Merthyr	Forward	MERTHYR TYDFIL	0.0320
							446	Cardiff Central - Merthyr	Forward	PONTYPRIDD	0.0567
							446	Cardiff Central - Merthyr	Reverse	PONTYPRIDD	0.0126
							446	Cardiff Central - Merthyr	Reverse	CARDIFF QUEEN STREET	0.0417
	447	Cardiff Central - Treherbert	Forward	TREHERBERT	0.0465						

							447	Cardiff Central - Treherbert	Forward	PONTYPRIDD	0.0385
							447	Cardiff Central - Treherbert	Reverse	PONTYPRIDD	0.0154
							447	Cardiff Central - Treherbert	Reverse	CARDIFF QUEEN STREET	0.0431
							448	Cardiff Central - Rhymney	Forward	BARGOED	0.0538
							448	Cardiff Central - Rhymney	Forward	CAERPHILLY	0.0585
							448	Cardiff Central - Rhymney	Forward	RHYMNEY	0.0093
							448	Cardiff Central - Rhymney	Reverse	CAERPHILLY	0.0100
							448	Cardiff Central - Rhymney	Reverse	CARDIFF QUEEN STREET	0.0763
HLO5 Cardiff Valleys Peak	2019-20 0.6762  2020-21 0.6753  2021-22 0.6744  2022-23 0.6762  2023-24 0.6762	£2,554.7 8	1.0073	£31.85	29	150	430	Cardiff Queen Street - Cardiff Bay	Forward	CARDIFF QUEEN STREET	0.0710
							430	Cardiff Queen Street - Cardiff Bay	Reverse	CARDIFF BAY	0.0623
							440	Cardiff - Radyr via City Line	Reverse	RADYR	0.0131
							447	Cardiff Central - Treherbert	Reverse	TAFFS WELL	0.0033
							441	Cardiff - Aberdare	Forward	ABERDARE	0.0214
							441	Cardiff - Aberdare	Forward	PONTYPRIDD	0.0335
							441	Cardiff - Aberdare	Forward	MOUNTAIN ASH	0.0071
							441	Cardiff - Aberdare	Reverse	PONTYPRIDD	0.0044
							441	Cardiff - Aberdare	Reverse	CARDIFF QUEEN STREET	0.0504
							445	Cardiff Central - Coryton	Forward	CORYTON	0.0248
							445	Cardiff Central - Coryton	Reverse	CARDIFF QUEEN STREET	0.0218
							446	Cardiff Central - Merthyr	Forward	MERTHYR TYDFIL	0.0241
							446	Cardiff Central - Merthyr	Forward	PONTYPRIDD	0.0425

							446	Cardiff Central - Merthyr	Reverse	PONTYPRIDD	0.0044
							446	Cardiff Central - Merthyr	Reverse	CARDIFF QUEEN STREET	0.0439
							447	Cardiff Central - Treherbert	Forward	TREHERBERT	0.0372
							447	Cardiff Central - Treherbert	Forward	PONTYPRIDD	0.0321
							447	Cardiff Central - Treherbert	Reverse	PONTYPRIDD	0.0063
							447	Cardiff Central - Treherbert	Reverse	CARDIFF QUEEN STREET	0.0574
							448	Cardiff Central - Rhymney	Forward	BARGOED	0.0526
							448	Cardiff Central - Rhymney	Forward	CAERPHILLY	0.0525
							448	Cardiff Central - Rhymney	Forward	RHYMNEY	0.0090
							448	Cardiff Central - Rhymney	Reverse	CAERPHILLY	0.0053
							448	Cardiff Central - Rhymney	Reverse	CARDIFF QUEEN STREET	0.1139