

# 12<sup>th</sup> 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 4<sup>th</sup> March 2016

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**THIS 12<sup>TH</sup> SUPPLEMENTAL AGREEMENT** is dated 24 August 2017 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 4<sup>th</sup> March 2016 on terms approved, and pursuant to directions issued, by ORR under section 18 of the Act.
- (B) The parties agree to enter into this 12<sup>th</sup> Supplemental Agreement in order to make the following amendments to the contract for service changes to be introduced on 4th September 2017:
  - Amend access rights in Schedule 5 Table 2.1 and Table 2.2

**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 Monday 4<sup>th</sup> September 2017.

## **2. EFFECTIVE DATE AND TERM**

The amendments to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date.

The amendments shall cease to have effect on the termination of the Contract.

## **3. AMENDMENTS TO THE CONTRACT**

3.1. In Schedule 5 Table 2.1, the entries for service groups EF05, EF06 and EF08 shall be deleted and replaced with the entries as set out in Annex 1.

3.2. In Schedule 5 Table 2.2, the entries for service group EF06 shall be deleted and replaced with the entries as 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.

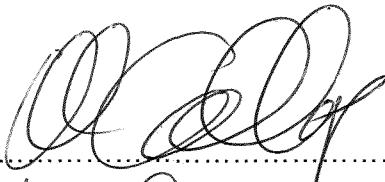
## **6. LAW**

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 .....  
Print name *Mr. Gould*.....  
Duly authorised for and on behalf of

**NETWORK RAIL INFRASTRUCTURE LIMITED**

SIGNED by .....  
Print name *MATTHEW GOLTON*.....  
Duly authorised for and on behalf of

**FIRST GREATER WESTERN LIMITED**

## ANNEX 1

Table 2.1 Passenger Train Slots EF05

1						2					
EF 05 Table 2.1: Passenger Train Slots <sup>1st</sup>						Passenger Train Slots					
OUTER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times <sup>1</sup>		Off-Peak times <sup>2</sup>	Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington	Oxford		EF05.101 (Stopping)	25506005	165 - 1	0	7	30	37	36	13
Oxford	London Paddington		EF05.102 (Stopping)	25506005	165 - 1	6	0	26	32	34	13
Oxford	M Maidenhead		EF05.113 (Stopping)	25506005	165 - 1	0	0	1	1	0	0
Didcot Parkway	London Paddington		EF05.103 (Stopping)	25506005	165 - 1	2	0	1	3	0	2
London Paddington	Didcot Parkway		EF05.104 (Stopping)	25506005	165 - 1	0	0	0	0	0	2
London Paddington	Oxford		EF05.105 (Fast)	25507005	HST8 - 125	0	3	18	21	24	6
Oxford	London Paddington		EF05.106 (Fast)	25507005	HST8 - 125	2	0	17	19	20	6
Didcot Parkway	London Paddington		EF05.107 (Fast)	25507005	HST8 - 125	0	0	0	0	0	1
London Paddington	Didcot Parkway		EF05.108 (Fast)	25507005	HST8 - 125	0	0	0	0	0	1

1						2					
EF 05 <i>Table 2.1: Passenger Train Slots</i> <sup>1st</sup>											
OUTER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times <sup>1</sup>		Off-Peak times <sup>2</sup>	Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington	Newbury		EF05.109	25517005	165 - 1	0	0	1	1	1 SP	6 SP 1 WP
Newbury	London Paddington		EF05.110	25517005	165 - 1	1	0	2	3	1 SP	5 SP
London Paddington	Bedwyn		EF05.111	25517005	165 - 1	0	1	8	9	9 WP 10 SP	6 SP
Bedwyn	London Paddington		EF05.112	25517005	165 - 1	2	0	9	11	12 WP 14 SP	6 SP

Notes to Table:

<sup>1</sup> Peak times – arriving London Paddington between 07.00 and 09.59, departing London Paddington between 16.00 and 18.59

<sup>2</sup> Off-Peak times - arriving at and departing from a relevant station outside Peak times

<sup>3</sup> Passenger Train Slots listed under the sub-headings “Peak times” and “Off-Peak times” are the constituent parts of, and are not in addition to, those listed under the sub-heading “Weekday”.

Table 2.1 Passenger Train Slots EF06

1						2					
EF 06 Table 2.1: Passenger Train Slots						Passenger Train Slots					
INNER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times <sup>1</sup>		Off-Peak times <sup>2</sup>	Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington <sup>4</sup>	Hayes & Harlington		EF06.113	25515005 <sup>5</sup>	165 - 1	0	6	26	32	32	0
Hayes & Harlington	London Paddington <sup>4</sup>		EF06.114	25515005 <sup>5</sup>	165 - 1	6	0	26	32	32	0
London Paddington <sup>4</sup>	Henley-on-Thames		EF06.103	25516005	165 - 1	0	2	1	3	0	0
Henley-on-Thames	London Paddington <sup>4</sup>		EF06.104	25516005	165 - 1	1	0	0	1	0	0
London Paddington <sup>4</sup>	Reading		EF06.105	25516005	165 - 1	0	7	35	42	33	17
Reading	London Paddington <sup>4</sup>		EF06.106	25516005	165 - 1	8	0	32	40	39	18
London Paddington <sup>4</sup>	Slough		EF06.113	25516005	165 - 1	0	0	1	0	0	0
Slough	London Paddington <sup>4</sup>		EF06.109	25516005	165 - 1	1	0	1	2	0	0
London Paddington <sup>4</sup>	M Maidenhead		EF06.110	25516005	165 - 1	0	4	2	6	0	0
M Maidenhead	London Paddington <sup>4</sup>		EF06.111	25516005	165 - 1	7	0	5	12	0	0
London Paddington	Twyford		EF06.112	25516005	165 - 1	0	0	1	1	0	0
M Maidenhead	Reading		EF06.112	25516005	165 - 1			2	2	0	0



1						2					
EF 06 <i>Table 2.1: Passenger Train Slots</i>											
INNER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times <sup>1</sup>		Off-Peak times <sup>2</sup>	Weekday <sup>3</sup>	Saturday	Sunday
						Morning Peak	Evening Peak				
Reading	Maidenhead		EF06.113	25516005	165 - 1			4	4	0	0

Notes to Table:

<sup>1</sup> Peak times – arriving London Paddington between 07.00 and 09.59, departing London Paddington between 16.00 and 18.59

<sup>2</sup> Off-Peak times - arriving at and departing from a relevant station outside Peak times

<sup>3</sup> Passenger Train Slots listed under the sub-headings “Peak times” and “Off-Peak times” are the constituent parts of, and are not in addition to, those listed under the sub-heading “Weekday”.

<sup>4</sup> These rights expire at 02h00 on the May 2018 Subsidiary Timetable Change Date or when Crossrail services start whichever is later

Table 2.1 Passenger Train Slots EF08

1						2		
EF 08						Table 2.1: Passenger Train Slots		
THAMES VALLEY BRANCHES						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
London Paddington <sup>4</sup>	Greenford <sup>4</sup>		EF08.113	25508006	165 - 1	1	1	0
Greenford <sup>4</sup>	London Paddington <sup>4</sup>		EF08.114	25508006	165 - 1	1	1	0
Greenford <sup>4</sup>	West Ealing <sup>4</sup>		EF08.115	25508006	165 - 1	31	31	0
West Ealing <sup>4</sup>	Greenford <sup>4</sup>		EF08.116	25508006	165 - 1	31	31	0
M Maidenhead	Marlow		EF08.101	25509007	165 - 1	13	18	14
Marlow	M Maidenhead		EF08.102	25509007	165 - 1	14	18	15
M Maidenhead	Bourne End		EF08.103	25509007	165 - 1	14	0	0

1						2		
EF 08						<i>Table 2.1: Passenger Train Slots</i>		
THAMES VALLEY BRANCHES						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Bourne End	Maidenhead		EF08.104	25509007	165 - 1	14	0	0
Bourne End	Marlow		EF08.105	25509007	165 - 1	13	0	0
Marlow	Bourne End		EF08.106	25509007	165 - 1	12	0	0
Slough	Windsor & Eton Central		EF08.107	25510006	165 - 1	54	45	40
Windsor & Eton Central	Slough		EF08.108	25510006	165 - 1	54	45	40
Reading	Henley-on-Thames		EF08.109	25511007	165 - 1	1	0	0
Twyford	Henley-on-Thames		EF08.110	25511007	165 - 1	33	29	23
Henley-on-Thames	Reading		EF08.111	25511007	165 - 1	1	0	0

<b>1</b>						<b>2</b>		
<b>EF 08</b> <i>Table 2.1: Passenger Train Slots</i>								
<b>THAMES VALLEY BRANCHES</b>						<b>Passenger Train Slots</b>		
<b>From</b>	<b>To</b>	<b>Via</b>	<b>Description</b>	<b>TSC</b>	<b>Timing Load</b>	<b>Weekday</b>	<b>Saturday</b>	<b>Sunday</b>
Henley-on-Thames	Twyford		EF08.112	25511007	165 - 1	34	29	23

Notes to Table:

<sup>1</sup> NOT USED

<sup>2</sup> NOT USED

<sup>3</sup> NOT USED

<sup>4</sup> These rights expire at 02h00 on the May 2018 Subsidiary Timetable Change Date or when Crossrail services start whichever is later

**Annex 2**

**Table 2.2: Additional Passenger Train Slots**

*Table 2.2: Additional Passenger Train Slots EF06*

1					2		
EF06 Table 2.2 Additional Passenger Train Slots <sup>3rd, 4th, 6th</sup>							
INNER LONDON					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
London Paddington	Reading		EF06.201	25516005	1	2	0
London Paddington	Maidenhead		EF06.202	25516005	1	0	0