

20th 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 04 March 2016

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**THIS 20th SUPPLEMENTAL AGREEMENT is dated 16th March 2018
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**, a company registered in England under number 05113733 having its registered office at Milford House, 1 Milford Street, Swindon, SN1 1HL. (the "Train Operator").

WHEREAS:

- (A) Network Rail and First Greater Western Limited entered into a Track Access Contract (Passenger Services) dated 04 March 2016 in a form approved by the Office of Rail and Road ("ORR", previously the Rail Regulator) 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 now propose to enter into this Supplemental Agreement to vary the Contract in the manner and on the terms set out below.

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 the latter 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 Sunday 18th March 2018.

2. EFFECTIVE DATE AND TERM

The amendments to the Contract as set out in this Supplemental Agreement shall have effect from the Effective Date.

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

3. AMENDMENTS TO SCHEDULE 5

Schedule 5 of the Contract shall be amended as follows:

3.1 Table 2.1 of EF01 London - Bristol shall be amended by deleting the rows relating to the services shown in Table 1, and augmented by the rows shown in Table 2. A Footnote, "6: Plus 2 Passenger Train Slots until the Principal Change Date 2018 (December 2018)" shall be added. A Footnote, "7: Minus 1 Passenger Train Slot until the Principal Change Date 2018 (December 2018)" shall be added.

1						2					
EF 01 Table 2.1: Passenger Train Slots											
LONDON - BRISTOL						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
London Paddington	Bristol Temple Meads	Chippenham	EF01.101	25370002	HST8-125	0	3	19	22	26 WP 21 SP	14 ⁴ WP 13 SP
Bristol Temple Meads	London Paddington	Chippenham	EF01.102	25370002	HST8-125	3	0	19	22	23 WP 18 SP	11 WP 13 SP
London Paddington	Weston-super-Mare	Chippenham	EF01.105	25370002	HST8-125	0	1	3	4	1 WP 6 SP	4 WP 5 SP
Weston-super-Mare	London Paddington	Chippenham	EF01.106	25370002	HST8-125	2	0	2	4	2 WP 7 SP	5 WP 6 SP

Table 1 (rows to be deleted in Table 2.1 of EF01)

1						2					
EF 01 Table 2.1: Passenger Train Slots											
LONDON - BRISTOL						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
London Paddington	Bristol Temple Meads	Chippenham	EF01.101	25370002	HST8-125	0	3	19 ⁷	22 ⁷	26 WP 21 SP	14 ⁶ WP 13 SP
Bristol Temple Meads	London Paddington	Chippenham	EF01.102	25370002	HST8-125	3	0	19 ⁷	22 ⁷	23 WP 18 SP	11 WP 13 SP
London Paddington	Weston-super-Mare	Chippenham	EF01.105	25370002	HST8-125	0	1	3 ⁴	4 ⁴	1 WP 6 SP	4 WP 5 SP
Weston-super-Mare	London Paddington	Chippenham	EF01.106	25370002	HST8-125	2	0	2 ⁴	4 ⁴	2 WP 7 SP	5 WP 6 SP

Table 2 (rows to be augmented into Table 2.1 of EF01)

3.2 Not Used.

3.3 Table 2.1 of EF03 London – The Cotswold shall be amended by deleting the rows relating to the services shown in Table 4, and augmented by the rows shown in Table 5.

1						2					
EF 03 Table 2.1: Passenger Train Slots											
LONDON – THE COTSWOLD						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
Worcester Shrub Hill	London Paddington	Oxford	EF03.106	25392003	HST8 - 125	0	0	2	2	0	2
London Paddington	Worcester Foregate Street	Oxford	EF03.107	25392003	HST8 - 125	0	0	4	4	2	2
London Paddington	Moreton-in-Marsh	Oxford	EF03.113	25392003	HST8 - 125	0	0	2	2	0	0
Moreton-in-Marsh	Paddington	Oxford	EF03.114	25392003	HST8 - 125	1	0	2	3	0	0

Table 4 (rows to be deleted in Table 2.1 of EF03)

1						2					
EF 03 Table 2.1: Passenger Train Slots											
LONDON – THE COTSWOLD						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
Worcester Shrub Hill	London Paddington	Oxford	EF03.106	25392003	HST8 - 125	0	0	2	2	0	2
London Paddington	Worcester Foregate Street	Oxford	EF03.107	25392003	HST8 - 125	0	0	5	5	2	2
London Paddington	Moreton-in-Marsh	Oxford	EF03.113	25392003	HST8 - 125	0	0	2	2	1	0
Moreton-in-Marsh	London Paddington	Oxford	EF03.114	25392003	HST8 - 125	1	0	2	3	1	1

Table 5 (rows to be augmented into Table 2.1 of EF03)

3.4 Not Used.

3.5 Table 2.1 of EF04 London – West of England shall be amended by deleting the rows relating to the services shown in Table 7, and augmented by the rows shown in Table 8. A Footnote, "6: Plus 2 Passenger Train Slots until the Principal Change Date 2018 (December 2018)" shall be added.

1						2					
EF 04 Table 2.1: Passenger Train Slots											
LONDON – WEST OF ENGLAND						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
Plymouth	London Paddington	Taunton, Castle Cary and Hungerford	EF04.102	25397003	HST8 - 125	2	0	3 WP 1 SP	5 WP 3 SP	6 WP 4 SP	4 ⁵ WP 2 SP

Table 7 (rows to be deleted in Table 2.1 of EF04)

1						2					
EF 04 Table 2.1: Passenger Train Slots											
LONDON – WEST OF ENGLAND						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
Plymouth	London Paddington	Taunton, Castle Cary and Hungerford	EF04.102	25397003	HST8 - 125	2	0	3 WP 1 SP	5 WP 3 SP	6 WP 4 SP	4 ⁵ WP 2 SP

Table 8 (rows to be augmented into Table 2.1 of EF04)

3.6 Not Used

3.7 Table 2.1 of EF05 Outer London shall be amended by deleting the rows relating to the services shown in Table 10, and augmented by the rows shown in Table 11.

1						2					
EF 05 Table 2.1: Passenger Train Slots											
OUTER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
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
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	8 WP 10 SP	6 SP
Bedwyn	London Paddington		EF05.112	25517005	165 - 1	2	0	9	11	12 WP 14 SP	6 SP

Table 10 (rows to be deleted in Table 2.1 of EF05)

1						2					
EF 05 Table 2.1: Passenger Train Slots											
OUTER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
Didcot Parkway	London Paddington		EF05.103 (Stopping)	25506005	165 - 1	2	0	1	3	0	3
London Paddington	Didcot Parkway		EF05.104 (Stopping)	25506005	165 - 1	0	0	0	0	1	4
Newbury	London Paddington		EF05.110	25517005	165 - 1	1	0	3	4	1 SP	5 SP
London Paddington	Bedwyn		EF05.111	25517005	165 - 1	0	3	8	11	10	6 SP
Bedwyn	London Paddington		EF05.112	25517005	165 - 1	2	0	9	11	14	6 SP

Table 11 (rows to be augmented into Table 2.1 of EF05)

3.8 Not Used.

3.9 Table 2.1 of EF06 Inner London shall be amended by deleting the rows relating to the services shown in Table 13, and augmented by the rows shown in Table 14.

1						2					
EF 06 Table 2.1: Passenger Train Slots											
INNER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
London Paddington ⁴	Reading		EF06.105	25516005	165 - 1	0	7	35	42	33	17

Table 13 (rows to be deleted in Table 2.1 of EF06)

1						2					
EF 06 Table 2.1: Passenger Train Slots											
INNER LONDON						Passenger Train Slots					
From	To	Via	Description	TSC	Timing Load	Peak times		Off-Peak times	Weekday	Saturday	Sunday
						morning Peak	evening Peak				
London Paddington ⁴	Reading		EF06.105	25516005	165 - 1	0	7	35	42	33	18

Table 14 (rows to be augmented into Table 2.1 of EF06)

3.10 Not Used.

- 3.11 Table 2.1 of EF07 Reading and Oxford Suburban shall be amended by deleting the rows relating to the services shown in Table 16, and augmented by the rows shown in Table 17.

1						2		
EF 07 Table 2.1: Passenger Train Slots								
READING AND OXFORD SUBURBAN						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Oxford	Reading		EF07.101	25513005	165 - 1	3	0	0
Reading	Newbury		EF07.110	25519007	165 - 1	16	14	9 WP 4 SP
Newbury	Reading		EF07.111	25519007	165 - 1	14	12 WP 13 SP	9 WP 4 SP
Bedwyn	Newbury		EF07.115	25519007	165 - 1	4	1 SP	0

Table 16 (rows to be deleted in Table 2.1 of EF07)

1						2		
EF 07 Table 2.1: Passenger Train Slots								
READING AND OXFORD SUBURBAN						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Oxford	Reading		EF07.101	25513005	165 - 1	3	2	0
Reading	Newbury		EF07.110	25519007	165 - 1	16	15	9 WP 4 SP
Newbury	Reading		EF07.111	25519007	165 - 1	14	14 WP 13 SP	9 WP 4 SP
Bedwyn	Newbury		EF07.115	25519007	165 - 1	4	1	0
Didcot Parkway	Oxford		EF07.122	25513005	165-1	~	1	~
Oxford	Didcot Parkway		EF07.123	25506005	165-1	~	~	1
Banbury	Didcot Parkway		EF07.124	25513005	165-1	~	1	~

Table 17 (rows to be augmented into Table 2.1 of EF07)

3.12 Table 4.1 of EF07 Reading and Oxford Suburban shall be amended by augmenting the rows relating to the services shown in Table 18.

1					2	3
EF 07 Table 4.1 Calling Pattern						
READING AND OXFORD SUBURBAN						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Didcot Parkway	Oxford		EF07.122	25513005		Appleford, Culham and Radley
Oxford	Didcot Parkway		EF07.123	25506005		Radley, Culham and Appleford
Banbury	Didcot Parkway		EF07.124	25513005	Oxford	Kings Sutton, Heyford, Tackley, Radley and Culham

Table 18 (rows to be augmented in Table 4.1 of EF07)

3.13 Not Used.

3.14 Table 2.1 of EF13 South Wales – South Coast shall be amended by deleting the rows relating to the services shown in Table 20, and augmented by the rows shown in Table 21.

1						2		
EF 13 Table 2.1: Passenger Train Slots								
SOUTH WALES – SOUTH COAST						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Westbury	Warminster		EF13.131	25471001	150	4	2	1

Table 20 (rows to be deleted in Table 2.1 of EF13)

1						2		
EF 13 Table 2.1: Passenger Train Slots								
SOUTH WALES – SOUTH COAST						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Weekday	Saturday	Sunday
Westbury	Warminster		EF13.131	25485001	150	4	2	1 ¹
Warminster	Swindon	Melksham	EF13.140	25485001	150	-	-	- ¹

¹ Plus 1 Passenger Train Slot until the Principal Change Date 2018 (December 2018).

Table 21 (rows to be augmented into Table 2.1 of EF13)

3.15 Table 4.1 of EF13 South Wales – South Coast shall be amended by augmenting the rows relating to the services shown in Table 22.

1					2	3
EF 13 Table 4.1 Calling Pattern						
SOUTH WALES – SOUTH COAST						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
Warminster	Swindon	Melksham	EF13.140	25485001	Westbury, Melksham and Chippenham	Dilton Marsh and Trowbridge

Table 22 (rows to be augmented in Table 4.1 of EF13)

3.16 Not Used.

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 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 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 MARK LANGMAN
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