

11th 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 4th March 2016

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THIS 11TH SUPPLEMENTAL AGREEMENT is dated 30th June 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 4th March 2016 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 :

provide 90 day period rights for timetable changes introduced to Service Group EF06 from 3rd July 2017.

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 0200hrs on 3rd July 2017 for Service Group EF06.

2 EFFECTIVE DATE AND TERM

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

The amendments shown at paragraph 4.1 shall cease to have effect on 1st October 2017 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

4.1 In Schedule 5 Table 2.1 the entries for Service Group EF06 shall be deleted and replaced with those set in in Annex 1.

4.2 – In Schedule 5 Table 2.2 the entries for Service Groups EF06 shall be deleted and replaced with those set out in Annex 2.

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.

SIGNED by M. Langman

Print name M-T. LANGMAN

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by Matthew Gold

Print name MATTHEW GOLDON

Duly authorised for and on behalf of
FIRST GREATER WESTERN LIMITED

ANNEX 1

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 ¹		Off-Peak times ²	Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Paddington ⁴	Hayes & Harlington		EF06.113	25515005 ^b	165 - 1	0	6	26	32	32	0
Hayes & Harlington	London Paddington ⁴		EF06.114	25515005 ^b	165 - 1	6	0	26	32	32	0
London Paddington ⁴	Henley-on-Thames		EF06.103	25516005	165 - 1	0	2	1	3	0	0
Henley-on-Thames	London Paddington ⁴		EF06.104	25516005	165 - 1	2	0	0	2	0	0
London Paddington ⁴	Reading		EF06.105	25516005	165 - 1	0	7	35	42	33	17
Reading	London Paddington ⁴		EF06.106	25516005	165 - 1	8	0	32	40	39	18
London Paddington ⁴	Slough		EF06.113	25516005	165 - 1	0	0	1	0	0	0
Slough	London Paddington ⁴		EF06.109	25516005	165 - 1	1	0	1	2	0	0
London Paddington ⁴	M Maidenhead		EF06.110	25516005	165 - 1	0	4	0	4	0	0
M Maidenhead	London Paddington ⁴		EF06.111	25516005	165 - 1	4	0	2	6	0	0
London Paddington	Twyford		EF06.112	25516005	165 - 1	0	0	1	1	0	0

Notes to Table:

¹ Peak times – arriving London Paddington between 07.00 and 09.59, departing London Paddington between 16.00 and 18.59

² Off-Peak times - arriving at and departing from a relevant station outside Peak times

³ 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”.

⁴ 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 ^{3rd, 4th, 6th}							
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	3	0	0
Maidenhead	Reading		EF06.204	25516005	2	0	0
Reading	Maidenhead		EF06.205	25516005	4	0	0
Maidenhead	London Paddington		EF06.206	25516005	4	0	0