

12th 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 7th March 2014

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THIS 12TH SUPPLEMENTAL AGREEMENT is dated January 2016 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 7th March 2014 on terms approved, and pursuant to directions issued, by ORR under section 17 of the Act which has been amended by Notice dated 6th November 2014 issued by the ORR and 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 EF08 on 13th December 2015 and make changes to Schedule 7.

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 27th January 2016.

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 5th March 2016 or earlier termination of the Contract.

The amendments shown at paragraph 4.2 shall cease to have effect on 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

- 4.1 In Schedule 5 Table 2.2 the entry for Service Group EF08 shall be deleted and replaced with the version set out in Annex 1;
- 4.2 In Schedule 7 Table Appendix 7C – Default Train Consist Data shall be deleted and replaced with the version 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 

Print name MARIC LANGMAN

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by 

Print name ANDREW McLeod

Duly authorised for and on behalf of
FIRST GREATER WESTERN LIMITED

ANNEX 1

Table 2.2: Additional Passenger Train Slots

1					2		
EF 08							
THAMES VALLEY BRANCHES					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Reading	Twyford	-	EF08.201	25511007	1	0	0
Twyford	Henley-on-Thames		EF08.202	25511007	1	0	0
Henley-on-Thames	Twyford		EF08.203	25511007	1	0	0

ANNEX 2

Train Service Code	Train Movement	Default Train Consist Data
25370002	Paddington – Bristol / Weston SM / Exeter (London – Bristol Service Group)	HST 2 + 8
25375002	Paddington – Cardiff Central / Swansea (London - South Wales Service Group)	HST 2 + 8
25390003	Paddington – Cheltenham Spa (London - Cotswolds Service Group)	HST 2 + 8
25392003	Paddington – Worcester / Hereford (London - Cotswolds Service Group)	HST 2 + 8
25396002	Sleeper – (London – West of England Service Group)	57 + 7 Mk3
25397003	Paddington – Plymouth / Penzance (London - West of England Service Group)	HST 2 + 8
25506005	Paddington - Oxford (Stopping Services). (Outer Thames Valley – London Service Group, Peak & Off Peak)	3 car 165/1
25507005	Paddington – Oxford / Banbury (Outer Thames Valley – London Service Group, Peak & Off Peak)	3 car 166
25517005	Paddington – Bedwyn / Newbury (Outer Thames Valley – London Service Group, Peak & Off Peak)	3 car 166
25508006	Paddington - Greenford (Inner Thames Valley – London Service Group, Peak & Off Peak)	2 car 165/1
25516005	Paddington – Henley / Reading (Inner Thames Valley – London Service Group, Peak & Off Peak)	3 car 165/1
25513005	Oxford - Reading (stopping services) (Reading & Oxford Suburban Service Group)	2 car 165/1
25514005	Oxford - Banbury (Reading & Oxford Suburban Service Group)	3 car 166
25518007	Reading – Basingstoke (Reading & Oxford Suburban Service Group)	3 car 150
25519007	Reading - Newbury - Bedwyn (Reading & Oxford Suburban Service Group)	2 car 165/1
25524005	Oxford – Worcester - Hereford (Reading & Oxford Suburban Service Group)	3 car 166
25509007	Maidenhead - Bourne End / Marlow (Thames Valley Branches Service Group)	2 car 165/1
25510006	Slough - Windsor (Thames Valley Branches Service Group)	2 car 165/1
25511007	Twyford - Henley-on-Thames (Thames Valley Branches Service Group)	2 car 165/1
25521007	Reading - Gatwick Airport (North Downs Service Group)	3 car 166
25522007	Reading - Guildford / Redhill (North Downs Service Group)	2 car 165/1
25460001	Bristol - Cardiff Central (Bristol Suburban Service Group)	2 car 150 and 3 car 158
25466001	Bristol - Severn Beach (Bristol Suburban Service Group)	2 car 150

Train Service Code	Train Movement	Default Train Consist Data
25467001	Bristol – Weston super Mare / Taunton (Bristol Suburban Service Group)	2 car 150
25484001	Bristol - Gloucester/Worcester (Bristol Suburban Service Group)	2 car 150
25486001	Cheltenham Spa / Gloucester - Swindon (Bristol Suburban Service Group)	2 car 150
25488001	Bath - Bristol – Filton (Bristol Suburban Service Group)	2 car 150
25462001	Exeter - Paignton / Plymouth (Devon)	2 car 150
25480001	Exeter – Barnstaple (Devon)	2 car 143
25482001	Exeter – Exmouth (Devon)	2 car 143
25473001	Plymouth – Gunnislake (Plymouth & Cornwall)	2 car 150
25474001	Plymouth – Penzance (Plymouth & Cornwall)	2 car 150
25476001	Liskeard - Looe (Plymouth & Cornwall)	2 car 150
25477001	Par – Newquay (Plymouth & Cornwall)	2 car 150
25478001	Truro - Falmouth (Plymouth & Cornwall)	2 car 150
25479001	Penzance - St Erth / St Ives (Plymouth & Cornwall)	2 car 150
25470001	Cardiff Central – Southampton / Portsmouth / Brighton (South Wales – South Coast)	3 car 158
25471001	Cardiff Central / Bristol Temple Meads - Weymouth (South Wales – South Coast)	2 car 150
25485001	Swindon - Westbury (South Wales – South Coast)	single 153
25505005	Paddington and Hayes & Harlington	5 car 360/2