

FOURTH SUPPLEMENTAL AGREEMENT
between
NETWORK RAIL INFRASTRUCTURE LIMITED
and
TRANSPORT FOR WALES RAIL LTD

relating to Schedule 5 of the Track Access Contract

THIS FOURTH SUPPLEMENTAL AGREEMENT

is dated _____ and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED** (“**Network Rail**”), a private company limited by shares registered in England and Wales under company number 02904587, having its registered office at 1 Eversholt Street, London, NW1 2DN; 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 6th August 2020 pursuant to Section 18 (7) of the Act as amended by various supplemental agreements in a form approved pursuant to Section 22 of the Act (which track access contract as subsequently amended is hereafter referred to as the “**Contract**”);
- B. The Contract was novated from Keolis Amey Operations/Gweithrediadau Keolis Amey Limited to the Train Operator pursuant to a Deed of Novation dated 7 February 2021.
- C. Network Rail and the Train Operator have been directed by the Office of Rail and Road pursuant to Section 22A of the Act to enter into this Supplemental Agreement.

IT IS HEREBY AGREED as follows:

1. INTERPRETATION

In this Supplemental Agreement:

- 1.1 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
- 1.2 “**Effective Date**” shall mean the later of:
 - a) 15 May 2022 at 0200; and
 - b) the date upon which the parties enter into this Supplemental Agreement pursuant to directions issued by the Office of Rail Regulation under Section 22A of the Act.

2. EFFECTIVE DATE AND DURATION

- 2.1 The amendments made to the Contract shall have effect from the Effective Date and shall cease to have effect on the expiry or earlier termination of the Contract.

3. AMENDMENTS TO THE CONTRACT

- 3.1 In Schedule 5, Table 2.1: Passenger Train Slots, that part of the table relating to Service Group HL07 North Wales Branches (Winter) shall be deleted in its entirety and replaced by that shown in Appendix 1 to this Supplemental Agreement.
- 3.2 In Schedule 5, Table 2.1: Passenger Train Slots, that part of the table relating to Service Group HL07 North Wales Branches (Summer) shall be deleted in its entirety and replaced by that shown in Appendix 2 to this Supplemental Agreement.

3.3 In Schedule 5, Table 4.1: Calling Patterns, that part of the table relating to Service Group HL07 North Wales Branches (Winter) shall be deleted in its entirety and replaced by that shown in Appendix 3 to this Supplemental Agreement.

3.4 In Schedule 5, Table 4.1: Calling Patterns, that part of the table relating to Service Group HL07 North Wales Branches (Summer) shall be deleted in its entirety and replaced by that shown in Appendix 4 to this Supplemental Agreement.

4. EFFECT OF THIS SUPPLEMENTAL AGREEMENT ON THE CONTRACT

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 with effect from and including the Effective Date 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. LAW

This Supplemental Agreement shall be governed by, construed and given effect to in all respects in accordance with the law in England and Wales.

6. COUNTERPARTS

This Supplemental Agreement may be executed in any number of counterparts, each of which when executed and delivered shall constitute an original, but all the counterparts shall together constitute but one and the same instrument.

7. 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.

IN WITNESS WHEREOF Network Rail and the Train Operator have, by their duly authorised representatives, respectively entered into this Supplemental Agreement on the date first above written.

SIGNED BY)
)
for and on behalf of)
)
NETWORK RAIL)
INFRASTRUCTURE LIMITED)

SIGNED BY)
)
for and on behalf of)
)
TRANSPORT FOR WALES)
RAIL LTD)

Appendix 1

1						2		
Service Group: HL07						Passenger Train Slots		
Service Description: North Wales Branches (Winter)						Total Weekday	Saturday	Sunday
From	To	Via	Description	TSC	Timing Load			
Blaenau Ffestiniog	Llandudno	Llanrwst	7.1.1	22338000	150	5	5	3
Blaenau Ffestiniog	Llandudno Junction	Llanrwst	7.1.2	22338000	150	1	1	1
Llandudno	Blaenau Ffestiniog	Llanrwst	7.1.3	22338000	150	4	4	3
Llandudno	Llandudno Junction	Deganwy	7.1.4	22338000	150	8	15	13
Llandudno Junction	Blaenau Ffestiniog	Llanrwst	7.1.5	22338000	150	2	2	1
Llandudno Junction	Llandudno	Deganwy	7.1.6	22338000	150	10	16	13
Bidston	Wrexham Central	Penyffordd	7.2.1	22342000	150	15	15	8
Bidston	Wrexham Central	Penyffordd	7.2.1.1 Fast	22342000	150	12	12	0
Wrexham Central	Bidston	Penyffordd	7.2.2	22342000	150	13	13	8
Wrexham Central	Bidston	Penyffordd	7.2.2.1 Fast	22342000	150	12	12	0
Wrexham General	Wrexham Central	-	7.2.3	22342000	150	0	0	0
Wrexham General	Bidston	Penyffordd	7.2.4	22342000	150	1	1	2
Wrexham General	Bidston	Penyffordd	7.2.4.1 Fast	22342000	150	2	2	0
Bidston	Wrexham General	Penyffordd	7.2.5	22342000	150	2	2	2

Appendix 2

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Service Group: HL07						Passenger Train Slots		
Service Description: North Wales Branches (Summer)						Total Weekday	Saturday	Sunday
From	To	Via	Description	TSC	Timing Load			
Blaenau Ffestiniog	Llandudno	Llanrwst	7.1.1	22338000	150	5	5	2
Blaenau Ffestiniog	Llandudno Junction	Llanrwst	7.1.2	22338000	150	1	1	1
Llandudno	Blaenau Ffestiniog	Llanrwst	7.1.3	22338000	150	4	4	2
Llandudno	Llandudno Junction	Deganwy	7.1.4	22338000	150	8	15	16
Llandudno Junction	Blaenau Ffestiniog	Llanrwst	7.1.5	22338000	150	2	2	1
Llandudno Junction	Llandudno	Deganwy	7.1.6	22338000	150	10	16	10
Bidston	Wrexham Central	Penyffordd	7.2.1	22342000	150	15	15	8
Bidston	Wrexham Central	Penyffordd	7.2.1.1 Fast	22342000	150	12	12	0
Wrexham Central	Bidston	Penyffordd	7.2.2	22342000	150	13	13	8
Wrexham Central	Bidston	Penyffordd	7.2.2.1 Fast	22342000	150	12	12	0
Wrexham General	Wrexham Central	-	7.2.3	22342000	150	0	0	0
Wrexham General	Bidston	Penyffordd	7.2.4	22342000	150	1	1	2
Wrexham General	Bidston	Penyffordd	7.2.4.1 Fast	22342000	150	2	2	0
Bidston	Wrexham General	Penyffordd	7.2.5	22342000	150	2	2	2

Appendix 3

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Service Group: HL07					Calling patterns	
Service Description: North Wales Branches (Winter)						
From	To	Via	Description	TSC	Regular calling patterns	Additional stations
Blaenau Ffestiniog	Llandudno	Llanrwst	7.1.1	22338000	All stations	
Blaenau Ffestiniog	Llandudno Junction	Llanrwst	7.1.2	22338000	All stations	
Llandudno	Blaenau Ffestiniog	Llanrwst	7.1.3	22338000	All stations	
Llandudno	Llandudno Junction	Deganwy	7.1.4	22338000	All stations	
Llandudno Junction	Blaenau Ffestiniog	Llanrwst	7.1.5	22338000	All stations	
Llandudno Junction	Llandudno	Deganwy	7.1.6	22338000	All stations	
Bidston	Wrexham Central	Penyffordd	7.2.1	22342000	All stations	
Bidston	Wrexham Central	Penyffordd	7.2.1.1 Fast	22342000	Upton, Heswall, Neston, Shotton, Buckley, Gwersyllt, Wrexham General	
Wrexham Central	Bidston	Penyffordd	7.2.2	22342000	All stations	
Wrexham Central	Bidston	Penyffordd	7.2.2.1 Fast	22342000	Wrexham General, Gwersyllt, Buckley, Shotton, Neston, Heswall, Upton	
Wrexham General	Wrexham Central	-	7.2.3	22342000	All stations	
Bidston	Wrexham Central	Penyffordd	7.3.1	12342800	All stations	
Bidston	Wrexham General	Penyffordd	7.3.2	12342800	All stations	
Wrexham Central	Bidston	Penyffordd	7.3.3	12342800	All stations	
Wrexham General	Bidston	Penyffordd	7.3.4	12342800	All stations	

Appendix 4

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Service Group: HL07					Calling patterns	
Service Description: North Wales Branches (Summer)						
From	To	Via	Description	TSC	Regular calling patterns	Additional stations
Blaenau Ffestiniog	Llandudno	Llanrwst	7.1.1	22338000	All stations	
Blaenau Ffestiniog	Llandudno Junction	Llanrwst	7.1.2	22338000	All stations	
Llandudno	Blaenau Ffestiniog	Llanrwst	7.1.3	22338000	All stations	
Llandudno	Llandudno Junction	Deganwy	7.1.4	22338000	All stations	
Llandudno Junction	Blaenau Ffestiniog	Llanrwst	7.1.5	22338000	All stations	
Llandudno Junction	Llandudno	Deganwy	7.1.6	22338000	All stations	
Bidston	Wrexham Central	Penyffordd	7.2.1	22342000	All stations	
Bidston	Wrexham Central	Penyffordd	7.2.1.1 Fast	22342000	Upton, Heswall, Neston, Shotton, Buckley, Gwersyllt, Wrexham General	
Wrexham Central	Bidston	Penyffordd	7.2.2	22342000	All stations	
Wrexham Central	Bidston	Penyffordd	7.2.2.1 Fast	22342000	Wrexham General, Gwersyllt, Buckley, Shotton, Neston, Heswall, Upton	
Wrexham General	Wrexham Central	-	7.2.3	22342000	All stations	
Bidston	Wrexham Central	Penyffordd	7.3.1	12342800	All stations	
Bidston	Wrexham General	Penyffordd	7.3.2	12342800	All stations	
Wrexham Central	Bidston	Penyffordd	7.3.3	12342800	All stations	
Wrexham General	Bidston	Penyffordd	7.3.4	12342800	All stations	