

**THIRTEENTH SUPPLEMENTAL AGREEMENT**

**between**

**SEILWAITH AMEY CYMRU / AMEY INFRASTRUCTURE WALES LIMITED  
and**

**TRANSPORT FOR WALES RAIL LTD**

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**relating to the Track Access Contract (Passenger Services) dated 24 December 2019**

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## THIS THIRTEENTH SUPPLEMENTAL AGREEMENT

is dated 07 October 2024 and made between:

- (1) **SEILWAITH AMEY CYMRU / AMEY INFRASTRUCTURE WALES LIMITED**, a company registered in England under number 11389544, whose registered office is at Transport for Wales CVL Infrastructure Depot, Ty Trafnidiaeth, Treforest Industrial Estate, Gwent Road, Pontypridd, United Kingdom, CF37 5UT (the "**CVL IM**"); and
- (2) **TRANSPORT FOR WALES RAIL LTD**, a company registered in England under number 12619906, whose registered office is at 3 Llys Cadwyn, Pontypridd, Wales CF37 4TH (the "**Train Operator**").

### Whereas:

- A. The parties entered into a Track Access Contract (Passenger Services) dated 24<sup>th</sup> December 2019 pursuant to Section 18(6) of the Act, as amended by supplemental agreements from time to time, 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 in order to make amendments to the Contract on the terms set out below.

**IT IS HEREBY AGREED** as follows:

### 1 INTERPRETATION

In this Supplemental Agreement:

Words and expressions defined in 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

"Effective Date" shall mean:

the date of this Supplemental Agreement

### 2 ORR GENERAL APPROVAL

This Supplemental Agreement is entered into pursuant to the Passenger Access ((Infrastructure Mangers Other Than Network Rail) Short Term Timetable and Miscellaneous Changes) General Approval 2023

### 3 EFFECTIVE DATE AND DURATION

- 3.1 The amendments made to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect at the earlier of:
  - (a) ninety days from the Effective Date,
  - or;
  - (b) the date of the ORR's approval of the operator's 14<sup>th</sup> Supplemental Agreement.

#### **4 AMENDMENTS TO THE CONTRACT**

4.1 In Schedule 5, after “**Table 2.1b Passenger Train Slots**” insert:

A table “**Table 2.2 Additional Passenger Train Slots**” as the version set out in Appendix 1 to this Supplemental Agreement

#### **5 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 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.

#### **6 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.

#### **7 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.

#### **8 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** the CVL IM 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 ) **Keith Bennett**  
 ) **Commercial Director**  
 )  
**AMEY INFRASTRUCTURE WALES /** )  
**SEILWAITH AMEY CYMRU LIMITED** )

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

**Appendix 1**

**Table 2.2 Additional Passenger Train Slots**

Service group: HL05													
Service Description: Valley Lines and Cardiff Local Services						Total Weekday	Peak Times		Off-peak times	Total Saturday	Saturday		Sunday
From	To	Via	Description	TSC	Timing Load		Morning Peak	Evening Peak			Peak	Off-peak	
Rhymney	East Boundary	Heath High Level	5.2.2	25448000	150	4	0	0	4	2	0	2	0
East Boundary	Rhymney	Heath High Level	5.2.6	25448000	150	4	0	0	4	0	0	0	0