

61st SUPPLEMENTAL AGREEMENT

between

NETWORK RAIL INFRASTRUCTURE LIMITED
as Network Rail

And

GOVIA THAMESLINK RAILWAY LIMITED
as Train Operator

relating to the Track Access Contract (Passenger
Services) dated 02 March 2016

CONTENTS

1. INTERPRETATION 3

2. EFFECTIVE DATE AND TERM 3

3. AMENDMENTS TO CONTRACT 4

4. GENERAL 4

5. THIRD PARTY RIGHTS 4

6. LAW 4

7. COUNTERPARTS 4

8. ANNEX A 6

9. ANNEX B 7

THIS 61ST SUPPLEMENTAL AGREEMENT is dated 23rd October 2024 and made

BETWEEN:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED**, a company registered in England under number 2904587 having its registered office at Waterloo General Office, London, SE1 8SW ("Network Rail"); and
- (2) **GOVIA THAMESLINK RAILWAY LIMITED**, a company registered in England under number 07934306, having its registered office at 3rd Floor, 41-51 Grey Street, Newcastle upon Tyne, NE1 6EE (the "Train Operator").

WHEREAS:

- (A) The parties entered into a Track Access Contract (Passenger Services) dated 02 March 2016 in a form approved by the Office of Rail and Road ("ORR") 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 wish to amend the Contract in the terms described below.

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" means:

- (1) 02:00 hours on 15th December 2024.

- 1.3 "Annex" shall mean the annexes and their relevant parts and attached hereto.

2. EFFECTIVE DATE AND TERM

- 2.1. The amendments to the Contract pursuant to this Supplemental Agreement shall have effect from the Effective Date and shall cease to have effect on the Expiry Date or earlier termination of the Contract.

3. AMENDMENTS TO THE CONTRACT

- 3.1 Table 2.1 Passenger Train Slots of Schedule 5, specific line entries relating to Service Groups ET07 and ET09 shall be deleted and replaced as set out in Annex A to this Supplemental.
- 3.2 Table 4.1 Calling Patterns of Schedule 5, specific line entries relating to Service Groups ET07 and ET09 shall be deleted and replaced as set out in Annex B to this Supplemental.

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 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 document.

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 Lucy McAuliffe

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by.....

Print name...JOHN WHITEHURST

Duly authorised for and on behalf of
GOVIA THAMESLINK RAILWAY LIMITED

OFFICIAL

Annex A – amendment to Table 2.1

1						2		
Service Group: ET07								
Service Description: Southern Coastway (Non London) (Continued)						Passenger Train Slots		
From	To	Via	Description	TSC	Timing Load	Total Weekday	Saturday	Sunday
Brighton	Southampton Central	Fast	7.41	24744000	377	31	33	0
Southampton Central	Brighton	Fast	7.43	24744000	377	30	30	0
Brighton	Southampton Central	Eastleigh	7.63	24744000	377	1	0	0
Southampton Central	Brighton	Eastleigh	7.64	24744000	377	1	0	0

1						2					
Service Group: ET09											
Service description: Southern Metro											
From	To	Via	Description	TSC	Timing Load	Peak times ⁵		Off-Peak times ²	Total Weekday ³	Saturday	Sunday
						Morning Peak	Evening Peak				
London Victoria	East Croydon	Norbury	9.15	24782000	377	0	0	3	2	1	1
East Croydon	London Victoria	Norbury	9.63	24782000	377	2	0	0	2	0	0
Norwood Junction	London Bridge	Sydenham	9.64	24783000	377	4	0	0	4	0	0

OFFICIAL

Annex B - amendments Table 4.1

Between	And	Via	Description	TSC	Regular Calling Pattern	Additional Stations
London Bridge	Sutton	Sydenham	9.41	24783000	New Cross Gate, Brockley, Honor Oak Park, Forest Hill, Sydenham, Penge West, Anerley, Norwood Junction, West Croydon	
Norwood Junction	London Bridge	Sydenham	9.64	24783000	Anerley, Penge West, Sydenham, Forest Hill, Honor Oak Park, Brockley, New Cross Gate	
Sutton	London Bridge	Wallington and Peckham Rye	9.43	24787000	Wallington, West Croydon, Selhurst, Thornton Heath, Norbury, Streatham Common, Streatham Hill, Tulse Hill, North Dulwich, East Dulwich, Peckham Rye, Queens Road Peckham, South Bermondsey	
London Victoria	East Croydon	Norbury	9.15/9.63	24782000	Battersea Park, Clapham Junction, Wandsworth Common, Balham, Streatham Common, Norbury, Thornton Heath, Selhurst,	
London Bridge	Eastbourne		8.50/8.54	24746000	East Croydon, Gatwick Airport, Three Bridges, Haywards Heath, Wivelsfield, Plumpton, Cooksbridge, Lewes, Glynde, Berwick, Polegate, Hampden Park	
London Victoria	Littlehampton	Haywards Heath	8.45/8.51	24746000	Clapham Junction, East Croydon, Gatwick Airport, Haywards Heath, Preston Park, Hove, Portslade, Shoreham-by-Sea, Lancing, Worthing, West Worthing, Durrington-on-Sea, Goring-by-Sea, Angmering	Horley, Three Bridges, Burgess Hill, Hassocks, Fishersgate, Southwick, East Worthing

OFFICIAL

Brighton	Southampton Central	Eastleigh	9.63/9.64	24744000	Hove, Portslade, Southwick, Shoreham-by-Sea, Lancing, Worthing, Angmering, Ford, Barnham, Chichester, Southbourne, Emsworth, Havant, Cosham, Fareham, Eastleigh, Southampton Airport Parkway	
----------	------------------------	-----------	-----------	----------	---	--