

28th 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 28TH SUPPLEMENTAL AGREEMENT is dated 22 June 2018 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 EF08.

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 the date of signature.

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 at 0159hrs ninety days after the date of signature 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 those set out in Annex 1.
- 4.2 In Schedule 5 Table 4.1 the entry for Service Group EF08 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 Mark Langman

Print name MARK LANGMAN

Duly authorised for and on behalf of
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by Matthew Golton

Print name MATTHEW GOLTON

Duly authorised for and on behalf of
FIRST GREATER WESTERN LIMITED

ANNEX 1

Table 2.2: Additional Passenger Train Slots

1					2		
EF08 Table 2.2 Additional Passenger Train Slots							
THAMES VALLEY BRANCHES					Additional Passenger Train Slots		
From	To	Via	Description	TSC	Weekday	Saturday	Sunday
Twyford	Henley-on-Thames		EF08.201	25511007	1	0	0

ANNEX 2

Table 2.2: Calling Patterns

1					2	3
EF 08 Table 4.1 Calling Patterns						
THAMES VALLEY BRANCHES						
Between	And	Via	Description	TSC	Regular Calling Pattern	Additional stations
London Paddington	Greenford		EF08.101 and EF08.102	25508006	Acton Main Line, Ealing Broadway, Drayton Green, Castle Bar Park and South Greenford.	
West Ealing	Greenford		EF08.103 and EF08.104	25508006	Drayton Green, Castle Bar Park, South Greenford	
Maidenhead	Marlow		EF08.105 and EF08.106	25509007	Furze Platt, Cookham, Bourne End	
Maidenhead	Bourne End		EF08.107 and EF08.108	25509007	Furze Platt, Cookham	
Bourne End	Marlow		EF08.109 and EF08.110	25509007		
Slough	Windsor & Eton Central		EF08.111 and EF08.112	25511007		
Reading	Henley-on-Thames		EF08.113 and EF08.114	25511007	Twyford, Wargrave, Shiplake	
Twyford	Henley-on-Thames		EF08.115, 116 and EF08.201	25511007	Wargrave, Shiplake	

Notes to Table:

None.