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OFFICE OF RAIL REGULATION

10 October 2013

Dear passenger train and station operator,

Notice making changes to your licences and SNRPs

On 5 July 2013¹, we proposed to change operators' licences and SNRPs. The changes were to transfer responsibility for approving complaints handling and disabled persons protection policies from the DfT to ORR. Any objections had to be made to ORR by 2 August 2013.

We have now dealt with the comments we received and are making changes from today. One operator initially objected, mainly because it thought the approval system would become more complicated. However, it withdrew its objection after discussion around how we saw the changes working and how they would bring the approval function together with our other interests in disability and complaints. Another noted DfT will still need to deal with the disability code of practice which is a statutory responsibility. Rail Express System Limited pointed out its licence has bespoke wording without a complaints handling condition so those particular changes will not apply to it. Eurostar's licence and SNRP also have bespoke wording that we will address separately.

Under section 12(1) of the Railways Act 1993 and regulation 13(1) of the Railway (Licensing of Railway Undertakings) Regulations 2005, and with the consent of the licence and SNRP holders, the licences and SNRPs in schedule 1 are modified to reflect the changes in schedule 2.

We will publish this notice on our website and public register. We will also update consolidated versions of affected licences and SNRPs on our website soon.

Yours sincerely

A handwritten signature in black ink that reads 'Robert Plaskitt'.

Rob Plaskitt

¹ORR's 5 July 2013 consultation letter can be found at <http://www.rail-reg.gov.uk/upload/pdf/operators-disabled-policies-july-2013.pdf>



INVESTOR IN PEOPLE

Schedule 1 – Licence and SNRP holders affected by this notice

The licences granted under section 8 of the Act, and SNRPs granted under regulation 10 of the Regulations, subject to this schedule, with reference numbers, are:

Passenger train and passenger SNRP holders

Abellio Greater Anglia Limited

- [GB passenger SNRP](#) UK 02 2012 0001

Arriva Trains Wales Limited

- [GB passenger SNRP](#) UK 02 2005 0011

c2c rail Limited

- [GB passenger SNRP](#) UK 02 2005 0015

The Chiltern Railway Company Limited

- [GB Passenger SNRP](#) UK 02 2005 0019

DB Regio Tyne and Wear Limited

- [Passenger train licence](#) UK 03 2010 0001

Direct Rail Services Limited

- [GB passenger SNRP](#) UK 02 2005 0024

East Coast Main Line Company Limited

- [GB passenger SNRP](#) UK 02 2006 0006

East Midlands Trains Limited

- [GB passenger SNRP](#) UK 02 2007 0009

First Capital Connect Limited

- [GB passenger SNRP](#) UK 02 2006 0004

First Greater Western Limited

- [GB passenger SNRP](#) UK 02 2006 0002

First Scotrail Limited

- [GB passenger SNRP](#) UK 02 2005 0035

First/Keolis Transpennine Limited

- [GB passenger SNRP](#) UK 02 2005 0039

GB Railfreight Limited

- [GB passenger SNRP](#) UK 02 2009 0001

Golding's Rail Limited

- [GB passenger SNRP](#) UK 02 2006 0008

Grand Central Railway Company Limited

- [GB passenger SNRP](#) UK 02 2007 0003

Hay's Rail Limited

- [GB passenger SNRP](#) UK 02 2006 0009

Heathrow Express Operating Co Limited

- [Passenger train licence](#) UK 03 1997 0001

Hull Trains Company Limited

- [GB passenger SNRP](#) UK 02 2005 0055

London and Birmingham Railway Limited

- [GB passenger SNRP](#) UK 02 2007 0011

London and South Eastern Railway Limited

- [GB passenger SNRP](#) UK 02 2006 0003

London Overground Rail Operations Limited

- [GB passenger licence](#) UK 02 2007 0012

London Underground Limited

- [Passenger train licence](#) UK 03 2004 0008

Merseyrail Electrics 2002 Limited

- [Passenger train licence](#) UK 03 2003 0011

North Yorkshire Moors Railway Enterprises plc

- [Passenger train licence](#) UK 03 2007 0002

Northern Rail Limited

- [GB passenger SNRP](#) UK 02 2005 0067

OQS Rail Limited

- [GB passenger SNRP](#) UK 02 2006 0010

Orchard Rail Limited

- [GB passenger SNRP](#) UK 02 2006 0011

Pre Metro Operations Limited

- [Passenger train licence](#) UK 03 2003 0004

Rail Express Systems Limited [condition 5 only]

- [GB passenger SNRP](#) UK 02 2005 0071

Rail for London Limited

- [GB passenger SNRP](#) UK 02 2007 0008

SOLR1 Limited

- [GB passenger SNRP](#) UK 02 2007 0006

SOLR2 Limited

- [GB passenger SNRP](#) UK 02 2007 0007

Southern Railway Limited

- [GB passenger SNRP](#) UK 02 2009 0002

Stagecoach South Western Trains Limited

- [GB passenger SNRP](#) UK 02 2007 0001

Strutton Rail Limited

- [GB passenger SNRP](#) UK 02 2006 0012



Tyne & Wear Passenger Transport Executive
• [Passenger train licence](#) UK 03 2002 0002

West Coast Main Line Company Limited
• [GB passenger SNRP](#) UK 02 2006 0007

West Coast Railway Company Limited
• [GB passenger SNRP](#) UK 02 2005 0079

West Coast Trains Limited
• [GB passenger SNRP](#) UK 02 2005 0083

Westminster Rail Limited
• [GB passenger SNRP](#) UK 02 2006 0013

XC Trains Limited
• [GB passenger SNRP](#) UK 02 2007 0010

Station licence holders

Abellio Greater Anglia Limited
• [Station licence](#) UK 03 2012 0001
• [Station licence for Stratford Regional station](#)
UK 03 2012 0003

Arriva Trains Wales Limited
• [Station licence](#) UK 03 2003 0016

c2c rail Limited
• [Station licence](#) UK 03 1994 0007

The Chiltern Railway Company Limited
• [Station licence](#) UK 03 1995 0015

DB Regio Tyne and Wear Limited
• [Station licence](#) UK 03 2010 0002

East Coast Main Line Company Limited
• [Station licence](#) UK 03 2009 0004

East Midlands Trains Limited
• [Station licence](#) UK 03 2007 0019

First Capital Connect Limited
• [Station licence](#) UK 03 2006 0008

First Greater Western Limited
• [Station licence](#) UK 03 2006 0002

First ScotRail Limited
• [Station licence](#) UK 03 2004 0012

First/Keolis Transpennine Limited
• [Station licence](#) UK 03 2004 0002

Glasgow Prestwick International Airport Limited
• [Station licence](#) UK 03 1994 0006

London and Birmingham Railway Limited
• [Station licence](#) UK 03 2007 0023

London and South Eastern Railway Limited
• [Station licence](#) UK 03 2006 0005

London Overground Rail Operations Limited
• [Station licence](#) UK 03 2007 0026

London Underground Limited
• [Station licence](#) UK 03 2004 0009

Merseyrail Electrics 2002 Limited
• [Station licence](#) UK 03 2003 0013
• [Liverpool South Parkway station licence](#)
UK 03 2005 0086

Network Rail Infrastructure Limited
• [Station licence](#) UK 03 1994 0004

Northern Rail Limited
• [Station licence](#) UK 03 2004 0016

Rail for London Limited
• [Station licence](#) UK 03 2007 0017

Southern Railway Limited
• [Station licence](#) UK 03 2009 01

Stagecoach South Western Trains Limited
• [Station licence](#) UK 03 2007 0004

Stobart Rail Limited
• [Station licence](#) UK 03 2011 0001

Tyne & Wear Passenger Transport Executive
• [Station licence](#) UK 03 2002 0003

West Coast Trains Limited UK 03 1995 0013
• [Station licence](#)

Schedule 2 - Modifications to licence and SNRP conditions

For Network Rail Infrastructure Limited the conditions affected are 4 and 5. The wording in its station licence is bespoke. The modifications are to:

- replace 'the Secretary of State' with 'ORR' throughout these two conditions, with the exception of the reference in condition 4.2 to the Secretary of State publishing the code of practice.

For other licence and SNRP holders that currently have condition 5 and/or 6, these conditions are replaced by the appropriate text below, as per schedule 1, with the following additional modifications:

- in SNRP conditions the term 'licence' is replaced with 'SNRP';
- in station licence condition 5 paragraph 1(b) 'trains' is replaced by 'stations';
- in station licence condition 5 paragraph 2 'articles 19 and 20(1)' is replaced by 'article 19(1)'; and
- in station licence conditions 5 paragraph 5(b) and 6 paragraph 4(b), the phrases 'at which trains' and 'are scheduled to call' are deleted.

Condition 5: Disabled People's Protection Policy

1. The licence holder shall establish and thereafter comply with:
 - (a) a statement of policy; and
 - (b) a detailed body of arrangements, procedures, services and other benefits to be implemented or provided by the licence holder, designed to protect the interests of people who are disabled in their use of trains operated by the licence holder and to facilitate such use (together the "DPPP").
2. In establishing the DPPP and in making any change to it, the licence holder shall have due regard to the code of practice published by the Secretary of State pursuant to section 71B of the Act and to articles 19 and 20(1) of the PRO Regulation.
3. The licence holder shall not establish, or make any material changes (save in respect of paragraph 4(b)), to the DPPP unless and until:
 - (a) the PC and, where appropriate, LTUC has been consulted; and

- (b) the licence holder has submitted the DPPP, or (as the case may be) the proposed change, to ORR and ORR has approved it.
- 4. Where ORR requires the licence holder to carry out a review of the DPPP or any part of it or the manner in which it has been implemented, with a view to determining whether any change should be made to it, the licence holder shall:
 - (a) promptly carry out a review and submit a written report to ORR setting out the results or conclusions; and
 - (b) make such changes to the DPPP, or the manner in which it is implemented, as ORR may reasonably require after ORR has received a report under paragraph 4(a) and consulted the licence holder, the PC and, where appropriate, LTUC.
- 5. The licence holder shall:
 - (a) send a copy of the DPPP and of any change to it to ORR and the PC and, where appropriate, LTUC;
 - (b) in a place of reasonable prominence at each station at which trains operated by the licence holder are scheduled to call, display or procure the display of a notice giving the address from which a current copy of the statement may be obtained; and
 - (c) make available free of charge a current copy of the statement to any person who requests it.
- 6. Nothing in this condition shall oblige the licence holder to undertake any action that entails excessive cost, taking into account all the circumstances including the nature and scale of licensed activities.

Condition 6: Complaints Handling

- 1. The licence holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers (the “Complaints Procedure”).
- 2. The licence holder shall not establish, or make any material change (save in respect of paragraph 3(b)), to the Complaints Procedure unless and until:
 - (a) the PC and, where appropriate, LTUC has been consulted; and

- (b) the licence holder has submitted the Complaints Procedure, or (as the case may be) the proposed change, to ORR and ORR has approved it.
- 3. Where ORR requires the licence holder to carry out a review of the Complaints Procedure or any part of it or the manner in which it has been implemented, with a view to determining whether any change should be made to it, the licence holder shall:
 - (a) promptly carry out a review and submit a written report to ORR setting out the results or conclusions; and
 - (b) make such changes to the Complaints Procedure, or the manner in which it is implemented, as ORR may reasonably require after ORR has received a report under paragraph 3(a) and consulted the licence holder, the PC and, where appropriate, LTUC.
- 4. The licence holder shall:
 - (a) send a copy of the Complaints Procedure and of any change to it to ORR and the PC and, where appropriate, LTUC;
 - (b) in a place of reasonable prominence at each station at which trains operated by the licence holder are scheduled to call, display or procure the display of a notice giving the address from which a current copy of the Complaints Procedure may be obtained; and
 - (c) make available free of charge a current copy of the Complaints Procedure to any person who requests it.