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29 July 2019

To holders of:

Email and post

Passenger SNRPs
Charter Passenger SNRPs
Passenger train licences
Station licences

which are listed in Schedule 1 to this Notice

Dear sir/madam,

Notice of modification of the licences and SNRPs listed in Schedule 1 of this Notice in accordance with section 12 of the Railways Act 1993 (“the Act”) and section 13 of the Railway (Licensing of Railway Undertakings) Regulations 2005 (“the Regulations”)

The companies listed in Schedule 1 to this notice have been granted a licence, under section 8 of the Act, or statements of national regulatory provisions (“SNRP”), under regulation 10 and schedule 4 of the Regulations, to operate railway assets.

On 26 February 2019, and in accordance with section 12(2) of the Act, and regulation 13(2) of the Regulations, the Office of Rail and Road (“ORR”) gave notice of its proposal to modify the Complaints Handling condition in the licences and SNRPs listed in Schedule 1 of this Notice¹.

ORR has considered the representations and objections which were received during the consultation period and which were not withdrawn and we have decided to modify the licences/SNRPs, with modifications for some licence/SNRP holders to take effect on 29 July 2019 and the modifications for the remaining licence/SNRP holders to take effect on 4 November 2019. Our conclusions letter² contains an explanation for this decision and Schedule 1 of this notice indicates the date on which the modification will take effect for each licence/SNRP holder. All licence/SNRP holders have consented to ORR’s proposed modification in writing.

Under section 12(1) of the Act and regulation 13(1) of the Regulations and with the consent of the licence and SNRP holders, I therefore modify the licences and SNRPs listed in Schedule 1 of this notice by making the modifications set out in Schedule 2. These modifications will take effect the date indicated in Schedule 1 (being either 29 July 2019, or 4 November 2019).

¹ https://orr.gov.uk/_data/assets/pdf_file/0014/40505/statutory-licence-modification-consultation-alternative-dispute-resolution-adr-annex-a-2019-02-26.pdf

² https://orr.gov.uk/_data/assets/pdf_file/0016/41542/statutory-licence-modification-decision-on-alternative-dispute-resolution-2019-07-29.pdf





I will place a copy of this letter on our website and public register. We will also update the affected licences and SNRPs on our website in due course.

Yours faithfully

A handwritten signature in blue ink that reads 'Catherine Williams'.

Catherine Williams

Duly authorised by the Office of Rail and Road

Information provided to us may be subject to publication or disclosure in accordance with the access to information regimes. Any personal data you provide will be used for the purposes of this statutory consultation and will be handled in accordance with our [privacy notice](#) which sets out how we comply with the General Data Protection Regulation and Data Protection Act 2018.

If you wish any information you provide to be treated as confidential, please explain why. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on ORR

If you prefer to make a response in confidence, please annex any confidential information, or provide a non-confidential summary, so that we can publish the non-confidential aspects of your response.

So that we are able to apply web standards to content on our website, we would prefer that you email us your response either in Microsoft Word format or the OpenDocument Text (.odt) format.

Schedule 1

The tables below indicate the condition to be modified in the relevant licence/SNRP and the date on which this modification will take effect³.

Passenger licence and passenger SNRP holders (including charter operators)

Operator	Licence number	Condition to be modified	Date of modification
London Underground Ltd	UK 03 2004 0008	6	4 November 2019
North Yorkshire Moors Railway Enterprises plc	UK 03 2007 0002	6	4 November 2019
Pre Metro Operations Ltd	UK 03 2003 0004	6	4 November 2019
Tyne and Wear Passenger Transport Executive	UK 03 2002 0002	6	4 November 2019
South Yorkshire Supertram Ltd	UK 03 2018 0001	6	4 November 2019
Merseyside Passenger Transport Services Ltd	UK 03 2014 0004	6	29 July 2019
Merseyrail Electrics 2002 Ltd	UK 03 2003 0011	6	29 July 2019
Abellio East Anglia Ltd	UK 02 2016 0003	6	29 July 2019
Abellio ScotRail Ltd	UK 02 2015 0003	6	29 July 2019
Arriva Rail London Ltd	UK 03 2016 0007	6	4 November 2019
Arriva Rail North Ltd	UK 02 2016 2002	6	29 July 2019
The Chiltern Railway Company Ltd	UK 02 2005 0019	6	29 July 2019
DfT OLR2 Ltd	UK 02 2005 0023	6	29 July 2019
Direct Rail Services Ltd	UK 02 2005 0024	6	29 July 2019
EM Trains Ltd	UK 02 2006 0010	6	29 July 2019
East Midlands Trains Ltd	UK 03 2007 0018	6	29 July 2019
First Greater Western Ltd	UK 02 2006 0002	6	29 July 2019
First MTR South Western Trains Ltd	UK 02 2017 0002	6	29 July 2019
First TransPennine Express Ltd	UK 02 2016 0001	6	29 July 2019
GB Railfreight Ltd	UK 02 2009 0001	6	29 July 2019
Govia Thameslink Railway Ltd	UK 02 2014 2002	6	29 July 2019
Grand Central Railway Company Ltd	UK 02 2007 0003	6	29 July 2019
Heathrow Express Operating Co Ltd	UK 02 2014 0001	6	4 November 2019
Hull Trains Company Ltd	UK 02 2005 0055	6	29 July 2019
Keolis Amey Operations/ Gweithrediadau Keolis Amey Ltd	UK 02 2018 0002	6	29 July 2019
Locomotive Services (TOC) Ltd	UK 02 2017 0001	6	4 November 2019
London Midland Trains Ltd	UK 02 2006 0011	6	29 July 2019
London North Eastern Railway Ltd	UK 02 2006 0012	6	29 July 2019
London & South Eastern Railway Ltd	UK 02 2006 0003	6	29 July 2019

³ In this Schedule, we have corrected some of the licence numbers/names contained in our 26 February 2019 Notice



MTR Corporation (Crossrail) Ltd	UK 02 2015 0004	6	4 November 2019
Rail for London Ltd	UK 02 2007 0008	6	29 July 2019
Rail Operations (UK) Ltd	UK 02 2016 0011	6	4 November 2019
Serco Caledonian Sleepers Ltd	UK 02 2015 0001	6	29 July 2019
SOLR1 Ltd	UK 02 2007 0006	6	29 July 2019
SOLR2 Ltd	UK 02 2007 0007	6	29 July 2019
Thameslink Ltd	UK 02 2006 0008	6	29 July 2019
TransPennine Express Ltd	UK 02 2006 0013	6	29 July 2019
Trenitalia c2c Ltd	UK 02 2014 0003	6	29 July 2019
Vintage Trains Ltd	UK 02 2018 0001	6	4 November 2019
West Coast Main Line Company Ltd	UK 02 2006 0007	6	29 July 2019
West Coast Railway Company Ltd	UK 02 2005 0079	6	4 November 2019
West Coast Trains Ltd	UK 02 2005 0083	6	29 July 2019
West Midlands Trains Ltd	UK 02 2017 0003	6	29 July 2019
XC Trains Ltd	UK 02 2007 0010	6	29 July 2019

Station licence holders

Operator	Licence number	Condition to be modified	Date of modification
Abellio East Anglia Ltd	UK 03 2016 0005	6	29 July 2019
Abellio ScotRail Ltd	UK 03 2015 0003	6	29 July 2019
Arriva Rail London Ltd	UK 03 2016 0007	6	4 November 2019
Arriva Rail North Ltd	UK 02 2016 0007	6	29 July 2019
The Chiltern Railway Company Ltd	UK 03 1995 0015	6	29 July 2019
DFT OLR2 Ltd	UK 03 2018 0009	6	29 July 2019
East Midlands Trains Ltd	UK 03 2007 0019	6	29 July 2019
First Greater Western Ltd	UK 03 2006 0002	6	29 July 2019
First MTR South Western Trains Ltd	UK 03 2017 0001	6	29 July 2019
First TransPennine Express Ltd	UK 03 2016 0002	6	29 July 2019
Glasgow Prestwick International Airport Ltd	UK 03 1994 0006	6	4 November 2019
Govia Thameslink Railway Ltd	UK 03 2014 0008	6	29 July 2019
Keolis Amey Operations/ Gweithrediadau Keolis Amey Ltd	UK 03 2018 0005	6	29 July 2019
London North Eastern Railway Ltd	UK 03 2014 0003	6	29 July 2019
London & South Eastern Railway Ltd	UK 03 2006 0005	6	29 July 2019
London Underground Ltd	UK 03 2004 0009	5	4 November 2019
Merseyrail Electrics 2002 Ltd	UK 03 2003 0013	6	29 July 2019
Merseyrail Electrics 2002 Ltd (Liverpool South Parkway station)	UK 03 2005 0086	6	29 July 2019
Merseyrail Passenger Transport services Ltd	UK 03 2014 0005	6	29 July 2019
Mitie Technical Facilities Management Ltd	UK 03 2013 0001	6	4 November 2019
MTR Corporation (Crossrail) Ltd	UK 03 2015 0005	6	4 November 2019
Network Rail Infrastructure Ltd	UK 03 1994 0004	5	29 July 2019
Rail for London Ltd	UK 03 2007 0017	6	29 July 2019
Stobart Rail Ltd	UK 03 2011 0001	6	4 November 2019
South Yorkshire Supertram Ltd	UK 03 2018 0002	6	4 November 2019
Trenitalia c2c Ltd	UK 03 2014 0011	6	29 July 2019
Tyne and Wear Passenger Transport Executive	UK 03 2002 0003	6	4 November 2019
West Coast Trains Ltd	UK 03 1995 0013	6	29 July 2019
West Midlands Trains Ltd	UK 03 2017 0004	6	29 July 2019

Schedule 2

Modification relating to complaints handling

The below wording will be added to the end of the Complaints Handling condition. The location of the Complaints Handling condition is set out in the table in Schedule 1 to this notice for each of the licences/SNRPs affected:

- [5 or 7] (a) The [SNRP\licence] holder shall become and thereafter remain, a member of the Relevant ADR Scheme
- (b) The [SNRP\licence] holder shall comply with its obligations under the Relevant ADR Scheme; and
- (c) If the Relevant ADR Scheme, at any time, ceases to be Compliant, the [SNRP\licence] holder must:
- (i) within 14 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of that fact;
 - (ii) within no more than 28 days after becoming aware that the Relevant ADR Scheme is no longer Compliant, notify ORR of the arrangements it has put in place to ensure that the interests of passengers are not adversely affected and must, if so directed by ORR at any time, revise those arrangements to take account of any concerns ORR reasonably raises about the protection of passenger interests; and
 - (iii) if the Relevant ADR Scheme continues to be non-Compliant for more than 6 months:
 - take all such steps as are reasonably practicable, including working together with other members of the Relevant ADR Scheme, and Rail Delivery Group, as appropriate, to identify another alternative dispute resolution scheme which is Compliant; and
 - notify such scheme to ORR within not more than 12 months (or such longer period as ORR may agree) after the date on which the Relevant ADR Scheme ceased to be Compliant

[6 or 8] For the purposes of this Condition:

“Relevant ADR Scheme” means:

- the alternative dispute resolution scheme procured by Rail Delivery Group (the Rail Ombudsman) or, as the case may be, any Successor Scheme

“Successor Scheme” means:

- such other alternative dispute resolution scheme as is notified to ORR by the [SNRP\ licence] holder under sub-paragraph (c)(iii) above, and is accepted by ORR as providing suitable protection for the interests of passengers.

“Complaint”, in relation to the Relevant ADR Scheme, means:

- that the scheme is approved by the Designated Competent Authority and meets the requirements of ORR’s Guidance in respect of an alternative dispute resolution scheme.

“Designated Competent Authority” means:

- the relevant Designated Competent Authority under The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

“ORR’s Guidance” means:

- ORR’s Guidance on the Complaints Handling Procedures as amended from time to time.