



By E-mail

Mr Roy Smith
Office of the Rail Regulator
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Our reference: LN/122/02

4 November 2002

Dear Mr Smith

Re: ORR Consultation on an Application made by MML to the Regulator to direct London & Continental Stations & Property to enter into a station access contract

Further to the above consultation the Rail Passengers Committee for the Midlands would like to make the following comments.

The Committee agree that a New Agreement between Midland Mainline and London & Continental Stations & Property should continue in force under the general terms of the existing Agreement until the first fare-paying international trains leave St. Pancras, anticipated to be in early 2007.

The Committee considers that passengers interests should be paramount at all times and nothing has changed since the original Agreement was reached to suggest that any material changes to the terms, conditions and compensation levels should be allowed.

The Committee supports the Midland Mainline view that compensation for 'general damage to business' should continue and reflect the increase in passenger numbers since 1996. The Committee also supports the Midland Mainline view that provisions for compensation for failure to provide reasonable facilities should continue.

The Committee notes that the existing Agreement is due to expire on 28 April 2003 by when works were expected to have been completed. The Committee also notes that the 'Channel Tunnel Rail Link Implementation Date' for works was 6 June 2000. However, the impact on Midland Mainline and its passengers of the works was minimal before the first weekend blockade of St. Pancras which occurred in October 2001, although it has been substantial ever since.

Therefore, the additional compensation payable from 2003 to 2007 may be offset against any compensation received between 6 June 2000 and an agreed date in mid 2001.

The Committee is keen to see that this compensation reaches the passengers concerned. Given the difficulties in identifying this passenger group, the Committee suggests that whatever sum of appropriate compensation be determined should be ring fenced to produce a package of passenger benefits. These benefits to be identified jointly between the SRA and relevant parties, including the RPC network and LTUC.

Yours sincerely

Lee Newman
Deputy Secretary