

Abigail Grenfell
Manager, Licensing and Marketing Regulation
Office of Rail Regulation
1 Kemble Street
LONDON WC2B 2AN

Our Ref:
Your Ref:

16th June 2011

Dear Abigail,

Amending licenses to give passengers the information they need to plan and make journeys – a consultation

Thank you for the recent opportunity to comment on your proposed change to licensing conditions relating to passenger information.

London TravelWatch has long campaigned on this issue, which we see as central to improving and maintaining passenger satisfaction with the rail network. We therefore welcome and strongly support your proposed amendments to operator licenses, Network Rail's network license and the introduction of an obligation in station licenses. Indeed, we have always welcomed and sought United Kingdom adoption of Article 18 of the Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations. This states that passengers shall be kept informed of the situation and the estimated departure time by the railway undertaking or by the station manager as soon as such information is available.

In producing such amendments to these licenses it is important that the requirements for information are disaggregated by channel or means of dissemination. So there should be separate standards for printed paper information such as posters and leaflets, station signage, public address announcements both on station and on train, electronic customer information screens, Help points, websites and telephone enquiries. In addition thought needs to be given as to how information at interchanges is provided and also the relaying of information about other operators services such as London Underground. This is particularly important in London where a significant proportion of passenger journeys involve the use of more than one mode, and where if sufficient information is provided at an early stage passengers can alter the means and routing of their journeys to avoid disruption.

London TravelWatch and its' predecessor bodies have produced over a number of years research reports which we believe reflect passengers needs for information which you may wish to use as benchmarks by which to measure operator compliance.

These include:-

Standards at London's Rail Stations :- <http://www.londontravelwatch.org.uk/document/13850>

In this document we set out passengers' communication needs in chapter 3 and this covers, information provision, signage, branding and staff customer service.

Where is this? An audit of station signage conventions. (Paper copy attached).

Times tables Recommendations on the style and format of paper timetables (paper copy attached).

Whose station are you? Recommendations covering information provision at stations served by both London Underground and National Rail operators (paper copy attached) – this was subsequently partially updated by Standards at London's Rail Stations.

All these reports emphasize the need for good quality information that is appropriate, accurate, accessible and timely. This becomes critical during disruption when passengers need it most. In our submission to the Winter Resilience Review (which they subsequently took up) we said that the rail industry was too reliant on single source electronic systems for providing information, and needed to develop alternative dissemination methods to provide an alternative means of providing such information.

London TravelWatch has welcomed and supported the industry's efforts at improving the provision of passenger information. However, we agree with you that the current accountability framework is not sufficient or clear as to who has responsibility for what. As an illustration of this, attached is a copy of correspondence we sent you in 2008 in relation to Network Rail's management of engineering projects. We therefore welcome and support the ORR's proposal for a formal accountability process. Much of the current arrangements are contained in a myriad of franchise specifications, agreements and voluntary codes of practice, which can mean that some problems are not 'owned' by any one organisation. The use of license condition would give greater clarity on requirements, and would bring consistency across the industry – a clear benefit to passengers in terms of comprehension and accountability.

We agree that the current split of responsibilities is broadly sensible and would allow for continuity, but agree that a formalised clearer statement of responsibilities is the way forward.

As noted above, we believe that the proposals should cover:-

- printed paper information such as posters and leaflets,
- station signage,
- public address announcements both on station and on train,
- electronic customer information screens,
- Help points,
- websites
- telephone enquiries.
- A requirement to provide comprehensive and impartial advice/information
- A requirement to co-operate with other service providers in pursuing all of the above aims – including providers of bus and tram services connecting with rail services.

The monitoring of these obligations should be done by means of audit and also the use of passenger satisfaction indicators.

Network Rail as the infrastructure provider and operator of some major stations would need additional conditions to ensure that it operated in a passenger focused way, and it enabled all the other railway industry parties to fulfil their obligations to provide information. This we would suggest requires forms of effective sanction on them as a provider (including direction on recompense to individual travellers) in the event of their failure to the license conditions.

We would suggest that these license obligations should cover all train operating companies (franchised and open access), Network Rail and other railways (such as London Underground) where these have a direct interface with the National Rail network. This should include London Underground owned and managed stations also used by National Rail operators.

We believe that these proposals would not add to the regulatory burden on operators, as much of the activity is done already, and would have a positive impact on sustainable travel, the development and sustaining of competition, and the management of crowding at stations and on trains.

We believe the ORR should set out clearly when and how the license conditions would be applied, particularly in relation to existing franchises, and when sanctions would be applied if they were not done through the franchise compliance process. There should also be with any determination process the ability for representations to be received either from stakeholders (such as train operators or transport authorities) or from passenger representatives such as London TravelWatch and Passenger Focus.

Wording of train operator and Network Rail license. We would suggest that the wording of the purpose paragraphs is changed to 'appropriate, accurate, accessible and timely information'. On the train operator license – this may need amendment where services are also likely to use another providers infrastructure such as London Underground.

I hope that this response provides you with some useful pointers – should you have any queries on this please feel free to contact me at the address below.

Yours sincerely



Tim Bellenger
Director, Research and Development

Direct Dial: 020 7726 9959
Fax: 020 7726 9999
Switchboard Telephone: 020 7505 9000
Email: tim.bellenger@londontravelwatch.org.uk

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Your Ref:



17 June 2011

Abigail Grenfell
Office of Rail Regulation
One Kemble Street
London
WC2B 4AN

Dear Ms Grenfell

Network Rail's management of engineering projects

London TravelWatch welcomes the decision by ORR to investigate Network Rail's management of engineering projects over the 2007-8 Christmas/New Year possessions period. For the purposes of the current investigation, our comments are restricted to the issues arising from the management of projects relating to the closure of Liverpool Street. We understand that Passenger Focus will be writing to you separately providing comments in relation to both the Liverpool Street and Rugby projects.

We recognise that your investigation is limited to whether Network Rail was in breach of its network licence, including the obligation set down in Condition 7 relating to the planning of the operation, maintenance, renewal and development of the network in accordance with best practice and in a timely, efficient and economical manner so as to satisfy the reasonable requirements of your customers and funders, and the obligations in Condition 9(2).

From a passengers' perspective, we consider that the scale of the engineering overrun at Liverpool Street and the lack of timely advice provided to passengers as totally unacceptable. We consider that the many thousands of passengers travelling into Liverpool Street should be able to rely on the railway network delivering the services they had planned or booked to use, and that the information they are provided with should be up to date and accurate. It is clear in this instance, this was not the case.

We are content that the original decision to renew overhead line equipment at the same time as the demolition of a redundant bridge as part of the East London line project was a reasonable one provided that there were sufficient staffing and project management resources available to undertake the work. We note that Network Rail have commented that that they undertook "unprecedented levels of activity" over the Christmas period, which raises the question as to whether sufficient resources were secured or available to undertake the planned engineering projects.

We understand that Network Rail is now claiming that there was a shortage of engineers available to undertake the work. Suggestions have been made that one reason for the overrun at Liverpool Street was that a number of engineers were switched to the Rugby site. If this was proved to be the case, we consider that this raises serious questions about the ability of Network Rail to manage projects and prioritise work. While we recognise that the West Coast Mainline is a prestigious and high profile project, the impact of an overrun in terms of the number of passengers affected is significantly lower at Rugby than at Liverpool

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Street. It should be noted that Liverpool Street is Britain's busiest railway terminus with over 120 million passengers each year and 55 timetabled arrivals between 0800 and 0900 each morning alone, and therefore we are concerned that resources could be allowed to be switched from this project prior to its completion.

London TravelWatch were assured at a meeting on 11th December with Andrew Chivers, Managing Director of ONE that proper scrutiny of the project at Liverpool Street would be undertaken by Network Rail on a regular basis, and that reports would be provided to the train operator several times per day to ensure that early warnings could be provided of overruns. It was only on this basis that we were persuaded that further contingency arrangements would not be required.

According to information produced by Network Rail and seen by us, we understand that Network Rail forecast an overrun of 2 hours at 2am on 1st January, whereas the final handover was not completed until 06.12 on 3rd January – an overrun of over 26 hours. This would suggest that Network Rail failed to monitor its contractors adequately and would appear therefore to be in breach of its network licence. In addition, we understand that it was not until early on 2nd January that ONE were informed that there would be a significant engineering works overrun necessitating 70 staff to work overnight on 2nd January. Further, the lack of notice received regarding the eventual completion of works, meant that services could not fully resume until after the morning peak had been heavily disrupted on 3rd January. This apparent failure to inform the main operator led to significant numbers of passengers only being informed of disruption to their journeys after they commenced their journeys or purchased tickets on 2nd January.

We understand that no information was available to passengers until after 6am on 2nd January, and that much of the information on the National Rail Enquiries website particularly continued to be either inaccurate or misleading throughout that day. Many passengers have informed us that Customer Information Systems continued to show services running to and from Liverpool Street and those at Stratford continued to show inaccurate platform arrangements. Many staff on the ground appeared to have insufficient information to effectively assist passengers. It appears that Customer Information Systems effectively show what should happen rather than what is actually happening with the effect that they are proved to be useless when there is a significant departure from the usual timetable. If sufficient notice had been provided to National Rail Enquiries and the train operator, consideration could have been given to rail replacement services and advanced warning could have been provided to a significant proportion of passengers enabling them to either provide additional time for their journeys or to consider alternatives.

We welcome the announcement on 14th January by ONE to provide full compensation arrangements for passengers caught up in the disruption as a result of the engineering works overrun. However, in order to recognise the significant impact on passengers of such overruns, we consider that passengers should receive compensation in excess of their ticket cost where Network Rail fails to adequately manage their contractors. We are concerned that it took almost two weeks for compensation arrangements to be put into place, and that ONE will only guarantee to respond to claims within six weeks. In our experience, the likelihood of passengers claiming compensation for delays is significantly reduced where there is a delay in establishing a compensation scheme. This is because passengers are often required to remember detailed information of their journeys and provide appropriate tickets in order to claim. We would like an assurance that all of the reported £3 million of compensation provided by Network Rail is provided to passengers in compensation rather than used to administer the compensation scheme.

We note that The Office of Rail Regulation (ORR) concluded that weaknesses in the planning and execution of the Portsmouth resignalling scheme by Network Rail caused it to breach Condition 7 of its network licence in June last year. It is therefore of great concern to us that another enquiry into its management of engineering projects should be deemed necessary within such a short timescale, and raises a question as to whether Network Rail is sufficiently accountable for its actions to passengers, operators or the regulator.

Nevertheless, we consider that should the ORR conclude that Network Rail has been in breach of its network licence, there is little benefit in fining them. Effectively, such action would serve to reduce the funding available for improving the rail infrastructure and would provide no benefit for the passengers who were seriously inconvenienced by the overrun.

We are concerned to ensure that the statements of contrition by Network Rail are backed up with real lessons learned and action undertaken to improve the service provided to passengers. We therefore support Passenger Focus' recommendation that, should the ORR conclude that Network Rail has been in breach of its network licence, it should require Network Rail to fund substantial enhancements to the delivery of passenger information with a particular focus on delivery of timely, relevant, accurate and consistent information at times of unplanned disruption. Ensuring that Network Rail make changes to the base timetable on the industry's Very Short Term Planning (VSTP) process should enable up to date and accurate information to be made available to customer information systems, timetable enquiries and real time running information. At stations in the London area, and at stations on the Stansted Airport line, we consider that customer information systems should be enhanced to include real time running information about London Underground, London Overground and DLR services.

We are content that any comments made in our submission should be in the public domain, and are providing a copy to Network Rail as requested.

Yours sincerely

Bryan Davey
Director, Public Liaison

cc Paul Plummer, Network Rail