

To holders of:

- Passenger SNRPs
- Passenger train licences

which are listed in Schedule 1

22/11/2021

22 November 2021

X 

By email and post

Les Waters

Senior Manager, Licensing

Signed by: Les.Waters@orr.gov.uk

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 (“SNRPs”), under regulation 10 and schedule 4 of the Regulations, to operate railway assets.

On 31 August 2021, 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 licences and SNRPs listed in Schedule 1 of this Notice, to include a new condition on delay compensation.¹ An accompanying decision document summarised the outcome of the policy development and stakeholder consultation process, and set out the Code of Practice with which licence holders will need to comply.²

All relevant licence / SNRP holders have given their written consent to the new licence condition being incorporated into their respective licences / SNRPs.

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 including the new licence condition set out in Schedule 2. This change will take effect 1 April 2022.

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 after the 1 April 2022.

Yours sincerely



Les Waters

Duly authorised by the Office of Rail and Road

¹ <https://www.orr.gov.uk/sites/default/files/2021-09/2021-08-31-delay-compensation-licence-condition-notice.pdf>

² <https://www.orr.gov.uk/sites/default/files/2021-08/2021-08-31-delay-compensation-decision-document.pdf>

Schedule 1:

The table below indicates the relevant passenger train licences / SNRPs that will be affected by the new Delay Compensation Licence Condition 29. This change will take effect from 1 April 2022.

Operator	Licence number
Abellio East Anglia Limited	UK 02 2016 0003
Abellio East Midlands Trains Limited	UK 02 2019 0001
Abellio ScotRail Ltd	UK 02 2015 0003
Arriva Rail London Limited	UK 03 2016 0007
DfT OLR10 Limited (now named TransPennine Trains Limited)	UK 02 2020 0004
DfT OLR11 Limited (now named Chiltern Rail Limited)	UK 02 2020 0005
DfT OLR12 Limited (now named WM Trains Limited)	UK 02 2020 0006
DfT OLR13 Limited (now named Midlands Trains Limited)	UK 02 2020 0007
DfT OLR14 Limited (now named Thameslink Southern Great Northern Limited)	UK 02 2020 0008
DfT OLR4 Limited (now named Greater Western Railway Limited)	UK 02 2006 0013
DfT OLR5 Limited (now named South Western Railway Limited)	UK 02 2006 0008
DfT OLR6 Limited (now named Cross Country Rail Limited)	UK 02 2006 0007
DfT OLR7 Limited (now named c2c Railway Limited)	UK 02 2006 0011
DfT OLR8 Limited (now named Railway West Coast Limited)	UK 02 2020 0002
DfT OLR9 Limited (now named GA Trains Limited)	UK 02 2020 0003
East Coast Trains Ltd ³	UK 02 2021 0001
First Greater Western Limited	UK 02 2006 0002

³ As a new operator, East Coast Trains Ltd (Lumo) were not included in our initial statutory consultation. We consulted them separately to secure their consent.

Operator	Licence number
First MTR South Western Trains Limited	UK 02 2017 0002
First TransPennine Express Ltd	UK 02 2016 0001
First Trenitalia West Coast Rail Limited trading as Avanti West Coast	UK 02 2019 0002
Govia Thameslink Railway Limited	UK 02 2014 0002
Grand Central Railway Company Limited	UK 02 2007 0003
Heathrow Express Operating Co Limited	UK 02 2014 0001
Hull Trains Company Limited	UK 02 2005 0055
London North Eastern Railway Limited	UK 02 2006 0012
Merseyrail Electrics 2002 Limited ⁴	UK 03 2003 0011
Merseyrail Passenger Transport Services Ltd (OLR)	UK 03 2014 0004
MTR Corporation (Crossrail) Ltd	UK 02 2015 0004
Northern Trains Limited	UK 02 2006 0010
Rail for London Limited (OLR)	UK 02 2007 0008
SE Trains Ltd (previously DFTOLR2 Limited)	UK 02 2006 0009
Serco Caledonian Sleepers Limited	UK 02 2015 0001
SOLR 1 Limited	UK 02 2007 0006
SOLR 2 Limited	UK 02 2007 0007
The Chiltern Railway Company Ltd	UK 02 2005 0019
Transport for Wales Rail Ltd	UK 02 2020 0001
Trenitalia c2c Limited	UK 02 2014 0003
West Midlands Trains Limited	UK 02 2017 0003
XC Trains Ltd	UK 02 2007 0010

⁴ In the previous consultation for licence holder consent an incorrect licence number was used. This has now been corrected.

Schedule 2:

New licence condition on delay compensation

The below wording will be added to the passenger train licences / SNRPs listed above. This change will come into effect on 1 April 2022.

Condition 29: Delay Compensation.

1. The [SNRP / licence] holder shall comply with the Delay Compensation Code of Practice.
2. For the purposes of this Condition:
 - “Delay Compensation Code of Practice” means the delay compensation code of practice published by ORR, and as may be amended by ORR from time to time.
 - “Delay compensation” means the compensation to which passengers are entitled if they are travelling and experience a delay (above a given threshold), arriving at their destination late due to a cancelled or delayed service.