

Martin Jones
Deputy Director, Access & International



Paul McMahon
The Quadrant
Elder Gate
Milton Keynes
MK9 1EN

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Dear Paul

Timetable development and Informed Traveller Timescales non-compliance

We are aware from our ongoing engagement with the System Operator and the PMO and our from observation of the JEOT meetings that the industry has agreed revised timetable planning timescales for the December 2020 and May 2021 timetable changes. These revisions are outside Network Code timescales, and may result in timetables not being finalised until T3 or T4 for December 2020, and recovering to T12 by late 2021 or early 2022. Reduced timescales for publishing the timetable will impact on both passengers and freight.

We recognise that the industry agreed this deviation from normal timetable planning timescales in order to provide train operators the opportunity to deliver performance improvements as part of the December timetable change. The industry is now trying to balance the delivery of two different things to passengers: improved train performance and how far in advance the December timetable is published.

I would like to thank you and your team for the open and helpful informal discussions of your developing options and plans over recent weeks. These were useful conversations at a time when the situation was moving very fast, but I think it is now necessary to put the position on a more formal footing – particularly now that what has been agreed with industry entails potential non-compliance by Network Rail with its network licence obligations and has significant implications for the provision of information to passengers.

To that end, I would be grateful if you could provide a response which addresses the following areas:

Recovery plans

We are aware that Network Rail is developing a T12 recovery plan, and we expect that this will include consideration of the Kings Cross blockade (which is now programmed to start in February 2021) and other access requirements. We want to engage with you about the development of the recovery plan to ensure that it is appropriate, robust and delivers as much certainty to passengers and freight as reasonably practicable. Given your licence obligations on timetable planning and the passenger information duty¹, we will be monitoring progress against the plan closely.

For recovery to T12 to be impactful for passengers (and freight), the timetable published at T12 needs to be sufficiently certain to support train operators selling tickets and passengers planning journeys. We would therefore like to see a recovery plan which considers the broader industry as well as Network Rail timetable planning. This reflects our desire to focus on passenger and freight experience, and avoid the situation whereby Network Rail notionally publishes a timetable at T12 which is then subject to a significant degree of change.

Passenger information and freight

Unfortunately, even with a robust and effective recovery plan, and if the December and May timetables are delivered without the realisation of any significant risk, the planned non-compliance with T12 is likely to be detrimental to passengers, freight operators and freight customers. In relation to passengers, Network Rail has passenger information obligations under its licence²; we would therefore like Network Rail to set out how it intends to work together with train operating companies to communicate effectively with passengers. We will be writing separately to train operators to remind them about their obligations under their licences³ regarding the provision of information to passengers.

In relation to the risk of detriment to freight operators and freight customers, we would like to understand what steps Network Rail will be taking to ensure that freight operators are able to plan their business with a reasonable degree of assurance.

¹ Conditions 1.5 Passenger Information and 7.17-7.18 on timetable planning in the Network Rail Network Licence: https://orr.gov.uk/_data/assets/pdf_file/0012/3063/network_licence.pdf

² Condition 3 in the Network Rail Station Licence: https://orr.gov.uk/_data/assets/pdf_file/0012/3234/nr-stat-licence.pdf

³ Condition 4 of the Passenger Licence and GB Statement of National Regulatory Provisions: Passenger (Information to Passengers).

Governance and risk

Decisions on the December timetable have necessarily moved very quickly, and sometimes outside the usual industry processes. We need to understand the governance of this decision-making and how the risks associated with condensing the time available for timetable planning have been assessed and managed. We are concerned about the fatigue of timetable planners within Network Rail and across the industry who have been working to deliver the consistency timetables, and the impact this fatigue may have on timetable quality.

We are also concerned about how specific risks to the delivery of timetable, such as those associated with Kings Cross will be managed within the limited time available. We will continue to engage with the PMO on timetable assurance.

Next steps

I welcome the ongoing engagement between our teams. We would like to ensure this continues. However, given the importance of this matter, I would like a formal response to this letter by 7 September 2020 so that we can ensure that the timetable planning process delivers for passengers and freight, and that we are able to act to support the effective management of timetable change associated risks. In particular, please set out:

- The timescales for developing the recovery plan;
- what routine reporting on compliance with the recovery plan will be produced, how this will be shared with ORR and the industry and whether in the interest of transparency this will be published;
- how Network Rail and train operating companies intend to work together to communicate effectively with passengers;
- what steps Network Rail will be taking to ensure that freight operators are able to plan their business with a reasonable degree of assurance; and
- details of the governance of the decision making, and how risks associated the reduced timescales are being assessed and managed.

I look forward to hearing from you. We will publish this letter together with your response on our website.

Yours sincerely

A handwritten signature in black ink that reads 'Martin Jones'.

Martin Jones