

3 December 2019

To holders of station licences, European passenger licences and SNRPs

Cc: Department for Transport, Transport Scotland, Transport for Wales, Transport Focus, London TravelWatch, Rail Delivery Group, Transport for London, Rail North, CAHA Registrar, Eurostar

Rail Passengers' Rights and Obligations Regulation: Notice of changes to station licences and passenger SNRPs

We wrote to you on 22 October 2019¹ about the drafting of amendments of certain conditions in your station licence (issued under the Railways Act 1993 ("the Act")) and/or your passenger statement of national regulatory provisions ("SNRP") issued under the Railway (Licensing of Railway Undertakings) Regulations 2005.

These changes are required by law following the expiry of the domestic exemption today, 3 December 2019, from certain obligations in the Rail Passengers' Rights and Obligations Regulations 2010² (the "RPRO 2010"). Notwithstanding that implementation is mandatory, we asked for comments on the drafting of the proposed station licence and SNRP amendments. We received no significant comments from SNRP holders and we will publish a summary of views received alongside this letter in due course.

We are now issuing this notice to make changes, which take effect immediately³. The required amendments to the conditions affected are set out in **Annex A** (passenger SNRP) and **Annex B** (station licences). RPRO 2010 changes are marked in red, underlined text. These are unchanged from the amendments we proposed in October and we will update these modifications to the electronic versions of your licences and SNRPs on our website in due course.

We are writing separately to holders of affected station licences who are not themselves SNRP holders. We are considering an issue raised in relation to their station licences, and will contact them again shortly. A copy of that letter will be available on our website⁴.

Yours sincerely



Marcus Clements

¹ https://orr.gov.uk/_data/assets/pdf_file/0007/41938/consultation-letter-to-passenger-snrp-holders-october-2019.pdf

² The Rail Passengers' Rights and Obligations Regulations 2010 - http://www.legislation.gov.uk/uksi/2010/1504/pdfs/uksi_20101504_en.pdf

³ This does not apply to SNRP holders who provide 'traction only' services, We will be writing to them separately in light of issues raised.

⁴ At <https://orr.gov.uk/rail/consultations/policy-consultations-by-topic/access-and-licensing/consultation-on-changes-to-operator-licences>

Annex A – modifications made to passenger SNRPs

The following modifications are to be made to the passenger SNRPs held by each licence holder:

- 1 Amend Condition 3 (Passenger Rights, Through Tickets and Network Benefits), paragraph 2 as follows:
 - “2. The SNRP holder shall comply with articles [s 4-10, 15-18 and 28-29](#) of the PRO Regulation.”
- 2 Amend Condition 5 (Accessible Travel Policy), paragraph 2⁵, as follows:
 - “2. In establishing the ATP and in making any change to it, the SNRP holder shall have due regard to the code of practice published by the Secretary of State pursuant to section 71B of the Act and to articles [s 19 to 24](#) of the PRO Regulation.”
- 3 Amend Condition 6 (Complaints Handling)⁶, paragraph 1, as follows:
 - “1. The SNRP holder shall establish and thereafter comply with a procedure for handling complaints relating to licensed activities from its customers and potential customers [and shall comply with article 27 of the PRO Regulation](#) (the “Complaints Procedure”).”

⁵ Please note - all references to “Disabled People’s Protection Policy” and “DPPP” were replaced with “Accessible Travel Policy” and “ATP” on 29 July 2019.

⁶ Rail Express Systems Ltd does not have this condition.

Annex B – modifications made to the station licences held by passenger SNRP holders

The following modifications are to be made to the station licences of all passenger SNRP-holders:

- 1 In the Table of Contents, under the heading “Part III – Conditions”, insert a reference to a new Condition 3 as follows:

“Condition 3: Passenger Rights”

- 2 Insert a new condition 3 as follows:

“Condition 3: Passenger Rights⁷”

1. The licence holder shall comply with articles 18 and 29 of the PRO Regulation.”

- 3 Amend Condition 5 (Accessible Travel Policy), paragraph 2, as follows:

“2. In establishing the ATP and in making any change to it, the licence holder shall have due regard to the code of practice published by the Secretary of State pursuant to section 71B of the Act and to articles s 19(1), 21, 22 and 24 of the PRO Regulation.”

⁷ Please note that the condition number may be different in some licences.