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promoting quality public transport.....

Rail Sector Transformation Programme Consultation,
 Great Minster House 33
 Horseferry Road
 London
 SW1P 4DR

15th April 2025

Dear Team,

A railway fit for Britain's future.

Introduction

1 TravelWatch NorthWest (TWNW) is an independent Community Interest Company representing all public transport users in North West England. We are pleased to give our views as follows to this consultation.

2. We welcomed the launch of the Williams – Shapps Plan in May 2021. In particular –

- The rail industry to be restructured into a more co-ordinated entity, in particular bringing infrastructure control and operations much closer together, bringing better integration and passenger benefits.
- Fares – simplification, pay as you go, flexible season tickets and continuing regulation.
- More local control and input from local stakeholders including Community Rail Partnerships.
- The commitment to strengthened passenger representation with an increased regional presence.

Question 1 – Do you agree that GBR should be empowered to deliver through reformed incentives and a simplified and streamlined regulatory framework?

Question 2 – Do you agree that the Secretary of State should be responsible for issuing and modifying a simplified GBR licence enforced by the ORR, and that the ORR's duties with respect to GBR should be streamlined to reflect the new sector model?

3. A simplified and streamlined regulatory structure is to be welcomed. We have previously commented on the role of ORR with regard to rail. Our simplistic view has been that ORR would be an unnecessary bureaucratic

player in the new organisation. At the very least ORR's duties should be streamlined. We broadly agree with the sentiments of Question 2.

4. We are concerned about accountability. For years there has been significant inaction by all players who have a monitoring role namely: DfT; ORR; TfN; Local Authorities, on TOCs' shortfall in service. This needs to be seriously addressed by Government and GBR.

Question 3 – Do you agree that the Secretary of State should be responsible for setting a long-term strategy for GBR to align with government priorities?

5. Agreed. Long term strategy has been seriously missing in the present structure. There has to be an element of control over passenger services to plan future strategy for the entire network and to give maximum network and passenger benefits. This body must develop effective relationships and partnerships with the regional transport authorities that have been established (Transport for the North, West Midlands etc.). In particular a pan-GBR rolling stock strategy is badly needed.

6. On the question of government priorities, it has to be recognised that the railways are not a true commercial organisation because of the enormous costs of operation. However, railways are an environmentally propitious and economically essential public service that should be encouraged to attract passengers (and goods) from more damaging – less sustainable - modes of transport. Rail particularly has the potential to provide a vital sustainable underpinning of society. Therefore, TOWNW 's view is that they justify subsidy. In an industry where a long-term view is vital, franchising has suffered from short-termism and a competitive pressure to keep bids low, not allowing the wider strategic view and greater investment to enhance the product.

Question 4 – What are your views on the proposed functions of the Passenger Watchdog?

Question 5 – Which of the approaches would best enable the establishment of the new passenger watchdog?

Question 6 – Which of the options to establish the Alternative Dispute Resolution function as part of the passenger watchdog would deliver the best outcome for passengers in your view?

7. We favour the approach that builds the new watchdog from the existing passenger watchdog Transport Focus. We agree that the new body should be given increased powers as set out in the consultation. Good work in monitoring rail passengers' experiences is currently carried out by Transport Focus and this should continue without undue restriction. Their work underlines the importance of good effective users' champions, independent of the GBR body - crucial for passengers and their expectations. There will be a continuing need for such an independent organisation that has direct access to customers, which is transparent and where information can be passed freely to parts of the industry which rely on gleaned information to ensure consistent standards.

8. In addition, some years ago the regional statutory bodies representing passengers were abolished to the detriment, we believe, of local rail users. We advocate the restoration of similar bodies to the former Rail Passenger Committees, in line with a greater emphasis on an increasing role for local stakeholders. In this part of the world, such a body would fit well with the devolved authority of Transport for the North and of course the devolved governments and Mayoral Strategic Authorities (MSAs). These consumer organisations must be totally independent and TWNW would be well placed to fill this role, perhaps extending its horizons across the North of England.

9. The new watchdog, looking after passengers' interests should preserve as much independence from the formal rail structure as possible. In this context the role of Statutory Advisor rather than Statutory Advisor with Regulatory Functions would seem to be the more appropriate.

10. Alternative Dispute Resolution – we strongly agree that the new passenger watchdog should have a role in moderating unresolved passenger complaints and resolving disputes. However, we have some concerns that this “requires that the body’s core role be the investigation and resolution of complaints, **with a neutral approach to both consumers and traders**”. We do accept the point that the new watchdog’s wider remit and explicit passenger focus might not fit with this constraining directive. We are in broad agreement with the compromise as set out in paragraph 2.21.

11. Closure procedures and the role of the new watchdog in this area do not appear to be covered in the document. It is essential that passengers receive the maximum opportunity to object to any proposal to completely remove all passenger services from any station or line. Closure procedures were strongly watered down in the 1993 Railways Act and the previous active role of the then RPCs converted to a more passive role within Passenger (now Transport) Focus. The new watchdog must have a more active statutory role, including seeking objections to closure proposals and reporting independently to the Secretary of State on the effects of such closures and making recommendations.

Question 7 – A railway fit for Britain's future Does the proposed new access framework enable GBR to be an effective directing mind that can ensure best use of network capacity?

Question 8 – What - if any- key access rules and requirements for GBR should be updated and included in legislation?

Question 9 – Does the proposed role of the ORR acting as an appeals body to ensure fairness and non-discrimination provide sufficient reassurances to operators such as freight and open access wishing to access the GBR-managed network?

Question 10 – Do you foresee any unintended consequences of the ORR retaining its existing powers with regard to other infrastructure managers which might affect the smooth passage of trains between the GBR and non-GBR network?

Question 11 – The government intends to include in primary legislation a power to enable amendments to the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 to ensure consistency between GBR's processes and those used by other infrastructure managers. Do you agree with this approach?

12. We agree that GBR should be a directing mind on access and allocation of train paths. We are not sure about the need for an Appeals body but will not press the point.

13. Paragraph 21 of the document makes reference, inter alia, to engineering access. In our part of the world engineering work on the West Coast Main Line, is a serious constraint on access by rail, especially at holiday times. Given that most passengers on feeder WCML and other local services are primarily leisure travellers this can hit very hard. Bank Holiday weekends are a favourite target and the scale of disruption for passengers visiting the Lake District can be shocking.

14. Consultation with passengers and passenger groups is therefore vital. In a broader context and with a heavy programme of work on the WCML, all effort must be made to keep passengers on trains as much as possible during any disruption. In recent times, TOCs have seemed reluctant to use diversionary rail routes to circumvent line blockages. We recognise issues surrounding train crew knowledge and suitable rolling stock with their associated costs. However, the minimisation of inconvenience, indeed vexation, for the passenger cannot be overemphasised. The guiding (instructing?) hand of GBR will be fundamental in this process.

Question 12 – Do you agree with the proposed legislative approach regarding a 5-year funding settlement for Great British Railways?

15. No comment other than to say that investment funding must have a horizon appreciably longer than 5 years – 30,40,50?

Question 13 – Do you agree with the legislative approach set out above to retain the Secretary of State's role in securing the overall affordability of fares and continuing to safeguard certain railcard discount schemes?

Question 14 – What, if any, safeguards are needed to ensure a thriving and competitive rail retail market while also ensuring GBR can deliver a high-quality offer to its customers?

16. We agree that there should be safeguards for affordability and railcard discount schemes. It makes sense for GBR to provide ticketing services directly to customers in future.

Question 15 – A railway fit for Britain's future The government intends that GBR's statutory duty in relation to devolved leaders should strike a balance between enhancing their role whilst also ensuring that GBR has the appropriate flexibility to direct the national network. Do you agree with this approach?

Question 16 – Do you agree with the proposed approach in Scotland on enabling further collaboration between track and train while preserving the devolved settlements?

Question 17 – Do you agree with the proposed approach in Wales on enabling further collaboration between track and train while preserving the devolved settlements?

Question 18 – Do you agree with the government's approach of making targeted amendments to existing legislation to clarify the role of devolved leaders in relation to GBR?

17. It is important that the role of devolved leaders and Regional/ Local Transport Authorities are enhanced. The ambitions of Greater Manchester are a good example. We welcome the emphasis on integration and the ability of MSAs to create unified transport networks that serve their cities and regions much like Transport for London.

18. There must be a commitment to integration with other modes, both in timetable planning and ticketing, not just in MSAs but across the whole of the rail system. Much more could be done to improve the availability of integrated ticketing for varying modes to allow "complete journey" purchases. For example, there are currently inadequacies with through ticketing between Manchester Metrolink and other public transport modes which have been in existence ever since the system opened in the 1990s and have been exacerbated as the system has grown.

19. A further consideration with regard to MSAs is the issue of cross boundary services. There can be a tendency for an emphasis on the Metropolitan Combined Authorities to the detriment of those less city centric areas where rail transport is vital.

Question 19 – The government intends to create a new delegated power that would enable the Secretary of State to update, amend or revoke provisions in TDLCR and related assimilated law in Great Britain, subject to public consultation. Do you agree with this approach?

20. We are content with this.

Thank you for the opportunity to respond.

Yours faithfully

John A Moorhouse

John Moorhouse
Director and Company Secretary