

Licensing Team
Office of Rail and Road

By email

25 May 2023

To whom it may concern,

Rail Partners' response to ORR consultation on Network Rail's timetable publication licence requirement

Rail Partners welcomes the opportunity to respond to this initial consultation on proposals to modify Network Rail's licence requirement on timetable publication on behalf of the private sector owning groups of passenger operators and our freight operator members.

Since the beginning of the coronavirus pandemic, the rail industry has worked tirelessly to ensure the continued movement of people and goods across the country. Against a backdrop of rapidly changing demand, a backlog of long-planned engineering works, and significant cost challenges, it has been necessary to adopt a more flexible approach to timetabling. This has meant that the so-called '*Informed Traveller*' deadline of T-12 has necessarily needed to be flexed. Despite this context, Rail Partners is opposed to any proposals to reduce deadlines from T-12 to T-8 on a permanent basis, as this will have a negative impact on the experience of passengers and the ability of freight operators to meet the needs of freight customers.

Although most passengers purchase their tickets close to or on the day of travel, the publication of the Working Timetable further in advance is important for end users in order to coordinate their travel plans. This is particularly salient for long-distance passenger services, where typically passengers are likely to plan further ahead and have more options on which transport mode they use. This is especially important in the run up to holiday periods and major events where passengers often book months ahead. Without clear planning horizons, passengers are unable to purchase advance fare tickets with confidence, reducing rail's commercial attractiveness. The changes enabled by the proposals in this consultation could disincentivise passengers to use rail, in favour of travelling by more carbon intensive modes such as road and air. It is therefore vital that train operators can continue to publish accurate timetables and sell tickets further out than 8 weeks, with a high degree of confidence that they will be able to operate the service as advertised.

The rail industry is facing significant cost pressures as it seeks to recover financial sustainability. Most train operating companies currently operate on National Rail Contracts. Under these arrangements passenger operators are incentivised to bear down on cost rather than revenue generation. The support from some operators to transition from T-12 to T-8 reflects the current contractual framework which does not empower private sector operators to innovate and invest to enhance the customer proposition.

The proposals in this consultation are not customer-focussed and represent an operationally driven solution, rather than considering the impact on rail users. Instead, the focus should be to switch on revenue incentives and provide train companies with the commercial and operational freedom to deliver for customers, focussed not merely on achieving financial sustainability through cost reduction but by growing passenger numbers. Far from reducing the '*Informed Traveller*' deadline, as

an industry we should be looking to extend booking horizons as is the case across multiple other transport modes.

Rail Partners also understands the significant challenges facing Network Rail as it seeks to make up for lost time in the delivery of important maintenance and renewal work on the railway caused by the pandemic and industrial action. Current levels of poor network performance have reinforced the importance of delivering a reliable network that passengers and freight customers can depend on. Some train operators have reported that, under current processes, they have received late notice possessions that without adequate diversionary routing has led to a significant cancellation of passenger and freight services – often at short notice. By moving from T-12 to T-8, there is a risk that these behaviours which are detrimental to the customer become embedded within the infrastructure manager.

As a commercial industry supporting complex national and international supply chains, rail freight operators benefit from the publication of timetables in advance in order to plan their services efficiently. Ongoing network reliability challenges, coupled with the regularity at which late notice possessions are being called is hugely disruptive to the rail freight operators. It is affecting freight customers' perception of the rail freight sector, driving modal shift back to road and could put long-term freight growth, which government has committed to, at risk. Freight operators have consistently voiced concern and voted against the changes that would be enabled by the proposals in this consultation and their position remains unchanged.

Rail Partners would welcome further discussions with the ORR before any decisions are made to change the *'Informed Traveller'* deadline as we hold significant reservations about the detrimental impact this could have on passengers and freight customers.

Yours sincerely,



John Thomas
Director of Policy