

# PENINSULA TRANSPORT

## Item 6 Railways Bill 2025 Consultation - Proposed PRTF Response

13 March 2025

*Please note that the following recommendations are subject to consideration and determination by the Board before taking effect.*

## RECOMMENDATION

### It is recommended that:

- (a) The Board is asked to note the key points set out within this paper;
- (b) The Board is asked to approve the proposed response to the Railways Bill consultation;
- (c) The Board delegates authority to approve the final submission to the consultation on behalf to PRTF and Peninsula Transport to Councillor Davis, Chair of PRTF, following their next meeting.

### I. Background/Introduction

The Government published the document “A railway fit for Britain’s future” in February 2025, seeking views on the proposed Railways Bill. The Bill enables the establishment of GBR, bringing together track and train, giving the new organisation the authority and autonomy to run the rail network in the public interest. The consultation is open until 15<sup>th</sup> April 2025.

The consultation document sets out the aims of the legislative reforms through:

- Establishment of a new passenger watchdog;
- Reform of fares and online retail of tickets;
- A new statutory role for devolved leaders;
- Streamlining processes and reducing regulatory burdens;
- Ensuring the private sector continues to play a key role, including promotion of rail freight.

A series of questions are posed covering all aspects of the bill. A draft response has been prepared covering these areas provided at Appendix A.

PRTF and Peninsula Transport support the creation of an ‘effective, single directing mind’ placing the needs of the passenger at the centre of the rail service. Key issues raised in the draft response are summarised below:

- **Leadership** – it is essential that the creation of GBR is not a rebranding of Network Rail and reform covers all aspects of how rail is governed. A streamlined ORR must still have the powers to hold GBR to account where appropriate.
- **Passenger Watchdog** – the principle of a new passenger watchdog, working to improve and prioritise the passenger experience is supported. How the watchdog operates alongside ORR needs clarification.
- **Optimising use of the rail network** – making the most of the infrastructure we have is supported by the PRTF and aligns with the Peninsula Transport Strategy. Whilst the retention of open access services will enable this optimisation, it is important this does not lead to confusion for the passenger and ‘two-tier’ services in some locations. The active support for rail freight expansion is supported and aligns with the South West Freight Strategy.

- **Financial Framework** – Continuation of long-term funding settlements of five years is supported as it provides the ability for strategic network enhancements to be appropriately planned for. It is important that enhancements are not delayed by the transitional process and the continuation of the current Control Period.
- **Fares & Ticketing** – The retention of railcards as a discount for regular passengers is strongly supported, and aligns with our intention to create a Peninsula railcard. However there is limited detail on the creation of a simpler fare structure.
- **Devolution** – the proposed legislation includes considerable discussion around devolution and the priority placed on Mayoral Strategic Authorities with regard to governing, managing, planning and developing the rail network within their area. Whilst devolution is supported by Peninsula Transport and PRTF, it is a complex and lengthy process with no clear resolution agreed in our geography. The strong emphasis placed on MSAs and regional rail governance risks removing the regional voice from areas where no elected devolved leaders are in place, or will be for some years. It is essential that areas like peninsula do not lose our ability to influence and collaborate on rail network and service enhancements in coming months and years.

Due to the forthcoming pre-election period across parts of the peninsula region, the Board is asked to approve this draft, but delegate authority to the PRTF to approve a final submission once they have had the opportunity to comment and debate the document ahead of March 25<sup>th</sup>.

#### **Financial Considerations**

There are no specific financial considerations identified in association with this paper.

#### **Environmental Impact Considerations**

There are no specific environmental impacts identified in association with this paper.

#### **Equality Considerations**

There are no specific equality impacts identified in association with this paper.

#### **Legal Considerations**

There are no specific legal considerations identified in association with this paper.

#### **Summary/Conclusions/Reasons for Recommendations**

Board members are asked to approve this draft consultation response to the Railways Bill 2025 and delegate authority to PRTF to finalise the submission ahead of the pre-election period.

# RAILWAYS BILL 2025

## Peninsula Rail Task Force and Peninsula Transport Consultation Submission - DRAFT



Peninsula Rail Task Force (PRTF), as the rail working and advisory group for Peninsula Transport STB, welcomes the opportunity to respond to this consultation on rail legislation reform and supports the formation of Great British Railways.

### GENERAL COMMENTS

PRTF and Peninsula Transport support the 'effective, single directing mind' in principle, placing the needs of the customer at the centre of the rail service and bringing track and train together. Whilst the STB and PRTF have a strong collaborative relationship with both Network Rail and the Train Operating Companies, this isn't always the case across the country and has taken time to develop. The move towards a more consistent and collaborative approach can only be a good thing for the passenger.

The use of rail has changed significantly in recent years, with a marked increase in leisure and discretionary travel. The south west saw the fastest recovery in passenger demand post-pandemic mainly due to a surge in leisure and educational travel. The peninsula region continues to be ambitious in the vision for rail with plans for a number of new stations and network enhancements to further grow rail use.

Peninsula Transport does have significant concerns with regard to the proposed legislation in the proposed approach to devolution and the role of regional leaders in influencing, governing and planning the rail network in their area. As a region with no current elected leaders, there would appear to be a clear risk of a loss of a regional voice and influence. Whilst reference is made with regard to STBs it is only relatively limited in relation to 'matters of wider regional interest'.

### LEADERSHIP FOR BRITAIN'S RAILWAYS – QUESTIONS 1 TO 3

It will be important that the creation of GBR is not simply a rebranding of Network Rail and does represent a radical transformation of the rail sector intended to benefit the passenger. The commitment to being customer-focused will require some significant changes to the culture within Network Rail. The suggested creation of GBR out of Network Rail Infrastructure Limited risks recreating an existing organisation without fully reorganising it.

Reforms to the regulatory framework are welcomed where intended to streamline governance and make decision-making from within more straightforward. It is important that the role of a streamlined ORR is clarified at the earliest opportunity as well of rolls of accountability.

A long-term strategy for rail and GBR set by the Secretary of State is supported as it will provide clear direction and commitment to rail improvements and enhancements. However it must ensure that such a strategy does not become diverted or altered by short-term political issues

### A NEW VOICE FOR PASSENGERS – QUESTIONS 4 TO 6

The development of a new watchdog for passengers is supported in principle. Any intervention that improves and prioritises the passenger experience is welcomed.

It must be made clear what powers this new watchdog will have, and how it will operate alongside a more streamlined Office for Rail and Road (ORR). The watchdog must have sufficient power to act on behalf of the passenger to ensure issues are resolved and the needs of passenger groups are fed into the running of the railway adequately. The proposal for Transport Focus to undertake the role of passenger champion is support, and it is therefore important that they are given sufficient powers through a strengthened position in order to be effective.

## **MAKING BEST USE OF THE RAIL NETWORK – QUESTIONS 7 TO 11**

Making the optimum use of the existing rail infrastructure and available train paths is supported by PRTF and Peninsula Transport. It is essential that the resources we have available are used as efficiently as possible. This should include the provision to ensure that services and timetables have due consideration for the onward journey of passengers, to facilitate an integrated network and simplified interchanges.

The legislation retains the provision for open access rail services, with the proposal that the government and GBR will take decisions on access in the public interest. The concept of open access services, where spare capacity can be used to the benefit of the passenger, is supported. However, the extent to which this is retained in the future GBR network may cause some confusion to the passenger and has the potential to lead to a ‘two-tier’ rail service. The removal of the independent decision-making powers on open access services from the ORR may also lead to GBR being placed in conflict when making commercial decisions regarding services in competition to the nationalised network. The role and process of granting access to the rail network needs to be made explicit and clear with the role of ORR and GBR clarified.

The support for the expansion of rail freight access, within the constraints of available paths, is supported by the PRTF and Peninsula Transport. Peninsula Transport and Western Gateway published a joint Freight Strategy in 2022 which identified a number of interventions to encourage sustainable freight transport across the region. This included a series of measures to encourage rail freight growth, through the establishment of intermodal facilities in the region and working with potential users of rail freight to understand the barriers to transporting more goods by that mode. It is known there are a number of rail freight paths on the network in the region that are currently under-utilised. The prioritisation of freight within GBR should ensure that these opportunities are taken wherever possible. Peninsula Transport and PRTF welcome the recent target for freight growth announced by the GBR Transition Team, although feel this could be more ambitious in some parts of the network.

## **FINANCIAL FRAMEWORK – QUESTION 12**

The continuation of the five-year funding settlement for GBR is supported as it retains continuity for longer term strategic planning of the railway. The continued role of ORR in monitoring progress is also supported. Further clarification needs to be provided as to how this funding arrangement will govern train services and the opportunity for flexibility in funding provision and allocation.

It is essential that funding is allocated to scheme development in a timely manner to reflect the growing need for infrastructure investment and enhancement. It is also important that enhancements are not delayed through this transitional process until the end of the current Control Period where they are appropriate to bring forward sooner.

## **FARES, TICKETING AND RETAILING – QUESTIONS 13 TO 14**

The cost and complexity of the current fare system presents significant barriers to use of the railways. The legislation therefore needs to enable a simpler fare structure to be put in place, which provides better value for the user, and supports the governments targets to achieve net zero. The proposal not to see the responsibility for this vested with the ‘single directing mind’ would appear to make this difficult to achieve.

With regards to ticketing, it is acknowledged that the independent retailers sector is well developed that it would be impossible to step back from that to benefit the user. Therefore it is important that the ticketing and fare structure is simpler, clearer and easier to understand. This can only be achieved through a simplification and rationalisation of the types and number of fares available to passengers, moving away from the current experience of ticket purchasing which is confusing and undermines

customer confidence. It isn't clear whether this legislation proposes to undertake this simplification, rather it merely confirms the gradual replacement of individual TOC ticket retailing websites.

The commitment to retaining the railcard-related discounts is strongly supported. PRTF have been instrumental in promoting the Devon & Cornwall Railcard and have developed proposals to expand this offer to be a Peninsula Railcard with increased coverage and improved terms and conditions. This railcard is hugely popular in the peninsula region and is of significant benefit to our resident population.

## **DEVOLUTION – QUESTIONS 15 TO 18**

As detailed earlier in this response, PRTF and Peninsula Transport are particularly concerned about the priority the legislation places upon Mayoral Strategic Authorities (MSAs) with regard to governing, managing, planning and developing the rail network. The development of MSAs across the country is supported, however this will take some time to achieve and, particularly in the peninsula region, will not be simple. Whilst discussions are currently ongoing regionally around the potential MSA landscape of the future, these will take some time to conclude and likely years to implement in full.

The direct link between MSAs and the governance of regional rail networks risks removing the regional voice from areas where no elected devolved leaders are in place over coming years. The proposal to establish bespoke agreements with MSAs in different parts of the country presents a risk of inequality in local governance and influence on rail services rather than achieving a consistent level of service across the network.

The proposed legislation does not take into account the responsibility given to STBs to “coordinate the carrying out of transport functions in relation to the area that are exercisable by different constituent authorities, with a view to improving the effectiveness and efficiency in the carrying out of those functions<sup>1</sup>” as set out in the Cities and Local Government Devolution Act 2016. Whilst the emerging devolution landscape may see some STBs subsumed within MSAs where appropriate, this will not necessarily happen consistently across the country. Provision must therefore be made for areas without MSAs to have similar roles in feeding into the rail business planning process in their region.

It is essential that rail networks are planned collaboratively with Local Authorities, STBs and other regional stakeholders to reflect local ambitions, growth targets and policies. This collaboration already exists in the peninsula and, although there are no devolved elected leaders in place, this has led to significant rail infrastructure investment and service improvements in recent years.

We would also like to see the acknowledgement that rail is part of an integrated transport network and therefore needs to engage with STBs as well as other network operators such as National Highways.

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2016/1/crossheading/subnational-transport-bodies>