

A NEW HOPE FOR THE RAILWAYS?

The new Railways Bill will certainly simplify the railways industry. But does it also pave the way for reduced services and line closures?

The number of trains that is delayed is more than 70 per cent higher than under British Rail. Now – seven years into office – the government stands accused of having merely tinkered with the railways, shying away from radical action. Meanwhile, rail travellers continue to suffer.

The government's answer is the recently announced Railways Bill. It proposes big changes to how the industry is structured, and deals largely in the technicalities of how costs are controlled and responsibilities divided up. But transport secretary Alistair Darling MP claims it's not just a cost-control exercise. He reckons that it will improve the lot of everyday passengers, that it will be 'customer, and not industry, focused'.

The bill has sparked a wide range of reactions among experts. Many welcome the streamlined structure that he proposes; others think it will make little difference. But a worry many share is that it reduces accountability – that the new powers it grants Network Rail and the Department for Transport pave the way for service cuts and line closures, and leave passengers powerless to protest.

We've talked to people working in the transport industry and put their challenges to Alistair Darling. And, more importantly, we've confronted him with the experiences of real people in the know – those passengers who've written to us explaining how train journeys can be hell for commuters, disabled people, pregnant women and older people. What will his plans do to help them? And will they be left with even less of a voice?

THE JOURNEY SO FAR

Most criticisms of the current state of the railways stem from the far-reaching consequences of privatisation in the 1990s. Nationally

owned British Rail was broken up into more than 100 organisations by John Major's government, which placed responsibilities for the tracks and trains in different hands.

However, it's widely accepted that there were major flaws in the theory. 'The whole system was completely against passenger interests,' says Stephen Joseph, Director of Transport 2000, which campaigns on the environmental and social impact of transport. 'Because the railways have been set up with contracts between every conceivable level of the industry, the incentive is to pass the buck...All the power went to people who had no financial incentive to improve services.'

Critics at the time considered the notion of 25 train operators bidding against each other to be fundamentally flawed. Train operators would simply cherry-pick the best train times, increasing the subsidies needed for less popular services.

Patrick Brown, then Permanent Secretary at the Department of Transport, recently told the BBC's 'Witness to History' that he knew before privatisation that it couldn't introduce true competition. 'I don't think that any of us in the Department of Transport thought that open access could have any part in the privatisation,' he said. 'But you couldn't say so.'

As late as 1995, Labour's deputy leader John Prescott MP was speaking up for a 'publicly owned, publicly accountable railway' – but Labour





“These proposals, complemented by sustained investment, will allow the industry to provide a service on which we can depend”
Alistair Darling MP, transport secretary



“It is difficult to see what this bill does which will lead directly to an improvement. I think a lot of it is largely irrelevant to passengers”
Tim Yeo MP, Conservative Party



“The person on the platform is not going to see the benefits for months or years”
Anthony Smith, Rail Passengers Council

EUROPE'S BEST RAILWAYS

While we're left looking at a fairly shambolic rail network, in other European countries such as Switzerland and France, things couldn't be more different.

Punctuality You'd expect good punctuality from a country whose most famous export is clocks. According to the Swiss Federal Railways, just 5 per cent of trains are more than five minutes overdue.

In France, it's a similar story, with only 7 per cent of regional and 5 per cent of mainline journeys not on time.

As for Britain, 19 per cent of trains arrive more than five minutes late (or ten minutes for long-distance trains).

Price France has the largest high-speed rail network in Europe but that doesn't mean paying the earth to use it. Travelling from Paris to Dijon at peak time takes just one hour 40 minutes, and costs a mere

Switzerland: 5% delayed



France: 5-7% delayed



Britain: 19% delayed



£67 for a return. The comparable London to Manchester trip on Virgin's new high-speed trains takes two hours 18 minutes, but sets you back a crippling £187.

It's cheaper in Switzerland, too. A three-hour peak return journey from Geneva to Zurich costs £70.

did a U-turn in the run-up to the 1997 election. In the event, it took less extreme action.

It created the Strategic Rail Authority to look after strategic planning. It founded the Railway Safety and Standards Board to keep a closer eye on health and safety levels. And it replaced Railtrack, which took care of the infrastructure, with Network Rail, which has essentially the same role.

The charge against the government is that it's failed to grasp the nettle; instead, it's embarked on a series of relatively minor changes which haven't addressed the real problems. According to a leading consultant in the field, Christian Wolmar: 'The frequency of tinkering has created instability in the industry, leading to a deterioration in performance.'

'They've been running to catch up, really, rather than doing something proactive,' says Stephen Joseph. 'I think ultimately they're paying the price for inaction. The Prime Minister has publicly said that one of the mistakes they made was not doing something about the railways earlier.'

THE GOVERNMENT'S OPTIONS

But what exactly are Alistair Darling's options? At one extreme is renationalisation. The argument goes that the current problems stem from the pursuit of profit over a decent public service, and a chaotic relationship between train companies and the infrastructure. Renationalisation wouldn't cost huge amounts, say supporters, if it happened gradually, as franchises came up for renewal.

Bob Crow, General Secretary of the RMT union, highlights the example of South Eastern Trains.

Q&A: Alistair Darling



We spoke to Alistair Darling, Secretary of State for Transport, about his plans.

Q: Why have you introduced the Railways Bill?

A: After privatisation, there were far too many organisations involved. The Railways Bill leaves a

much clearer sense of who is responsible for running the railways.

Q: The charge against you is that it's really to reduce costs.

A: No. It will help assert better cost control, but we are spending considerably more on the railways than we were years ago. Indeed, in the

next three years we will be spending about £7 billion more than we expected to three years ago.

In the six years before privatisation, around 300 miles of track were replaced. Under Railtrack, this reduced to 200 miles a year. This year, Network Rail will replace about 850 miles of track.

Also, we are replacing nearly a third of rolling stock.

Q: And what impact will that have for passengers?

A: The number one complaint that passengers have is reliability.

We've already brought together local Network Rail management and the

train companies under one roof. That's seen big increases in reliability, because it streamlines decision making.

Q: What about overcrowding?

A: On each route now, Network Rail is working out whether or not we can get more capacity.

Also, some of the fare structures are being changed – airlines do this very successfully. Not everybody can alter their time of travel but if some people could be persuaded to, you get a more comfortable ride.

There are about 1,500 more services than seven years ago. And there will be more trains coming.

Q: The procedure for closing lines is changing. Will you still listen to travellers' hardship?

A: The new approach is based closely on assessing the value for money of other transport proposals. A crucial part will include the costs and benefits to rail users and the financial impact on the train companies and Network Rail.

Q: And will you hold Network Rail to account if it doesn't look after passengers in its new role?

A: Yes. In addition, the Office of Rail Regulation has a duty to enforce the conditions of Network Rail's licence.

Passengers with disabilities

'At least we know we don't live in a fascist state,' says disabled traveller Bob Williams-Findlay. 'The trains

wheelchair user from Cambridge. 'I always freak out when it comes to my station. There is never anyone waiting

squeeze and is always cold, damp and smelly.'

In theory, disabled rail users can book station staff to help them. But Dr Ben Foley, a wheelchair user from Bedford, doesn't see the point: 'It rarely results in a better service than just turning up'. Just getting to the right platform is a hassle. If the lifts aren't working, Ben has 'the choice of hauling myself up the stairs, or a trip to Luton and back, just to get to a different platform.' Things can be just as bad on the train itself. Disabled users wrote to us about the difficulty of finding a usable toilet. Wheelchair



Some disabled users find staff assistance so poor that it's not worth pre-booking it

"The tannoy is useless if the station is too noisy to hear it" Michelle Valentine

never run on time.'

It's scant consolation for the ten million people in Britain with disabilities. Poor accessibility, a lack of station staff, and unusable information make the disabled passengers who've written to us feel discriminated against.

'I enjoy using the train, but it's not made easy,' says Jo Barnes, a

for me. They have no idea how scary it is to be stuck on a train until someone comes along with a ramp.'

Even younger wheelchair users aren't always looked after. Kristy Baldock told us: 'I always have to travel in the guard's van, and my mum and dad have to stand in there with me. The journey can be a

user Freda Stephenson says it's 'impossible unless you can limbo dance between door, sink and toilet!'

Finding out information about trains is also an issue. As visually impaired Michelle Valentine remarks: 'The tannoy is useless if the station is too noisy to hear it'.

The Disability Discrimination Act 1995 was extended last year and now requires stations and information to be more accessible. But according to Will Dingli at the Disability Rights Commission, '60 per cent of the rail network is inaccessible to disabled people'.

Since November 2003, it has been run by the government while a new franchisee is found; Connex, which used to run it, was thrown out due to poor service. 'Since it's been renationalised,' he says, 'South Eastern Trains has increased punctuality. Staff morale has gone up and passenger complaints have gone down.'

For the RMT, a big part of the nationalisation argument is that trains and tracks need to be controlled by the same people. What happens when something as simple as a light breaks, asks Bob Crow: 'They turn around and say "Can we fix it? Because whose light is it? Is it my light or is it their light? Or is it the subcontractor's light?"'

Reintegration could still happen without public

ownership, though. A less extreme option for the government would be to put both in the hands of one private company. However, that would still require a big upheaval – perhaps the best thing the government can do is to stop playing around with who does what on the railways.

'The problem is that there have been so many structural changes over the past 15 years,' says Tim Yeo MP, Conservative Shadow Transport Secretary. 'In the short term, the railways need another upheaval like a hole in

"Since it's been renationalised, South Eastern Trains has increased punctuality" Bob Crow, RMT

HOW MUCH COMES OUT OF THE PUBLIC PURSE?

£3.8bn OR £5.37bn ?



You'd think this is a fairly simple question. But in the confusing mess of railway finance, it's easy to misplace £1.5 billion or so.

If you ask the government, it will tell you that £3.8 billion a year comes out of the public purse to subsidise the railways. But Roger Ford, a rail finance consultant and Technical Editor of *Modern Railways*, reckons the real cost to the taxpayer is closer to £5.37 billion. 'The government figure doesn't include Network Rail's borrowings, even though the government underwrites them,' he

says. 'Public funding is higher now than in the last 30 years.'

The issue's clouded by the role of private investment. The government says the private sector invests £70 million a week. Not so says Roger Ford: 'That assumes Network Rail is a private-sector company, which it isn't really. All its funding comes from the government and the government backs its debts'.

It's not just a technicality: if there's no clarity about who's spending what, how can the public join the debate?

Delays

Midland Mainline	30%
Virgin Cross Country	28%
First Great Western	26%
Thameslink	26%
Central Trains	26%
GNER	26%
South West Trains	25%
Virgin West Coast	25%
South Eastern Trains	20%
First North Western	19%
Arriva Trains Wales	18%
Gatwick Express	18%
Silverlink	18%
Arriva Trains Northern	17%
WAGN	16%
Wessex Trains	16%
First ScotRail	14%
c2c	14%

The percentages show the proportion of trains more than five minutes late (or ten minutes for long-distance journeys)

the head. We have to try to make the present system work better.'

One way to do that is through improved investment. 'Investment has not been used properly,' says Stephen Joseph from Transport 2000. 'There's a lot of renewal of equipment going on and, if some things were just put in slightly differently, passenger service may improve. For example, you might change where the signal is, to extend the platform so that you can run longer trains to avoid overcrowding. That's the sort of thing that needs doing and I'm a bit concerned that it's not happening at the moment.'

DARLING'S NEW PROPOSALS

Alistair Darling thinks the best answer is to streamline the organisations involved. He's giving Network Rail overall responsibility for the day-to-day running of the service. There will be a series of Network Control Centres where Network Rail staff will work alongside the train operators. That, he reckons, will ensure that all the companies work together effectively. You could look at it as a sort of 'Reintegration Lite'.

Stephen Joseph thinks that it's a good idea: 'There'll be much clearer specification, where the Department for Transport says what it wants, the Rail Regulator oversees it and the train operators and Network Rail deliver it.'

That doesn't mean that we'll see benefits in the near future, though. 'The person on the platform is not going to see the benefits for months or years,'

says Anthony Smith, National Director of the Rail Passengers Council. 'This is all structural change and the benefits of it are way, way downstream.'

For some critics, problems with the bill run deeper than that. Not only, they argue, does it fail to go far enough to correct the railways' structure, but it also opens up a big gap in accountability – it gives Alistair Darling leeway to do whatever is politically convenient, even if that's cutting services or closing lines. There are three changes to accountability: at the Rail Passengers Council (RPC), Network Rail, and the Department for Transport (DfT).

Abolished local RPC committees

The bill replaces local RPC committees with just one nationwide committee. The committees are there to help passengers with complaints and they meet regularly with local train companies to discuss how to improve services.

The RPC itself welcomes the move. 'We have the possibility to create a new, bold, passenger-focused organisation, which has been really difficult to weld in the past,' says Anthony Smith. 'We'll be able to build an organisation that can shift resources around more effectively.'

However, there are already concerns about how much interaction the RPC has with passengers – and some people are worried that things will be worse under the new, centralised committee. John Thurso MP, the Liberal Democrats' Shadow Transport Secretary, questions whether a centralised RPC will be even less accountable to

Pregnant passengers

Fiona Clarkson travelled by train twice a day during her pregnancy: 'Each time, it would be jam-packed. There were never any seats, so I had to stand.' She suffered from severe joint pains in her pelvis, hips and legs, brought on by her pregnancy. She wrote to tell us that 'standing on a moving train was incredibly uncomfortable. Only twice in six months was I offered a seat.'

Joanna Rhodes commutes from Erith to London Moorgate: 'At London Bridge, the trains are regularly overcrowded and nobody offers a pregnant lady a seat. Only last week, I

stood for 20 minutes in real pain.'

Craig Turton at the Nursing and Midwifery Council told us there's 'no evidence of serious harm to the baby from standing. But forcing pregnant women to stand for long periods of time can cause exhaustion and circulation problems.'

By law, every carriage built after 1999 must have seats for vulnerable passengers. But, according to Joanna, 'there are no priority seats on South Eastern Trains on our routes – probably because the stickers have been vandalised.'

South Eastern Trains says that it

regularly reviews the stickers and that it would deal with complaints about stickers the same day.

Not everyone's unhappy, though. One pregnant woman who wrote to us is pleased that her train company, One, 'offers free upgrades to first

"I stood for 20 minutes in real pain" Joanna Rhodes

class for the last eight weeks of pregnancy.' It's worth checking whether your provider does, too – they don't always shout about it. One WAGN passenger who wrote to us was told only when she surrendered her season ticket.

If you're pregnant, ask whether you can be upgraded to first class for free – the train company won't always let you know



OUR RESEARCH

In September and October 2004, we placed several adverts in the national press and on online notice boards appealing for rail users to send us their stories – good or bad. We received more than 160 responses. Our thanks to everyone who responded.

passengers: 'There is a lot of concern regionally among passenger groups that centralisation will actually reduce accountability.'

And, while Transport 2000 supports the idea in principle, it's worried that the new body won't be properly resourced. 'The whole thing looks like a cost-cutting exercise,' says Stephen Joseph. 'We're concerned that, in practice, there won't be the strong and independent passenger representation that is needed.'

More powers for Network Rail

Those concerns about accountability extend to the new powers that the bill would grant Network Rail. At the moment it maintains the infrastructure; the plan is that it will make decisions about which trains run and which do not, take control in periods of disruption and co-ordinate attempts to improve performance across the network.

"If you want to call Network Rail to account, who does so? The Secretary of State says it's not his job Tim Yeo MP, Conservative Party"

'The problem with Network Rail is that it isn't really answerable to anyone,' says Tim Yeo. 'If you want to call Network Rail to account, who does so? The Secretary of State says it's not his job.'

In theory, Network Rail is responsible to a group of stakeholders, which includes passenger groups. However, this group meets rarely and it has little hold over the directors of Network Rail. So, under the proposed structure, there are worries that rail users won't be able to influence decisions or get them reversed if they find their journeys worsening.

Those worries are compounded by the perception that Network Rail's culture is engineering-centred rather than passenger-centred. The RPC thinks that Network Rail must make itself more outward looking if it is to take on a bigger role.

More control for the government

The biggest worries about accountability relate, unsurprisingly, to the new powers the government proposes to give itself. It will be able to cut services, say some critics, almost on a whim.

The bill would abolish the Strategic Rail Authority (SRA), which is responsible for long-term strategic planning and investment, and hand some of its jobs over to Alistair Darling and the DfT.

'The worry is that too much responsibility is going to the DfT, rather than staying within the railway industry,' says Mike Crowhurst, Chairman of Railfuture, which campaigns for cheaper and more convenient rail travel.

Tim Yeo agrees. 'I think the government's right to abolish the SRA,' he says. 'The question is who should take over those functions. I think the train operators need to have a bigger say. They're the ones who are close to the customers. If they had more say, that would produce a more customer-

Older passengers

'I am still in that bolshie stage of old age', says Jean English, 73. 'I feel capable of looking after myself, thank you very much, given a little more co-operation from the men sitting in boardrooms.' But, on a recent visit to Clapham Junction,

anxious moments until I am on the platform.'

Gretel Jones of Age Concern told us: 'The gap is the real problem. We are aware of some older people who have had to stay on the train because they haven't been able to get off on to the platform.'

"I have many anxious moments until I am on the platform Agnes Hunter"

Jean was left stranded: 'No lifts, no assistance...I had to lug my case up two flights of stairs.'

Belinda Price, 64, is unable to carry heavy loads due to a recent operation. She's angry that more can't be done: 'We can lift a person to the moon, but apparently we cannot get vulnerable people up and down stairs with their luggage at most rail stations.'

For many of the 6.7 million over-70s in Britain, large gaps between train and platform are a problem.

'The help at Carlisle station is very good,' says Agnes Hunter, 73. 'Sadly, it is non-existent at smaller stations. I have many

No one seems to be providing a solution; they just wring their hands and say it's too difficult.'

Information is also an issue for many elderly rail users. 'Public address systems leave something to be desired: our hearing is not always 100 per cent,' comments Maurice Rudge, 75. Cherry Ann Knott thinks 'timetables are hard to read and the fonts are usually very small.'

But a good rail service is still worth fighting for. Cherry Ann reckons that '60 years of intensive usage of Britain's rail network has made me critical, but not yet prepared to give up'.

TAKE ISSUE

Are you fed up with your train service? What do you think should be done?

Email your views on the railways or any other topic in *Which?* to us at letters@which.co.uk. We'll print some in the magazine and more online at www.which.co.uk/whichextra.

sensitive railway.' For critics like him, one of the most alarming clauses in the bill is the one which 'allows the secretary of state to pretty well tell the Rail Regulator what to do'.

It's not just people on the political right who are making that point. Some critics to the left of the government think that the DfT's decision to hand itself such tight control over the amount of money available could mean that cuts in services are on the cards.

It will be easier for the government to close down lines, too. At the moment, if a railway line is proposed for closure, the RPC holds a hearing and writes a report on the hardship that will be caused. 'The bill abolishes all that,' says Stephen Joseph. 'All that happens is that the Secretary of State has to hold a consultation, and he can then make a decision. There is no requirement to consider the hardship caused to passengers over the closure.'

Mike Crowhurst agrees: 'The number one worry is closure procedures. Why now and what's the hidden agenda?'

WILL PASSENGERS BENEFIT?

For the moment, the idea that the bill is going to lead to a wave of service reductions and line closures is just speculation. But the concerns about accountability are sensible ones. The same goes for worries about important aspects of rail travel that fall outside the bill's remit.

For commuters, that means ticket prices. Here's the Liberal Democrats' John Thurso again: 'One of the big concerns is the price of travelling on the network. This bill does nothing for that.'

Fares were hiked in January, and some people think there's a danger that they will continue to rise to stave off demand. Rail expert Christian Wolmar explains that, traditionally, 'governments have raised prices to prevent the system becoming so overcrowded with travellers that massive further investment is needed.'

The bill doesn't deal directly with access and facilities for people with disabilities, pregnant women or older people, either. There is some consolation in the Disability Discrimination Act 1995, which was extended last year: it requires companies to make information and stations more accessible. However, many stations are still unsuitable – and trains aren't covered.

'The law doesn't say that, as of tomorrow morning, you have to rebuild every single station in the country,' Alistair Darling told us. 'There is a strong commitment from us, but it will take time.' The problem with upgrading the trains is that they have a 30-year life and it's not feasible to replace them all at once.

However, there are few words of comfort for other passengers let down by the quality of service on trains. Ask him who's responsible for improving staff assistance and he's straight about what he thinks: 'I think the truth is that some train companies are better than others. Train companies are responsible for making sure their customers are cared for properly.'

But who's responsible for keeping them in line? Again, it comes back to accountability – and that's

Commuters

'I am being treated solely as a revenue-raising mechanism,' says Dr John Pearson.

He's no exception. Anthony Smith from the Rail Passengers Council (RPC) told us: 'The main gripe from commuters is late trains, followed closely by getting a seat and the train's cleanliness.'

That backs up what we've found in more than 70 letters from commuters.

'I hate these companies,' says Mary O'Reilly, who says her First Great Western train is late nearly every morning.

Transpennine Express commuter Ingrid Hales Taylor also says she suffers

delays, made worse by overcrowding: 'Even cattle aren't treated the same way.' Amanda Ring, a commuter from Chesterfield to Sheffield, echoes

people in a carriage or the temperatures they have to endure. That's little comfort to Joanna Rhodes, who measured the temperature of her South Eastern Trains

There's no legal limit on the

number of people in a carriage

these concerns: 'I'd question the safety of the sardine situation'.

The Strategic Rail Authority sets targets for overcrowding but admits they're merely something to aim for. And Ingrid is right – unlike for animals, there's no legal limit on the number of

carriage at 40 degrees C.

To complain about your train service, contact the company operating the service, train or station. If that doesn't work, ask the RPC to mediate (08453 022 022 or www.railpassengers.co.uk).

where the bill really falls down. Nobody honestly knows whether it will be just another in a long line of tinkering; nobody can be certain that it's paving the way for reduced services and line closures. But it is clear that it doesn't properly address the issue of accountability to the public.

Consumers' experiences need to be at the heart of the changes, whether it's closing lines or keeping the toilets clean. And one man should ensure that customers have their say and that the train companies treat them properly: Alistair Darling. ■

which? says

The government makes great play of its investment in the railways. And it says that the Railways Bill will make sure the money is well spent.

But the reality isn't just about big numbers; it's about the misery and anxiety suffered by millions of rail passengers.

Commuters are fed up with late, cancelled and overcrowded trains;

millions of disabled passengers are denied the access they need to trains, stations and information.

Time will tell whether passengers see improvements to their journeys. But Alistair Darling can answer one charge today. The bill appears to reduce accountability to the people who feel the impact of the changes – his response

must ensure that doesn't happen.

We want him to improve Network Rail's accountability to the people and drop his plans to change how line closures will consider passengers' hardship.

And he must make train companies care properly for all their customers. That's not just their responsibility: it's his, too.

