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Dear David

### **Consultation on proposed new categories for Minor Modifications under the Railways Act 2005**

Thank you for your letter dated 11 September seeking comments from Passenger Focus on proposed changes to the station closure process, which looks to establish eligibility for some types of railway closure to be treated as Minor Modifications.

Passenger Focus understands that the aim of the new proposals is to reduce the regulatory burden placed on the industry and its stakeholders by the full closures process, by allowing station relocations (where there is limited effect on passengers) and track reductions (where multiple tracks run through, but do not serve a station) to be treated as minor modifications. It is accepted that such proposals would bring benefits in the efficiency with which these types of infrastructure and station schemes could be delivered; and that improvements could be delivered to passengers at an accelerated timescale that would not be possible if the full closure provisions applied. However, despite these benefits, Passenger Focus has a number of reservations regarding the proposals. By way of explanation we would offer the following comments on each of the questions posed in the consultation document:

*Q1 Should there be a maximum distance defined between the old and new stations? Each case should be considered on its own merits, but a distance of around 500m is considered to be a short distance. However, in some areas with small populations, a greater distance could also be considered to still have a limited effect.*

Passenger Focus understands that in many instances the effect of relocating a railway station a short distance away from its existing site, would have a limited effect on the travelling public and that there is a number of precedents to demonstrate this is the case. Whilst it is acknowledged that each case will have to be judged on its own merits, there are potential scenarios where an increase in the physical distance would not create a problem, but the eventual location of the new station would. Therefore, access generally must be considered; 400 metres down the same road is not the same as 300 metres away, with two junctions to negotiate, or even 100 metres away across a dual carriageway via a footbridge. It is not simply a question of how far the station might move but whether the extra distance places additional barriers to access.



Nevertheless, without a maximum distance being imposed, Passenger Focus believes that there would be too much scope for schemes to go ahead that would inconvenience passengers. Although not qualified to offer expert judgement, Passenger Focus does not consider 500 metres to be a short distance, particularly for those with mobility impairments. To demonstrate the point, bus planners within central London aim to have a bus stop roughly every four hundred metres, this in practice means a lesser distance for anyone between the two stops. If a maximum distance were to be stipulated it certainly should not exceed the 500 metres suggested. We would also have concerns, should the relocation mean that the station was moved to a different line and this had a negative impact on the number of journey opportunities offered, or if passengers could no longer reach the most popular destinations they once could from the original station location. This applies to both those passengers using the stations to begin their journeys and those exiting them to reach their final destination.

The question intimates that the extent of the impact that a station relocation may have, might vary depending on the size of the population living in the area surrounding the station. In the suggested criteria for assessing the potential impact of a relocation the consultation talks about those passengers **living** within a radius of the station and those accessing the station by road. What the suggested criteria fails to take account of is those stations that are situated within town centres and urban developments that are not necessarily surrounded by residential areas or accessed regularly by road users. Within the assessment criteria there therefore needs to be a measurement of the impact that the proposed relocation will have on passengers, for whom the station in question is their destination station, e.g. those using the station to access shops, tourist attractions and employment.

Irrespective of the distances involved, it is vital that any station relocation scheme factors in the need to ensure continuity of public transport, car parking, access to taxis and safe and secure walking routes to and from the station. This should be a requirement made of any operator proposing to relocate a station. Reference to not making access more difficult for disabled passengers, or those with other mobility needs, does not cover the above sufficiently. Equally important is that all new stations must be 'future-proofed' – platforms should be easily extendable in order to cope with existing rolling stock and projected growth, no "built-in" problems with signal spacing, overlaps, junction overlaps, bridges, etc.

Passenger Focus would also seek assurance that where a station falls within a zonal fares scheme, any relocation would not have a detrimental impact on the cost of fares at that station.

Assuming sufficient safeguards/caveats of this nature were applied then Passenger Focus *legitimate reasons such as reduced patronage for example?*

As a passenger representative, Passenger Focus is naturally cautious about agreeing to such an amendment to the current closures procedures, particularly where facilities such as toilets (especially if there are none on the train) and waiting rooms are important to passengers, irrespective of the actual numbers using the station. Before agreeing to any such amendment we would therefore need to be fully satisfied that there would be an adequate consultation



process and that sufficient evidence of declining patronage would be demanded from those making the proposal. In the face of growing demand, anyone making such proposals should be asked to establish why there is reduced patronage. If, for example, passengers chose not to use a car park at a particular station because of poor security and threat of crime that should not be sufficient reason to remove the facility. Similarly if passengers choose not to use toilets at stations because they are poorly maintained, this does not mean that they should be removed.

**Q3** *Should the eligibility also extend to schemes where two stations are combined into a single station?*

Mindful of the positive example set by the closure of the stations at Abercynon North and South and the benefits that the opening of the new station at Abercynon bought passengers, Passenger Focus is willing to accept that there are going to be instances where it would be more efficient for the replacement of two stations (by the building of a new one) to take place outside of the current closure procedures. However, as with question one, Passenger Focus would want a number of caveats to be firmly in place in order to prevent any closures that would cause disbenefit to passengers. All of those caveats referred to in our response to question one could equally be applied to the scenario described by the above question. In addition, and perhaps more importantly in this scenario, is the question of capacity. Passenger Focus would need to be sufficiently persuaded that there were sufficient safeguards in place to ensure that any new station would be able to cope with the demand and potential demand from passengers. As a hypothetical example, if planners wanted to amalgamate Acton main line with Ealing Broadway there would be some very large capacity problems to overcome. Ealing Broadway struggles to cope with the demand placed on it during the peaks, and even less during times of disruption. As a result, any new station must not only be future-proofed but exceed current capacity demand at time of build.

**Q4** *How many of the criteria would need to be fulfilled in order for a scheme to be considered to have limited effect?*

Given the responses provided for the previous questions, Passenger Focus would like to see all the criteria, referred to on page five of the consultation document, applied. However, in order to be satisfied that there will only be a 'limited effect', we would also seek assurance that additional criteria we have referred to also be applied.

In relation to the sixth bullet point on page 5, it is unclear what is meant by "with disbenefit to the community at the old station". If Network Rail and TOC(s) believe that they can only serve a new station on a line if another closes then the normal, full closure should apply. Any passenger using the old station (to be replaced) might claim that moving it by any distance is a disbenefit. Presumably in order to achieve compliance with these criteria any proposal would have to also satisfy the criteria that relates to people living within a radius of 800 metres of the old station and those accessing it by road.



### **Reductions in a multiple-track railway within a station**

Although Passenger Focus understands the rationale for the proposal to treat such sections of track in the same way as those sections outside of stations, substantial assurances about future proofing and maintaining operational flexibility should be obtained before any reduction in the number of tracks is sanctioned. For instance, passing loops often prove invaluable during times of service disruption and allow for future capacity enhancements. If such facilities were lost to a proposal to reduce a section of multiple tracks, as part of a station enhancement, a business case would clearly need to be made, taking account of any future demand. There is no discussion within the consultation document about how such things will be taken into account within the proposed changes.

### **General comments**

The consultation document highlights the fact that current guidance for Minor Modifications would need to be adapted to state that an appropriate form of local consultation is required to satisfy the Secretary of State that the effect of any closure is limited. Ensuring that there is adequate consultation with stakeholders and passengers alike is an extremely important safeguard when proposing changes of this type across the rail network. As a minimum we would expect local authorities to be included in the consultation and for there to be some sort of notification of intent publicised at the station concerned, giving passengers and Passenger Focus an opportunity to offer their support/objections.

Without the caveats referred to in the preceding paragraphs, and a robust consultation process, it is quite possible that some station relocations will be driven by commercial interest in the value of the land being freed up, rather than the desire to run the rail network in the best interest of passengers. Passenger Focus would not therefore be able to reconcile itself with the proposals that are being put forward.

I trust that the above comments will be helpful; should you have any queries, please feel free to get in touch.

Yours sincerely

**Dan Taylor**  
Policy and Research Adviser