

Net Zero, Energy and Transport Committee – Call for Views on Legislative Consent Motion for the Railways Bill

Sent to: netzero.committee@Parliament.Scot

Deadline: 4 March 2026

About Transport Focus

Transport Focus is the independent consumer watchdog representing the interests of rail users throughout Great Britain; bus, coach and tram users across England, outside London; and users of the motorways and major A-roads in England. We answer to an independent chair and board with a range of expertise, including representation from Scotland, Wales and England. Working with transport providers and Governments across England, Scotland and Wales – and in partnership with our colleagues at London TravelWatch – we ensure that the users' voice is heard.

About this response

We have focussed our response on the questions asked by the committee, using the font and length requested. We confirm that we have read the [privacy notice](#) and are happy for our submission to be published on the Committees webpage.

Questions

- 1. Do you have any concerns about the proposed arrangements for the specification, funding, and management of rail services and rail infrastructure in Scotland under the provisions set out in the UK Railways Bill? If so, what are they and how might they be addressed?*

Overall reforms and role of the Passenger Watchdog

We welcome the proposals in the Bill as an opportunity to fundamentally redesign the railway around the interests of passengers and create a more customer-focused culture.

The success of the reforms will depend on how they are implemented, as much as the legislation itself. We believe the following considerations are particularly important, with some reflecting current arrangements:

- Scottish Ministers and Transport Scotland have both the executive and operational responsibility to plan and make decisions in the best interests of passengers.
- It is clear how ScotRail, Caledonian Sleeper and Network Rail (Scotland) are held accountable for their performance and that this is done in a transparent and predictable way.

- Engagement with customers, particularly disabled passengers, is hard-wired into the design of management of rail services from the start.
- The Railways Bill includes the principle that, for matters that are reserved, the Secretary of State should have the powers of specification, funding and management; and for matters that are devolved, the Scottish Ministers should hold the relevant powers.”
- The Secretary of State and the Scottish Ministers must prepare and publish a memorandum of understanding setting out how they will work together in the exercise of their respective functions in relation to railways and railway services.

We support the creation of the Passenger Standards Authority (PSA) with responsibility for consumer licence functions and increased statutory powers, grown out of Transport Focus. This is the best way to incorporate Transport Focus’s existing skills and knowledge. It also means these enhanced rail functions would sit alongside Transport Focus’s existing legislative duties for bus, coach, tram and road users in England, allowing the watchdog to have a multi-modal focus from the start. We agree with the broad functions assigned to the watchdog in the Bill, including taking on the consumer licence functions currently performed by ORR such as passenger assistance, passenger information, and complaints.

We also welcome new powers for the watchdog to demand improvement plans; act as a statutory consultee on government and rail industry policies, strategies and business and infrastructure plans; powers to request information from rail bodies. This will put the Passenger Watchdog in a strong position to influence decision making, while also being able to challenge and hold operators to account when they are let down.

We support the transfer of sponsorship of the Rail Ombudsman (RO) to the new watchdog. This should create the least disruption for passengers and maintain the independent decision making required by an Ombudsman when considering individual cases. The RO already has the skills, experience and resources required and these can continue via the transfer of sponsorship. As the Passenger Watchdog our focus would be on improving complaint handling across the railway, driving up standards and treating complaints as valuable feedback on how to improve services.

We have been working closely with the Department for Transport (DfT), Office of Rail and Road (ORR) and the Rail Ombudsman (RO) to ensure that we have a robust plan to take on our new responsibilities, including the potential transfer of staff from the ORR to the new watchdog. We will develop a Memorandum of Understanding with ORR to guide how we work together once the functions transfer.

Improving accessibility

The Railways Bill is a positive step forward for delivering a railway that has accessibility at its heart. We were pleased to see a passenger and accessibility duty in the Bill to ensure GBR factors in the needs and interests of disabled passengers.

The recently launched Accessibility Roadmap gives valuable clarity on a series of important improvements that will be delivered before the launch of GBR. We will be working closely with organisations involved in the delivery of the Roadmap to make sure the changes are implemented in partnership with disabled passengers and that the promised benefits materialise. Hard-wiring accessibility into the culture and long-term planning of GBR will be critical. We will work with GBR to make sure this happens.

We recognise that 'Going Further' was the first national Accessible Travel Framework for Scotland. It was created in 2016 from conversations between disabled people, their representatives and people who work in transport across Scotland with the purpose of:

- supporting disabled people's rights by removing barriers and improving access to travel, and
- ensuring disabled people are fully involved in work to improve all aspects of travel.

The Framework provides a national vision and outcomes for accessible travel and a high-level action plan to tackle the key issues facing disabled people. Its vision is that 'All disabled people can travel with the same freedom, choice, dignity and opportunity as other citizens.' We will work with Scottish Government to make sure this happens.

- 2. Scottish Ministers argue the new management regime could allow for greater integration between track and train operations in Scotland – building on the current Alliance. How best could these new joint working arrangements be exercised to benefit rail passengers?*

We agree that there is the potential for greater integration between track and train operations in Scotland, through the Railways Bill. Greater integration between track and train should focus on passenger outcomes, delivering a service where passengers can rely on the basic promise of the predictable delivery of the timetable.

3. *Are you satisfied that the arrangements for managing cross-border services balance the needs of cross-border and ScotRail operations and their passengers? If not, how might they be improved?*

We are broadly satisfied with the arrangements. A key element is co-operation when developing timetables to ensure the needs of cross-border passengers and passengers travelling on ScotRail services are met. The aim is to provide, where possible, seamless interchange between ScotRail and cross-border services where passengers are transferring to/from a connecting service.

4. *What specific issues do you think should be included in the Memorandum of Understanding between Scottish Ministers and the UK Government on their exercise of railway powers?*

From a passenger perspective the Memorandum of Understanding should clearly articulate the respective responsibilities and accountabilities for the delivery of railway services and exercise of railway powers between Scottish Ministers and UK Government.

5. *Do you have any concerns about the impact of the new arrangements on rail freight operations and open access services in Scotland? If so, can you explain what these are and how they could be overcome?*

Transport Focus believes Open Access has benefited passengers through promoting price competition and a focus on customer service alongside opening-up new services.

Lumo services were introduced in October 2021, providing five trains per day between Edinburgh and London. Journeys between London and Edinburgh have materially increased since the introduction of Lumo, with a 46% increase in the rail year (2023/24) compared with 2018/19 (pre-covid).

Lumo has also launched a new service linking Glasgow directly with Falkirk, Edinburgh, the North East of England and London and is also set to launch a new route connecting Stirling with London Euston in 2026, offering choice to passengers.

The Railways Bill provides for a directing mind, planning and operating the network efficiently, to ensure a degree of control over access arrangements. We welcome the obligation to set policy and standard contracts transparently and in consultation. We also support the role of ORR as an 'appeal body' if there are disputes.