

*Q1: Do you have any comments on ORR's proposed objectives in approaching modifications to non-GBR licences?*

We welcome the overall objectives. In particular, the realisation of the explicit objective on giving effect to the Passenger Watchdog standards (objective d) will be vital to the effective functioning of the consumer standards regime envisaged by the Railways Bill. The evolution of this objective is an issue that Transport Focus will follow closely over the development of the ORR approach to the modifications. We are also pleased with inclusion of objective b, and the ORR's commitment to an approach that emphasises delivering a high standard for passengers.

*Q2: Do you have any views on our proposed principles and approach to licence modifications?*

The proposed principles are sensible. In a period of significant change for the industry, taking a proportionate, considered approach to ensure alignment but not necessitate wholesale rewrites is appropriate. The proposal to take advantage of the opportunity to make minor technical edits in areas outside of scope of alignment, while not entering into negotiations beyond what is necessary makes good sense. Providing updated model templates should also provide clarity to the industry.

*Q3: Do you have any feedback on ORR's emerging thinking on the potential need or desirability of changes to non-GBR licences?*

It is positive to see thinking on the Passenger Watchdog standards. We would be anxious that language in any modified licences is careful to ensure that there are no 'day 1' gaps created. Drafting will need to reflect that operators are bound by the standards the Watchdog will inherit from the ORR on day 1, as well as by any future standards the Watchdog will set.

*Q4: Are there specific areas where alignment with the GBR licence is particularly important or where divergence may be necessary or desirable?*

The need for alignment between the licences on consumer standards and the role of the Passenger Watchdog is wholly appropriate, and we are very supportive of this.

One of the areas noted as requiring modification is that of the Rail Delivery Group and shared industry systems. Modifications to non-GBR licences to ensure continued access to shared systems will indeed be needed. There will be differences in how these shared systems are reflected in the GBR licence and the non-GBR licence in light of the expectation that GBR absorbs most RDG functions. Many of these shared systems are vital to passenger experience, not least Passenger Assist. It is very important that any

changes to the non-GBR licence and to the drafting of the GBR licence itself, that all operators can continue to access these systems important it will be to ensure continuity of delivery for passengers. Both sets of licences should also consider how non-GBR operators will input into the ongoing development and provision of these systems. Given that these systems will now be managed by GBR, the largest operator in the system it is important that other operators continue to have a voice.

Q5: Do you have any other comments relevant to ORR's discussion document? (Please note ORR is not seeking feedback on Government's wider policy proposals.)

There will be a period of approximately six months where the Passenger Watchdog is stood up and functioning before GBR is stood up. According to the timelines envisaged by this document, licences will be modified for GBR stand up. During this period, licences will not yet have been changed to recognise the Passenger Watchdog's role. Our understanding is that given that we will be inheriting the current standards and their associated codes of practices and guidances from ORR, these remain a binding part of the licences and that Passenger Watchdog can monitor and enforce against these standards prior to the modification of the licences. If there were to be any impediments to the Watchdog carrying out its role in this period, these would need to be addressed.