Written Evidence submitted by John Rushton (RTC0065)

I am a regular user of Thameslink and have been for about 30 years. This evidence to the Transport Committee focuses on the lack of Consultation by Govia Thameslink Railway (GTR) as required by their Franchise Agreement, concerning the reduction in services at Harpenden.

1. Executive Summary
   - The Franchise Agreement requires GTR to consult on “Significant Alterations to the Timetable”;
   - The original Consultation led us to believe that we would receive an improved level of service at Harpenden;
   - However, some key decisions taken in late 2017 meant that in reality we have had very significant reductions in service at Harpenden;
   - In the GTR Franchise Agreement there is an absolute obligation for them to consult with Stakeholders which they did not do – there should have been a second Consultation;
   - Finally, to quote Jo Johnson, Secretary of State in the Westminster Hall debate, he said: “This short timeline meant that a specific consultation for Harpenden passengers was simply not a viable option.”

2. Evidence from GTR Franchise Agreement (redacted version)¹
   - I have taken some of the key provisions from the agreement (Schedule 1.1 Service Development) and summarised them below (numbering is taken from the Schedule):

4. Consultation on Significant Alterations to the Timetable
   - On “4.1. Significant Alterations to the Timetable”, GTR is required to “consult with Stakeholders who would reasonably be expected to be affected by any such Significant Alterations in relation to such proposed future Timetable”. Following this consultation, GTR gains Timetable Development Rights.
   - Furthermore: “such Significant Alterations are likely to have, …, a materially adverse effect on: (i) the ability of passengers using any station served by the Passenger Services to make journeys relating to work or education at reasonably convenient times…”

5. Timetable Development Rights
   - “5.2. Prior to exercising any Timetable Development Rights … the Franchisee shall make an informed estimate of Forecast Passenger Demand … making proper use of recognised railway industry systems and forecasting tools ….

Forecast Passenger Demand means:
   - (a) the number of passengers travelling in each class of accommodation:
     - (i) on each Passenger Service;
     - (ii) on each Route; and/or
     - (iii) at any station or between any stations; and
   - (b) the times of day, week or year at which passengers travel, …”

“5.4. Where the Franchisee proposes to exercise its Timetable Development Rights so that the Timetable … contains Significant Alterations … the Franchisee shall, …, act reasonably

¹ File: “tsgn-franchise-agreement.pdf”
with the intention of obtaining a Timetable which enables paragraphs 7.1(a) and 7.1(b) of this Schedule 1.1 to be achieved in relation to each Passenger Service in the Timetable to the greatest extent reasonably practicable."

Paragraphs 7.1 (a) and (b) are: “Capacity and Timetable Planning

7.1. The Franchisee shall, in preparing its Timetable and Train Plan, unless the Secretary of State otherwise agrees, provide for at least the capacity requirements specified in the applicable Train Service Requirement and use all reasonable endeavours to:

(a) provide for Passenger Carrying Capacity on each Passenger Service that meets as a minimum the Target Passenger Demand for that Passenger Service; and

(b) provide passengers with a reasonable expectation of a seat:

(i) on boarding in respect of any Off-Peak Passenger Service; and

(ii) 20 minutes after boarding (or such other time period as the Secretary of State may stipulate) in respect of any Peak Passenger Service.

5.11 “The Franchisee shall exercise its Timetable Development Rights so as to ensure, so far as reasonably practicable that:

(a) the stopping patterns of Passenger Services are placed at approximately evenly-spaced intervals, taking into account the reasonable needs of passengers; and

(b) journey times between stations are minimised.”

6. Certification and Notification by Franchisee of Exercising Timetable Development Rights

6.1 “Before exercising any Timetable Development Right ..., the Franchisee shall provide a certificate addressed to the Secretary of State and signed by a statutory director of the Franchisee confirming that its proposed exercise of that Timetable Development Right will be compliant with its obligation specified in paragraph 5.3.”, which is:

5.3 “The Franchisee shall exercise its Timetable Development Rights so as to secure a Timetable that enables it to operate railway passenger services that comply with the Train Service Requirement, paragraph 5.11 and paragraph 7 of this Schedule 1.1 in accordance with its obligations under paragraph 10 of this Schedule 1.1.”

Note: relevant sections of paragraph 7 are copied above and paragraph 10 is: “Obligations in relation to other Train Operators”.

3. Observations on GTR Franchise Agreement

There is a clear obligation on GTR to Consult on significant changes to the timetable, to forecast passenger demand and then optimise their services so as to meet this demand.

4. Evidence from GTR 2018 Timetable Consultation

This is the original consultation document dated 15th September 2016. I have quoted a few relevant phrases below:

Page 8. “We have thoroughly analysed passenger demand throughout our network identifying key journeys which has informed our proposals. In most cases we believe our proposals meet current and future travel patterns across all of our routes.”

2 File: “GTR 2018 Timetable_consultation.pdf”
“Improved off peak services for Luton, Luton Airport Parkway, Harpenden, St Albans City, Radlett, Elstree & Borehamwood, Mill Hill Broadway and West Hampstead Thameslink with services increased from four to six trains per hour during Monday to Fridays, Saturdays and Sundays.”

“Do you support the proposed frequency increase for Thameslink services at Luton, Luton Airport Parkway, Harpenden, St Albans City, Radlett, Elstree & Borehamwood, Mill Hill Broadway and West Hampstead Thameslink with the introduction of a new semi fast service?”

These pages show the Train Routes and their proposed stopping patterns. There are the following Routes: TL1 to TL4. These are the original Thameslink routes and ALL include the following stops: Luton, Luton Airport Parkway, Harpenden, St Albans City. TL5 to TL8 are the other routes, such as Cambridge, Peterborough etc. Then on page 21, we have the Thameslink Metro Route TL9 and TL10, which are slow services, also serving Harpenden. Finally, on page 22, there are the slow services to St. Albans, which do not include Harpenden.

5. Observations on GTR 2018 Timetable Consultation

Based on the above, we would have expected an improved level of service at Harpenden and 8 trains per hour (tph) peak time and 4 tph off-peak, plus slow trains of 4 tph peak and 2 tph off-peak. This gives a total 12 tph peak time and 6 tph off-peak. So, during the morning peak (defined as: trains arriving in London 07:00 to 09:59), we would have expected 24 fast / semi-fast trains and 12 slow, giving a total of 36 trains over this peak 3-hour period.

In fact as you are well aware, we receive nothing like this at the moment. The original May timetable had 25 trains over this 3 hour period as opposed to 36. The current July timetable has just 20 trains in the morning peak – which is just 56% of the number in the Consultation! Now, some of this is due to the introduction of the Thameslink Express trains, which do not stop at Harpenden – these were introduced after the original consultation was published as I understand it.

6. Status of Harpenden

If we look at the station usage data from the Office of Rail and Road (ORR), we see:

- A group of stations with about 3½ million people on an annual basis using the stations (2016 – 17 data). These stations include: West Hampstead, Harpenden, Luton Airport Parkway, Luton and Bedford;
- Only the London stations and St. Albans have more passengers than this group.

7. Conclusion

As I understand it, there were a number of key decisions taken in the 4th quarter of 2017 to do the following:

- To phase in the implementation, particularly of the increased capacity through the central London core over a period of many months;
- To bring in Thameslink Express trains, due to the delays to the Midland Mainline works, which do not stop at Harpenden.

The original Consultation led us to believe that we would enjoy an improved service, whereas in reality, we have had very significant reductions in service at Harpenden. When GTR realised that they were going to reduce the status of Harpenden and so the level of
service, they should have done a further Consultation in late 2017. The GTR Franchise Agreement required them to consult for “Significant Alterations compared to the Timetable then in force”. They clearly did not do this in this instance – there should have been a second Consultation. **The obligation in their Franchise Agreement is absolute** – they cannot avoid this.

I have raised this point of the requirement for a second Consultation with Bim Afolami, our Member of Parliament for Hitchin and Harpenden, who has been very helpful in trying to resolve this. He raised the points with GTR and their response was to quote Jo Johnson, Secretary of State in the Westminster Hall debate who said:

> “The impact of the midland main line works only became apparent to us in November 2017, as I mentioned. This short timeline meant that a specific consultation for Harpenden passengers was simply not a viable option. To give my hon. Friend the Member for Hitchin and Harpenden some background, the detailed work to implement the May timetable on the Thameslink routes began more than a year ago. This timetable rewrite is unprecedented in its scale. Every service on this part of the network is being altered in order to bring about the full benefits of the Thameslink programme. As work progressed, the Department was advised that there were likely to be some temporary negative impacts on some services as a result of the complexity of this undertaking. By the time this became clear, it would have been disingenuous to consult, as he acknowledged, as there was by that stage only one viable option before us. Since that point, industry professionals have been working to address as many of these negative effects as physically possible.”

This **states that** the “short timeline meant that a specific consultation for Harpenden passengers was simply not a viable option”. In not Consulting GTR were in default of their Franchise Agreement and I still contend that a further Consultation should have been carried out for the significant reductions in the service at Harpenden by GTR.

We would like Harpenden to be reinstated to the level of service that we received prior to the timetable change on 20th May as a matter of urgency.

*September 2018*

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**8. Links**

Ref 1:  

Ref 2:  