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## Confidential Minutes

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Agenda item: 11  
Drafted: 08.02.17

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### Confidential minutes of the Board meeting held on 31 January 2017 at Union Street

These minutes are in addition to the public minutes of a meeting of the Board on the same date. The Board resolved, under section 15(2)(b) of schedule 18 of the Greater London Authority Act 1999, that by reason of the confidential nature of the item(s) to be discussed, it was desirable in the public interest that the public should be excluded for this part of the meeting.

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1. **Update on TSGN franchise including a discussion on driver-only operation of trains (LTW541)**
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### Present

#### Members

Jackie Ballard, Richard Dilks, Stephen Locke (Chair), Abdi Osman, John Stewart

#### Secretariat

Tim Bellenger	Director, Policy and Investigation
Gytha Chinweze	Executive Assistant (p/t)
Richard Freeston-Clough	Communications Officer
Sharon Malley	Executive Assistant (p/t)
Robert Nichols	Policy Officer

### 1 **Update on TSGN franchise including a discussion on driver-only operation of trains (LTW541)**

The Director, Policy and Investigation introduced his report on issues affecting performance of the Thameslink Southern and Great Northern (TSGN) rail franchise. He said that he found it depressing to write because it painted a dispiriting picture. He said that performance had fallen to unprecedented levels and that he could not recall a similar situation in the last 20 years.

The Director, Policy and Investigation set out and summarised some of the problems, including the roles of drivers and guards, 'Rest Day Working' and overtime, and reliability of infrastructure south of the river. He said that failure to prioritise long-term maintenance went back a lot longer than the current franchise.

The Director, Policy and Investigation said that this was the largest single rail franchise in the world in terms of passenger numbers, passenger revenue and trains operated. These issues, plus the introduction of new trains and the problems that they brought, plus the retention of older trains, kept for longer than expected

leading to rolling stock reliability issues, had made this a very difficult franchise to manage and operate.

The Director, Policy and Investigation said the Board had noted these issues when the franchise was first designed and had flagged them up. Warning signs had been present right from the outset.

The Director, Policy and Investigation explained to members about the different types of trains and how they operated. He said that the Class 700 trains were 12 car trains, which could not be split into separate units. In trains where the driver cab was connected to the rest of the train by an internal door, space for CCTV was limited.

The Director, Policy and Investigation said that the Class 455/8 trains were built in the 1970s/80s by British Rail and refurbished in the 1990s. The driver of this suburban train sat at the front and there was no CCTV. The driver was reliant on CCTV outside the train on station platforms or mirrors. The train operates as a Driver Only Operation (DOO).

The Director, Policy and Investigation said that the Class 319 trains operated by Thameslink were also operated in DOO mode, but had a limited cab area and, like the Class 455/8 trains, did not have CCTV on board. Instead, the driver used CCTV and mirrors at stations in order to open and close doors. These trains were being replaced by the Class 700s as they were over 30 years old, although they have had several refreshes and overhauls.

The Director, Policy and Investigation said that in 2005, the Class 319 trains were in very poor condition when they were handed over from the previous Thameslink franchise to First Capital Connect, who had to do a lot of work to make them presentable and useable. First Group was then replaced by Govia Thameslink Railway (GTR). The number of drivers available to GTR was significantly less than they had been told to expect from the DfT. This highlighted problems involved in handing franchises over between train operating companies.

The Chair noted that there had been a lot of 'poaching' of drivers between train companies. There were concerns at ministerial level over driver shortages. He said problems had occurred previously in franchises and they should have anticipated the problem and devised a solution.

The Director, Policy and Investigation said that the Class 377 was the main train that Southern used, including for the suburban network. They were modern trains with corridor communication. They operated on longer distance services with a conductor/guard and a driver. Suburban services ran in DOO mode by using an in-cab CCTV system, the camera for which was located above the train doors. The driver was able to look at the images in his cab but the cab was quite small because of the corridor connection. 12-car trains had 24 images and it may be difficult for the driver to assimilate all the information provided in such a small format.

A member asked whether the dispute was essentially about operating longer trains, over longer distances, with the driver needing to monitor up to 24 screens. The Director, Policy and Investigation said that this was one of the elements of the dispute. He added that the Office of Rail and Road (ORR) had carried out an

investigation and concluded that in principle this was a safe means of operating. However, this was subject to a number of caveats. In particular, the ORR had made a number of recommendations to GTR for DOO to make sure that it operated properly, and safely, for example, that the lenses of the cameras should be clean and not obscured as the driver relied on them. Under the previous arrangement, the guard would get out and look and close all the doors with a special key and get back on the train and give a starting signal to the driver.

The Director, Policy and Investigation, in response to a question, said that a combination of the driver, CCTV and station staff was possible on these trains. A member noted that the problem was less severe at staffed stations because staff on the platform could give the starting signal to the driver.

The Director, Policy and Investigation, said that the Class 442 was a Gatwick Express type train; these were an older type train and now mostly withdrawn. There were only two sets left of this class running from Eastbourne to London Bridge at peak times only, with the expectation that they would be replaced shortly.

The Director, Policy and Investigation said that the Class 171 Diesel train was operated by traditional guards because they had no CCTV cameras on them. He said that it was feasible to put CCTV on these Class 171 trains but not on the Class 313 used between Moorgate to Stevenage. These were built in the 1970s for the Great Northern electrification. They now operated on the Great Northern route between Moorgate and Stevenage in DOO mode, but also on the Southern network on more rural services along the South Coast, but with a conductor or guard. He said that the difference between these trains and those used on the South Coast was that the small stations on these routes did not have CCTV installed. At a later date, when these trains needed to be replaced, it would be more economical to buy trains with on-board CCTV rather than the more expensive option of fitting the stations with CCTV.

The Director, Policy and Investigation said that it was good to have CCTV on trains and for the driver to close the doors but at busy stations, the role of the station staff was crucial to make sure the train was despatched safely, particularly when there was a very high frequency of service.

A member asked what determined whether there were staff on the platforms and whether the criteria included the number of platforms at a station. The Director, Policy and Investigation said that it was a combination of things: for example, Herne Hill was not the same as West Dulwich. Herne Hill had despatch staff because of the numbers of passengers at peak times causing delays.

The Policy Officer said that it was up to each operator to decide how they staff their stations. The amount of staff a train operating company provides depends on how they perceive the costs and benefits in terms of operational reliability and customer service against the additional staffing costs. When London TravelWatch previously suggested that Herne Hill needed additional despatch staff, the train operating company's response was that it was not in their interest to do so at the time. They have now provided additional staff.

The Policy Officer said that DOO had originally been approved over 30 years ago, when the railway was much less busy. With 1,200 people on a train, it was

important to make sure it remained safe due to the rising numbers and because the railway was changing.

The Chair said that the huge increase in passenger numbers had changed the game. Current arrangements appeared to pre-date that, and the inability of the railway to catch up with passenger needs was an issue.

The Director, Policy and Investigation said that Network Rail and the DfT had underestimated passenger numbers from the outset of the Thameslink upgrade project.

The Policy Officer said that the unions thought the change was premature. He distinguished between The National Union of Rail, Maritime and Transport Workers (RMT) and The Associated Society of Locomotive Engineers and Firemen (ASLEF) unions. He said that ASLEF represented most of the train drivers and they had accepted the case for DOO mode but welcomed the RSSB investigation, whereas the RMT had a blanket opposition to any change.

The Policy Officer said that, from the statistics, there was very little between one method and another in terms of safety.

The Policy Officer said that London TravelWatch's position was that it was agnostic as to how safety was achieved so long as the mode of operation met essential requirements. London TravelWatch would accept the ORR's findings so long as the right mitigations were in place.

The Chair asked what Southern's reaction was to the recommendations of the ORR. One implication of these recommendations was that remedies should be in place first before the company used this system of operation. The Policy Officer said Southern were committed to implementing the mitigations included in the ORR report.

The Chair suggested that London TravelWatch should call for a sharpening of the criteria on door safety and better application and monitoring of them. The Policy Officer said London TravelWatch did this as part of the day job and regularly used passenger numbers to raise issues with operators.

The Chair observed that London TravelWatch was not in a position to make a technical judgement but could, from a passenger point of view, insist that a high standard of safety be built in to all systems of operation. He said the factors to be considered include the level of activity at the station and the length of trains. He added that the ORR research findings should be properly and thoroughly applied.

The Chair said that there were other non-safety related but passenger-related points in the report. Passengers had some needs that would be better met by staff on the platform, rather than on the train, and London TravelWatch would keep pressing for these.

The Director, Policy and Investigation said that GTR was facing several other challenges at the moment, including 'Rest Day' working, infrastructure, the rebuilding of London Bridge and replacing trains and timetables, in addition to the move to DOO. Condensing all the relevant changes in one franchise in a short period of time was a 'toxic cocktail', leading to a 'perfect storm' of problems and disruption for passengers when things started to go wrong.

The Director, Policy and Investigation noted that Sundays were still not regarded as part of the working week and therefore staff were only required to work them if they volunteered to under 'Rest Day Working' arrangements. If they did not volunteer to work, this caused train services to be cancelled.

The Chair said that he was staggered by the continuation of 'Rest Day Working' arrangements, seemingly a survival from the 1950s. Sunday working should be included in normal rostering arrangements in what was supposed to be a 7-day a week industry serving a world city and its surroundings.

The Director, Policy and Investigation said that the on-board supervisor role was driven by National Rail Passenger Survey (NRPS) results which indicated that passengers valued the visibility of staff on trains; this also reduced the amount of fare evasion.

The Director, Policy and Investigation said that the critical importance of infrastructure reliability could not be overstated. Network Rail had failed by some margin to provide sufficiently reliable infrastructure. There had been improvements but the scale of the issues meant the infrastructure improvements had been swallowed up by other problems.

A member asked whether there was any information on the displacement of passengers from rail to other modes in the South or Greater London and if this was causing problems. The Director, Policy and Investigation said that there had been a huge displacement effect. There was evidence that TfL had had to put additional buses on routes covered by Southern, for example to Brixton. Members said that more National Express coaches had also been put on, on long distance routes from the South Coast; meanwhile the strike action was putting pressure on the rest of the network and leading to claims that it was unfair for the other train operating companies to be expected to bail out Southern. The Director, Policy and Investigation said that the buses, Overground and remainder of the rail network all had more pressure. Members noted that the quality of information to passengers had also been very poor. They said that the displacement of passengers was not just on strike days but some passengers had shifted mode permanently and were not even trying to use services provided by GTR.

The Chair said that, in the interest of passengers, it was important for London TravelWatch to highlight the key problems underlying GTR's dreadful performance, without taking sides. He said that there needed to be the widest possible learning in relation to management and franchising more generally – especially where there had been issues that had not been resolved.

The Chair said that the London TravelWatch Board broadly endorsed the longer term recommendations that had been made in the Officer's report, and the points made would be included in its response to the Chris Gibb review as lessons to be applied in future franchise competitions and infrastructure extensions. London TravelWatch would, in due course, want to respond formally to the report; in doing so, the organisation should focus on future actions rather than blame for past failings.

## **2 Confidential minutes of the meeting on 29 November 2016**

The confidential minutes of the Board meeting held on 29 November 2016 were agreed and signed as a correct record. There were no matters arising.

## **3 Meeting review**

### **3.1 Underground Ticket Offices**

Members discussed the item on ticket offices and noted that Mr Evers did not appear to fully grasp some of the concerns raised, especially about meeting the needs of passengers. Members thought, given sufficient will, there could be solutions to the problem of selling annual tickets at ticket machines, such as sending the Gold Card record part separately through the post after the machine transaction had been made. Members agreed it would be helpful to carry out some qualitative research into the needs and priorities of season ticket purchasers.

In addition, it was important for London TravelWatch to be involved in the focal point trials.

### **3.2 Southeastern Franchise**

The Director, Policy and Investigation updated members on the Southeastern franchise. He said that he had met the DfT who were now going ahead with the tendering of the franchise, without any provision for devolution to TfL. He had been able to put forward London TravelWatch's priorities for passengers within the franchise.

The Director, Policy and Investigation said London TravelWatch had pressed publicly for the DfT to come up with the same benefits that passengers would have expected under TfL.

The Chair noted that London TravelWatch should keep highlighting the specific improvements TfL promised in their business case to the DfT. This would require London TravelWatch to be quite forensic in commenting on the DfT's consultation on the Southeastern franchise, in its engagement with the bidders, in its confidential input on the bids received, and in monitoring subsequent developments. Meanwhile the organisation should continue to keep up the pressure for devolution on upcoming franchises, especially Thameslink/Southern/Great Northern or whatever succeeded this.

The Director, Policy and Investigation said that engaging with the Southeastern bidders would be key. For example, London TravelWatch would need to persuade them of the overwhelmingly important business case in favour of a clear London focus.

In response to a question, the Director, Policy and Investigation said that Southern had previously been a good operator but since merging with Thameslink and Great Northern it had dropped to the bottom of the league because of the issues discussed previously, noting that staff morale was rock bottom at present.

No reputational risks or media issues were identified.