

PENNY MORDAUNT MP
HOUSE OF COMMONS
LONDON
SW1A 0AA

Norman Baker MP
Parliamentary Under-Secretary of State
Department for Transport
Great Minster House
76 Marsham Street
London
SW1P 4DR

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Re: South West Trains

Thank you for taking the time to meet David Habershon and me last week; I am sure that you are in great demand.

It is most welcome that you agreed to investigate SWT's use of rolling stock at off-peak times with the concomitant recognition that there can be no justification for running 450 carriages where there is no overcrowding. I hope that you will make it plain to SWT that their actions now will inform decisions on future Rail Franchise Agreements.

I was also pleased that you acknowledged the inferior quality of the 450 carriage to the 444 carriage as SWT has been resolute in its determination that there is no difference in quality between the two. The Rail Franchise Agreement states explicitly that any rolling stock substituted for that operating at the time of the Agreement at the end of extant lease arrangement must be of a 'reliability, capability and quality that is at least equal to the reliability, capability and quality of the original rolling'. This stricture can only be of any value if it applies to the operation of a particular line. The clause is designed to protect the passengers who use these services and unless replacement carriages are as good as or better than those for which they are substituted passengers are being charged the same, or more, for a worse service. I do not believe this to be the purpose of the privatisation of British Rail which was intended to improve rail services through competition.

Tel: 023 9269 7266

E-mail: info@pennymordaunt.com

As there is no move to re-nationalise the railways it is incumbent on the DfT to ensure a fair process of competition for Rail Franchises and once they are agreed to act in the interests of the public in what are time-limited licenced monopolies. It is therefore troubling that the Department is content for SWT to shroud its passenger figures in the cloak of commercial confidentiality. How can a fair bidding process be achieved if crucial information is withheld?

I am encouraged by the Department's response to the 'Reforming Rail Franchises' consultation in which it is stated that bidders may be asked to commit to quality improvements to the onboard environment. I am sure that you will concede that the specification of the seats falls within such a term, and that if bidders are to make commitments to improve the onboard environment that they should have access to all germane information. In this spirit would it not be most suitable for the DfT itself to procure loading figures which could be placed in the public domain? To my mind it seems that minimum standards on passenger comfort would be a logical compliment to the policies outlined in the consultation response. I am aware that these matter of future Rail Franchises fall within the purview of the Minister of State, but in order to afford railway passengers a more comfortable journey in the short term it should be stressed that the failure of a TOC to address the comfort of its passengers will count against it in upcoming negotiations.

I thank you for the copy of your letter to Mr Pitt, and I thank you for your continued assistance in this matter.

Penny Mordaunt MP

cc. Theresa Villiers MP, Minister of State, Department for Transport