

DfT plan to ‘transform the railways for the better’ released

The Department for Transport (DfT) has announced the launch of a new plan to ‘transform’ railways in Great Britain—the Williams-Shapps plan. Among other things, DfT is due to implement flexible rail tickets from 21 June 2021, which will allow travel on any eight days in a 28-day period. The Secretary of State for Transport, Grant Shapps, believes the plan will help face the challenges posed by a fragmented and unsustainable franchising model. DfT has also published a summary of responses to the Williams Rail Review, which sought views on the structure of the rail sector and the operation of passenger rail services. Darren Fodey, partner, and David Stephens, associate, in Stephenson Harwood’s rail team, comment on the announcements.

This news item was first published on Lexis®PSL on 20 May 2021 and can be found [here](#) (subscription required).

In a [written statement to Parliament](#), the Secretary of State announced the creation of a new public body with a single, national leadership. The new body, Great British Railways (GBR) will run and plan the rail network, own the infrastructure, and collect most of the fare revenue. GBR will also procure passenger services and set most fares and timetables.

In the words of Darren Fodey and David Stephens: ‘Like the dramatic pause as the latest evictee from a reality television show such as the Great British Bake Off is about to be announced, the industry has been waiting for the outcome of the Williams Review for some time. And today we see the announcement of what looks set to become another “Great” British institution: Great British Railways. The Williams-Shapps Plan for Rail seems to have a number of core principles at its heart: simplification, better passenger outcomes and greater collaboration across the industry.’

Shapps has stated that the changes will ‘transform the railways for the better’ and will make the sector more accountable to taxpayers and government. The new offer seeks to provide ‘punctual and reliable services, simpler tickets and a modern, green and innovative railway that meets the needs of the nation’. DfT is also seeking to make railways easier to use, through measures including providing more convenient ways to pay with contactless, smartphone and online, and protecting affordable walk-on fares and season tickets. DfT will seek to improve co-ordination between rail services and with other transport services.

The [Williams-Shapps Plan for Rail](#) introduces a new system of Passenger Service Contracts, which will replace franchising. GBR will specify timetables, branding, most fares and other aspects of the service, agreeing a fee with the passenger service operator to provide the service to this specification. The Secretary of State stressed that the reform ‘is not renationalisation, which failed the railways, rather it is simplification. While Great British Railways acts as the guiding mind to coordinate the whole network, our plan will see greater involvement of the private sector – private companies will be contracted to run the trains, with stronger competition to run services.’

The plan reflects the recommendations of the independent chair of the railway review, Keith Williams. It also builds on the responses received in the [Williams Rail Review consultation](#), launched on 6 December 2018. For further discussion on the consultation, see News Analysis: [Renationalisation—the railway](#).

Fodey and Stephens provided further insight into the changes, as well as the potential implications on lawyers in the sector: 'The Plan mentions that "Today's railways are a maze of agreements between hundreds of different parties, drawn up and policed by battalions of lawyers and consultants, including an entire staff dedicated to arguing about who is at fault for each delayed train." To an extent that is fair, but it is the carefully-crafted-by-government product of privatisation and the [Railways Act 1993](#). That looks set to change and we should expect to see legislative change to bring about the grand plans and media soundbites announced today.

Behaviours can take longer to change and that is one of the reasons we are pleased to see the commitment to making the railway of the future not just a "bigger Network Rail". A guiding mind and one point of accountability to the farepayer can only lead to better outcomes. The government remains committed to role of the private sector in the railway – and it's worth remembering that the private sector has delivered massive growth and improvements since the mid-90s and has an important role to play going forward.

Placing the passenger back at the heart of the industry will involve making sure incentives are properly aligned across the industry. Lawyers will continue to have a key role to play in ensuring those incentives are properly recorded and managed in-life. It's fair to say that the industry has already taken steps towards the vision set out in the Williams-Shapps Plan for Rail: the pandemic is forcing industry change at a much quicker pace than we have ever seen.

Whilst change always leads to uncertainty and the devil will always be in the detail, there is a lot of promise in today's announcement. It's now for the industry to deliver on that promise.'

Written by Gloria Palazzi

Sources:

- [Great British Railways: for the passenger](#)
- [#TheFutureIsFlexible: new era of rail travel arrives with new flexible season tickets](#)

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