



National Union of Rail, Maritime & Transport Workers

RMT response to Rail 2014 Consultation

Introduction

The National Union of Rail, Maritime and Transport Workers (RMT) welcomes the opportunity to respond to Rail 2014.

The RMT is the largest of the rail unions and organises 80,000 members across all sectors of the transport industry. We negotiate on behalf of our members with some 150 employers.

In Scotland, RMT represents over 10,000 transport workers and is the only union in Scotland which represents all grades in the rail industry.

RMT note that the Scottish Government is proposing increasing the fragmentation and the complexity of the railway in Scotland. One major part of this is viewing the Scottish railway as consisting of two separate railways – one economically viable and one socially necessary. It also intends to separate off the Caledonian Sleeper Services as a separate franchise.

RMT argues that Value for Money must include the cost and benefits to society as a whole. Scotland's railway has clearly defined economic, social and environmental objectives which cannot be viewed in isolation. Scotland's railway would be more efficient if it were re-nationalised, re-integrated and publicly accountable. In the interim, however passengers, workers and the very fabric of the industry should not be made to pay for the banking crisis or indeed the avarice and short termism of the privatised rail industry. Instead revenues should be raised by a freeze on dividends and a windfall tax on profits previously enjoyed.

RMT is shocked that the Scottish Government wants to stop all cross-border services from running beyond Glasgow and Edinburgh – granting Scotrail a monopoly on Scotland's railway. It also intends on reducing services and forcing more interchanges. It plans on shielding Scotrail's profits from the wider economy, in order for dividends to shareholders to remain massive.

The consultation document also proposes to cut the numbers of ticket office staff, conductors, and catering staff. RMT believes that the industry's most valuable asset is its workforce, which should be expanded not reduced. Staffing levels and morale are at breaking point whilst directors remuneration (funded by the taxpayer and farepayer) is excessive. Below is a table of the highest paid director's remuneration over the past 5 years:

31 Mar 2010	31 Mar 2009	31 Mar 2008	31 Mar 2007	31 Mar 2006
£262,000	£429,275	£466,351	£276,595	£244,708

The proposed massive increase in fares, moving from an RPI + 1% formula for regulated fares to an RPI + 3% formula, is undoubtedly going to damage both Scotland's economy and modal shift onto rail. RMT argues that if passengers are forced to pay even more for fares and see capacity improvements delayed then the railways will be less successful in achieving their objectives and delivering Value for Money to society as a whole.

The intention to increase the threshold against which overcrowding is measured as opposed to addressing the issue of capacity again places an additional burden on the travelling public and absolves the franchisee of a key responsibility.

RMT objects strongly to the proposals to close stations, more privatisation and fragmentation through introducing third party management of stations, and reducing facilities at stations such as toilets.

RMT notes that Scotrail paid dividends of £18 million in 2010, £18 million in 2009, £17million in 2008 and £21million in 2007. In two of these years Scotrail actually paid more in dividends than it made in profit leading to the obvious conclusion that because it does not contribute anything towards investment in the railway or rail infrastructure, and with the level of government subsidy even covering its track access charges, it is simply milking Scotland's railway. The proposals from the Scottish Government allow for the intensification of this theft. If dividends were not paid in 2010, RMT estimates rail fares could have been reduced by almost 7%.

FRAGMENTATION & COMPLEXITY

RMT notes that the Scottish Government is proposing increasing the fragmentation and the complexity of the railway in Scotland. The proposal to subdivide the Scottish rail network in terms of routes, fares, what is economically viable (profitable) and what is socially necessary (not profitable) in addition to creating entirely separate franchises for services such as the Caledonian Sleeper Services will be disastrous for Scotland's railway.

In respect of the Caledonian Sleeper Services the consultation intends to not only separate the service from the Scotrail franchise, but also to undermine the service by cutting the

routes it serves and the regularity of its services. RMT suspects that this is being done to leave only the profitable elements of the routes available to the private sector.

RMT believes that the Scottish Government's intention to take a dual focus approach to the main franchise will see the introduction of different levels of specification and regulation on what it considers to be economically viable (profitable) or socially necessary routes.

Essentially this means shifting most of the responsibility for the socially necessary routes from the train operator onto the taxpayer and passenger, leaving the franchisee with the most profitable routes to exploit.

CUTTING SERVICES & STAFF

RMT strongly opposes the proposals to:

- Close some stations (it argues the number of stations will remain the same because others will open). In reality this means a cut for those that use the station operational at present.
- Cutting the length of services. The consultation argues the same routes will be served but also greater use of interchanges. This means fewer trains and lower levels of frequency, ultimately discouraging train travel and promoting travel by car which is damaging for the environment. This is true in the case of the Caledonian Sleeper Services with the announced intention to shorten or cancel some routes.
- Demanding that all cross border services start or finish at Glasgow or Edinburgh. This ensures that services operated by, for example, East Coast or Cross Country must terminate at Glasgow or Edinburgh and the passengers travelling further into Scotland must change onto a Scotrail service. Rail2014 claims that the current state of affairs disadvantages Scotrail due to the ORCATS system but in reality this is strengthening the position of Scotrail as a monopoly and will result in a worse service for passengers. The proposal is to ensure that rail passenger services operated by other companies do not continue to travel to other Scottish stations past Glasgow and Edinburgh, thereby negating the "competition" which is the sole argument used in defence of a privatised railway.
- Removing first class on some routes and potentially ban alcohol across the network. This is a cut in on-train services which will inevitably lead to a cut in on-train staff. There has been no consultation as to how this would be enforced.

- Additionally there are concerns that the proposal to introduce live monitoring by CCTV on all trains may be used to reduce the numbers of on-train staff as opposed to enhancing the work done by on-train staff, and especially the conductor, in providing a safe and secure environment for those on-board. The Ladbroke Grove Rail Inquiry recommendations, which all Train Operating Companies agreed to implement 12 years ago clearly states:

"14.62 While I see force in the submissions which were made by Counsel for RMT in regard to the presence of guards and their responsibilities, the issues which these raise go beyond the scope of health and safety alone. In any event I recommend....increasing the training of the existing staff so that all members of the on-board staff (including persons working under contract) are trained in train evacuation and protection".

- The Scottish Government state that it is their "intention for the next franchise that a driver and another member of staff shall be present on every service". RMT believes that falls far short of recognising the safety role of the conductor and may be an attempt to remove conductors from the whole network and move towards Driver Only Operation.

INCREASED FARES

Rail 2014 is also proposing a massive increase in fares moving from an RPI + 1% formula for regulated fares to an RPI + 3% formula.

There will be no regulation of fares on inter-city routes as part of their "economically viable" strategy. The Scottish Government also wants to increase the difference in price between peak and off-peak fares. This can only be achieved by making peak fares even more expensive. They do not propose to use a "fares basket", which analyses a number of different types of fares to establish some form of benchmark. They also want to promote greater use of smart ticketing, without providing assurances about maintaining the numbers of ticket office staff who provide advice on the quickest way to travel, the cheapest tickets and also provide extra security in the station through their presence.

RMT is absolutely opposed to pricing passengers off the network and attacking the role of ticket office staff.

MORE OVERCROWDING

In terms of capacity, the Scottish Government states that it is open to suggestions for increasing the levels in excess of capacity at which Scotrail can run its services. The current limit is 105% - ie. for every 100 passengers who get the seat that they have paid for, an extra five passengers will not. In addition to this it also queries whether the 10 minute period after which a passenger should "expect" to get a seat should be increased. RMT believes that capacity should be increased as opposed to passengers expectations being lowered.

STATION CLOSURES

RMT is strongly opposed to the suggestions for further fragmentation and privatisation through third party management of some stations and in some cases transferring ownership of stations, the closure of some stations and the proposal that some stations do not need toilets or washrooms if the trains stopping at that station have those facilities. Rail2014 also proposes to create 6 different categories of stations (not dependent on footfall like Network Rail classifies stations) and this will be an indicator as to who should manage or own the station.

FUNDING OF FRANCHISE

In terms of the franchise(s) Rail2014 is considering whether or not to receive payment from the TOC by profit sharing (currently in place and standard across the network) or by taking a one-off fee (the standard management contract). There can be no doubt that a one-off fee will leave the service more susceptible to asset stripping by the private train operator.

Additionally the consultation is considering whether a performance bond is necessary or a parental company guarantee should be used. A parental company guarantee would prevent a fiasco such as that which occurred with National Express East Coast in 2009, with National Express failing to provide the service it was contractually obliged on one franchise but retaining its other franchises with National Express itself not be punished for the failure.

PROFIT BEFORE PASSENGERS

There are a number of proposals included in the consultation document which are clearly designed to benefit Scotrails' shareholders as opposed to the passenger or taxpayer.

The Scottish Government intends to measure performance on outcomes, and indicates that Scotrail could "self-monitor" its own performance. The outcome based approach means that the required level of performance is not fully specified in the contract, leaving Scotrail to perform as it sees fit.

Rail2014 proposes that service specification should be kept to a minimum, and that it is not necessary on economically viable services. It claims specification will only be necessary on socially necessary routes (non-profitable rural routes) but goes on to suggest that the number of services on these routes be cut and more interchanges introduced.

Measures of punctuality and reliability may be standardised as a result of this consultation (at present PPM, passenger charter commitments and actual performance figures all use different measures). Also measurement will apply to entire service groups or routes, not just to final destination stations. There is a clear danger of performance measurement differing on "economically viable" and "socially necessary" routes.

Additionally, there is also a proposal for a self-monitoring scheme by the TOCs. It is the view of RMT that this would lead to a clear conflict of interest, especially where financial penalties may be imposed, and which would make it highly unlikely for self-monitoring to work effectively.

The consultation document also suggests linking "risk support" to GDP.

RMT objects to this proposal for two main reasons:

- Firstly, that Scotrail does not actually take any risk. All of the external costs to the company (track access charges, all rail infrastructure, all rail investment, and even the performance bond) are in fact covered by taxpayer subsidy.
- Secondly, linking "risk support to GDP" is intended to ensure that the level of profit made by Scotrail is not in any way affected by negative wider economic conditions. This means that despite the constant promotion of the "market" as being the only way to provide a value for money rail service, Scotrail will be cushioned against any negative impacts of the "market". In fact, the move would make Scotrail probably

the only privately run business in Scotland which would not be vulnerable to an economic downturn.

PROVOKING INDUSTRIAL CONFLICT

A clause exists in the Scottish Government's current Scotrail franchise that allows Scotrail to make claims on tax payer's money to indemnify them in event of net losses incurred due to industrial action. This is unprecedented and there are no other Scottish government contracts where tax payer's money can be used to bail out wholly private companies who are in an industrial dispute.

RMT has consistently called for the indemnification clause to be removed as soon as the franchise ends and is disappointed that the Rail2014 document does not address the issue.

When the Scottish Government extended the franchise without retendering and without any discussions with stakeholders, it chose to keep that clause in the franchise, even though it was in its power to remove it.

The indemnification clause has incentivized First ScotRail to not to settle multiple disputes with the unions and in particular with RMT.

The rail unions and the STUC believe there are compelling reasons why the Government should reverse this policy and believe that the first step should have been for the matter to have been dealt with in Rail2014.

One example of where the indemnification clause has come into affect was given in 2003 by David Jamieson in a parliamentary answer to a question tabled by Jeremy Corbyn MP:

"In the past year, the Strategic Rail Authority (SRA) has made payments of £12.65 million to National Express in respect of revenue loss by Scotrail arising from industrial action".

It is of course one thing for the Government to take a view on industrial issues in the private sector, but quite another for the Government to take a direct role in private sector industrial relations. The use of these powers is an unprecedented and dangerous departure from existing policy towards private sector industrial relations and could have widespread implications beyond the confines of the railway industry.

We are not aware of any other industry in which the Government has used taxpayer's money to provide direct or indirect financial support to private companies during industrial disputes or to veto private sector pay and conditions agreements.

There is no evidence to suggest that these powers prevent disputes or improve industrial relations. On the contrary the use or the threat of the use of these powers will prolong industrial disputes, as there will be no incentive for private train operators to reach an agreement.

Train Operating Companies will not have any incentive to reach agreements on pay and conditions if it is aware that the Government may veto any such agreement. Indeed, where these powers were used previously by the now defunct SRA industrial relations have deteriorated because the Train Operating Companies involved in the negotiations have no authority to reach an agreement.

In terms of political and public relations consequences, the media, business community and passengers would quite rightly enquire as to what Government involvement there was in particular negotiations or disputes. Clarification would be sought as to whether the Government had vetoed pay or conditions agreements or if taxpayer's money was being used to support private train operating companies in dispute. As a consequence there would also be demands to know what efforts were being made by the Government to resolve a dispute, including the inevitable calls for the Ministers to meet the trade unions directly.

So whilst suggesting giving Scotrail a monopoly position and an almost free hand in deciding what services it provides and what level of performance it achieves, and allowing it to squeeze as many passengers as possible onto each train, and protecting what is a dividend paying private business from the wider economy, and by ignoring indemnification, thereby encouraging an aggressive industrial relations policy by the franchisee, Rail2014 also proposes continuing to allow massive profits to be extracted from Scotland's railway.

It is worth noting that all of these additional concessions are being proposed for a franchise that paid dividends of £18 million in 2010, £18 million in 2009, £17million in 2008 and £21million in 2007. In two of these years Scotrail actually paid more in dividends than it

made in profit leading to the obvious conclusion that because it does not contribute anything towards investment in the railway or rail infrastructure, and with the level government subsidy even covering its track access charges, it is simply asset stripping Scotland's railway. The proposals from the Scottish Government allow for the intensification of this theft.

RMT is strongly opposed to any proposals which put profit before passengers.

1. What are the merits of offering the ScotRail franchise as a dual focus franchise and what services should be covered by the economic rail element, and what by the social rail element?

RMT believes that the dual focus franchise is fundamentally flawed because such an approach to the franchise will see the introduction of different levels of specification and regulation on what it considers to be economically viable (profitable) or socially necessary routes. Essentially this means shifting most of the responsibility for the socially necessary routes from the train operator onto the taxpayer and passenger, leaving the franchisee with the most profitable routes to exploit.

Additionally, the proposal raises serious concerns over the potential development of a two-tier railway with one tier being run commercially, generating profit and more much likely to receive investment in terms of rolling stock, infrastructure and service provision at the expense of the second tier. This two-tier system will inevitably lead to differing levels of service quality, something both the RMT and the travelling public are strongly opposed to. It will have an adverse affect on Scotland's rural communities and alongside the proposals for different regulation of fares on the two-tier will further disadvantage those passengers on lower incomes.

RMT has consistently argued for a publicly owned and integrated railway, and this is a matter of public record.

2. What should be the length of the contract for future franchises, and what factors lead you to this view?

RMT is absolutely opposed to the franchise model and disputes the claim of the Scottish Government that the franchise model is the only available option.

However, should the decision be taken to re-franchise RMT believes that the current franchise length should not be increased.

3. What risk support mechanism should be reflected within the franchise?

RMT does not support the use of any risk support mechanism in the franchise.

We note that the Scottish Government suggests linking “risk support” to GDP.

There are two major issues with this proposal:

- Firstly, that Scotrail does not actually take any risk. All of the external costs to the company (track access charges, all rail infrastructure, all rail investment, and even the performance bond) are in fact covered by taxpayer subsidy.
- Secondly, linking “risk support to GDP” is intended to ensure that the level of profit made by Scotrail is not in any way affected by negative wider economic conditions. This means that despite the constant promotion of the “market” as being the only way to provide a value for money rail service, Scotrail will be cushioned against any negative impacts of the “market”. In fact, the move would make Scotrail probably the only privately run business in Scotland which would not be vulnerable to an economic downturn.

Additionally the issue of the indemnification cause must be added.

The clause in the current Scotrail franchise allows Scotrail to make claims on tax payer’s money to indemnify them in event of industrial action. This is unprecedented and there are no other Scottish government contracts where tax payer’s money can be used to bail out wholly private companies who are in an industrial dispute.

RMT has consistently called for the clause to be removed as soon as the franchise ends and is disappointed that the Rail2014 document does not address the issue.

When the Scottish Government extended the franchise without retendering and without any discussions with stakeholders, it chose to keep that clause in the franchise, even though it was in its power to remove it.

The indemnification clause has incentivized First ScotRail to provoke multiple disputes with the unions and in particular with RMT.

The rail unions and the TUC believe that there are compelling reasons why the Government should reverse this policy and believe that the first step should have been for the matter to have been dealt with in Rail2014.

4. What, if any, profit share mechanism should apply within the franchise?

RMT notes that the Scottish Government are considering whether or not to receive payment from the TOC by profit sharing (currently in place and standard across the network) or by taking a one-off fee (the standard management contract). There can be no doubt that a one-off fee will leave the service more susceptible to asset stripping by the private train operator.

In terms of cap and collar arrangements, RMT believes that if the franchisee falls short of their projections then they should not receive additional taxpayer subsidy to help meet their shortfall. RMT believes that the profit sharing mechanism should apply to all profits.

5. Under what terms should third parties be involved in the operation of passenger rail services?

None.

6. What is the best way to structure and incentivise the achievement of outcome measures whilst ensuring value for money?

RMT believes that aside from the democratic accountability ensured through public ownership, the next best way to structure and incentivise the achievement of outcome measures is through maximising the levels of contract specification and ensure that failures are appropriately penalised.

7. What level of performance bond and/or parent company guarantees are appropriate?

A parental company guarantee would prevent a fiasco such as that which occurred with National Express East Coast in 2009, with National Express failing to provide the service it was contractually obliged to on one franchise but retaining its other franchises with National Express itself not be punished for the failure.

RMT notes that at present the performance bond continues to be paid by the tax payer which removes all value from a bond which should be paid by the franchisee.

8. What sanctions should be used to ensure the franchisee fulfils its franchise commitments?

Poor performance should be penalised depending on the scale of the poor performance and measures should include monetary penalties, the possibility for being stripped of the franchise, the possibility of being stripped of all franchises operated by the parent company, and the possibility of the parent company being barred from bidding for any future franchises in Britain.

9. Under the franchise, should we incentivise good performance or only penalise poor performance?

RMT believes that should the franchise be undertaken in the private sector, profit making will be the primary incentive for the franchisee. Therefore, it is absurd for the Scottish Government to propose using tax payers money to further "incentivise" the franchisee.

This is especially true when the levels of dividends paid by the current franchisee are examined: £18 million in 2010, £18 million in 2009, £17million in 2008 and £21million in 2007.

Poor performance should be penalised depending on the scale of the poor performance and measures should include monetary penalties, the possibility for being stripped of the franchise, the possibility of being stripped of all franchises operated by the parent company, and the possibility of the parent company being barred from bidding for any future franchises in Britain.

10. Should the performance regime be aligned with actual routes or service groups, or should there be one system for the whole of Scotland?

RMT believes that in order to have a fully integrated railway system of a universal standard, there should only be one performance regime on one system for the whole of Scotland.

11. How can we make the performance regime more aligned with passenger issues?

The performance regime can be bettered aligned with passenger issues by taking into account the National Passenger Survey. For example, in the 2011 survey it was found that in Scotland passenger satisfaction had fallen in 3 categories in terms of the availability of staff (on stations, trains, and trains regional) whilst passenger satisfaction had increased in all 4 categories in terms of the attitude and helpfulness of staff when they were available. Such an approach would, in terms of this example, set a clear target for greater levels of staffing across the franchise.

12. What should the balance be between journey times and performance?

RMT believes that journey times should be specified in the contract in order to prevent the franchisee extending advertised journey times in order to meet performance targets. This is also necessary if modal shift is to be encouraged as journey times advertised should be realistic to prevent potential passengers being deterred from using the railway.

13. Is a Service Quality Incentive Regime required? And if so should it cover all aspects of stations and service delivery, or just those being managed through the franchise?

RMT believe that SQUIRE is required to ensure some level of regulation and should cover all aspects of stations and service delivery, in order to ensure that what is a minimum basic standard of stations is met. However, the Union believes that it should be consulted both on the standards set and also on what the outcomes are as failures of a TOC under SQUIRE are often used to discipline staff, which is not the intended purpose of the regime.

Should the decision be taken that SQUIRE is no longer required RMT believes that it must be replaced with a system which is no less robust.

14. What other mechanisms could be used for assessing train and station quality?

Any other mechanism under consideration must be no less robust, and in fact, should be much more robust than the current mechanism.

15. Can better use be made of existing train capacity, such as increasing the permitted standing time beyond the limit of 10 minutes or increasing the capacity limit? What is an acceptable limit for standing times on rail services?

RMT believes that capacity should be calculated on the basis of the number of seats available and supports the view of the travelling public that if a passenger buys a ticket then they should be able to expect to sit on the train. The issue of overcrowding must be dealt with by increasing capacity through rolling stock procurement (which leads to the wider issue of the ROSCOs), not through lowering passengers expectations of the service.

16. Should the number of services making use of interchange stations (both rail to rail and rail to other modes) be increased to reduce the number of direct services? What would be the opportunities and challenges of this?

RMT believes that cutting the length of services and the number of direct services means fewer trains and lower levels of frequency. This is also true in the case of the Caledonian Sleeper Services with the announced intention to shorten or cancel some routes. RMT is strongly opposed to the proposal.

17. Should Government direct aspects of service provision such as frequency and journey time, or would these be better determined by the franchisee based on customer demand?

The Government should direct aspects of service provision such as frequency and journey time because the railway is both economically and socially necessary in Scotland and as such should not be determined by a private operator who will view any opportunity to direct aspects of frequency and journey times solely in terms of revenue collection and ultimately shareholder dividends.

18. What level of contract specification should we use for the next ScotRail franchise?

RMT believes that the highest level of contract specification should be used for the next ScotRail franchise on the basis that this would prevent the franchisee from sweating the assets and reducing the services to increase profit.

19. How should the contract incentivise the franchisee to be innovative in the provision of services?

See response to question 18 above. RMT believes that if the Invitation to Tender is sufficiently robust in providing a high level of contract specification then there will be no need to incentivise innovation in the provision of services. The Scottish Government must determine what services the franchisee must provide in order for the tendering process to be thorough.

Additionally RMT believes that if room is left for “innovation” by a private operator this “innovation” will ultimately lead to the increase of profits at the expense of services and staff.

20. What should be the rationale for, and purpose of, our fares policy?

The rationale and purpose of the fare policy in Scotland should be designed to encourage the greatest possible modal shift onto the railway, and to challenge social exclusion not promote it.

A report commissioned by RMT from Just Economics in 2011 in relation to social exclusion and UK rail services, found that:

“contrary to perceptions, although middle and high earners use rail services the most, trains make up a relatively high proportion of the travel modes of lower earners. Any increases disproportionately hit low- and middle-income passengers.

In addition an emphasis on prioritising the road network in transport spending, coupled with the rise of out-of-town retail centres and other facilities that are often poorly served by public transport, has exacerbated issues of social inequality.

The poorest people in the UK have low car ownership compared with their counterparts in other countries, and they are consequently bigger users of public transport. Bus and rail fares have skyrocketed since privatisation and up to 50 per cent of people in the UK do not have access to some kind of basic service (such as schools, hospitals and food stores) by public transport”.

21. What fares should be regulated by government and what should be set on a commercial basis? Do your recommendations change by geographic area (the Strathclyde area example), or by type of journey (for example suburban or intercity)?

RMT believes that if the government is to take the task of encouraging modal shift seriously then it must regulate all fares. Allowing fares to be set on a commercial basis will inevitably put the interests of private shareholders above those of the travelling public.

22. How should we achieve a balance between the taxpayer subsidy and passenger revenue contributions in funding the Scottish rail network? At what rate should fares be increased, and how feasible would it be to apply higher increases to Sections of the network which have recently been enhanced?

As per the response to Question 21 above, RMT believes that fare policy should be used to encourage the greatest possible modal shift. RMT also believes that fares policy must not be overly complex if it is to encourage modal shift.

In fact, it is a completely false debate as the railways contribute to the whole of society and as such should be funded directly by Government.

Additionally, RMT believes that attempting to find a balance between taxpayer subsidy and passenger revenue places the onus on the public, whilst ignoring the dividends of Scotrail. A serious attempt to establish a balance would consider not only taxpayers and the passengers but also Scotrail, and its shareholders.

23. What should the difference be between peak and off-peak fares? Will this help encourage people to switch to travelling in the off-peak?

See response to Question 21 above. RMT believes that the difference between peak and off-peak fares should be fully regulated.

24. How should we determine what rail stations are required and where, including whether a station should be closed?

RMT believes that the rail network should be expanded and as such does not support the closure of any stations. We agree with the Scottish Government that all routes are socially necessary, and stations are key components of the routes. Footfall at a particular station cannot be the only measure used to determine the value of any station.

25. What are the merits or issues that arise from a third party (such as a local authority or local business) being able to propose, promote and fund a station or service?

RMT maintains that a single, integrated, publically owned and publically run rail network is the only real solution for the problems facing Scotland's railway. On that basis we are opposed to any further fragmentation of the rail network.

26. Should only one organisation be responsible for the management and maintenance of stations? If this was the franchisee how should that responsibility be structured in terms of leasing, investment, and issues relating to residual capital value?

RMT believes that only one organisation should be responsible for the management and maintenance of stations, and that that organisation should be publicly owned and publically accountable in order to ensure that the stations, as a component of critical national infrastructure, are managed and maintained as public assets. Therefore, the franchisee should not be responsible for the management and maintenance of stations.

27. How can local communities be encouraged to support their local station?

RMT believes that local communities can best support their local station by using rail. This requires the highest possible level of encouragement of modal shift onto rail in addition to good facilities at stations which are staffed and well lit and have good onward travel links.

28. What categories of station should be designated and what facilities should be available at each category of station?

RMT believes that the current Network Rail categorisation of stations by footfall should be maintained.

29. Should cross-border services continue to go north of Edinburgh? In operating alongside ScotRail services, how do cross-border services benefit passengers and taxpayers? And who should specify these services, the Department of Transport or the Scottish Ministers?

The proposal in the consultation document for cross-border services to terminate at Edinburgh or Glasgow ensures that services operated by, for example, East Coast or Cross Country must terminate at Glasgow or Edinburgh and the passengers travelling further into Scotland must change onto a Scotrail service. The Scottish Government claims that the current state of affairs disadvantages Scotrail due to the ORCATS system but in reality this is strengthening the position of Scotrail as a monopoly and will result in a worse service for

passengers. The proposal is to ensure that rail passenger services operated by other companies do not continue to travel to other Scottish stations past Glasgow and Edinburgh, thereby negating the “competition” which is the sole argument used in defence of a privatised railway.

Due to the economic and social necessity of cross-border services for passengers whose journeys being in England or in Scotland it is essential that the services be jointly specified by the relevant transport authorities either side of the border.

30.Or should the cross-border services terminate at Edinburgh Waverley, allowing opportunities for Scottish connections? And if so, what additional benefits would accrue from having an Edinburgh Hub?

Whilst RMT is not opposed to the development of an Edinburgh Hub to provide better connectivity across the network, the Union believes that such a development must be part of an overall regeneration of Scotland's rail network.

In terms of cross-border services terminating at Edinburgh Waverley, please see the response to question 29 above.

31.What alternative strategies or mechanisms could be used to reduce the cost of the provision of rolling stock?

RMT believes that all rolling stock should be publically owned and publically accountable. In terms of action which can be taken immediately, the rolling stock leasing companies should be regulated. At present, despite complaints from the Competition Commission the ROSCOs remain completely unregulated and solely prioritise making profit and satisfying shareholders, as the expense of both the travelling public and the taxpayer.

32.What facilities should be present on a train and to what extent should these facilities vary according to the route served?

RMT believes that basic facilities such as a buffet car, toilets and quiet carriages on trains should be of a universal standard, with the highest possible level of facilities available on all trains and all routes served in order to encourage greater modal shift onto rail.

Additionally, now that the franchise is being renewed it provides the opportunity to include as a requirement that all trains should have a conductor on board in order to meet the

recommendations of the Ladbroke Grove Rail Inquiry, especially those recommendations regarding training for evacuation and protection:

"14.62 While I see force in the submissions which were made by Counsel for RMT in regard to the presence of guards and their responsibilities, the issues which these raise go beyond the scope of health and safety alone. In any event I recommend....increasing the training of the existing staff so that all members of the on-board staff (including persons working under contract) are trained in train evacuation and protection".

33.How should we prioritise investment for mobile phone provision and / or Wi-Fi type high-bandwidth services?

RMT believes that mobile phone provision and Wi-Fi type high-bandwidth services would encourage greater modal shift onto rail and increase the benefit of rail travel to the wider economy. Therefore, both should be provided for in the franchise agreement.

34.How should we balance the need for additional seating capacity and retain the flexibility of a franchisee to offer first-class services if commercially viable?

The issue of additional seating capacity should be addressed through increasing the number of vehicles, ie. increasing the amount of rolling stock.

35.What issues and evidence should be considered prior to determining whether or not to ban the consumption of alcohol on trains?

RMT believes that a full risk assessment is required before any proposal on a ban on the consumption of alcohol on trains can be brought forward. At present no information has been provided as to who would police such a ban, and whether or not such a ban may bring rail staff into conflict with members of the travelling public.

RMT believes that there must be full consultation with the trade unions about this proposal.

36.How can the provision of travel information for passengers be further improved?

RMT believes that the provision of travel information for passengers can be further improved through having trained and visible rail staff available both on-train and on-stations in order to answer any queries that passengers may have.

37. Should we continue to specify sleeper services, or should this be a purely commercial matter for a train operating company?

RMT believes that sleeper services should continue to be specified within the contract on the basis of the economic and social value of the services. Should the sleeper service be considered a purely commercial matter for a train operating company, RMT believes that both the economic and social value of the services would be undermined.

38. Should the Caledonian Sleeper services be contracted for separately from the main ScotRail franchise? Or should it be an option for within the main ScotRail franchise?

RMT maintains that the Caledonian Sleeper service should remain within the Scotrail franchise.

RMT believes that the proposal is intended to not only separate the service from the Scotrail franchise, but also to undermine the service by cutting the routes it serves and the regularity of its services. This is only being done to leave the only profitable elements of the routes available to the private sector.

39. We would be interested in your views in the level and type of service that the Caledonian Sleeper Services should provide. Including:

- What is the appeal of the Caledonian Sleeper Service, and if there were more early and late trains would the appeal of the sleeper services change?

RMT believes that the greater the number of options, in terms of additional services, available to passengers travelling on the Caledonian Sleeper Service would increase the appeal of the sleeper services and provide real opportunity to encourage modal shift away from domestic flights and onto rail.

- What is the value of sleeper services to Fort William, Inverness and Aberdeen and are these the correct destinations, for example would Oban provide better connectivity?

RMT believes that the routes of current services should not be changed. However, the Union would support additional services travelling to other destinations.

40. What environmental key performance indicators should we consider for inclusion in the franchise agreement or the High Level Output Specification?

The franchise agreement should include a year on year target for reducing emissions and reducing where possible the quantity of waste sent to landfill.