
Secretariat report

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Agenda item 8

CA0011

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Policy issues for consideration

1 Purpose of report

- 1.1. To provide details of policy issues for consideration by the Committee which have arisen from recent cases dealt with by the London TravelWatch Casework team.

2 Information

- 2.1. Details of cases to be considered at this meeting are attached at Annexes A, B and C.

3 Recommendations

- 3.1. Annex A (page 2): Missed train due to tube delays led to need to repurchase ticket

Members are asked to consider whether the current refund policies of London Underground and the train operators are appropriate, and whether we should be arguing for a less rigid interpretation of the rules.

- 3.2. Annex B (page 3) : Ticket machines issuing discounted Railcard tickets prior to 0930

Members are asked to consider the problems caused to holders of Railcards when they are unable to purchase discounted tickets from ticket machines prior to 0930.

Members are also asked to consider whether the Committee should be seeking a more passenger-focused approach from operators by giving passengers more time on the day to purchase their discounted tickets from ticket machines.

- 3.3. Annex C (page 4) : Short-formed train service leading to overcrowding

Members are asked to consider whether they consider it is appropriate for an operator to reduce train lengths in a way that increases the level of overcrowding on their services.

4 Equalities and inclusion implications

- 4.1. No specific issues regarding equalities and inclusion arise from this report.

5 Legal powers and financial implications

- 5.1. Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider – and, where it appears to it to be desirable, to make representations with respect to – any matter affecting the services and facilities provided by Transport for London which relate to transport (other than freight) and which have been the subject of representations made to it by or on behalf of users of those services and facilities. Section 252A of the same Act (as amended by Schedule 6 of the Railways Act 2005) places a similar duty upon it in respect of representations received from users or potential users of railway passenger services provided wholly or partly within the London railway area.
- 5.2. No specific financial implications arise from this report.

Annex A

Missed train due to tube delays led to need to repurchase ticket

This issue arises out of a journey which Mr D attempted to make between Canary Wharf and Darlington. Mr D started his journey at 08.25 at Canary Wharf station. Unfortunately, the Jubilee Line was suspended so he took the Docklands Light railway service to Bank. Unfortunately, the suspension of services on the Jubilee Line led Bank station being overcrowded so the station was closed for safety reasons, and the service was diverted to Tower Gateway. When he arrived at Tower Hill tube station, he found that there were severe delays on the Circle Line so, following advice of staff, he took the District Line to Aldgate East and the Hammersmith & City Line from there to Kings Cross. As a result, his journey took 1 hour 25 minutes instead of the advertised 25 minutes for the journey. As a result, he missed the 09.30am train from Kings Cross, for which he had two advanced purchase tickets costing £39.50 each. Therefore he was forced to purchase two standard fares at £99.80 each. When he approached TfL and National Express East Coast, neither would reimburse his fare.

National Express East Coast initially informed us that, had he approached a member of staff, he would have been allowed to travel on his original ticket. However, Mr D did approach a member of staff and was told that he had to purchase new tickets.

We recognise that a number of long distance operators provide Advance fares which are valid only on the date and train shown on the ticket and are non-refundable, and that you can only change the time or date of travel before departure of the first reserved train. Therefore, under the current policy, Mr D is not entitled to a refund from National Express East Coast.

Under London Underground's Passenger Charter, if a passenger experiences a delay to their journey of more than 15 minutes, for reasons within their control, they are entitled to a refund voucher equal to the value of the single delayed journey. Therefore, Mr D would only be entitled to a refund of his London Underground ticket from London Underground themselves.

National Express East Coast have indicated that they are prepared to refund the cost of the advanced purchase tickets as a gesture of goodwill if Mr D can provide the original tickets. However, three months after the event, Mr D has only been able to find a receipt.

We recognise that advance purchase tickets are intended as a means for train operators to fill empty seats on their services at a lower cost than the ordinary fare. As such, it makes sense that the ticket is tied to a particular seat and train. We consider that it is not realistic for all passengers to have travel insurance for every journey they make which would enable them to reclaim fares due to delays. Nevertheless, we consider that where a passenger leaves adequate journey time to make a journey, so as to catch a train which they have pre-booked, and then misses the connection through delays on another service through no fault of their own, they should not be effectively charged twice for the same journey and should at the very least be provided with a gesture of goodwill to the level of the unused tickets.

We consider that such a gesture should be provided at the earliest stage, rather than be subject to unpublished conditions such as seeking ticket office advice. In addition, while we consider that a request for a copy of the original tickets is a valid one, this needs to be made at the earliest opportunity. We recognise that the delay was the fault of London Underground but, in the same way that a train operator cannot be expected to pay the full cost of a missed flight, we consider that it would not be proportionate to ask London Underground to pay £200 (the cost of the two new tickets) based on a £4 single fare.

Recommendation

Members are asked to consider whether the current refund policies of London Underground and the train operators are appropriate, and whether we should be arguing for a less rigid interpretation of the rules in instances such as the one outlined.

Annex B

Ticket machines issuing discounted Railcard tickets prior to 0930

The Senior Railcard discount isn't available on tickets for travel during the morning rush hour (peak time), Monday to Friday (not including Public Holidays) when journeys are made wholly within the London and South East area.

We were contacted by a passenger who complained that they are unable to purchase discounted tickets on their Senior Railcard at ticket machines prior to 09.30am. As a result, by the time they are able to get a ticket, the first off-peak service has left. We note that, this is despite the fact that, if they queued at the ticket office they would be able to purchase such tickets.

We recognise that the current procedures are in place to ensure that passengers do not travel on reduced price tickets during the morning peak. However, at many larger stations, there are now ticket gates which prevent access to the platform prior to the departure of the last peak service anyway. The current procedures appear to encourage passengers to use ticket offices rather than ticket machines, and contribute to ticket office queues.

Recommendation

Members are asked to consider the problems caused to holders of Railcards when they are unable to purchase discounted tickets from ticket machines prior to 0930.

Members are also asked to consider whether the Committee should be seeking a more passenger-focused approach from operators by giving passengers more time on the day to purchase their discounted tickets from ticket machines.

Annex C

Short-formed train service leading to overcrowding

Mr G complained to Southeastern about their decision to reduce the 0628 service from Otford to London Victoria from six cars to a four cars as part of the wide ranging 'cuts' introduced by them in January 2009. However, unlike other services in the wake of passenger complaints which were restored, the 0628 has not been restored to its former six car service. Mr G is very unhappy with the current service as he says it is now very overcrowded, especially as two of the four cars have a first class section.

From information provided by Southeastern through their autumn passenger counts, we can see that for a six car service there were 381 passengers for 470 seats while for a four car service there are 364 passengers for 302 seats.

The Rail & Underground Policy Officer believes there is a case for returning this service to six cars and understands that the two cars removed are not currently being used. When this point was made to Southeastern, they accepted that the two cars were not currently being used but argued that they use all their rolling stock to best effect, with stock not in operational use being earmarked for use in emergencies, undergoing repairs, essential maintenance or being cleaned.

We do not consider that the reasons given by Southeastern as to why this stock is not in operational use as being acceptable and believe passengers using this service are being disadvantaged as Southeastern put their interests first. It is unclear whether the reason for the reductions in train lengths introduced in December was to enable the operator to have more stock available for emergencies or was to reduce maintenance or rolling stock leasing costs.

The Department for Transport states that sliding door trains have a capacity of around 135% of the number of seats, and that train companies are expected to provide sufficient capacity to prevent any passengers from having to stand involuntarily for more than 20 minutes. As the last stop on this service is Bromley South, which is exactly 20 minutes prior to London Victoria, it is unlikely that this train is considered as overcrowded in a technical sense. Nevertheless, it would appear to be outside the spirit of the rules to enable a train operator to increase overcrowding on a service in the manner which Southeastern have.

Recommendation

Members are asked to consider whether they consider that Southeastern have provided a reasonable response to the passenger's concerns, and whether it is appropriate for them to reduce train lengths in a way that increases the level of overcrowding on their services.

The Rail & Underground Policy Officer has volunteered to address members on this issue should they wish.