

Passenger Railway Services (Public Ownership) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

11 October 2024

[Amendments marked ★ are new or have been altered]

Clause 1

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON

Clause 1, page 1, line 12, at end insert –

“25B Termination of existing franchise agreements

- (1) The Secretary of State must terminate franchise agreements for default in accordance with the terms of the agreement as soon as it is possible to do so.
- (2) Subject to subsection (1), the Secretary of State must not terminate a franchise agreement pursuant to a break clause unless –
 - (a) there are no other franchise agreements which are –
 - (i) terminable for default or may be terminable in the next three months for default, or
 - (ii) will come to the end of their term within the next three months, and
 - (b) the Secretary of State is satisfied that provision of the services by a public sector company will improve existing service provision.
- (3) In this section, “break clause” means a contractual provision in a franchise agreement which entitles the Secretary of State to terminate the franchise agreement before the end of the franchise term by notice without reason.”

Member's explanatory statement

This amendment would require the Secretary of State to nationalise the worst performing operators first while enabling services that are currently working well to continue.

Clause 2

LORD BERKELEY

Clause 2, page 2, line 15, at end insert –

- “(1AA) Before making a direct award of a public service contract to a public sector company under subsection (1A), the relevant franchising authority must publish a report on –
- (a) the possible impact on rail network capacity used by rail freight services,
 - (b) the possible impact on the meeting of the rail freight growth target for at least 75% growth in freight carried by rail by 2050 on 2019 levels.”

BARONESS PIDGEON
BARONESS RANDESON

Clause 2, page 2, line 23, at end insert –

“30ZA Exemption of passenger services: duty to consult

- (1) Before making a direct award of a public service contract to a public sector company under section 30(1A), the relevant franchising authority must consult with relevant persons on their willingness and ability to make an application to the appropriate designating authority for the grant of an exemption from designation under section 23(1) for the purposes of applying for or being awarded a public service contract under section 30(1A).
- (2) For the purposes of subsection (1), “relevant persons” include –
 - (a) the Scottish Ministers,
 - (b) the Welsh Ministers,
 - (c) English combined authorities,
 - (d) the Greater London Authority,
 - (e) directly elected mayors, and
 - (f) any other relevant persons or bodies.”

Member's explanatory statement

This amendment requires the Secretary of State to consult appropriately when awarding a public sector contract in order to encourage more services to be operated by devolved authorities like TfL or combined authorities in the future.

BARONESS BRINTON
BARONESS RANDERSON

★ Clause 2, page 2, line 23, at end insert –

“30ZA Statement of accessibility standards

- (1) When making a direct award under section 30(1A) the Secretary of State must lay before Parliament a statement to the effect that they are of the view that such an award will comply with the accessibility standards.
- (2) The Secretary of State must prepare a statement of the standards that they propose to apply in assessing, for the purposes of subsection (1), that a public sector company meets the required level of accessibility.
- (3) The principles must in particular make provision for the accessibility of –
 - (a) the service;
 - (b) accommodation for individual journeys;
 - (c) booking platforms and other interactive digital services and systems used in connections with journeys on the relevant franchise.
- (4) In preparing the statement under subsection (2) the Secretary of State must consult such persons as they consider appropriate, in particular disabled people.”

Member's explanatory statement

This amendment places a duty on the Secretary of State to make a statement to Parliament confirming they are of the view that making an award to a public sector company will meet certain accessibility standards.

LORD YOUNG OF COOKHAM

Clause 2, page 2, line 24, leave out “Temporary”

Member's explanatory statement

This amendment, along with another in the name of Lord Young of Cookham to Clause 2, would allow the Secretary of State to renew an existing franchise or enter into a new contract with a private service operator who is providing a satisfactory service.

LORD YOUNG OF COOKHAM

Clause 2, page 2, line 29, leave out from “that” to end of line 32 and insert “a new contract can be provided by the existing service operator, where that operator is providing a satisfactory service.”

Member's explanatory statement

This amendment, along with another in the name of Lord Young of Cookham to Clause 2, would allow the Secretary of State to renew an existing franchise or enter into a new contract with a private service operator who is providing a satisfactory service.

LORD YOUNG OF COOKHAM

Clause 2, page 3, line 27, at end insert –

“(iv) owned by a local transport authority;”

Member's explanatory statement

This amendment would enable a public service contract for the railways to be awarded by a local transport authority, as well as by Secretaries of State, to promote devolution.

BARONESS RANDESON
LORD BRADSHAW

Clause 2, page 3, line 32, at end insert –

“30D Annual report on ticketing effects of public service contracts

- (1) The Secretary of State must lay before Parliament an annual report on the effect of public sector contracts awarded in accordance with section 30(1A) on –
 - (a) ticket pricing;
 - (b) tap-in, tap-out options;
 - (c) single-leg pricing;
 - (d) digital season tickets;
 - (e) ticket purchasing options;
 - (f) compensation for delays and cancellations;
 - (g) ticketing interoperability with –
 - (i) other train operators, and
 - (ii) bus and light rail system operators.
- (2) The Secretary of State must consult other franchising authorities before finalising a report under subsection (1).
- (3) The first annual report under this section must be laid before Parliament within twelve months of the first award of a public sector contract in accordance with section 30(1A).
- (4) Each subsequent annual report must be laid before Parliament before the end of July in each subsequent calendar year.”

Member's explanatory statement

This amendment would require the Secretary of State to publish an annual report on the effect on ticketing of public service contracts.

BARONESS SCOTT OF NEEDHAM MARKET
BARONESS RANDERSON

Clause 2, page 3, line 32, at end insert –

“30D Passenger Standards Authority

- (1) The Secretary of State must, within three months of the coming into force of the Passenger Railway Services (Public Ownership) Act 2024, establish an independent body (the Passenger Standards Authority) with responsibility for monitoring the impact of that Act on passenger standards.
- (2) In fulfilling its duty under subsection (1), the Passenger Standards Authority must in particular monitor the impact of the Act on –
 - (a) standards of passenger assistance, having particular regard to the needs of disabled passengers,
 - (b) standards of passenger information,
 - (c) the adequacy of accommodation for individual journeys, and
 - (d) complaints and compensation codes of practice and compliance of public sector companies with such codes.
- (3) The Passenger Standards Authority may also provide advice to the Secretary of State on such measures that may be taken to –
 - (a) improve passenger experience, and
 - (b) enhance passenger rights.”

Member's explanatory statement

This probing amendment would require the Secretary of State to establish an independent body to monitor the impact of the Act on passenger standards.

BARONESS PIDGEON
BARONESS RANDERSON

Clause 2, page 3, line 32, at end insert –

“30D Impact on British Transport Police

The Secretary of State must, within twelve months of the coming into force of the Passenger Railway Services (Public Ownership) Act 2024, lay before Parliament a report on the impact of the awarding of public service contracts to public sector companies under subsection 30(1A) on the British Transport Police.”

Member's explanatory statement

This probing amendment would require the Secretary of State to report to Parliament on the impact of this Act on the British Transport Police.

BARONESS RANDESON
LORD BRADSHAW

Clause 2, page 3, line 32, at end insert –

“30D Impact on freight

The Secretary of State must, within twelve months of the day on which the Passenger Railway Services (Public Ownership) Act 2024 comes into force, lay before Parliament a report on the impact of the awarding of public service contracts to public sector companies under subsection 30(1A) on freight operators in the UK.”

Member's explanatory statement

This probing amendment would require the Secretary of State to report to Parliament on the impact of this Act on freight operators.

LORD YOUNG OF COOKHAM

★ Clause 2, page 3, line 32, at end insert –

“30D Annual report of public operator liabilities

- (1) The Secretary of State must lay before Parliament, within six months of the day on which the Passenger Railway Services (Public Ownership) Act 2024 is passed, and annually thereafter, a report on the public sector financial liabilities arising from the award of public service contracts to public sector companies under section 30(1A).
- (2) The report published under subsection (1) must include details of –
 - (a) rolling stock leasing liabilities;
 - (b) pension scheme liabilities;
 - (c) property leasing liabilities;
 - (d) other financial liabilities such as debt.”

Member's explanatory statement

This amendment would require the Secretary of State to publish an annual report examining the impact of train company liabilities transferring onto the public sector balance sheet under nationalisation.

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