Railways Bill

FIFTH MARSHALLED

LIST OF AMENDMENTS

TO BE MOVED

IN GRAND COMMITTEE

The amendments have been marshalled in accordance with the Instruction of 13th July 2026, as follows –

Clauses 1 to 11	Schedule 3
Schedule 1	Clauses 92 to 96
Clause 12	Schedule 4
Schedule 2	Clauses 97 to 102
Clauses 13 to 91	Title

[*Amendments marked ★ are new or have been altered*]

Amendment No.

Clause 25

BARONESS JONES OF MOULSECOOMB

148 Clause 25, page 14, line 27, leave out "may" and insert "must"

Member's explanatory statement
This amendment ensures that the Secretary of State must secure the services they designate.

LORD GRAYLING

149 Clause 25, page 14, line 28, at end insert—

"(1A) When designating railway passenger services, the Secretary of State must—
(a) take account of—
(i) the rail freight target under section 17, and
(ii) the infrastructure capacity plan under section 60, and
(b) demonstrate that designations under this section cause no unreasonable detriment to rail freight capacity or growth."

Member's explanatory statement
This amendment requires that passenger service decisions are made in the context of network capacity and freight increase priorities.

Clause 26

LORD GRAYLING

150 Clause 26, page 15, line 14, at end insert—

"(1A) When designating railway passenger services, the Scottish Ministers must—

(a) take account of—

(i) the rail freight target under section 17, and

(ii) the infrastructure capacity plan under section 60, and

(b) demonstrate that designations under this section cause no unreasonable detriment to rail freight capacity or growth."

Member's explanatory statement
This amendment seeks to require passenger-service designation decisions in Scotland to take account of rail-freight growth and available network capacity, and to avoid unreasonable detriment to freight capacity or growth.

Clause 27

LORD GRAYLING

151 Clause 27, page 15, line 37, at end insert—

"(1A) When designating railway passenger services, the Welsh Ministers must—

(a) take account of—

(i) the rail freight target under section 17, and

(ii) the infrastructure capacity plan under section 60, and

(b) demonstrate that designations under this section cause no unreasonable detriment to rail freight capacity or growth."

Member's explanatory statement
This amendment seeks to require passenger-service designation decisions in Wales to take account of rail-freight growth and available network capacity, and to avoid unreasonable detriment to freight capacity or growth.

Clause 31

BARONESS JONES OF MOULSECOOMB

152 Clause 31, page 17, line 9, leave out "may" and insert "must"

Member's explanatory statement
This amendment ensures that the Secretary of State must secure the services they designate.

LORD GRAYLING
LORD MOYLAN

153 Clause 31, page 17, line 11, leave out from "so" to "in" in line 12 and insert "by making a direct award of a contract to Great British Railways, a GBR company, or a private business"

Member's explanatory statement
This amendment would allow private sector companies to operate train services on behalf of the Secretary of State.

LORD GRAYLING

153A Clause 31, page 17, line 14, at end insert—

"(aa) to an employee-owned company, or"

Member's explanatory statement
This amendment enables the Secretary of State to directly award a public service contract for the provision of passenger rail services to a private employee-owned company or mutual enterprise.

LORD GRAYLING
LORD MOYLAN

154 Clause 31, page 17, line 23, after "sector" insert "or private"

Member's explanatory statement
This amendment would allow private sector companies to operate train services on behalf of Scottish Ministers.

LORD GRAYLING

154A Clause 31, page 17, line 24, at end insert—

"(ii) an employee-owned company."

Member's explanatory statement
This amendment enables the Scottish Ministers to directly award a public service contract for the provision of passenger rail services to a private employee-owned company or mutual enterprise.

LORD GRAYLING
LORD MOYLAN

155 Clause 31, page 17, line 29, after "sector" insert "or private"

Member's explanatory statement
This amendment would allow private sector companies to operate train services on behalf of Welsh Ministers.

LORD GRAYLING

155A Clause 31, page 17, line 30, at end insert—

"(ii) an employee-owned company."

Member's explanatory statement
This amendment enables the Welsh Ministers to directly award a public service contract for the provision of passenger rail services to a private employee-owned company or mutual enterprise.

LORD GRAYLING

155B Clause 31, page 18, line 4, at end insert—

"(7) In this section, "employee-owned company" means a private company limited by shares or by guarantee in which—

(a) more than 50% of the ordinary share capital or voting rights are held by or on behalf of the employees of the company, or

(b) the governance structure secures employee control or significant employee participation through an employee ownership trust or similar arrangement."

Member's explanatory statement
This amendment defines "employee-owned company" for the purposes of other amendments to clause 31 in the name of Lord Grayling.

After Clause 31

LORD MOYLAN

156 After Clause 31, insert the following new Clause—

"Power of mayoral authorities to award concession agreements

(1) A relevant mayoral authority may designate a railway passenger service which operates wholly or principally within its area as a mayoral concession service.

(2) A relevant mayoral authority may secure the provision of a mayoral concession service by awarding a public service contract to any person, including a private sector operator.

(3) A contract under subsection (2) must be awarded—

(a) following a competitive process, and

(b) in accordance with the 2023 Regulations and any other applicable procurement legislation.

(4) Section 25A of the Railways Act 1993 does not apply in relation to—

(a) a public service contract awarded under this section, or

(b) a procurement process undertaken for the purpose of awarding such a contract.

(5) Before designating a service under subsection (1), the relevant mayoral authority must consult—

(a) the Secretary of State,

(b) Great British Railways, and

(c) the ORR.

(6) A public service contract awarded under this section may provide that—

(a) the relevant mayoral authority is to bear all or part of the revenue risk associated with the service, and

(b) the operator is to be paid a service fee, which may include performance-related incentives or penalties.

(7) In this section—

"mayoral concession service" means a railway passenger service designated under subsection (1);

"relevant mayoral authority" means—

(a) a mayoral combined authority, or

(b) a mayoral combined county authority."

Member's explanatory statement
This amendment would enable mayoral combined authorities and mayoral combined county authorities to procure railway passenger services operating wholly or principally within their areas through competitively awarded concession agreements, including agreements with private sector operators.

Clause 32

LORD MOYLAN

157 Clause 32, page 18, line 12, leave out subsection (3)

Member's explanatory statement
This amendment requires pre-award publication of public service contracts.

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

158 Clause 32, page 18, line 17, after "depot," insert "but does not include any asset of a preserved or heritage railway,"

Member's explanatory statement
This amendment seeks to ensure that the Secretary of State's powers in Clauses 31 and 32 cannot be used to seize assets owned by charities, businesses or trusts operating heritage railways.

After Clause 32

LORD MOYLAN

159 After Clause 32, insert the following new Clause—

"Protected London railway passenger services

(1) A protected London railway passenger service may not—
  (a) be designated under section 25 of this Act,
  (b) be provided by Great British Railways or a GBR company in place of the person providing the service, or
  (c) be refused access to, or use of, GBR infrastructure,

except in accordance with regulations made by the Secretary of State.

(2) Before making regulations under subsection (1), the Secretary of State must consult—
  (a) the Mayor of London, and
  (b) Transport for London.

(3) In this section, "protected London railway passenger service" means—
  (a) a railway passenger service provided under a concession agreement entered into by or on behalf of Transport for London, or
  (b) a railway passenger service provided by London Underground Limited which operates wholly or partly on GBR infrastructure."

Member's explanatory statement
This amendment would prevent a passenger service operated under a Transport for London concession, or a London Underground service operating on GBR infrastructure, from being transferred to GBR or refused infrastructure access except through regulations made by the Secretary of State following consultation with the Mayor of London and Transport for London.

LORD MOYLAN

160 After Clause 32, insert the following new Clause—

"Repeal of the Passenger Railway Services (Public Ownership) Act 2024

The Passenger Railway Services (Public Ownership) Act 2024 is repealed."

Member's explanatory statement
This new clause repeals the Passenger Railway Services (Public Ownership) Act 2024 so that train services can continue to be provided by private companies.

Clause 33

LORD MOYLAN

161 Clause 33, page 18, line 37, at end insert—

"(4) The rail strategy published under section 15 must include proposals for preventing and reducing the evasion of payment of fares for railway passenger services, including proposals relating to—

(a) deterrence,

(b) detection and enforcement,

(c) the recovery of unpaid fares, and

(d) cooperation between Great British Railways, providers of railway passenger services and the British Transport Police Force."

Member's explanatory statement
This amendment would require the Secretary of State's long-term rail strategy to include measures to prevent and reduce fare evasion, including measures concerning deterrence, enforcement, revenue recovery and cooperation with the British Transport Police.

LORD MOYLAN

161A Clause 33, page 18, line 37, at end insert—

"(4) Great British Railways must obtain the approval of the Secretary of State before introducing or altering the general level and structure of fares for travel on railway passenger services designated under section 25.

(5) Subsection (4) applies to a GBR company exercising Great British Railways' function under section 3(1)(c) as it applies to Great British Railways."

Member's explanatory statement
This amendment seeks to require Great British Railways to obtain the Secretary of State's approval before introducing or changing the overall level and structure of fares on services designated by the Secretary of State.

Clause 34

LORD MOYLAN

162 Clause 34, page 19, line 2, after "are" insert "UK veterans,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require GBR to continue to offer discounted rail fares for veterans.

LORD MOYLAN

163 Clause 34, page 19, line 2, after "are" insert "members of the UK armed forces and their families,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require GBR to continue to offer discounted rail fares for members of the UK armed forces and their families.

LORD MOYLAN

164 Clause 34, page 19, line 2, after "are" insert "aged 26 to 30,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require GBR to continue to offer discounted rail fares for young people aged 26-30.

BARONESS PIDGEON
LORD HAMPTON

165 Clause 34, page 19, line 4, at end insert—

"(1A) The Secretary of State must provide a scheme, to be known as "Rail Miles", to provide discounted rail fares for passengers frequently using Great British Railways services."

Member's explanatory statement
This amendment requires the Secretary of State to establish a "Rail Miles" scheme providing discounted rail fares for frequent travellers on Great British Railways (GBR) services.

LORD MOYLAN

166 Clause 34, page 19, line 8, leave out subsection (3)

Member's explanatory statement
This amendment would remove GBR's ability to set unrestricted conditions about discounted fares.

LORD MOYLAN

167 Clause 34, page 19, line 11, after "are" insert "UK veterans,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for UK veterans.

LORD MOYLAN

168 Clause 34, page 19, line 11, after "are" insert "members of the UK armed forces and their families,"

Member's explanatory statement
This amendment is related to the amendment in the name of Lord Moylan to Clause 34, page 19, line 2 and would require Great British Railways to continue to offer discounted rail fares for members of the UK armed forces and their families.

LORD MOYLAN

169 Clause 34, page 19, line 11, after "are" insert "aged 26-30,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for people aged 26 to 30.

LORD MOYLAN

170 Clause 34, page 19, line 14, after "are" insert "members of the UK armed forces and their families,"

Member's explanatory statement
This amendment is consequential on the amendment in the name of Lord Moylan to clause 34, page 19, line 2, and would require Great British Railways to continue to offer discounted rail fares for members of the UK armed forces and their families.

LORD MOYLAN

171 Clause 34, page 19, line 14, after "are" insert "UK veterans,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for UK veterans.

LORD MOYLAN

172 Clause 34, page 19, line 14, after "are" insert "aged 26 to 30,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for people aged 26 to 30.

LORD MOYLAN

173 Clause 34, page 19, line 18, after "are" insert "UK veterans,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for UK veterans.

LORD MOYLAN

174 Clause 34, page 19, line 18, after "are" insert "members of the UK armed forces and their families,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for members of the UK armed forces and their families.

LORD MOYLAN

175 Clause 34, page 19, line 18, after "are" insert "aged 26 to 30,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for people aged 26 to 30.

LORD MOYLAN

176 Clause 34, page 19, line 24, after "are" insert "members of the UK armed forces and their families,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for members of the UK armed forces and their families.

LORD MOYLAN

177 Clause 34, page 19, line 24, after "are" insert "UK veterans,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for UK veterans.

LORD MOYLAN

178 Clause 34, page 19, line 24, after "are" insert "aged 26 to 30,"

Member's explanatory statement
This amendment, and others in the name of Lord Moylan, would require Great British Railways to continue to offer discounted rail fares for people aged 26 to 30.

LORD MOYLAN

179 Clause 34, page 19, line 30, leave out "lower fare" and insert "fare that is one third lower"

Member's explanatory statement
This amendment would ensure that discounted fares remain at one third off the price of a standard fare.

After Clause 34

LORD MOYLAN

180 After Clause 34, insert the following new Clause—

"Great British Railways retail requirements

(1) Great British Railways Retail is subject to the same conditions, standards and transparency requirements as all other accredited retailers.

(2) Conditions, standards and transparency requirements as referenced in subsection (1) include equal access to—
  (a) fares,
  (b) products,
  (c) technical systems, and
  (d) data feeds."

Member's explanatory statement
This new clause clarifies that Great British Railways Retail is subject to the same conditions, standards and transparency requirements as all other accredited retailers, including equal access to fares, products, technical systems and data feeds.

LORD MOYLAN

181 After Clause 34, insert the following new Clause—

"Economic parity and subsidy control: GBR online retailing

(1) Before establishing or operating any online retailing service, Great British Railways must publish a statement confirming that the Secretary of State has complied with—
  (a) the requirements of Managing Public Money relating to the creation of a trading activity competing with private sector providers, and
  (b) the subsidy control principles set out in the Subsidy Control Act 2022.

(2) The statement under subsection (1) must include an assessment of whether the proposed online retailing service will operate on terms of economic parity with accredited independent retailers, including—
  (a) the cost to Great British Railways of operating its online retailing activities, clearly separated from the costs of other retailing channels,

(b) the basis on which public funding is allocated to Great British Railways' online retailing activities, and

(c) whether any element of public funding would result in Great British Railways' online retailing service being cross-subsidised in a manner that distorts competition.

(3) The Secretary of State must lay the statement before Parliament before the online retailing service may begin operation."

Member's explanatory statement

This new Clause requires the Secretary of State to demonstrate compliance with Managing Public Money and the Subsidy Control Act 2022 before Great British Railways establishes an online retailing service. It ensures economic parity with independent retailers and prevents cross-subsidisation by requiring transparent, channel level retailing costs and value for money assessments.

LORD HOLMES OF RICHMOND

182 After Clause 34, insert the following new Clause—

"Separation of oversight and retail duties

Great British Railways must—

(a) ensure a functional separation between its market oversight duties and its consumer-facing digital retail operations;

(b) grant independent ticket retailers access to the underlying national rail fulfilment systems on terms no less favourable than those granted to its own retail arms."

Before Clause 36

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

183 Before Clause 36, insert the following new Clause—

"Purpose of the Passengers' Council

The purpose of the Passengers' Council is to—

(a) champion the interests of all users and potential users of the railway, including, in particular, the needs of disabled persons,

(b) advocate for the reliability of passenger services, covering punctuality, cancellations, short-forming, delays and the reliability of key connections,

(c) advocate for safety and security, covering safety incidents, security incidents affecting passengers, staff presence, and delivery of safety-critical maintenance,

(d) advocate for passengers' comfort and on-board experience, covering cleanliness, the functioning of heating, air-conditioning, and lighting,

overcrowding, the availability and performance of any internet connection or power sockets, and toilet facilities,

(e) advocate for affordability and value for money, covering fare levels, availability of discounted or flexible fares, transparency of fare information, and passenger perception of value for money, and

(f) advocate for passenger growth and network expansion, covering growth in passenger numbers, the number of communities served, service frequency, and the provision of new or restored services."

Member's explanatory statement
This new clause would give a statutory purpose to the Passengers' Council to champion the interests of all rail users.

Clause 36

BARONESS JONES OF MOULSECOOMB

183A★ Clause 36, page 20, line 16, leave out paragraph (a) and insert—

"(a) must protect and promote the rights and interests of users and potential users of railway passenger services and station services,

(aa) must have particular regard to the need to protect and promote the rights and interests of disabled persons, and"

Member's explanatory statement
This amendment and another in the name of Baroness Jones of Moulsecoomb seek to create a consistent, rights-based duty for the Passengers' Council and London Transport Users Committee watchdogs.

LORD MOYLAN

184 [*Withdrawn*]

BARONESS JONES OF MOULSECOOMB

184A★ Clause 36, page 20, line 18, leave out paragraph (b)

Member's explanatory statement
This amendment omits the cost-efficiency duty from the general duties of the Passengers' Council.

LORD BERKELEY
LORD MOYLAN

185 Clause 36, page 20, line 19, leave out "make efficient use of those" and insert "secure value for money from the use of those public"

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

186 Clause 36, page 20, line 19, leave out "make efficient use of those funds" and insert "ensure value for money through a cost benefit analysis"

Member's explanatory statement
This amendment would require the Passengers' Council to consider value for money through a cost-benefit analysis, rather than merely considering the efficient use of public funds.

BARONESS GREY-THOMPSON
BARONESS BRINTON

186A Clause 36, page 20, line 19, at end insert—

(2) In fulfilling its duty under subsection (1)(a), the Passengers' Council must seek to—

(a) protect and advance the rights of disabled passengers,

(b) reduce accessibility barriers, and

(c) promote independent travel for disabled passengers."

Clause 37

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

187 Clause 37, page 20, line 31, at end insert—

"(3) When the Passengers' Council makes representations under this section, either to the Secretary of State or Great British Railways, they are both under a duty to respond to those representations within the period of one month."

Member's explanatory statement
This amendment would require the Secretary of State and Great British Railways to respond within one month to any representations made by the Passengers' Council.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

188 Clause 37, page 20, line 31, at end insert—

"(3) The Passengers' Council must, at least once every 12 months, assess the levels of satisfaction of users of public passenger railway services and report their finding in a manner which enables Great British Railways to fulfil its functions under section 3."

Member's explanatory statement
This amendment would require the Passengers' Council to assess levels of passenger satisfaction at least once every twelve months and report its findings in a way that enables Great British Railways to fulfil its functions.

After Clause 38

LORD MOYLAN

188A After Clause 38, insert the following new Clause—

"Passengers' Council board

(1) The Secretary of State must appoint a board of the Passengers' Council.

(2) The persons appointed to the board by the Secretary of State must include a minimum of two disabled persons."

Member's explanatory statement
This amendment would ensure representation of disabled people on the board of the Passengers' Council.

Clause 40

BARONESS JONES OF MOULSECOOMB

188B★ Clause 40, page 22, line 13, leave out subsection (1) and insert—

"(1) The Passengers' Council may request a person who provides or operates railway passenger services or station services to provide any information which the Council considers necessary or appropriate for the purposes of, or in connection with, the exercise of any of its functions."

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

189 Clause 40, page 22, line 31, leave out from "Council" to "may" in line 32

Member's explanatory statement
This amendment would give the Passengers' Council enforcement powers where its requests for information are not met.

Clause 42

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

190 Clause 42, page 23, line 27, leave out subsection (2)

Member's explanatory statement
This amendment would require the Passengers' Council to refer every contravention, or likely contravention, of a licence condition to the Office of Rail and Road, including where it has required an improvement plan under section 47.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

191 Clause 42, page 23, line 33, leave out "(if any)"

Member's explanatory statement
This amendment, together with others in the name of Lord Evans of Guisborough, would require the Office of Rail and Road to take action where a contravention has been referred to it by the Passengers' Council.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

192 Clause 42, page 23, line 36, leave out "any" and insert "what"

Member's explanatory statement
This amendment, together with others in the name of Lord Evans of Guisborough, would require the Office of Rail and Road to take action where a contravention has been referred to it by the Passengers' Council.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

193 Clause 42, page 23, line 36, leave out from "taken" to end of line 38

Member's explanatory statement
This amendment, together with others in the name of Lord Evans of Guisborough, would require the Office of Rail and Road to take action where a contravention has been referred to it by the Passengers' Council.

Clause 43

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

194 Clause 43, page 24, line 12, leave out "may" and insert "must"

Member's explanatory statement
This amendment would require the Passengers' Council to publish any report on a matter investigated under section 39.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

195 Clause 43, page 24, line 12, at end insert "within six months of the completion of the investigation."

Member's explanatory statement
This amendment would require the Passengers' Council to publish its report within six months of completing an investigation.

After Clause 44

LORD MOYLAN

196 After Clause 44, insert the following new Clause—

"Complaints statistics

(1) At least twice each year, Great British Railways must provide to the Office of Rail and Road the number of complaints closed by each passenger service designated by the Secretary of State.

(2) The Office of Rail and Road must publish the statistics received under subsection (1) at least twice each year."

Member's explanatory statement
This new clause would ensure that the ORR would continue to publish data on complaints in the same manner as they currently do.

Clause 46

LORD MOYLAN

197 [*Withdrawn*]

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

198 Clause 46, page 25, line 17, at end insert—

"(e) passenger service reliability, including punctuality, cancellations, short-forming, delays and the reliability of key connections,

(f) safety and security, including safety incidents, security incidents affecting passengers, staff presence, and delivery of safety-critical maintenance,

(g) comfort and on-board experience on passenger services, including cleanliness, the functioning of heating, air-conditioning, and lighting, overcrowding, the availability and performance of any internet connection or power sockets, and toilet facilities, and

(h) affordability and value for money of passenger services, including fare levels, availability of discounted or flexible fares, transparency of fare information, and passenger perception of value for money."

Member's explanatory statement
This amendment would require the Passengers' Council to set standards relating to reliability, safety and security, comfort and on-board experience, affordability, and value for money.

BARONESS GREY-THOMPSON
BARONESS BRINTON

198A Clause 46, page 25, line 17, at end insert—

"(e) permanent step-free access to stations, platforms and trains,
(f) accessibility of station entrances, exits, platforms and interchanges,
(g) the carriage of wheelchairs, powered wheelchairs, mobility scooters and other mobility aids,
(h) accessibility of rail replacement services and alternative transport,
(i) provision of accessible transport where a rail replacement service cannot accommodate a passenger's mobility aid,
(j) provision and reliability of lifts, ramps and other accessibility equipment,
(k) accessible passenger information,
(l) passenger assistance, including assistance during disruption,
(m) accessible ticketing facilities, and
(n) the involvement of disabled persons and organisations representing disabled persons in the development and review of accessibility standards."

Member's explanatory statement
This amendment makes explicit that accessibility standards may cover permanent step-free access, mobility aids, rail replacement services, alternative transport, accessibility equipment, passenger information, passenger assistance and ticketing.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

199 Clause 46, page 25, line 21, leave out "and the ORR"

Member's explanatory statement
This amendment would remove the requirement for the Passengers' Council to obtain the consent of the Office of Rail and Road before setting, varying or revoking standards.

BARONESS JONES OF MOULSECOOMB

★ *Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 46 stand part of the Bill.*

Member's explanatory statement
This removes the clause allowing the Passengers' Council to set passenger and accessibility licence standards, ensuring this responsibility stays with the ORR.

After Clause 46

BARONESS BRINTON
BARONESS GREY-THOMPSON
BARONESS PIDGEON

200 After Clause 46, insert the following new Clause—

"Minimum staffing of stations to assist disabled persons

(1) A person providing station services under a licence, or under a public service contract awarded under section 31, must ensure that each station for which the person is responsible is staffed, throughout the station's advertised opening hours, by a sufficient number of persons trained to assist disabled persons to—
   (a) travel between the station entrance and the platform,
   (b) board and alight from a train calling at the station, and
   (c) use the ticketing, information and other facilities of the station.

(2) The Passengers' Council must monitor compliance with this section and may treat a failure to comply with subsection (1) as a matter which may found an investigation under section 39.

(3) The ORR may treat a failure to comply with subsection (1) as a contravention of a condition of the licence, or of the public service contract, referred to in subsection (1).

(4) In this section "disabled person" means a person who is a disabled person for the purposes of the Equality Act 2010 (see section 6(2) and (4) of, and Schedule 28 to, that Act)."

Member's explanatory statement
This probing amendment would place a direct duty on station operators to provide sufficient, trained staff to assist disabled passengers on platforms and trains, rather than leaving staffing levels to standards which the Passengers' Council may, but is not required to, set under Clause 46.

Clause 47

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

201 Clause 47, page 26, line 5, leave out from "must" to end of line 14 and insert "take such action (if any) as it thinks appropriate for the purpose of remedying the contravention, or avoiding it taking place or being repeated."

Member's explanatory statement
This amendment would give the Passengers' Council the power to enforce improvement plans.

BARONESS JONES OF MOULSECOOMB

201A★ Clause 47, page 26, line 6, at end insert—

"(2A) If the Council has reason to believe that a contravention, or likely contravention, mentioned in subsection (1) concerns—

(a) the operation of railway passenger services or station services, including the movement of trains, the use of railway infrastructure, or the operation of stations,

(b) the safety of persons using, working on or otherwise affected by railway passenger services or station services, or

(c) the accessibility of railway passenger services or station services for disabled persons,

the Council must refer the matter directly to the ORR as soon as reasonably practicable and must not exercise any function under subsection (1) in relation to that matter."

After Clause 47

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

202 After Clause 47, insert the following new Clause—

"Enforcement powers

(1) Within six months beginning on the day on which this Act is passed, the Secretary of State must by regulations make provisions for the enforcement powers of the Passengers' Council.

(2) Regulations under this section must make provision about—

(a) the making of orders by the Passengers' Council relating to operator compliance with its purpose,

(b) procedural requirements relating to orders under paragraph (a),

(c) the validity and effect of orders under paragraph (a), and

(d) penalties associated with orders under paragraph (a).

(3) In making regulations under this section, the Secretary of State must have particular regard to sections 55 to 57A of the Railways Act 1993.

(4) Regulations under this section may amend provision made by or under—

(a) the Railways Act 1993;

(b) the Railways Act 2005."

Member's explanatory statement
This new clause would require the Secretary of State to provide the Passengers' Council with enforcement powers broadly equivalent to those of the Office of Rail and Road under the Railways Act 1993.

Clause 48

BARONESS JONES OF MOULSECOOMB

202A★ Clause 48, page 26, line 31, at end insert—

"(3) The Passengers' Council must publish any substantive written advice given under this section as soon as reasonably practicable after giving the advice to the person concerned.

(4) Publication may be deferred only to the extent that the Passengers' Council reasonably considers that publication would be likely to cause substantial prejudice to the effective conduct of its functions or those of the person to whom the advice is given, and that the public interest in deferral outweighs that in publication; and any advice so deferred must be published as soon as that prejudice is no longer likely to arise."

Clause 49

BARONESS JONES OF MOULSECOOMB

202B★ Clause 49, page 26, line 36, leave out paragraph (b) and insert—

"(b) the development or change would reasonably be expected to have a significant effect on the interests of the public in relation to railway passenger services or station services."

Member's explanatory statement
This amendment would remove the subjective nature of the current Clause where consultation would only occur when GBR believes it to be significant.

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

203 Clause 49, page 27, line 13, at end insert—

"(h) passenger service reliability, including punctuality, cancellations, short-forming, delays and the reliability of key connections,

(i) safety and security, including safety incidents, security incidents affecting passengers, staff presence, and delivery of safety-critical maintenance,

(j) comfort and on-board experience on passenger services, including cleanliness, the functioning of heating, air-conditioning and lighting,

overcrowding, the availability and performance of any internet connection or power sockets, and toilet facilities, and

(k) affordability and value for money of passenger services, including fare levels, availability of discounted or flexible fares, transparency of fare information, and passenger perception of value for money."

Member's explanatory statement
This amendment would require Great British Railways to consult the Passengers' Council when developing or changing policies or procedures relating to passenger service reliability, safety and security, comfort and on-board experience, affordability, and value for money.

After Clause 50

LORD HOLMES OF RICHMOND
BARONESS BRINTON

204 After Clause 50, insert the following new Clause—

"Accessibility improvement notice

(1) Where the Passengers' Council finds a systematic failure to provide accessible services or infrastructure, it may issue a notice (an "accessibility improvement notice"), requiring Great British Railways to rectify the failure within a specified timeframe.

(2) Great British Railways is subject to civil penalties for non-compliance with an accessibility improvement notice."

BARONESS JONES OF MOULSECOOMB

204A★ After Clause 50, insert the following new Clause—

"Public engagement and participation

(1) The Passengers' Council must establish and maintain arrangements for engaging with users and potential users of railway passenger services and station services.

(2) The arrangements must enable users and potential users to—

(a) contribute to the Council's priorities, work programme and advice,

(b) contribute to the development of national policies, strategies and proposals relating to railway passenger services and station services,

(c) share their experiences, needs and priorities in relation to railway passenger services and station services, and

(d) receive information about the Council's activities and the outcomes of its work.

(3) In making arrangements under this section, the Passengers' Council must take particular steps to engage with disabled persons and organisations representing disabled persons, persons who share a protected characteristic within the meaning of section 4 of the Equality Act 2010, persons living in rural, coastal and other

geographically isolated communities, and persons whose use of railway passenger services or station services is affected by financial constraints.

(4) The Council must publish annually a report on its engagement under this section, including an account of how the views received have influenced its priorities, advice, standards and recommendations."

Member's explanatory statement
This amendment requires the Passengers' Council to engage passengers and potential passengers - including groups facing particular barriers - in setting its priorities and informing railway policy and advice, and to report annually on how those views have shaped its work.

Clause 53

BARONESS JONES OF MOULSECOOMB

204B★ Clause 53, page 28, leave out lines line 29 and 30 and insert—

"(a) must protect and promote the rights and interests of users and potential users of railway passenger services and station services,

(aa) must have particular regard to the need to protect and promote the rights and interests of disabled persons, and"

Member's explanatory statement
This amendment and another in the name of Baroness Jones of Moulsecoomb seek to create a consistent, rights-based duty for the Passengers' Council and London Transport Users Committee watchdogs.

BARONESS JONES OF MOULSECOOMB

204C★ Clause 53, page 28, leave out lines 31 and 32

Member's explanatory statement
This amendment omits the cost-efficiency duty from the general duties of the London Transport User's Committee.

LORD BERKELEY
LORD MOYLAN

205 Clause 53, page 28, line 32, leave out "make efficient use of those" and insert "secure value for money from the use of those public"

After Clause 58

BARONESS PIDGEON
LORD HAMPTON

206 After Clause 58, insert the following new Clause—

"Passengers' Charter

(1) The Secretary of State must, within six months beginning on the day on which this Act is passed, lay before Parliament a Passengers' Charter.

(2) A Passengers' Charter must include—

(a) a guarantee about value for money, quality of service, and provision of adequate seating for any single part of a journey taken by rail for a duration greater than 30 minutes;

(b) targets for reliability of services;

(c) a timetable for implementing improvements to passenger accommodation on train services, including in relation to—

(i) seat design,

(ii) availability of high-speed WiFi and reliable cellular network service,

(iii) provision of power outlets,

(iv) storage for luggage, bicycles, pushchairs and prams,

(v) provision of toilets, including standards of cleanliness and accessibility, and

(vi) provision of on-board catering on any train service with a total duration of at least two hours;

(d) a guarantee relating to improving the accessibility of trains, stations, areas immediately surrounding stations and interfaces with connecting transport modes, and replacement road services, for passengers with disabilities;

(e) extension of the principles behind Delay Repay compensation to include a framework of compensation for failures to comply with the Passengers' Charter for lack of specified on-board amenities;

(f) a commitment that Great British Railways will take all reasonable steps to ensure that systems for compensating passengers for delays or disruption—

(i) are digital by default;

(ii) minimise any administrative burden on passengers when applying for compensation;

(iii) allow, where practicable, for compensation to be issued automatically based on information attainable by Great British Railways about a customer's journey or from a ticketing account."

Member's explanatory statement

This new clause requires the Secretary of State to lay a Passengers' Charter before Parliament and sets out the what the charter should contain, including provision relating to customer amenities, value for money, accessibility and compensation.

BARONESS PIDGEON
LORD MOYLAN
LORD HAMPTON
BARONESS MORGAN OF COTES

207 After Clause 58, insert the following new Clause—

"Review of passenger safety

(1) Within six months beginning on the day on which this Act is passed, the Secretary of State must undertake a comprehensive review of railway passenger safety.

(2) A review under this section must in particular have regard to the safety of women and disabled people.

(3) The review must consider—

(a) staffing levels at railway stations and on board trains, including for late-night services and other services which in the opinion of the Secretary of State give rise to a higher risk to passenger safety;

(b) lighting in waiting areas;

(c) opening hours and accessibility of help points;

(d) CCTV coverage at stations and on trains;

(e) the potential merits of introducing real-time reporting applications for incidents where a passenger is harassed or otherwise is unsafe, and an associated rapid response protocol following a notification being made to an appropriate authority via such an application;

(f) public awareness of methods to report concerns about safety, including the British Transport Police text facility;

(g) the potential merits of a dedicated phone number that allows passengers to directly contact the next station on the line to report incidents or safety concerns;

(h) coordination of travel connections from stations at night, including between rail operators, local public transport and licensed taxi services;

(i) the potential merits of increasing, where it is practicable, patrols of trains and stations by train managers, guards or other appropriate persons for the purposes of identifying incidents, supporting accessibility, and promoting passenger safety.

(4) Where the review recommends any action to improve passenger safety, the Secretary of State and Great British Railways must make all reasonable efforts to implement that action.

(5) In this section, "appropriate persons" has such meaning as the Secretary of State may specify, provided that it may have different meanings for different purposes."

Member's explanatory statement

This new clause would require the Secretary of State to review ways to improve passenger safety. It sets out the content of such a review, and requires the Secretary of State and GBR to take reasonable steps to implement the review's recommendations.

BARONESS LEAMAN
LORD HAMPTON

208 After Clause 58, insert the following new Clause—

"Automatic delay repay compensation

(1) The operator of a passenger railway service must make a repay payment to a passenger where the passenger's journey is delayed by 15 minutes or more, calculated from the timetabled arrival time at the passenger's destination station.

(2) A payment under subsection (1) must be made automatically, without the passenger being required to submit a claim, where the operator holds sufficient information to identify—

(a) that the passenger's journey was delayed by 15 minutes or more, and

(b) the means by which the payment may be made to the passenger.

(3) Where the operator does not hold sufficient information to make an automatic payment under subsection (2), the operator must take reasonable steps to notify the passenger of their entitlement to claim a repay payment under this section.

(4) The amount of a repay payment under this section must be no less than the amount to which the passenger would be entitled under the operator's delay repay scheme in force at the time of the journey.

(5) A payment under this section must, in the first instance, be made by digital means.

(6) The Secretary of State may by regulations—

(a) specify the timescale within which a payment under subsection (2) must be made;

(b) specify the means by which passengers may be notified under subsection (3);

(c) provide for exceptions to, or other means of compliance with, the requirement in subsection (5);

(d) make further provision about the calculation or administration of payments under this section."

Member's explanatory statement
This amendment creates provision for automatic delay repay compensation.

BARONESS PIDGEON
LORD MOYLAN

209 After Clause 58, insert the following new Clause—

"Consultation about railway passenger services and station services

(1) Great British Railways must consult the London Transport Users' Committee when—

(a) Great British Railways is developing or changing its policies or procedures relating to the matters mentioned in subsection (2), and

(b) the development or change will significantly affect the interests of the public in relation to railway passenger services provided wholly or partly within the London railway area, and station services provided within that area.

(2) Those matters are—

(a) the rights of users and potential users of railway passenger services and station services including, in particular, disabled persons,

(b) how disruption to railway passenger services is to be dealt with,

(c) the compensation to be paid to users of railway passenger services in the event of such disruption,

(d) the information to be provided to users and potential users of railway passenger services,

(e) the determination of fares payable for travel on railway passenger services,

(f) the sale of tickets for travel on railway passenger services, and

(g) any other matter affecting users and potential users of railway passenger services and station services."

Member's explanatory statement

This amendment, and others in the name of Baroness Pidgeon, seek to include the London Transport Users' Committee in consultation requirements.

BARONESS MORGAN OF COTES
LORD MOYLAN
BARONESS BRINTON

210 After Clause 58, insert the following new Clause—

"Safety and security of passengers

(1) The Secretary of State may, by regulations, make provision about ways of improving standards of safety and security for passengers in relation to railway passenger services.

(2) The provision that may be made under subsection (1) includes—

(a) mandating Great British Railways to—

(i) record disaggregated data about—

(A) violent assaults, and

(B) sexual assaults,

against women and girls;

(ii) appoint a lead person responsible for safety and security for passengers on the railways to report to the Secretary of State on the matters set out in sub-paragraph (i);

(iii) include the reduction of violence against women and girls on the railways in their strategic priorities;

(iv) deposit an annual report in the Libraries of both Houses of Parliament on their strategic priorities concerning the safety and security of passengers in relation to railway passenger services;

(b) provision about consulting such persons as the Secretary of State considers appropriate to decide what technology on railway rolling stock is needed to meet the standards set by the regulations, including creating and maintaining a committee to provide advice on designing measures and using technology to reduce the prevalence of such incidents as specified in paragraph (a)(i);

(c) provision about developing guidelines for rolling stock operators—

(i) providing guidance on what technology on rolling stock is suitable for reducing the prevalence of violence against women and girls on trains, and

(ii) on monitoring industry compliance in relation to designing measures and using technology that reduce violence against women and girls on trains."

LORD YOUNG OF COOKHAM
LORD MOYLAN
BARONESS HARDING OF WINSCOMBE
LORD DIXON OF JERICHO

211 After Clause 58, insert the following new clause—

"Fair, reasonable, and non-discriminatory access for independent ticket retailers

(1) Great British Railways must ensure that independent ticket retailers are provided with fair, reasonable, and non-discriminatory access to fares, products, data, systems, application programming interfaces, fulfilment infrastructure, and retailing services, on terms (including as to timing and equivalence of input) no less favourable than those applying to Great British Railways' own retailing activities.

(2) Great British Railways must not favour its own retailing activities over those of independent ticket retailers, including through—

(a) preferential, earlier or more comprehensive access to fares, products, data, systems, or other inputs;

(b) failure to disclose retail-impacting information to independent ticket retailers on a simultaneous and equivalent basis;

(c) discriminatory commercial, technical, or accreditation requirements;

(d) cross-subsidy of its retailing activities from infrastructure, industry management, or other non-contestable functions, or from public funding.

(3) The Office of Rail and Road must monitor and enforce compliance with this section and any code of practice made in connection with it, including by acting on its own initiative to prevent or remedy conduct that may distort competition in rail ticket retailing, and may require such information from Great British Railways and other market participants as it considers necessary."

Member's explanatory statement

This new clause seeks to require Great British Railways to provide independent ticket retailers with fair, reasonable, and non-discriminatory access to the systems, data, products and services

required to participate in the rail retail market, prohibit undue preferential treatment of Great British Railways' own retail activities, and place an obligation on the Office of Rail and Road to monitor and enforce compliance.

LORD YOUNG OF COOKHAM
LORD MOYLAN

212 After Clause 58, insert the following new clause—

"Great British Railways ticketing functions: essential facility

(1) Any ticketing systems or functions required for online retailing provided by Great British Railways must be treated as an essential facility for the purposes of the delivery of passenger services under this Act.

(2) Great British Railways must provide access to the systems and functions mentioned in subsection (1) to independent retailers on terms that are objective, transparent, and non discriminatory.

(3) For the purposes of subsection (2) "discriminatory" means if the fully allocated cost of sale incurred by Great British Railways in respect of its own public facing website and app exceeds the standard baseline commission rate offered to independent retailers, unless it levies equivalent booking or transaction fees directly upon consumers to cover the excess cost and ensure it is not subsidised by taxpayers.

(4) In this section, "cost of sale" includes all software, marketing, transaction processing and operational overheads directly or indirectly attributable to Great British Railways' proprietary digital retail channels."

Member's explanatory statement
This amendment seeks to ensure that online ticket retailers compete on equal terms with GBR.

LORD MOYLAN

213 After Clause 58, insert the following new Clause—

"Driver-only operation on new GBR passenger services

(1) A new GBR passenger service may be provided only if it is operated on a driver-only basis.

(2) Great British Railways and every GBR company must exercise their functions relating to—
   (a) the planning and introduction of GBR passenger services,
   (b) the award and performance of public service contracts, and
   (c) the preparation of working timetables,

   so as to secure compliance with subsection (1).

(3) The ORR may exempt a new GBR passenger service from subsection (1) only where it is satisfied that driver-only operation would create an unacceptable risk to the safe operation of the railway.

(4) In this section, "driver-only" means operation without the necessary presence of a guard."

Member's explanatory statement
This amendment would require all new GBR passenger services to operate on a driver-only basis, subject only to a limited safety exemption granted by the ORR.

LORD HOLMES OF RICHMOND
BARONESS BRINTON

214 After Clause 58, insert the following new Clause—

"Level boarding

Great British Railways must publish a comprehensive strategy to achieve unassisted step-free level boarding across the entirety of the passenger rail network, with full implementation completed no later than 31 December 2036."

LORD HOLMES OF RICHMOND
BARONESS BRINTON

215 After Clause 58, insert the following new Clause—

"Accessible rolling stock

No licence can be granted for the operation of passenger rolling stock unless the design provides for disabled passengers to travel alongside companions in the same carriage, incorporating a minimum of two adjacent mobility spaces per designated accessible area, alongside adjoining accessible bathroom facilities."

LORD HOLMES OF RICHMOND
BARONESS BRINTON

216 After Clause 58, insert the following new Clause—

"Station staffing

Great British Railways must ensure that all designated stations retain a sufficient physical staffing presence during operating hours to safely facilitate immediate, unbooked "turn up and go" passenger assistance for any passenger requiring mobility, sensory or cognitive support."

BARONESS BRINTON
BARONESS GREY-THOMPSON
BARONESS PIDGEON

217 After Clause 58, insert the following new Clause—

"Report on progress towards level boarding

(1) The Secretary of State must publish a report on progress towards level boarding at railway stations in Great Britain, and lay a copy of the report before Parliament, on the first working day following 1 January 2028.

(2) The report under subsection (1) must set out—

(a) the number and proportion of railway stations, as at the date of the report, at which level boarding is and is not available on all scheduled services,

(b) by what date the Secretary of State intends to set a target date by which level boarding is to be available at every railway station in Great Britain,

(c) the number of and extent to which railway rolling stocks ordered in the preceding year, or expected to be ordered in the next three years, by or on behalf of Great British Railways are, or will be, capable of level boarding,

(d) the estimated cost of achieving level boarding across the network and how it is proposed to be funded, and

(e) the role that Great British Railways is expected to play, including through the exercise of its functions under section 3, in delivering level boarding.

(3) The Secretary of State must publish a further report under this section, and lay a copy before Parliament, on the first working day following 1 January 2031 and on the first working day following 1 January in every third year after that, until level boarding is available at every railway station in Great Britain.

(4) In this section "level boarding" means a boarding arrangement between a platform and a railway rolling stock that allows a passenger to board or alight without a ramp, lift or other boarding device and without the assistance of station or train staff, other than in the case of an unplanned failure of equipment."

Member's explanatory statement
This probing amendment would require the Secretary of State to report to Parliament on progress towards level boarding, beginning on 1 January 2028 and every three years thereafter.

BARONESS BRINTON
BARONESS GREY-THOMPSON
BARONESS PIDGEON

218 After Clause 58, insert the following new Clause—

"Accessibility standards for new railway rolling stock

(1) This section applies to new railway rolling stock.

(2) New railway rolling stock may not be used to provide a railway passenger service unless it is accessible to disabled persons, with particular provision for level boarding.

(3) The Secretary of State may, by regulations made by statutory instrument—
   (a) specify the standards with which new railway rolling stock must comply in order to satisfy subsection (2),
   (b) make provision about the process for certifying compliance with the standards, and
   (c) make provision for exemptions from subsection (2), including transitional exemptions.

(4) Before making regulations under subsection (3) the Secretary of State must consult—
   (a) the ORR,
   (b) Great British Railways,
   (c) the Passengers' Council, and
   (d) organisations representing disabled persons.

(5) A public service contract awarded under section 31 must require the person to whom it is awarded to procure only new railway rolling stock that complies with subsection (2).

(6) A statutory instrument containing regulations under subsection (3) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament."

Member's explanatory statement
This probing amendment requires new railway rolling stock to meet accessibility standards and make special provision for level boarding.

BARONESS BRINTON
BARONESS GREY-THOMPSON
BARONESS PIDGEON

219 After Clause 58, insert the following new Clause—

"Single accessibility digital service

(1) Great British Railways must, so far as reasonably practicable, provide, or secure the provision of, a single digital service bringing together, in one place, the online and app-based services needed by disabled persons in connection with travel by rail.

(2) The service required by subsection (1) must, so far as reasonably practicable, enable a user to—
   (a) book, request or cancel passenger assistance for a journey,
   (b) check, in close to real time, whether lifts, ramps, escalators and other accessibility equipment at a station are in working order,

(c) plan an accessible route, including step-free and level-boarding options, between an origin and a destination,

(d) locate accessible toilets and seating and other accessible facilities at a station, and

(e) report a fault with accessibility equipment, or a failure of assistance, and be told how the report will be handled.

(3) Great British Railways must ensure that the service required by subsection (1) meets recognised accessibility standards for digital services, so that it can be used by persons with visual, hearing, cognitive or other impairments.

(4) In developing and operating the service required by subsection (1), Great British Railways must consult—

(a) the Passengers' Council, and

(b) organisations representing disabled persons.

(5) Great British Railways must publish, and keep under review, information about how to access the service required by subsection (1), including for a person who does not have access to, or is unable to use, a smartphone or the internet.

(6) In this section "disabled person" means a person who is a disabled person for the purposes of the Equality Act 2010."

Member's explanatory statement

This probing amendment would require Great British Railways to bring together, in one digital service, the functions disabled passengers currently have to find across separate operator websites, apps and phone lines.

BARONESS BRINTON
BARONESS GREY-THOMPSON
BARONESS PIDGEON

220 After Clause 58, insert the following new Clause—

"Accessibility condition for new stations

(1) Great British Railways may not open a new railway station for use by passengers unless the Secretary of State is satisfied that, from the date on which the station opens—

(a) the station provides step-free access from each public entrance to each platform,

(b) the station provides level boarding, or boarding assistance available as of right and without prior notice, onto every railway passenger service that calls at the station, and

(c) the station otherwise complies with such further accessibility standards as the Secretary of State may specify in regulations under this section.

(2) In this section "new railway station" means a station that has not previously been open to passengers, and includes a station reopened after having been closed to passengers for a continuous period of more than five years.

(3) The Secretary of State may, by regulations made by statutory instrument, make further provision about the standards to be met for the purposes of subsection (1), including provision about platform design, the interface between platforms and railway rolling stocks, wayfinding, tactile paving, accessible toilets, and the provision of information in accessible formats.

(4) Before making regulations under this section the Secretary of State must consult—
  (a) the Passengers' Council,
  (b) organisations representing disabled persons, and
  (c) such other persons as the Secretary of State considers appropriate.

(5) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(6) In this section "disabled person" means a person who is a disabled person for the purposes of the Equality Act 2010."

Member's explanatory statement
This probing amendment would prevent a new railway station from opening unless it is accessible for disabled passengers.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220A After Clause 58, insert the following new Clause—

"Duty to engage in co-production regarding accessibility

(1) Great British Railways, train operating companies, Network Rail and station operators must—
  (a) establish permanent accessibility advisory panels within one year of the day on which this Act is passed,
  (b) demonstrate how they have involved disabled people and disabled people's organisations in decision-making,
  (c) demonstrate how disabled people's views have influenced final decisions, and
  (d) publish annual reports on co-production activity.

(2) In this section, "co-production" has the same meaning as in the care and support statutory guidance issued under the Care Act 2014, in which it means ways of working that involve people who use health and care services, carers and communities in equal partnership."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220B After Clause 58, insert the following new Clause—

"Accessible rail transport standards commission

(1) Within 12 months beginning on the day on which this Act is passed, the Secretary of State must establish an independent accessible rail transport standards commission.

(2) The powers and functions of the commission are—
  (a) to set rail accessibility standards;
  (b) to review those standards every five years;
  (c) to issue binding guidance to rail operators on complying with accessibility standards.

(3) The commission must involve disabled people directly in the governance of the commission."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220C After Clause 58, insert the following new Clause—

"Duty to consider accessibility evidence

Before making a decision relating to the design, operation, funding, management or modification of rail infrastructure or services, Great British Railways and other passenger service operators must—
  (a) consider relevant accessibility evidence,
  (b) consult disabled passengers and disabled people's organisations,
  (c) publish a statement explaining how that evidence informed the final decision taken, and
  (d) provide reasons for not adopting any recommendations arising from the consultation."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220D After Clause 58, insert the following new Clause—

"Passenger assistance guarantee

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must by regulations set out the passenger assistance guarantee.

(2) The passenger assistance guarantee must require passenger rail operators to—
  (a) deliver booked assistance to disabled passengers,
  (b) provide alternative arrangements where assistance is unavailable,

(c) compensate passengers automatically when assistance is not provided, and

(d) record and publish assistance failure rates."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220E After Clause 58, insert the following new Clause—

"Accessibility data and transparency

Great British Railways, passenger service operators and operators of stations must publish real-time accessibility information including—

(a) lift availability,

(b) accessible toilet availability,

(c) staffing levels,

(d) assistance availability,

(e) platform accessibility, and

(f) disruption impacts on disabled passengers."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220F After Clause 58, insert the following new Clause—

"Accessible railway stations duty

Great British Railways must ensure that any station accessibility assessments include evaluation of—

(a) streets and pavements directly outside of railway stations,

(b) dropped kerbs directly outside of railway stations,

(c) crossings directly outside of railway stations,

(d) wayfinding around railway stations,

(e) taxi access and connections directly outside of railway stations, and

(f) bus interchange directly outside of railway stations."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220G After Clause 58, insert the following new Clause—

"Review of accessibility enforcement powers

(1) Within 12 months beginning on the day on which this Act is passed, the Secretary of State must publish a review of the Office of Rail and Road's accessibility enforcement powers relating to railways.

(2) The review must consider the ORR's powers to—

(a) investigate accessibility failures,
(b) issue improvement notices,
(c) impose financial penalties, and
(d) publish annual accessibility enforcement reports,

as they relate to the railways.

(3) The review must include recommendations for improving the ORR's railways accessibility enforcement powers.

(4) The Secretary of State must lay a report under this section before both Houses of Parliament."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220H After Clause 58, insert the following new Clause—

"Accessibility training of relevant staff

(1) Great British Railways must require mandatory disability inclusion training for—
(a) board members;
(b) senior managers;
(c) station managers;
(d) planners and designers;
(e) frontline personnel.

(2) The training required under subsection (1) must be co-produced and co-delivered with disabled people."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220J After Clause 58, insert the following new Clause—

"Wheelchairs, mobility scooters and other mobility aids

(1) Great British Railways and other passenger service operators must make provision for the carriage of wheelchairs, powered wheelchairs, mobility scooters and other mobility aids.

(2) A passenger must not be refused carriage solely because the passenger uses a wheelchair, powered wheelchair, mobility scooter or other mobility aid.

(3) Great British Railways must establish nationally consistent standards concerning—
(a) the dimensions and characteristics of mobility aids capable of being carried,
(b) designated wheelchair and mobility scooter spaces,
(c) boarding and alighting arrangements,
(d) the securing of mobility aids where necessary,
(e) assistance for passengers using mobility aids, and

(f) circumstances in which carriage may be refused on objective safety or physical-capacity grounds.

(4) A restriction on the carriage of a mobility aid must be—

(a) objectively justified and proportionate,

(b) published in advance in an accessible form, and

(c) accompanied by arrangements for suitable accessible alternative transport.

(5) Great British Railways must seek to ensure that passengers are not required to use a different mobility aid as a condition of travelling by railway.

(6) The Secretary of State may by regulations prescribe minimum standards for the carriage of mobility aids."

Member's explanatory statement

This amendment establishes explicit statutory protection for wheelchair and mobility scooter users using railway services and requires Great British Railways to establish nationally consistent carriage standards. It also requires Great British Railways to provide accessible alternative transport where a mobility aid cannot safely be accommodated.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220K After Clause 58, insert the following new Clause—

"Accessibility of rail replacement services

(1) Great British Railways and other passenger service operators must ensure that, so far as reasonably practicable, a rail replacement service enables disabled persons and persons with reduced mobility to complete their journey safely, independently and with dignity.

(2) A rail replacement service must, so far as reasonably practicable, be capable of carrying—

(a) passengers using manual wheelchairs,

(b) passengers using powered wheelchairs,

(c) passengers using mobility scooters, and

(d) passengers using other mobility aids reasonably required by those passengers.

(3) Where a rail replacement service cannot accommodate a passenger's wheelchair, powered wheelchair, mobility scooter or other mobility aid, Great British Railways or the relevant passenger service operator must provide suitable accessible alternative transport.

(4) Alternative transport provided under subsection (3) must—

(a) be provided without additional cost to the passenger,

(b) enable the passenger and their mobility aid to travel together, and

(c) so far as reasonably practicable, enable the passenger to complete the journey within a reasonable time.

(5) A passenger must not be required, solely because a rail replacement service is inaccessible, to—
  (a) abandon or leave behind a mobility aid,
  (b) pay an additional fare or other charge,
  (c) make an unreasonable additional journey, or
  (d) wait for a later railway service.

(6) Where a planned closure or engineering work is reasonably likely to require rail replacement services, the operator must publish in advance, in accessible formats—
  (a) details of the replacement service,
  (b) whether the service is accessible to wheelchair and mobility scooter users,
  (c) the arrangements for boarding and alighting,
  (d) the arrangements for carrying mobility aids, and
  (e) the arrangements for obtaining alternative accessible transport.

(7) Where rail replacement services are required as a result of unplanned disruption, the information required by subsection (6) must be provided as soon as reasonably practicable.

(8) The Secretary of State may by regulations prescribe minimum accessibility standards for rail replacement services."

Member's explanatory statement
This amendment seeks to ensure that accessibility rights for disabled passengers continue when a train service is replaced by a bus, coach, taxi or other form of transport. It requires suitable accessible alternative transport where a rail replacement service cannot accommodate a passenger's wheelchair or mobility aid and prevents the passenger incurring additional cost as a result.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220L After Clause 58, insert the following new Clause—

"Accessible disruption arrangements

(1) Great British Railways and other passenger service operators must maintain arrangements for preserving accessibility for disabled passengers during disruption.

(2) The arrangements must include provision for—
  (a) accessible rail replacement services,
  (b) accessible alternative transport,
  (c) assistance with boarding, alighting and interchange,
  (d) accessible information about disruption,
  (e) notification of failures of lifts, ramps and other accessibility equipment,
  (f) the carriage of wheelchairs, powered wheelchairs, mobility scooters and other mobility aids, and
  (g) assistance for passengers whose planned accessible route becomes unavailable.

(3) Where disruption causes an otherwise accessible journey to become inaccessible, Great British Railways or the relevant passenger service operator must take all reasonable steps to provide an alternative accessible journey without additional cost to the passenger.

(4) The arrangements required by this section must form part of the operator's accessible travel policy.

(5) The Passengers' Council must set standards concerning the arrangements required by this section."

Member's explanatory statement
This amendment requires accessibility to be maintained during disruption to railway services and requires accessible alternatives to be provided where a passenger's planned accessible journey becomes unavailable.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220M After Clause 58, insert the following new Clause—

"Passenger assistance

(1) A disabled person or person with reduced mobility is entitled to reasonable assistance to enable them to make a railway journey.

(2) Assistance under subsection (1) must, where reasonably required, include assistance—
  (a) at station entrances and exits,
  (b) in reaching and leaving platforms,
  (c) with boarding and alighting,
  (d) during interchange,
  (e) during disruption,
  (f) with accessible alternative transport, and
  (g) relating to wheelchairs, mobility scooters and other mobility aids.

(3) The provision of assistance must not be conditional upon excessive advance notice.

(4) Great British Railways and other passenger service operators must make provision for assistance to passengers who have not made an advance booking.

(5) Where booked assistance is not provided, the operator must provide appropriate alternative assistance and arrangements for redress.

(6) The Passengers' Council must set standards concerning the availability, reliability and quality of passenger assistance."

Member's explanatory statement
This amendment seeks to ensure that passenger assistance is a statutory entitlement, and requires standards for assistance during normal journeys, interchange and disruption, including for passengers who have not booked assistance in advance.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220N After Clause 58, insert the following new Clause—

"Accessible passenger information

(1) Great British Railways and other passenger service operators must ensure that information provided to passengers is accessible to disabled persons and persons with reduced mobility.

(2) Information under subsection (1) must include, where relevant—
- (a) train and platform information,
- (b) changes to services,
- (c) cancellations and delays,
- (d) station accessibility,
- (e) failures of lifts and other accessibility equipment,
- (f) rail replacement arrangements,
- (g) the accessibility of replacement vehicles,
- (h) arrangements for mobility aids, and
- (i) safety information.

(3) Information must, so far as reasonably practicable, be provided in accessible visual, audible and digital formats.

(4) Information about accessibility must be accurate and must be updated as soon as reasonably practicable when circumstances change."

Member's explanatory statement
This amendment seeks to require passenger information to be provided in accessible formats and to include information relevant to disabled passengers, including station accessibility, lift failures and the accessibility of rail replacement services.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220P After Clause 58, insert the following new Clause—

"Involvement of disabled persons in accessibility decisions

(1) Great British Railways must establish arrangements for the involvement of disabled persons and organisations representing disabled persons in decisions concerning the accessibility of railway services and infrastructure.

(2) The arrangements must apply to—
- (a) the design and refurbishment of stations,
- (b) procurement and refurbishment of rolling stock,
- (c) development of accessibility standards,
- (d) passenger assistance,
- (e) rail replacement arrangements,

(f) the railway accessibility strategy required under section (*Railway accessibility strategy*), and

(g) significant changes to passenger services which may affect accessibility.

(3) Great British Railways must publish a statement explaining how representations made under this section have been taken into account.

(4) The Secretary of State may by regulations prescribe minimum requirements for consultation and involvement under this section."

Member's explanatory statement
This amendment requires Great British Railways to involve disabled people and organisations representing disabled people in the design and delivery of measures affecting railway accessibility.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220Q After Clause 58, insert the following new Clause—

"Access for all programme

(1) The Secretary of State must establish and maintain a programme, to be known as the access for all programme, for the provision of permanent step-free access at railway stations and platforms.

(2) The programme must identify—

(a) each station and platform requiring accessibility improvements,

(b) the works required to provide permanent step-free access,

(c) the anticipated timetable for completion,

(d) the estimated cost of each programme of works, and

(e) the source of funding for the works.

(3) The Secretary of State must publish the programme and keep it under review.

(4) The Secretary of State must report annually to Parliament on progress against the programme.

(5) In preparing or revising the programme, the Secretary of State must consult—

(a) Great British Railways,

(b) the Passengers' Council,

(c) the Office of Rail and Road, and

(d) organisations representing disabled persons.

(6) The programme must prioritise stations according to—

(a) the level of passenger demand,

(b) the absence of existing step-free access,

(c) the availability of alternative accessible routes,

(d) the importance of the station as an interchange,

(e) the needs of local disabled communities, and

(f) such other criteria as the Secretary of State considers appropriate.

(7) Nothing in this section prevents the Secretary of State from providing for permanent step-free access at a station or platform before the date specified in the programme."

Member's explanatory statement
This amendment establishes "Access for All" as a statutory programme, requiring a published station-by-station programme for permanent step-free access, annual reporting to Parliament and consultation with disabled people.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220R After Clause 58, insert the following new Clause—

"No additional cost arising from inaccessibility

(1) A disabled person must not incur additional cost as a result of the failure of a railway passenger service, station service or rail replacement service to provide the accessibility conditions required by this Act.

(2) Where an accessible railway passenger service is unavailable, Great British Railways or the relevant passenger railway service operator must, where necessary, provide suitable accessible alternative transport without additional charge to the passenger.

(3) The alternative transport required by subsection (2) may include an accessible taxi or other suitable vehicle."

Member's explanatory statement
This amendment seeks to ensure that disabled passengers should not bear additional costs where a railway passenger service fails to provide an accessible service, including where accessible alternative transport is required.

BARONESS GREY-THOMPSON
BARONESS BRINTON

220S After Clause 58, insert the following new Clause—

"Accessibility standards: delivery

Great British Railways, and passenger service operators, must each appoint—
(a) a senior accountable accessibility lead,
(b) a board-level accessibility champion, and
(c) a named executive,
who are jointly responsible for delivery of accessibility standards set by the accessible rail transport standards commission under section (*Accessible rail transport standards commission*)(2)(a)."

BARONESS GREY-THOMPSON
BARONESS BRINTON

220T After Clause 58, insert the following new Clause—

"Accessibility enforcement and financial penalties

(1) Within the period of 12 months beginning on the day on which this Act is passed, the Secretary of State must establish a penalty framework for railways stations operated by Great British Railways that are found to be non-compliant with accessibility standards set by the body established by section (*Accessible rail transport standards commission*).

(2) A railway station found to be non-compliant with accessibility standards will be subject to fines in line with the penalty framework specified under subsection (1).

(3) Funds from these fines must be invested in improving accessibility across Great British Railways."

Clause 59

LORD MOYLAN

221 Clause 59, page 34, line 2, at end insert "in addition to a subsequent right to appeal to the ORR"

Member's explanatory statement
This amendment would enable a subsequent right of appeal to the ORR after going through the dispute resolution process.

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

222 Clause 59, page 34, line 8, at end insert—

"(ea) include provision about the procedure for allowing access to and the use of GBR infrastructure by heritage rail operators,"

Member's explanatory statement
This amendment would require GBR to include provision for heritage rail operators in its access and use policy.

LORD MOYLAN

223 Clause 59, page 34, line 11, at end insert—

"(g) set out how Great British Railways' internal governance and organisational structure will ensure compliance with regulations 14(9) and 19(4) of the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 (S.I. 2016/645)."

Member's explanatory statement
This amendment would require Great British Railways' access and use policy to explain how its internal governance and organisational structure will comply with regulations 14(9) and 19(4) of the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016, which concern the transfer of obligations to charging and allocation bodies.

LORD LANSLEY

224 Clause 59, page 34, line 11, at end insert—

"(2A) The criteria applied under subsection (2) must secure that railway undertakings requiring access for the purposes of rail freight or international passenger services are granted access to and the use of GBR infrastructure on equitable, non-discriminatory and transparent conditions."

Member's explanatory statement
This amendment seeks to carry forward and apply the existing requirement on access rights in paragraph 5 of the 2016 Regulations.

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

225 Clause 59, page 34, line 11, at end insert—

"(2A) The criteria set out under subsection (2)(b) must include consideration of—

(a) the period of time a non-GBR operator needs to promote their operation and manage their alterations,

(b) the impact of train cancellations and schedule variations on non-GBR operators,

(c) working timetable paths which are owned by other operators (including GBR) but which are unused and can be re-purposed for the operators on a particular date,

(d) the possibility of amending the working timetable to allow access,

(e) permitting access applications by non-GBR operators provided that no significant delay is caused to the working timetable,

(f) the commercial interests of non-GBR train operators,

(g) the enhancement of rail travel that non-GBR train operators bring to the rail network, and

(h) ensuring that there is no discrimination against non-GBR train operators on the basis that they do not contribute to the public farebox other than by access charges."

Member's explanatory statement
This amendment seeks to establish criteria by which Great British Rail should decide applications by non-GBR train operators, such as heritage rail operators.

LORD GRAYLING
LORD MOYLAN

226 Clause 59, page 34, line 13, at end insert—

"(3A) Great British Railways' policy about, and procedures for, access to and the use of GBR infrastructure for the operation of trains, must be best calculated—

(a) to promote improvements in railway service performance;

(b) to protect the interests of users of railway services;

(c) to promote the use of the railway network in Great Britain for the carriage of passengers and goods, and the development of that railway network, to the greatest extent that it considers economically practicable;

(d) to contribute to the development of an integrated system of transport of passengers and goods;

(e) to contribute to the achievement of sustainable development;

(f) to promote efficiency and economy on the part of persons providing railway services;

(g) to promote competition in the provision of railway services for the benefit of users of railway services;

(h) to promote measures designed to facilitate the making by passengers of journeys which involve use of the services of more than one passenger service operator;

(i) to impose on the operators of railway services the minimum restrictions which are consistent with the performance of its functions under this Part, or the Railways Act 2005, that are not safety functions;

(j) to enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.

(3B) Without prejudice to the generality of subsection (3A) above, Great British Railways shall have a duty, in particular, to exercise the functions assigned or transferred to it under or by virtue of this Part, or the Railways Act 2005, that are not safety functions in the manner which it considers is best calculated to protect—

(a) the interests of users and potential users of services for the carriage of passengers by railway provided by a private sector operator otherwise than under a franchise agreement, in respect of—

(i) the prices charged for travel by means of those services, and

(ii) the quality of the service provided; and

(b) the interests of persons providing services for the carriage of passengers or goods by railway in their use of any railway facilities which are for the time being vested in a private sector operator, in respect of—

(i) the prices charged for such use; and

(ii) the quality of the service provided."

Member's explanatory statement

This amendment places requirements on Great British Railways to use the access and use policy to promote high quality service and competition.

LORD MOYLAN

227 Clause 59, page 34, line 20, at end insert—

"(7) Neither the Secretary of State, nor Great British Railways, may take any action to implement any part of the access and use policy until a copy of the policy has been laid before Parliament for a period of three months."

Member's explanatory statement
This amendment would provide that neither the Secretary of State nor Great British Railways, could take any step to implement any part of the access and use policy until it has been laid before Parliament for three months.

LORD MOYLAN

Lord Moylan gives notice of his intention to oppose the Question that Clause 59 stand part of the Bill.

Member's explanatory statement
This would ensure that the access and use policy would remain with the ORR.

After Clause 59

LORD GRAYLING
LORD MOYLAN

228 After Clause 59, insert the following new Clause—

"Open access rights: passenger services not provided by Great British Railways

(1) Subsection (2) applies where—
  (a) a person ("the applicant") makes an application to Great British Railways for access to the railway network for the purpose of operating a passenger service, and
  (b) the proposed service, or a substantially similar service, is not currently operated by Great British Railways, or by any person on its behalf.

(2) Great British Railways must not refuse the application, or fail to enter into an access contract on terms requested by the applicant, unless—
  (a) Great British Railways publishes a formal declaration that it intends to commence operating a substantially similar passenger service within 12 months of the date of the application, or
  (b) the Office of Rail and Road certifies that granting the application would create an unacceptable risk to the safe operation of the network.

(3) Where Great British Railways makes a declaration under subsection (2)(a) but fails to commence the service within the specified 12-month period—
  (a) the declaration shall cease to have effect, and

(b) Great British Railways must immediately grant the access contract to the applicant on the terms originally requested, subject only to any safety directions issued by the Office of Rail and Road.

(4) For the purposes of this section, a service is "substantially similar" if it serves substantially the same origin and destination stations at similar times of day."

Member's explanatory statement
This new clause prevents Great British Railways (GBR) from hoarding track capacity. It creates a statutory presumption in favor of private Open Access passenger operators, requiring GBR to grant track access for any route or service that GBR itself does not operate (or plan to operate within 12 months), subject only to essential safety checks by the regulator.

LORD MOYLAN

229 After Clause 59, insert the following new Clause—

"Open-access rights for passenger services not provided by Great British Railways

(1) This section applies where—
(a) a person ("the applicant") applies to Great British Railways for access to and use of GBR infrastructure for the purpose of operating a railway passenger service, and
(b) the proposed service, or a substantially similar service, is not being provided as a GBR passenger service.

(2) Great British Railways must grant the application on fair and reasonable terms unless—
(a) the proposed service cannot reasonably be accommodated within the capacity available on GBR infrastructure, having regard to sections 60 to 63,
(b) the ORR certifies that granting the application would create an unacceptable risk to the safe operation of the railway, or
(c) the conditions in subsection (3) are met.

(3) The conditions are that—
(a) Great British Railways has published a declaration that it intends to commence a substantially similar GBR passenger service within 12 months beginning with the date on which the application was made, and
(b) the ORR is satisfied that refusing the application is necessary and proportionate for the purpose of enabling that service to commence.

(4) A declaration under subsection (3)(a) must specify—
(a) the proposed route and principal calling points of the service,
(b) the proposed frequency of the service, and
(c) the date by which the service is expected to commence.

(5) Where Great British Railways makes a declaration under subsection (3)(a) but does not commence the service within the period specified in that subsection—

(a) the declaration ceases to have effect, and

(b) Great British Railways must reconsider the application without having regard to any intention on its part to provide the service.

(6) On reconsidering an application under subsection (5)(b), Great British Railways must grant the application on fair and reasonable terms unless subsection (2)(a) or (b) applies.

(7) For the purposes of this section, a service is "substantially similar" if it—

(a) serves substantially the same origin and destination stations,

(b) serves substantially the same passenger market, and

(c) is proposed to operate at substantially similar times of day."

Member's explanatory statement
This amendment would create a presumption in favour of granting access to an independent passenger operator where GBR does not operate a substantially similar service. Access could be refused on capacity or safety grounds, or where GBR has an ORR-approved plan to commence a similar service within 12 months.

Clause 60

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

230 Clause 60, page 34, line 32, at end insert "including heritage rail services,"

Member's explanatory statement
This amendment would require Great British Railways to have regard to the need to accommodate heritage railway services in its infrastructure capacity plan.

LORD MOYLAN

231 Clause 60, page 34, line 34, at end insert—

"(4A) When preparing, revising or replacing the document or documents Great British Railways must consult and have regard to the views of other railway passenger services and services for the carriage of goods by railway."

Member's explanatory statement
This amendment would ensure that GBR had to consult and have regard to the views of open access and freight providers when preparing, revising or replacing the capacity plan.

Clause 61

LORD BERKELEY

232 Clause 61, page 35, line 31, at end insert—

"(7) Great British Railways must publish a statement setting out the criteria it applies when preparing the working timetable, including how rail freight growth objectives and the rail freight target under section 17 are considered in capacity conflicts."

After Clause 62

LORD BEITH

233 After Clause 62, insert the following new Clause—

"Great British Railways timetable

(1) Great British Railways must prepare and publish a comprehensive national timetable of all passenger railway services for each timetable period.

(2) The timetable must include scheduled arrival and departure times, connection information, and key station accessibility features.

(3) Great British Railways must make the timetable available to the public free of charge and sufficiently in advance of the relevant travel dates.

(4) The timetable must be published in, but is not limited to, the following formats—

(a) accessible online formats, and

(b) alternative non-digital formats.

(5) In this section, "timetable period" means the operational duration designated by Great British Railways for a specific rail schedule."

Clause 63

LORD MOYLAN

234 Clause 63, page 36, line 20, leave out from "to" to end of line 23 and insert "be satisfied that it retains sufficient capacity across GBR infrastructure to allow for—

(a) the operation of GBR passenger services, passenger services not operated by GBR and services for the carriage of goods by railway, and"

Member's explanatory statement

This amendment aims to reduce the ability of GBR to prioritise its own operations where there are network capacity constraints and create a level playing field.

LORD MOYLAN

235 Clause 63, page 36, line 20, leave out from "to" to end of line 25 and insert "be satisfied that it will meet its key performance indicators set out in section (*Great British Railways: key performance indicators*)."

Member's explanatory statement
This amendment would ensure that GBR makes decisions about allocating capacity having regard to the need to meet its key performance indicators.

BARONESS PIDGEON

236 Clause 63, page 36, line 25, at end insert—

"(c) the achievement of the rail freight target set out in section 17."

Member's explanatory statement
This amendment connects the capacity duty provisions in clause 63 with the freight target set out in clause 17.

LORD MOYLAN

237 Clause 63, page 36, line 25, at end insert—

"(3) In exercising its capacity duty, Great British Railways must take account of the the infrastructure capacity plan set out in section 60 and give due regard to achieving the rail freight target set out in section 17.

(4) Great British Railways must identify and publish a list of strategic freight corridors on the railway network.

(5) In exercising its capacity allocation functions, Great British Railways must ensure that the availability of network capacity on a strategic freight corridor is not materially reduced unless—

(a) the Office of Rail and Road has approved the reduction, and

(b) suitable alternative provision has been made to enable the carriage of goods by rail to continue to be facilitated.

(6) Before revising the list of strategic freight corridors, Great British Railways must consult—

(a) freight operating companies;

(b) owners and operators of rail-connected terminals;

(c) such other persons as it considers appropriate."

Member's explanatory statement
This amendment ensures that capacity allocation decisions reflect both planning priorities and freight-increase ambitions. This amendment requires GBR to publish and maintain a list of strategic freight corridors and ensures that any material reduction in capacity must be approved by the ORR.

LORD BERKELEY

238 Clause 63, page 36, line 25, at end insert—

"(3) Where in the exercise of its functions described in subsection (1)(a) Great British Railways rejects the relevant access application in whole or in part, Great British Railways must publish the specific reasons forming the basis for the relevant decision.

(4) The capacity duty set out in subsection (2) is subject to the requirement of any documents issued under section 60."

LORD BERKELEY

239 Clause 63, page 36, line 25, at end insert—

"(3) In exercising its capacity duty, Great British Railways—

(a) is subject to the provisions of the infrastructure capacity plan under section 60, and

(b) must consider the rail freight growth target under section 17."

Member's explanatory statement
This amendment seeks to ensure that, in exercising is capacity duty, Great British Railways is subject to provisions in the infrastructure capacity plan about the best use of its infrastructure and the operation of trains, and must consider the rail freight growth target.

LORD LANSLEY

Lord Lansley gives notice of his intention to oppose the Question that Clause 63 stand part of the Bill.

Member's explanatory statement
This notice seeks to probe what the purpose and effect of this clause is.

Clause 64

LORD MOYLAN
LORD BERKELEY

240 Clause 64, page 36, line 31, leave out paragraph (b)

Member's explanatory statement
This amendment would remove the requirement for GBR to charge in relation to trains which are planned to use GBR infrastructure but do not operate, or do not operate in full.

LORD MOYLAN

241 Clause 64, page 36, line 32, at end insert ", except where the services cannot operate due to a failure of the GBR infrastructure or the need for GBR to take capacity for work on the network."

Member's explanatory statement
This amendment would ensure that services are not caught within the charging scheme if they cannot operate due to GBR failures or actions.

LORD BERKELEY
LORD MOYLAN

242 Clause 64, page 36, line 34, after second "the" insert "efficient short-run marginal"

LORD MOYLAN

243 Clause 64, page 36, line 36, leave out subsection (3)

Member's explanatory statement
This amendment would remove GBR's power to increase charges in particular circumstances, at its own discretion, beyond its published scheme of charges.

LORD BERKELEY

243A Clause 64, page 36, line 38, after "efficient" insert "market segment"

LORD BERKELEY

244 Clause 64, page 36, line 39, at end insert—

"(3A) The effect of subsection (3) must not be to exclude the use of infrastructure by market segments which can pay at least the efficient short-run marginal costs attributed to railway services calculated pursuant to subsection (2), plus a rate of return which the market can bear."

LORD MOYLAN

245 Clause 64, page 37, line 14, leave out "at any time" and insert ", by giving no less than 12 months' notice,"

Member's explanatory statement
This amendment imposes a duty on GBR to give other operators a minimum 12-month advance notice of changes to the charging scheme.

LORD MOYLAN

246 Clause 64, page 37, line 15, at end insert—

"(6A) When making, revising or replacing a scheme under this section, Great British Railways must have regard to the conclusions and recommendations contained in the report entitled *Options for changes to the rail access charging regime*, published by the ORR on 2 August 2024.

(6B) Great British Railways must publish a statement setting out how it has had regard to the report referred to in subsection (6A)."

Member's explanatory statement
This amendment would require Great British Railways, when making or changing its charging scheme, to have regard to the conclusions and recommendations of the ORR-commissioned report "Options for changes to the rail access charging regime", and to explain publicly how it has done so.

LORD MOYLAN

247 Clause 64, page 37, line 20, at end insert—

"(9) Neither the Secretary of State, nor Great British Railways, may take any action to implement any part of the charging scheme until a copy of the scheme has been laid before Parliament for a period of three months."

Member's explanatory statement
This amendment would provide that neither the Secretary of State nor Great British Railways, could take any step to implement any part of the charging scheme until it has been laid before Parliament for three months.

Clause 65

LORD MOYLAN
LORD BERKELEY

248 Clause 65, page 38, line 1, leave out paragraph (b)

Member's explanatory statement
This amendment would remove the paragraph which prevents the performance scheme being used to provide for penalties or compensation to be paid by GBR for disruption outside its control.

LORD MOYLAN

249 Clause 65, page 38, line 1, after "Railways" insert "or any operator of a train on Great British Railways infrastructure"

Member's explanatory statement
This amendment clarifies that freight operators should not face penalties for service disruption caused by factors outside their control, such as infrastructure failures or planned engineering works by Great British Railways.

LORD MOYLAN

250 Clause 65, page 38, line 12, at end insert "and lay before Parliament"

Clause 66

LORD MOYLAN

251 Clause 66, page 38, line 18, after "ORR," insert "open access operators,"

Member's explanatory statement
This amendment would require GBR to consult open access operators on its access and use policy.

LORD BERKELEY

251A Clause 66, page 38, line 25, at end insert—

"(d) considering an application (in whole or in part) under section 62(2)."

LORD HENDY OF RICHMOND HILL

252 Clause 66, page 38, line 28, at end insert—

"(4) At any time after this section comes into force, Great British Railways may elect to treat any consultation that was carried out by any person before that time as having been carried out by Great British Railways."

Member's explanatory statement
This amendment would assist with an orderly transition to the body corporate that is to be designated as GBR, allowing for the efficient progression of documents, timetables or schemes to be consulted on under subsection (3).

Clause 68

LORD MOYLAN
LORD BERKELEY

253 Clause 68, page 38, line 36, leave out subsection (1)

Member's explanatory statement
This amendment removes the requirement that appeals may only be made under Judicial Review principles.

LORD LANSLEY
LORD MOYLAN

254 Clause 68, page 38, line 36, leave out from "ORR" to "by" in line 1 on page 39 and insert "may determine the appeal—

"(a) by applying the same principles as would be applied"

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD MOYLAN

255 Clause 68, page 38, line 36, leave out from "must" to end of line 3 on page 39 and insert "determine the appeal on the facts and the law."

Member's explanatory statement
This amendment would enable the ORR to determine appeals on the merits.

LORD BERKELEY

256 Clause 68, page 38, line 36, leave out from "must" to end of line 3 on page 39 and insert "decide the appeal on its merits."

Member's explanatory statement
This amendment seeks to remove the proposed judicial review threshold requirement and enable the ORR to decide an appeal on its merits.

LORD LANSLEY
LORD MOYLAN

257 Clause 68, page 39, line 2, at beginning insert "by applying the same principles as would be applied"

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD LANSLEY
LORD MOYLAN

258 Clause 68, page 39, line 3, at end insert—

"(c) on the basis that the decision appealed against was wrong on one or more of the following grounds—

(i) that the ORR considers that the decision was based, wholly or partly, on an error of fact,

(ii) that GBR failed properly to have regard to a relevant matter,

(iii) that GBR failed to give appropriate weight to a relevant matter, or

(iv) that an error was made in the exercise of a discretion,

having regard to the facts and circumstances of the case and the functions, duties, licence conditions and directions or guidance applicable to GBR."

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD LANSLEY
LORD MOYLAN

259 Clause 68, page 39, line 7, leave out from "may" to "quash" in line 11

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD MOYLAN

260 Clause 68, page 39, line 8, leave out paragraphs (a) and (b) and insert—

"(a) remit all or part of the provision appealed against to Great British Railways for reconsideration, or

(b) quash all or part of the decision appealed against and substitute its own decision, as, at its discretion, it sees fit."

Member's explanatory statement
This amendment would allow the ORR, when agreeing an appeal, to remit all or part of the decision appealed against to GBR for reconsideration, or quash all or part of the decision appealed against, as at its discretion it sees fit.

LORD LANSLEY
LORD MOYLAN

261 Clause 68, page 39, line 17, leave out paragraph (b)

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD LANSLEY
LORD MOYLAN

262 Clause 68, page 39, line 17, leave out from "question" to end of line 20

Member's explanatory statement
This amendment, and others to Clause 68 in the name of Lord Lansley, would enable an appeal to the ORR on judicial review grounds, based on errors of fact or in the exercise of a discretion, or where the decision-maker failed to give appropriate weight to a relevant matter. It also allows the ORR to quash all or part of the decision.

LORD BERKELEY

263 Clause 68, page 39, line 23, leave out subsections (6) and (7)

LORD MOYLAN

264 Clause 68, page 39, line 35, at end insert—

"(f) open access operators."

Member's explanatory statement
This amendment would require the Secretary of State to consult open access operators before making regulations about steps that must be taken before an appeal can be brought, to make provision about the procedure and to set time limits and fees for the appeals brought under this Chapter.

LORD MOYLAN

265 Clause 68, page 40, line 4, at end insert—

"(f) open access operators."

Member's explanatory statement
This amendment would require the ORR to consult open access operators before publishing its document on the practice and procedure for appeals under this Chapter.

Clause 69

LORD MOYLAN

Lord Moylan gives notice of his intention to oppose the Question that Clause 69 stand part of the Bill.

Member's explanatory statement
This would keep GBR under the normal access regime supervised by the ORR.

Clause 70

LORD LANSLEY

266 Clause 70, page 41, line 23, leave out paragraph (b)

Member's explanatory statement
This amendment probes why it is necessary to omit regulation 5(8) of the 2016 Regulations , which states that it is the duty of the infrastructure manager (ie Network Rail now, GBR in future) to ensure that the entitlements conferred by regulation 5 (ie access for freight and international passenger services) are honoured.

Clause 71

LORD GRAYLING

267 Clause 71, page 41, line 30, at end insert—

"(1A) Regulations under subsection (1) may only be made if the Secretary of State is satisfied that the modifications to an access agreement are strictly necessary for the sole purpose of facilitating the transfer of infrastructure management functions to Great British Railways."

LORD BERKELEY
LORD HARPER

268 Clause 71, page 41, line 31, leave out from "may" to end of line 37 and insert "provide for the amendment of access agreements and access rights to the extent necessary to facilitate their continued operability following the provisions of this Act coming into effect."

LORD BERKELEY
LORD HARPER

268A Clause 71, page 41, line 37, at end insert—

"(2A) The Secretary of State must ensure that regulations made under this section do not materially alter (or provide for the material alteration of)—

(a) the apportionment of risk, or

(b) the nature of the bargain,

set out in access agreements."

LORD BERKELEY
LORD HARPER

269 Clause 71, page 42, line 1, leave out from "after" to end of line 2 and insert "the start of the first funding period as set out under paragraph 1(9) of Part 1 of Schedule 2 to this Act"

BARONESS PIDGEON

270 Clause 71, page 42, line 2, at end insert—

"(4) Regulations under this section may not amend, terminate or otherwise affect an access agreement, access right or related contractual arrangement to which a non-GBR infrastructure manager is a party."

Member's explanatory statement
This amendment ensures that regulations made under this section cannot override or interfere with existing access agreements or rights held by non-GBR infrastructure managers.

LORD BERKELEY
LORD MOYLAN

271 Clause 71, page 42, line 2, at end insert—

"(4) The Secretary of State must consult with all relevant stakeholders (including any train operators that are party to access agreements falling within the scope of proposed regulations) before making regulations under this section.

(5) Regulations made under this section must include an obligation on the party that is granted the power to amend access agreements (whether this is Great British Railways, the Secretary of State or another party) to consult with any affected train operators before amending their access agreements pursuant to such regulations."

LORD MOYLAN

Lord Moylan gives notice of his intention to oppose the Question that Clause 71 stand part of the Bill.

Member's explanatory statement
This would prevent the Secretary of State from changing the terms of existing access agreements and rights.

Clause 72

LORD HARPER
LORD MOYLAN

272 Clause 72, page 42, line 5, leave out subsection (1) and insert—

"(1) The Secretary of State may by regulations amend, revoke, restate or replace provisions of the 2016 Regulations so far as those provisions relate to—

(a) the management and operation of non-GBR infrastructure,

(b) rights to operate trains between places using non-GBR infrastructure,

(c) co-operation and co-ordination between Great British Railways, GBR companies and persons who manage or operate non-GBR infrastructure,

(d) the provision and supply of facilities and services which facilitate the operation of trains, or

(e) competition in the market or markets for the provision and supply of such facilities and services.

(1A) Regulations under subsection (1) may not make provision except in connection with the amendment, revocation, restatement or replacement of provisions of the 2016 Regulations."

Member's explanatory statement
This amendment would limit the regulation-making power in Clause 72 to the amendment, revocation, restatement or replacement of provisions of the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 relating to non-GBR infrastructure, facilities and services.

LORD HARPER

273 Clause 72, page 42, line 29, at end insert—

"(2A) The power under subsection (1) to amend, restate or replace a provision of the 2016 Regulations may be exercised only once in relation to that provision.

(2B) Subsection (2A) does not prevent regulations from—

(a) correcting an error or omission in regulations previously made under subsection (1), or

(b) making commencement, transitional, transitory or saving provision in connection with regulations previously made under subsection (1).

(2C) Regulations under subsection (1) may be made only for the purpose of facilitating the transition from the 2016 Regulations to a replacement regulatory framework.

(2D) In subsection (2C), "replacement regulatory framework" means a statutory regime intended to supersede provisions of the 2016 Regulations in governing access to non-GBR infrastructure or the provision and supply of facilities and services which facilitate the operation of trains."

Member's explanatory statement
This amendment would limit the substantive use of the Clause 72 power to a single exercise in relation to each relevant provision of the 2016 Regulations and require the power to be used only to facilitate the transition to a replacement regulatory framework.

LORD HARPER

274 Clause 72, page 42, line 29, at end insert—

"(2A) Regulations under subsection (1) must apply consistently and without discrimination as between—

(a) railway undertakings,

(b) owners, managers and operators of non-GBR infrastructure,

(c) operators of service facilities, and

(d) geographic locations,

where the persons, facilities or locations concerned are in materially comparable circumstances.

(2B) Regulations under subsection (1) may make different provision in relation to particular persons, facilities or locations only where the difference in treatment is—

(a) objectively justified, and

(b) proportionate to the purpose for which the regulations are made.

(2C) In this section, "service facility" has the same meaning as in the 2016 Regulations."

Member's explanatory statement
This amendment would require regulations under Clause 72 to apply consistently and without discrimination to persons, service facilities and locations in materially comparable circumstances, while permitting objectively justified and proportionate differences in treatment.

LORD GRAYLING
LORD MOYLAN

275 Clause 72, page 42, line 40, at end insert—

"(3A) Before making any regulations or orders under subsection (1) which affect a light maintenance depot, freight terminal, port terminal, or airport terminal, the Secretary of State must—

(a) consult such persons as appear to the Secretary of State to represent the interests of owners, operators, and users of the affected facilities, and

(b) publish a report setting out how those representations have been taken into account.

(3B) Power exercised under subsection (1) must not be used in a manner which—

(a) discriminates unfairly between public sector operators and private sector operators, or

(b) materially compromises the commercial viability of private investment in the affected facilities made prior to the day on which this Act is passed."

LORD HARPER

276 Clause 72, page 42, line 40, at end insert—

"(3A) Regulations under subsection (1) must include provision conferring a right of appeal to the ORR on a person materially affected by a decision made under or by virtue of the regulations, other than a decision made by the ORR.

(3B) The regulations must provide that an appeal may be brought on the grounds that the decision is—

(a) inconsistent with a statutory duty relating to access, charging or competition in the railway sector,

(b) based on an error of fact or law,

(c) discriminatory, or

(d) disproportionate.

(3C) The regulations must provide that, on determining an appeal, the ORR may—

(a) confirm the decision,

(b) vary the decision,

(c) quash the decision in whole or in part, or

(d) remit the matter to the person who made the decision with such directions as the ORR considers appropriate."

Member's explanatory statement
This amendment would require regulations made under Clause 72 to provide a right of appeal to the ORR for persons materially affected by decisions made under the regulations. The ORR would be able to review decisions for compliance with statutory access, charging and competition duties and for errors, discrimination or disproportionality.

LORD MOYLAN

277 Clause 72, page 43, line 2, leave out "this or any other Act" and insert "this Act or any Act passed before this Act or later in the same session of Parliament as this Act"

Member's explanatory statement
This amendment implements a recommendation of the Delegated Powers and Regulatory Reform Committee by preventing regulations under this section from amending or repealing provisions contained in Acts passed in future sessions of Parliament.

LORD MOYLAN

278 Clause 72, page 43, line 5, leave out "consult such persons as the Secretary of State considered appropriate" and insert "—

(a) publish an assessment of the likely impact of the proposed regulations on—
  (i) non-GBR infrastructure,
  (ii) the provision and supply of facilities and services which facilitate the operation of trains, and
  (iii) persons who own, manage, operate or use such infrastructure, facilities or services, and
(b) consult—
  (i) Great British Railways,
  (ii) the ORR,
  (iii) the Scottish Ministers,
  (iv) the Welsh Ministers,
  (v) Transport for London,
  (vi) each mayoral strategic authority likely to be affected by the proposed regulations,
  (vii) each local transport authority within the meaning of section 108(4) of the Transport Act 2000 (local transport plans) likely to be affected by the proposed regulations, and
  (viii) such persons who own, manage, operate or use non-GBR infrastructure, facilities or services as are likely to be affected by the proposed regulations."

Member's explanatory statement
This amendment would require the Secretary of State to publish an impact assessment and undertake specified consultation, including with affected mayoral strategic authorities and local transport authorities, before making regulations concerning non-GBR infrastructure, facilities or services.

LORD HARPER
LORD MOYLAN

279 Clause 72, page 43, line 5, leave out "consult such persons as the Secretary of State considered appropriate" and insert "—

(a) publish a draft of the proposed regulations, and
(b) consult—
  (i) the ORR,
  (ii) the Scottish Ministers,
  (iii) the Welsh Ministers,
  (iv) Transport for London and any relevant local government body whose area is likely to be affected,
  (v) persons who own, manage or operate non-GBR infrastructure likely to be materially affected,

(vi) operators of service facilities likely to be materially affected,

(vii) persons appearing to the Secretary of State to represent railway undertakings, infrastructure managers, service facility operators, rail freight operators and passenger railway service operators, and

(viii) such other persons as are likely to be materially affected by the proposed regulations.

(5A) The Secretary of State must allow a reasonable period for representations to be made on the draft regulations.

(5B) Before laying a draft statutory instrument containing the regulations before Parliament, the Secretary of State must publish—

(a) a summary of the representations received, and

(b) a statement explaining how those representations have been taken into account."

Member's explanatory statement
This amendment would require the Secretary of State to publish draft regulations under Clause 72 and consult the ORR, devolved authorities, affected infrastructure and service facility operators, industry representative bodies and other materially affected persons. It would also require the publication of a consultation response.

LORD MOYLAN

280 Clause 72, page 43, line 5, leave out from "consult" to end of line 5 and insert "the Office of Rail and Road and affected facility owners"

Member's explanatory statement
This amendment would require the Secretary of State to consult the ORR and affected facility owners before making regulations under this section.

LORD BERKELEY

280A Clause 72, page 43, line 6, leave out from "means" to end of line 7 and insert "railway infrastructure, as defined in the 2016 Regulations, that is not operated by or on behalf of Great British Railways."

LORD MOYLAN

281 Clause 72, page 43, line 7, at end insert ", but does not include infrastructure, facilities and services not managed by Great British Railways which are used exclusively for the carriage of goods by rail."

Member's explanatory statement
This amendment provides that privately funded, freight-only facilities are excluded from regulation under this section.

LORD PARKINSON OF WHITLEY BAY
LORD FAULKNER OF WORCESTER

282 Clause 72, page 43, line 7, at end insert ", but does not include any infrastructure or asset of a preserved or heritage railway."

Member's explanatory statement
This amendment seeks to ensure that the Secretary of State's powers in Clause 72 cannot be used to make regulations about infrastructure or assets owned by charities, businesses or trusts operating heritage railways.

BARONESS PIDGEON

283 Clause 72, page 43, line 7, at end insert—

"(7) Regulations under this section may not amend, replace or otherwise affect the access, charging, capacity allocation, facilities, services or operational arrangements of a non-GBR infrastructure manager unless—

(a) the Secretary of State has consulted the non-GBR infrastructure manager, the Office of Rail and Road, affected railway undertakings and any other person likely to be materially affected by the provision,

(b) the Secretary of State has assessed and published the likely financial, operational and regulatory impacts of the provision on the non-GBR infrastructure manager and affected users,

(c) the provision does not materially alter the economic effect of any concession, access, charging or operational arrangement relating to non-GBR infrastructure, unless that effect has been expressly identified and approved by Parliament, and

(d) the provision does not prevent a non-GBR infrastructure manager from levying charges, offering discounts or managing access to facilities and services in accordance with existing statutory, contractual or concession arrangements, except where expressly necessary for the purpose in subsection (7).

(8) Regulations under this section may not require the alignment of timetable development, capacity allocation or access processes for international services using non-GBR infrastructure where doing so would create inconsistency with Channel Tunnel or European rail processes, unless the Secretary of State has consulted affected international operators, the non-GBR infrastructure manager and the Office of Rail and Road, and is satisfied that the provision is necessary and proportionate."

LORD MOYLAN

Lord Moylan gives notice of his intention to oppose the Question that Clause 72 stand part of the Bill.

Member's explanatory statement
This is to test the intention to give GBR the powers to obtain infrastructure and services owned by non-GBR entities.

Clause 73

BARONESS LAING OF ELDERSLIE

283A Clause 73, page 43, line 11, after "company," insert "a service designated by Scottish Ministers under section 26, or a company owned jointly by Great British Railways and Scottish Ministers,"

Member's explanatory statement
This amendment, and another in the name of Baroness Laing of Elderslie, widens the interpretation of "GBR Infrastructure" and "GBR Passenger Service" to ensure that passenger rail services in Scotland designated by Scottish Ministers are treated in the same way as GBR-designated passenger services in England.

BARONESS LAING OF ELDERSLIE

283B Clause 73, page 43, line 14, after the second "service" insert "designated by Scottish Ministers under section 26, or"

Member's explanatory statement
This amendment, and another in the name of Baroness Laing of Elderslie, widens the interpretation of "GBR Infrastructure" and "GBR Passenger Service" to ensure that passenger rail services in Scotland designated by Scottish Ministers are treated in the same way as GBR-designated passenger services in England.

BARONESS FINLAY OF LLANDAFF
LORD MOYLAN

284 Clause 73, page 43, line 19, leave out subsection (2)

Member's explanatory statement
This amendment follows a recommendation of the Delegated Powers and Regulatory Reform Committee.

BARONESS PIDGEON
LORD MOYLAN

285 Clause 73, page 43, line 20, at end insert—

"(3) Regulations under this section may not amend the definition of "GBR infrastructure" to include infrastructure owned, managed or operated by a non-GBR infrastructure manager under a concession, lease, licence or other

contractual arrangement with the Secretary of State, unless the Secretary of State has—

(a) consulted the relevant non-GBR infrastructure manager, the Office of Rail and Road, affected railway undertakings and any other person likely to be materially affected by the change, and

(b) assessed and published the likely financial, operational and regulatory impacts of the change."

Member's explanatory statement
This amendment prevents regulations from redefining "GBR infrastructure" to capture non-GBR-operated assets, including High Speed 1, without consultation, impact assessment and parliamentary approval.

Clause 74

LORD MOYLAN

286 Clause 74, page 43, line 29, after "monitor" insert "and audit"

Member's explanatory statement
This amendment would require the ORR to monitor and audit GBR's statutory functions.

LORD MOYLAN

287 Clause 74, page 43, line 34, after "monitoring" insert "and auditing"

Member's explanatory statement
This amendment would require the ORR to monitor and audit GBR's statutory functions.

LORD MOYLAN

288 Clause 74, page 43, line 35, after "monitoring" insert "and auditing"

Member's explanatory statement
This amendment would require the ORR to monitor and audit GBR's statutory functions.

LORD MOYLAN

289 Clause 74, page 44, line 9, at end insert "including, where reasonably practicable, implementation of recommendations of safety improvements and standards developed through relevant industry bodies."

Member's explanatory statement
This amendment ensures that Great British Railways in furtherance of railway safety actively engages with the industry bodies such as the Rail Safety and Standards Board and implements where reasonably practicable, the cross-sector recommendations of safety improvements and standards emerging from any cross-sector work.

LORD MOYLAN

290 Clause 74, page 44, line 9, at end insert—

"(d) whether the procurement of services from the private sector would represent a more efficient use of public funds."

Member's explanatory statement
This amendment would require the ORR to consider whether GBR procuring services from the private sector would be a more efficient use of public funds.

LORD MOYLAN

291 Clause 74, page 44, line 9, at end insert—

"(d) whether, and the extent to which, Great British Railways is achieving its key performance indicators set out in section (*Great British Railways: key performance indicators*)."

Member's explanatory statement
This amendment requires the Office of Rail and Road to consider Great British Railways' performance against its KPIs.

Clause 75

LORD MOYLAN

292 Clause 75, page 44, line 32, leave out from "may" to end of line 33 and insert "impose a penalty on—

(a) a member of the board, or
(b) one or more senior executives,

of Great British Railways where the Office is satisfied that a persistent breach of a condition of a licence held by Great British Railways or an obstinate refusal to comply with an enforcement notice is attributable to that person or persons."

Member's explanatory statement
This amendment would enable the Office of Rail and Road to impose financial penalties on board members and senior executives of Great British Railways for persistent breaches of GBR's licence conditions or for obstinate refusal to comply with an enforcement notice attributable to them.

LORD MOYLAN

Lord Moylan gives notice of his intention to oppose the Question that Clause 75 stand part of the Bill.

Member's explanatory statement
This would restore the power of ORR to impose a financial penalty on GBR when in breach of its statutory duties.

After Clause 77

LORD HENDY OF RICHMOND HILL

293 After Clause 77, insert the following new Clause—

"Direct enforcement of consumer protection legislation by the ORR

Schedule (*Direct enforcement of consumer protection legislation by the ORR*) amends Part 3 of the Digital Markets, Competition and Consumers Act 2024 (enforcement of consumer protection law) and Schedule 5 to the Consumer Rights Act 2015 (investigatory powers etc) so as—

(a) to confer further powers to enforce consumer protection legislation on the ORR, and

(b) to make connected provision."

Member's explanatory statement
This new clause would introduce a new Schedule (direct enforcement of consumer protection legislation by the ORR) provided for by my related amendment.

Clause 82

LORD MOYLAN

294 Clause 82, page 50, line 38, leave out subsection (1) and insert—

"(1) Great British Railways must inform Scottish Ministers before making a decision within subsection (2), and if, in the view of Scottish Ministers, the decision would significantly affect the interests of Scotland's economy or of persons living in, working in, or visiting Scotland, Great British Railways must consult Scottish Ministers before making that potential decision within subsection (2)."

Member's explanatory statement
This amendment would ensure that Scottish Ministers, rather than GBR, decided whether a GBR decision would significantly affect Scotland's economy or persons living in, working in, or visiting Scotland.

LORD MOYLAN

295 Clause 82, page 51, line 7, leave out subsection (3) and insert—

"(3) Great British Railways must inform Welsh Ministers before making a decision within subsection (4), and if, in the view of Welsh Ministers, the decision would significantly affect the interests of Wales' economy or of persons living in, working

in, or visiting Wales, Great British Railways must consult Welsh Ministers before making that potential decision within subsection (2)."

Member's explanatory statement
This amendment would ensure that Welsh Ministers, rather than GBR, decided whether a GBR decision would significantly affect Wales' economy or persons living in, working in, or visiting Wales.

LORD BERKELEY

296 Clause 82, page 51, line 8, after "decision" insert "(including but not limited to any decision in relation to access or access charges)"

Clause 83

LORD MOYLAN

297 Clause 83, page 51, line 21, leave out subsection (1) and insert—

"(1) Great British Railways must inform a mayoral combined authority prior to making a decision within subsection (2), and if, in the view of the mayoral combined authority, the decision would significantly affect the economy of the authority's area or of persons living in, working in, or visiting the area, Great British Railways must consult the mayoral combined authority before making that potential decision."

Member's explanatory statement
This amendment would ensure that mayoral combined authorities, rather than GBR, decided whether a GBR decision would significantly affect the authority's economy or persons living in, working in, or visiting the authority.

LORD BERKELEY

298 Clause 83, page 51, line 22, after "decision" insert "(including but not limited to any decision in relation to access or access charges)"

LORD BERKELEY

299 Clause 83, page 51, line 32, after "decision" insert "(including but not limited to any decision in relation to access or access charges)"

LORD BERKELEY

300 Clause 83, page 51, line 39, after "decision" insert "(including but not limited to any decision in relation to access or access charges)"

Clause 84

LORD MOYLAN

301 Clause 84, page 52, line 9, leave out subsection (1) and insert—

"(1) Great British Railways must inform Transport for London prior to making a decision within subsection (2), and if, in the view of Transport for London, the decision would significantly affect Greater London's economy or persons living in, working in, or visiting Greater London, Great British Railways must consult Transport for London before making that potential decision."

Member's explanatory statement
This amendment would ensure that TfL, rather than GBR, decided whether a GBR decision would significantly affect the Greater London's economy or persons living in, working in, or visiting Greater London.

BARONESS PIDGEON
LORD MOYLAN

302 Clause 84, page 52, line 9, after "London" insert "and the London Transport Users' Committee"

Member's explanatory statement
This amendment, and others in the name of Baroness Pidgeon, seeks to include the London Transport Users' Committee in consultation requirements.

BARONESS PIDGEON
LORD MOYLAN

303 Clause 84, page 52, line 21, after "London" insert "and the London Transport Users' Committee"

Member's explanatory statement
This amendment, and others in the name of Baroness Pidgeon, include the London Transport Users' Committee in consultation requirements.

Clause 85

LORD LANSLEY

304 Clause 85, page 53, line 1, leave out paragraphs (a) and (b) and insert—

"(a) a strategic authority as defined under section 1 of the English Devolution and Community Empowerment Act 2026, or"

Member's explanatory statement
This amendment is consequential on the amendment in the name of Lord Lansley to Clause 5, page 4, line 20 to include all strategic authorities, not just those with Mayors.

Clause 87

LORD BERKELEY

305 Clause 87, page 53, line 36, at end insert—

"(1A) Costs incurred by the operator of a network or station in relation to a road vehicle that has damaged any part of the rail network are recoverable by the operator from the person in charge of the road vehicle, including costs of delays to the network and any remedial work."

Clause 88

LORD YOUNG OF COOKHAM

305ZA Clause 88, page 55, line 5, at end insert—

"(1A) The Secretary of State must make a scheme for the transfer of the Historical Railways Estate from the Secretary of State to—

(a) Great British Railways,

(b) a company wholly owned by Great British Railways,

(c) a proposed GBR,

(d) a company wholly owned by a proposed GBR, or

(e) a company jointly owned by two or more of the Secretary of State, the Scottish Ministers, the Welsh Ministers, Great British Railways and a proposed GBR."

Member's explanatory statement
This amendment seeks to transfer responsibility for managing the Historical Railways Estate to Great British Railways to ensure that non-operational railway structures benefit from the same engineering expertise, economies of scale and strategic decision-making as operational structures.

LORD MOYLAN

305A Clause 88, page 55, line 13 at end insert—

"(3) A scheme under this section which makes provision for the transfer of rights and liabilities under, or relating to, a contract of employment must make provision for the orderly transfer of existing employment liabilities from the relevant existing employer to the relevant future employer."

Member's explanatory statement
This amendment would require a transfer scheme made by the Secretary of State to provide for the orderly transfer of existing employment liabilities from existing employers to future employers.

After Clause 88

LORD MOYLAN

305B After Clause 88, insert the following new Clause—

"Publication of Great British Railways corporate and employer structure before transfer schemes

(1) A transfer scheme may not be made under section 88 unless the Secretary of State has, at least 12 months before making the scheme, published a document setting out the proposed corporate and employer structure of Great British Railways.

(2) The document under subsection (1) must include details of—
  (a) any company through which Great British Railways is expected to exercise its statutory functions,
  (b) the proposed allocation of functions between Great British Railways and any such company,
  (c) the proposed arrangements for the transfer of employees to Great British Railways or any company within its corporate structure, and
  (d) the proposed arrangements for the participation of Great British Railways, any company within its corporate structure, and any transferred employees in the Railways Pension Scheme or any other occupational pension scheme for railway employees.

(3) Before publishing the document under subsection (1), the Secretary of State must consult—
  (a) the trustees or managers of the Railways Pension Scheme,
  (b) The Pensions Regulator,
  (c) persons providing railway services, and
  (d) such other persons as the Secretary of State considers appropriate.

(4) In this section, "transfer scheme" means a scheme under section 88."

Member's explanatory statement
This amendment would prevent the Secretary of State from making a transfer scheme unless the proposed corporate and employer structure of Great British Railways has been published at least 12 months in advance, including proposed arrangements for employee transfers and railway pension schemes.

Clause 94

LORD MOYLAN

306 Clause 94, page 58, line 36, leave out paragraph (b)

Member's explanatory statement
This amendment would prevent the Secretary of State from changing the body that issues licences or certificates so that it remains the ORR.

LORD MOYLAN

307 Clause 94, page 59, line 29, at end insert—

"(aa) passenger and freight service operators, including, but not limited to—

(i) Great British Railways,

(ii) groups representing passengers, and

(iii) rail safety organisations, and"

Member's explanatory statement
This amendment requires the Secretary of State to consult passenger and freight service operators, groups representing passengers and rail safety organisations before making regulations about the licensing or certification of train drivers.

LORD BRADSHAW
BARONESS PIDGEON

308 Leave out Clause 94 and insert the following new Clause—

"Licensing of drivers on intercontinental routes

(1) The Secretary of State must by regulations make provision about the licensing or certification of persons who drive trains on intercontinental railway services.

(2) Regulations under this section must include provision about the recognition of licences or certificates issued by, or on behalf of, another state."

Member's explanatory statement
This amendment removes the current clause in relation to the licensing of train drivers, and instead creates provision only for licensing for drivers on intercontinental rail routes, including mutual recognition of licences issued by other states.

Clause 95

BARONESS JONES OF MOULSECOOMB

Baroness Jones of Moulsecoomb gives notice of her intention to oppose the Question that Clause 95 stand part of the Bill.

Member's explanatory statement
This removes the power to make regulations to implement the Luxembourg Rail Protocol to the Cape Town Convention.

After Clause 95

BARONESS PIDGEON

309 After Clause 95, insert the following new Clause—

"Fund for future railway improvements

(1) The Secretary of State must establish a fund for the purpose of providing improvements to the railway in the long term, including investment in new or reopened railways lines and stations.

(2) The fund under this section is to be called the Tomorrow's Railway Fund ("the fund").

(3) The Secretary of State may by regulations provide for monies to be allocated to the fund for each funding period.

(4) Local and regional transport authorities may apply to the Secretary of State to receive a grant of monies from the fund, for the purpose of enabling construction of new railways stations and associated infrastructure.

(5) A purpose enabling construction under subsection (4) includes a feasibility study for any station or associated infrastructure.

(6) In this section "funding period" has the meaning given in paragraph 1(9) of Schedule 2 to this Act."

Member's explanatory statement
This new clause would establish a new funding mechanism for local authorities to bid for central government funding for feasibility studies on, or construction of, new stations, railways, or other enhancements.

BARONESS PIDGEON

310 After Clause 95, insert the following new Clause—

"Restoring Your Railway Fund: review

(1) Within 12 months beginning on the day on which this Act is passed, the Secretary of State must lay before Parliament a report containing a review of the Restoring Your Railway Fund.

(2) The review under subsection (1) must consider the effect of the fund on the reopening of railway lines and stations."

Member's explanatory statement
This new clause requires the Secretary of State to review the Restoring Your Railway Fund, announced by the previous Government in February 2020.

BARONESS LEAMAN
BARONESS PIDGEON

311 After Clause 95, insert the following new Clause—

"Anti-social noise

(1) Within the period of six months beginning on the day on which this Act is passed, the Secretary of State must by regulations make provision to prohibit any individual on passenger rail services from purposely playing content with audio from personal electronic devices without the use of headphones in such a way that causes a disturbance to other passengers.

(2) The regulations must ensure that any person who contravenes the prohibition set out under subsection (1) is liable to a fine not exceeding level 3 on the standard scale set out in section 122 of the Sentencing Act 2020 (the standard scale of fines for summary offences)."

Member's explanatory statement
This new clause would require the Secretary of State to introduce statutory regulations on the use of electronic audio devices on rail services.

BARONESS LEAMAN

312 After Clause 95, insert the following new Clause—

"Rails to Trails programme

(1) The Secretary of State must, within the period of 12 months beginning with the day on which this Act is passed, establish a programme to facilitate the conversion of disused railway lines, sidings and associated land owned by Network Rail, Great British Railways, any operator of a railway or the Historical Railways Estate into active travel routes for—
   (a) walkers,
   (b) wheelers,
   (c) cyclists, and
   (d) horse riders.

(2) The programme must include—
   (a) a national statutory framework to support community groups and local authorities to acquire and convert the land described in subsection (1),
   (b) a long-term fund to provide financial incentives and resources for local authorities and public bodies to convert the land for such use, and
   (c) mechanisms to ensure landowners are fairly compensated for any land that is acquired or converted.

(3) The programme is to be referred to as the "Rails to Trails Programme"."

Member's explanatory statement
This new clause would require the Government to turn disused railways into active travel paths.

EARL RUSSELL
BARONESS JONES OF MOULSECOOMB
LORD HAMPTON
BARONESS WILLIS OF SUMMERTOWN

313 After Clause 95, insert the following new Clause—

"Rail climate resilience and decarbonisation framework

(1) The Secretary of State must, within 12 months beginning on the day on which this Act is passed, publish a framework that seeks to meet the following objectives—
  (a) reduce the carbon footprint of the rail network, and
  (b) identify sections of the network vulnerable to climatic risks including—
    (i) drought;
    (ii) soil moisture deficit;
    (iii) flooding;
    (iv) heat;
    (v) cold weather.

(2) The framework must include a schedule of required infrastructure improvements to the sections of network identified under subsection (1)(b).

(3) Great British Railways must publish a report on the progress of the objectives set out in subsection (1) every two years beginning on the date on which the framework is published.

(4) The Secretary of State must lay before Parliament each report as set out in subsection (3)."

Member's explanatory statement
This new clause establishes a statutory climate resilience and decarbonisation framework and requires regular reporting on progress made against the objectives set out in the framework.

LORD YOUNG OF COOKHAM
LORD MOYLAN

314 After Clause 95, insert the following new Clause—

"Fiscal impact of railways public ownership

(1) The Secretary of State must, within six months of the day on which this Act is passed and after consultation with the Office of National Statistics, prepare and lay before Parliament a report on the fiscal impact of—
  (a) the establishment and operation of Great British Railways,
  (b) the transfer of property, rights and liabilities under sections 88 to 91, and
  (c) the provision of railway passenger services by public sector companies following the Passenger Railway Services (Public Ownership) Act 2024.

(2) The report must consider and assess the treatment in the public accounts of the obligations of the formerly private train operating companies to the rolling stock companies.

(3) The report must set out the estimated annual and cumulative impact, for each of the ten financial years beginning with the financial year in which the report is laid, on—

(a) public sector net borrowing,

(b) public sector net debt, and

(c) public sector net financial liabilities.

(4) The report must, so far as reasonably practicable, separately identify—

(a) the costs of establishing and restructuring Great British Railways;

(b) operating subsidies and other financial assistance;

(c) passenger revenue and other commercial income;

(d) capital expenditure on, and liabilities arising from the acquisition, procurement, financing or leasing of, rolling stock and other railway assets;

(e) pension and employment liabilities;

(f) guarantees, indemnities and other contingent liabilities.

(5) The Secretary of State must prepare and lay before Parliament an updated report within six months of the end of each of the first five financial years beginning after Great British Railways is designated."

Member's explanatory statement

This amendment seeks to require the Secretary of State to report on the effects of railway public ownership and the establishment of Great British Railways on public sector net borrowing, public sector net debt, and public sector net financial liabilities.

LORD HARPER
LORD MOYLAN

315 After Clause 95, insert the following new Clause—

"Industrial action ballots relating to passenger railway services

(1) After section 69 of the Employment Rights Act 2025 insert—

"69A Passenger railway services

(1) The amendments and repeals made by sections 68 and 69 do not have effect in relation to a railway services ballot.

(2) In relation to a railway services ballot, the enactments amended or repealed by sections 68 and 69 have effect as if those amendments and repeals had not been made.

(3) In this section, "railway services ballot" means a ballot in relation to which section 226(2B) of the Trade Union and Labour Relations (Consolidation) Act 1992 would apply, but for section 69 of this Act, by virtue of regulation 2(1)(b) of the Important Public Services (Transport) Regulations 2017."

(2) The amendment made by subsection (1) applies only in relation to a ballot opened on or after the day on which this section comes into force.

(3) For the purposes of subsection (2), a ballot is opened on the first day on which a voting paper is sent to any person entitled to vote in the ballot."

Member's explanatory statement
This amendment would disapply sections 68 and 69 of the Employment Rights Act 2025 in relation to industrial action ballots concerning passenger railway services. It would therefore retain the requirement for at least 50% of those entitled to vote to participate in such a ballot and for at least 40% of those entitled to vote to support the proposed industrial action.

LORD HARPER
LORD MOYLAN

316 After Clause 95, insert the following new Clause—

"Industrial action involving Great British Railways and GBR companies

After section 224 of the Trade Union and Labour Relations (Consolidation) Act 1992 (secondary action) insert—

"224A Industrial action involving Great British Railways and GBR companies

(1) For the purposes of this Part, Great British Railways and each GBR company are to be treated as separate employers.

(2) A GBR employer is not to be treated as a party to a trade dispute between workers and another GBR employer.

(3) Industrial action taken by workers employed by one GBR employer in contemplation or furtherance only of a trade dispute between workers and another GBR employer is secondary action for the purposes of section 224.

(4) A person is not to be treated as the employer of a worker for the purposes of this section merely because that person—
- (a) owns or controls the worker's employer,
- (b) provides funding to the worker's employer,
- (c) exercises functions through, or on behalf of, the worker's employer,
- (d) participates in common management or collective bargaining arrangements with the worker's employer, or
- (e) gives directions or guidance to the worker's employer.

(5) In this section—

"GBR company" has the same meaning as in section 99(1) of the Railways Act 2026;

"GBR employer" means—
- (a) Great British Railways, or
- (b) a GBR company.""

Member's explanatory statement
This amendment would ensure that Great British Railways and each GBR company are separate employers for the purposes of industrial-action law. A dispute between one GBR company and its workers could not provide legal protection for industrial action by workers employed by Great British Railways or another GBR company.

LORD GRAYLING

317 After Clause 95, insert the following new Clause—

"Protection of pension rights under the Railways Pension Scheme

(1) No power exercised under this Act, including any transfer scheme or restructuring of services, shall be used to reduce the accrued rights, benefit structures, or employer contribution proportions of any member of the Railways Pension Scheme.

(2) For the avoidance of doubt, any successor body to a franchise operator under this Act must maintain participation in the Shared Cost Section of the Railways Pension Scheme on terms no less favourable than those existing immediately prior to the transfer of services."

LORD GRAYLING

318 After Clause 95, insert the following new Clause—

"Establishment of the National Rail Training and Technology Academy

(1) There is established a body corporate to be known as the National Rail Training and Technology Academy (in this section referred to as "the Academy").

(2) The Academy is independent of Great British Railways, train operators, and infrastructure managers.

(3) The statutory functions of the Academy are—
   (a) to set, standardise, and monitor training procedures, qualifications, and timetables for safety-critical and operational roles across the railway industry, and
   (b) to develop, promote, and coordinate training programmes designed to maximise the workforce's understanding, adoption, and operation of current and future railway technologies.

(4) In exercising its functions under subsection (3)(b), the Academy must focus on—
   (a) digital signalling and train control systems,
   (b) decarbonisation and alternative traction technologies (including hydrogen and battery systems),
   (c) advanced predictive maintenance technologies, and
   (d) automated and digital ticketing, station management, and accessibility systems.

(5) Great British Railways, and any holder of a public service contract or concession under this Act, must—

(a) adopt the training standards and procedures set by the Academy, and

(b) ensure its employees are released to complete training in accordance with the timetables set by the Academy.

(6) The Secretary of State may, by regulations made by statutory instrument, make provision about the constitution, funding, and governance of the Academy."

Member's explanatory statement

This new Clause establishes an independent National Rail Training and Technology Academy, separate from GBR and operators, to standardise training across the industry and drive the rapid adoption and scaling of modern railway technologies through structured workforce development.

LORD MOYLAN

319 After Clause 95, insert the following new Clause—

"Minimum service levels

(1) Within six months of the day on which this Act is passed, the Secretary of State must by regulations make provision for minimum service levels to operate on passenger railway services during periods of strike action.

(2) Regulations under subsection (1) may repeal or otherwise amend provisions in the Employment Rights Act 2025, insofar as is necessary for the purposes of this section.

(3) Regulations under subsection (1) must include provision for—

(a) minimum levels of service on principal passenger rail routes during periods of strike action, including required service frequency, core connectivity obligations and protections for first and last trains,

(b) a minimum percentage of scheduled services required to operate during periods of industrial action, and

(c) minimum staffing requirements to deliver service levels under paragraph (a), including train crew, station staffing and customer support.

(4) When minimum service levels are in operation under this section, Great British Railways must—

(a) set standards for the provision to users of the railway of real-time information, disruption alerts, and alternative route guidance when minimum service levels are in force,

(b) set standards for minimum continuity of accessibility services, including Passenger Assist, lift availability, and alternative accessible transport arrangements,

(c) ensure that freight path allocations are not unnecessarily disrupted, and

(d) require that all operators comply with the minimum service levels provided for by regulations under subsection (3), as a condition of holding access rights or capacity entitlements.

(5) Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a document setting out a framework for minimum service levels under this section.

(6) Within one year beginning on the day on which regulations are made under subsection (1), and within each period of a year thereafter, Great British Railways must lay before Parliament a report on compliance with minimum service levels, including reasons for any failure by operators to secure the required thresholds, and what actions GBR and other operators are taking to improve performance."

Member's explanatory statement
This new clause would require the Secretary of State to make regulations to impose minimum service levels on passenger rail services, and for GBR to enforce these.

LORD MOYLAN

320 After Clause 95, insert the following new Clause—

"Working Practices and Productivity Modernisation Framework

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a Working Practices and Productivity Modernisation Framework ("the Framework").

(2) The Framework must include measures to—
- (a) enable all passenger routes to be planned and delivered as a seven-day service, within the pay and conditions for standard working hours;
- (b) enable drivers to operate train doors without additional payments in locations where this is not yet standard practice;
- (c) require Great British Railways to establish a train driving school with updated training methods, with the purposes of reducing route-knowledge training times and increasing driver availability;
- (d) end practices including—
  - (i) short-notice holiday approvals;
  - (ii) dependency on overtime to compensate for sickness absence or annual leave;
  - (iii) the prohibition on driving more than one journey over the same rails;
- (e) introduce multi-disciplinary and flexible maintenance teams in GBR;
- (f) support the adaptation of drone-based and digital inspection of railway infrastructure;
- (g) prohibit unnecessary delays in introducing new rolling stock arising from route-learning requirements or working practices that exceed what is reasonably required for the safe operation of the railway, ensuring new fleets can deploy when manufactured;
- (h) permit driver managers to drive trains when required;
- (i) require maintenance and operational teams based in a specified area to assist teams in neighbouring areas;

(j) prevent the Secretary of State from awarding general pay rises to any area of the rail workforce where—

(i) workforce productivity has fallen, or

(ii) actions required in the Framework have not been implemented.

(3) Great British Railways has a duty to secure compliance with the Framework.

(4) Where the duty on Great British Railways under subsection (3) applies in respect of services which are run by any person other than Great British Railways, Great British Railways must fulfil the duty via access agreements with the person running those services.

(5) Within 12 months of section 1 coming into force and within every subsequent 12 months, Great British Railways must publish an annual report on the measures in the Framework.

(6) Any report produced under subsection (5) must include—

(a) a summary of measures taken to reform the rail workforce as a result of provisions of the Framework;

(b) data on—

(i) workforce productivity,

(ii) cost savings,

(iii) changes in overtime expenditure, and

(iv) reasons for any delays in implementation of the provisions of the Framework.

(7) The Secretary of State must lay before Parliament a copy of any report produced under subsection (5).

(8) The Secretary of State may issue directions to Great British Railways under section 7 of this Act where, in the opinion of the Secretary of State, it has not met its duty under subsection (3)."

Member's explanatory statement

This new clause makes provision for a Working Practices and Productivity Modernisation Framework.

LORD MOYLAN

321 After Clause 95, insert the following new Clause—

"Long-term rolling stock leasing framework

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a framework for the long-term leasing of rolling stock ("the Framework").

(2) The Framework must apply to all rolling stock agreements for use on infrastructure managed by Great British Railways.

(3) The Framework must include measures to—

(a) provide that rolling stock leases entered into, renewed or extended by Great British Railways or passenger operators for use on infrastructure managed by Great British Railways, have a minimum lease term of 15 years for new or renewed rolling stock, unless the Secretary of State determines that a shorter term is justified by exceptional operational or market circumstances;

(b) require Great British Railways to assess whole-life asset cost, maintenance, refurbishment and residual value when procuring or approving leases;

(c) provide Great British Railways with the power to specify obligations in long-term leases that support accessibility, improved energy efficiency, and interoperability across the network;

(d) ensure that long-term certainty supports manufacturers of, and persons who maintain, rolling stock by enabling investment in skills, supply chains and technological innovation;

(e) require that lease terms are consistent with Great British Railways' long-term network strategy, its five-year funding settlements and its access and capacity allocation duties;

(f) require Great British Railways to publish an annual statement setting out—

(i) projected rolling stock needs for the 15 years following the publication of the statement;

(ii) any lease terms agreed within the year prior to the annual statement;

(iii) an assessment of the alignment of lease arrangements with the Framework's objectives;

(iv) a value-for-money assessment of any new or renewed leases.

(4) Before issuing or revising the Framework, the Secretary of State must consult—

(a) Great British Railways,

(b) the Passenger Council,

(c) the Office of Rail and Road, and

(d) any other persons the Secretary of State thinks appropriate.

(5) Within 12 months of the day on which this Act is passed and every subsequent 12 months, Great British Railways must lay an annual report before Parliament setting out its compliance with the Framework and the reasons for any departures from the minimum lease requirement."

Member's explanatory statement

This new clause would require the Secretary of State to publish a Long-Term Rolling Stock Leasing Framework, and for Great British Railways to comply with this framework.

LORD MOYLAN

322 After Clause 95, insert the following new Clause—

"Report on long-term pipeline for works

(1) Within 12 months of the day on which this Act is passed, Great British Railways must publish a report containing a long-term pipeline of infrastructure and rolling stock work affecting any line or service operated by Great British Railways ("the works pipeline").

(2) Great British Railways must publish further such reports within twelve months of the publication of the last such report under subsection (1).

(3) The Secretary of State must lay a report under this section before both Houses of Parliament.

(4) Each report laid under this section must provide a works pipeline for the period of the following 15 years.

(5) Each works pipeline must include details of—
  (a) infrastructure renewals;
  (b) enhancements, including capacity schemes;
  (c) digital signalling and technology programmes;
  (d) major station works;
  (e) rolling stock procurement; and
  (f) upgrade and refurbishment programmes.

(6) The works pipeline must specify the expected—
  (a) timing,
  (b) scope, and
  (c) sequencing,
  of renewal programmes, enhancements, and major technology transitions.

(7) The works pipeline must align with—
  (a) The Rail Strategy's objectives, and
  (b) the funding provided for infrastructure and rolling stocks works during each Control Period.

(8) Each report laid under this section must include an assessment of—
  (a) how the works pipeline will reduce inefficiencies in delivery of works, specifically in relation to—
    (i) irregularity of gaps in funding, and
    (ii) unstable or unreliable management of projects and programmes.
  (b) how the works pipeline—
    (i) has supported, and will support UK supply chain capacity,
    (ii) has impacted protection of specialist skills within the rail industry, and
    (iii) will support employment and apprenticeships.

(9) Each report must contain an assessment, during the year prior to its publication, of—

(a) progress in delivering any projects or programmes included in the works pipeline,

(b) any changes to projects or programmes included in the works pipeline, and reasons for those changes,

(c) the impact of the works pipeline on—

(i) industry investment,

(ii) inflation of costs in the rail sector, and

(iii) delivery capacity in the rail sector.

(10) Before publishing a report under this section, Great British Railways must consult—

(a) participants in the rail sector supply chain,

(b) rail industry bodies,

(c) the Scottish Ministers,

(d) the Welsh Ministers, and

(e) the Office of Rail and Road.

(11) Great British Railways has a duty to ensure that its integrated business plan and long-term procurement strategies pay due regard to the works pipelines included in the most recent report published under this section.

(12) On the day on which a report is laid before both Houses of Parliament under this Section, a Minister of the Crown must make a statement to each House about how the works pipeline—

(a) aligns with the long-term rail strategy, and

(b) supports whole-network delivery priorities."

Member's explanatory statement

This new clause would require Great British Railways to create a long-term pipeline of infrastructure works.

LORD MOYLAN

323 After Clause 95, insert the following new Clause—

"Rolling stock investment framework

(1) Within 12 months of the day on which this Act is passed, Great British Railways must publish a report containing a framework for rolling stock investment ("the Framework").

(2) The Framework must include an assessment of needs for rolling stock for the period of 15 years following its publication, including—

(a) procurement of new rolling stock,

(b) refurbishment of rolling stock that is already in use,

(c) digital signalling and onboard technology upgrades,

(d) decarbonisation, and

(e) accessibility improvements.

(3) The Framework must set out the routes through which private investors may finance—

(a) new trains,
(b) refurbishments to existing stock,
(c) upgrades to low-carbon traction,
(d) modernisation of interiors of trains,
(e) predictive maintenance, and
(f) digital systems.

(4) The Framework must promote private-sector investment in energy-efficient rolling stock and accessibility improvements.

(5) For the purposes of subsection (4), the meaning of "energy-efficient rolling stock" includes hybrid, battery, or hydrogen technology.

(6) The Framework must set out how procurement undertaken by, or on behalf of, Great British Railways will—

(a) ensure competitive tendering,
(b) encourage innovation in design and maintenance,
(c) provide private investors with a stable commercial investment environment, and
(d) ensure a consistent pattern for the placement of orders.

(7) Great British Railways must align any plans for investment in the Framework with—

(a) its integrated business plan, and
(b) funding determinations for the relevant Control Period.

(8) Great British Railways must update the Framework at least once each year after it is first published, including in relation to—

(a) updating Great British Railways' strategy for its fleet of rolling stock,
(b) opportunities for private capital investment in rolling stock,
(c) the reasons for any major changes to planned procurement,
(d) expected timelines and volumes for procurement, and
(e) how it will use private investment to—

(i) reduce whole-life cost of stock,
(ii) improve quality of stock, and
(iii) support jobs in the rail supply chain in the UK."

Member's explanatory statement

This new clause would require GBR to publish a rolling stock investment framework.

LORD MOYLAN

324 After Clause 95, insert the following new Clause—

"Consultation by railway employers

After paragraph 3 of Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992 (collective bargaining: recognition) insert—

"Railway employers

3A (1) In relation to a railway employer, references in this Schedule to collective bargaining are to consultation relating to pay, hours and holidays.

(2) Accordingly, any method specified under this Schedule in relation to a railway employer must provide for consultation and must not require the railway employer—

(a) to negotiate with a trade union,

(b) to seek or obtain the agreement of a trade union, or

(c) to refrain from determining or implementing a matter after consultation has taken place.

(3) This paragraph applies despite paragraph 3 or any other provision of this Schedule.

(4) In this paragraph, "railway employer" means an employer whose principal activity is the provision of railway services within the meaning of section 82 of the Railways Act 1993 (meaning of "railway services" etc.).""

Member's explanatory statement
This amendment would provide that, for railway employers, the statutory trade union recognition regime requires consultation with recognised trade unions about pay, hours and holidays rather than negotiation or agreement.

BARONESS PIDGEON
LORD MOYLAN
LORD HAMPTON

325 After Clause 95, insert the following new Clause—

"Cyber security and technology strategy

(1) Great British Railways must publish a cyber security and technology strategy ("the strategy").

(2) The strategy must set out how Great British Railways will—

(a) use emerging technologies, including artificial intelligence, to innovate in respect of its operations and services,

(b) develop resilience for rolling stock and critical systems in line with industry and international standards, and

(c) increase the use of technology to improve passenger experience and services including—
  (i) WiFi access,
  (ii) digital ticketing,
  (iii) real time information systems, and
  (iv) accessibility for passengers with sight or hearing loss.

(3) Great British Railways must publish an annual report describing progress that has been made against the strategy and any challenges that have arisen in delivering the strategy."

Member's explanatory statement
This new clause would require GBR to publish a cyber security and technology strategy, as well as an annual report on progress.

LORD MOYLAN

326 After Clause 95, insert the following new Clause—

"Conditions for commencement

(1) Before the end of the period of six months beginning with the day on which this Act is passed the Secretary of State must publish and lay before Parliament—
  (a) a consultation document and draft retail code of practice,
  (b) a final retail code of practice resulting from the consultation referred to in paragraph (a),
  (c) a consultation document and draft access and use policy document or documents proposed under section 59,
  (d) a final access and use policy document or documents proposed under section 59 resulting from the consultation referred to in paragraph (c),
  (e) a consultation document and draft licence proposed to be granted to Great British Railways,
  (f) a consultation document and draft proposals for the charging and performance schemes set out in sections 64 and 65 respectively,
  (g) a draft rail strategy required by section 15, and
  (h) a document setting out the stages by which Great British Railways is to be established and the target date for the completion of each stage.

(2) Before the end of the period of six months beginning with the day on which this Act is passed—
  (a) the ORR must publish a consultation document on the principles, practice and procedure for appeals proposed under Chapter 1 of Part 3, and
  (b) the Secretary of State must lay that consultation document before Parliament."

Member's explanatory statement
This amendment and two others in the name of Lord Moylan seek to place various conditions on the commencement of the principal operational provisions of the Act.

LORD HARPER

327 After Clause 95, insert the following new Clause—

"Consultation with disabled passengers before railway industrial action

After section 234A of the Trade Union and Labour Relations (Consolidation) Act 1992 (notice to employers of industrial action) insert—

"234AA Consultation with disabled passengers in relation to railway industrial action

(1) Before a trade union gives notice under section 234A in respect of industrial action involving employees providing railway services, the trade union must consult—
  (a) the Disabled Persons Transport Advisory Committee, and
  (b) such other organisations as appear to the trade union to be representative of disabled passengers who are likely to be affected by the industrial action.

(2) The consultation under subsection (1) must—
  (a) provide information about the proposed industrial action and its likely effect on railway services,
  (b) allow consultees at least seven days in which to make representations concerning the effect of the proposed industrial action on disabled passengers, and
  (c) be completed before notice is given under section 234A.

(3) The trade union must have regard to representations received under subsection (2) and publish a response to those representations.

(4) Industrial action in respect of which the requirements of this section have not been complied with is not protected industrial action.""

Member's explanatory statement
This amendment would require railway trade unions to consult organisations representing disabled passengers before giving notice of industrial action, and to have regard to any representations received.

LORD HOLMES OF RICHMOND

328 After Clause 95, insert the following new Clause—

"Access to data

(1) Great British Railways must provide timely, equal and unrestricted access to all non-sensitive operational, rolling stock condition, scheduling, and ticketing data to third-party innovators and public authorities via open Application Programming Interfaces (APIs).

(2) Access under subsection (1) must be provided on a fair, reasonable, and non-discriminatory basis."

LORD HOLMES OF RICHMOND

329 After Clause 95, insert the following new Clause—

"Cyber security and technology strategy

(1) Great British Railways must, within 12 months of its establishment, publish a comprehensive cyber security and technology strategy.

(2) The strategy must explicitly detail how Great British Railways will—
   (a) deploy emerging technologies, including artificial intelligence, to optimize safety and scheduling,
   (b) guarantee the cyber resilience of automated rolling stock and trackside infrastructure, and
   (c) maintain digital accessibility frameworks for all passengers including those with accessibility or sensory needs."

LORD DAVIES OF BRIXTON

330 After Clause 95, insert the following new Clause—

"Transfer of employees to GBR

(1) For the purpose of section 3(1)(h) of this Act, the Secretary of State must make one or more schemes under which persons who hold employment with—
   (a) Network Rail,
   (b) any franchise operated by DfT Operator Limited, or
   (c) any franchise operated by a rail company under a contract with the Department for Transport,

   become employees of Great British Railways.

(2) A scheme made under this section must in particular include provision that is the same as, or similar to, the provision made by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246)."

Member's explanatory statement
This new clause is consequential on another amendment in the name of Lord Davies of Brixton to Clause 3, and seeks to enable the transfer of employees to GBR from Network Rail and DfT-operated franchises.

LORD HAMPTON

330A After Clause 95, insert the following new Clause—

"Viability of development and regeneration schemes

Within 12 months of the day on which this Act is passed, the Secretary of State must publish a review of the practical viability of all property development and regeneration schemes being undertaken by or on behalf of Platform4 which were ongoing or proposed on the day on which this Act is passed."

Member's explanatory statement
This amendment requires a review of all property development schemes being undertaken or proposed by Platform4, Network Rail's property development company, as that property is prepared for transfer to Great British Railways.

LORD HAMPTON

330B After Clause 95, insert the following new Clause—

"Network Rail properties: rent review

Within 12 months of the day on which this Act is passed, the Secretary of State must carry out a review of the rent payable by tenants on any property owned by Network Rail, or a subsidiary company of Network Rail."

Member's explanatory statement
This amendment requires a rent review of Network Rail properties ahead of its transfer to Great British Railways.

LORD HAMPTON

330C After Clause 95, insert the following new Clause—

"Apprenticeships

(1) Great British Railways and GBR companies must work with Skills England and such other bodies as it considers appropriate in order to expand the number of apprenticeships offered by Great British Railways and GBR companies.

(2) The target of the expansion under subsection (1) must be for Great British Railways and GBR companies combined to became the largest provider of apprenticeships in the United Kingdom."

Member's explanatory statement
This amendment requires Great British Railways to significantly expand its apprenticeship programme.

LORD MOYLAN

330D After Clause 95, insert the following new Clause—

"Great British Railways: publication of railway data

(1) Great British Railways must publish railway data without charge and under an open licence.

(2) In this section, "railway data" means data held by Great British Railways relating to—

(a) timetables and train running,

(b) railway service performance,

(c) fares and ticket availability,
(d) planned and unplanned disruption, and
(e) the accessibility of railway passenger services and station services.

(3) Data published under subsection (1) must be made available—
(a) through the Rail Data Marketplace or any successor arrangement,
(b) in real time, where reasonably practicable,
(c) in machine-readable and interoperable formats, and
(d) on terms that are fair, reasonable and non-discriminatory.

(4) The ORR must monitor compliance with this section.

(5) In this section, "open licence" means a licence which permits the use, reuse and redistribution of data by any person without charge."

Member's explanatory statement
This new Clause would require Great British Railways to publish key rail data openly, including data on timetables, performance, fares, disruption and accessibility, and would require the Office of Rail and Road to monitor compliance.

LORD MOYLAN

330E After Clause 95, insert the following new Clause—

"Review of railway data and smart data schemes

(1) The Secretary of State must, within 12 months beginning with the day on which this Act is passed, carry out a review of whether data held by Great British Railways in connection with railways and railway services should be subject to regulations made under Part 1 of the Data (Use and Access) Act 2025.

(2) The Secretary of State must publish a report setting out the conclusions of the review.

(3) The Secretary of State must lay a copy of the report before Parliament."

Member's explanatory statement
This new Clause would require the Secretary of State to review whether data held by Great British Railways should be brought within regulations made under Part 1 of the Data (Use and Access) Act 2025.

BARONESS GREY-THOMPSON
BARONESS BRINTON

330F After Clause 95, insert the following new Clause—

"Annual accessibility reporting duty

(1) Within 12 months beginning on the day on which this Act is passed, and each year thereafter, Great British Railways must publish an accessibility report which includes—

(a) accessibility performance metrics,
(b) complaints concerning accessibility,
(c) accessibility assistance failures,
(d) accessibility improvement programmes,
(e) disabled passenger satisfaction, and
(f) progress against accessibility targets.

(2) The Secretary of State must lay each accessibility report under this section before both Houses of Parliament."

BARONESS COFFEY

330G After Clause 95, insert the following new Clause—

"Office of Rail Regulation

(1) Within 12 months beginning on the day on which this Act is passed, the Secretary of State must establish a new executive agency responsible for the regulation of rail.

(2) The executive agency must be called "the Office of Rail Regulation".

(3) All functions of the Office of Rail and Road relating to the regulation of rail, including those conferred in this Act, are to be transferred to the Office of Rail Regulation.

(4) The Office for Rail Regulation is to be the single regulatory authority for the regulation of rail."

Member's explanatory statement
This probing amendment would establish a new executive agency, the Office for Rail Regulation, responsible for the regulation of rail.

BARONESS JONES OF MOULSECOOMB

330H After Clause 95, insert the following new Clause—

"Great British Railways electrification programme

(1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a rail electrification programme.

(2) The rail electrification programme must—
(a) cover a period of at least five financial years, and be published each financial year after its original publication date so as to continually provide a schedule of at least five years,
(b) achieve full electrification of the network not later than 2050, and
(c) cover both passenger and freight rail.

(3) When producing the rail electrification programme, the Secretary of State must have regard to—

(a) keeping the unit cost per kilometre as low as possible, and achieving the lowest lifetime cost of the railway network;

(b) the need to maintain a suitably trained and skilled domestic workforce.

(4) The Secretary of State must take all reasonable steps to ensure that the rail electrification programme is achieved.

(5) The Secretary of State may—

(a) place a requirement on Great British Railways to implement some or all of the rail electrification programme, and

(b) consult as they see fit when planning the rail electrification programme.

(6) Great British Railways must, when exercising its statutory functions, have regard to the rail electrification programme."

Member's explanatory statement

This amendment requires the Government to produce a rolling or continuous electrification programme for the UK rail network, in a way that offers the best value for money over the long term.

BARONESS JONES OF MOULSECOOMB

330J After Clause 95, insert the following new Clause—

"Rail climate resilience and decarbonisation

(1) The Secretary of State must ensure that the railway network is planned, operated and developed in a manner consistent with the objective of achieving a zero-carbon railway and making the network resilient to the impacts of climate change.

(2) Within 12 months beginning on the day on which this Act is passed, the Secretary of State must publish a rail climate resilience and decarbonisation plan.

(3) The plan must include—

(a) legally binding targets and timescales for reducing greenhouse gas emissions from the railway network, including emissions arising from construction, maintenance, energy use and operation,

(b) measures to maximise energy efficiency and the generation and use of renewable electricity across the railway network,

(c) a comprehensive assessment of the vulnerability of railway infrastructure to current and projected climate risks, including flooding, coastal erosion, drought, soil moisture deficit, landslides, wildfire, extreme heat and extreme cold,

(d) a schedule of infrastructure improvements required to make vulnerable sections of the network resilient to those risks,

(e) a prioritised programme for delivering those improvements, including estimated costs and funding arrangements,

(f) measures to ensure that new railway infrastructure is designed to withstand projected climatic conditions over its expected operational lifetime,

(g) measures to reduce the whole-life carbon emissions of railway infrastructure, including emissions associated with construction, materials, maintenance, operation and decommissioning, and

(h) measures to ensure that decisions concerning the closure, alteration, disposal or development of railway infrastructure take account of their consequences for climate resilience and greenhouse gas emissions.

(4) Great British Railways must exercise its functions consistently with the plan.

(5) Great British Railways must publish a report annually setting out—

(a) progress towards each target in the plan,

(b) the infrastructure improvements completed during the preceding year,

(c) the sections of the network remaining vulnerable to climate risks, and

(d) the funding allocated and expenditure incurred in implementing the plan.

(6) The Secretary of State must lay the plan and each annual report before Parliament.

(7) The Secretary of State must review the plan at least once every five years."

Member's explanatory statement

This new Clause would require the Secretary of State to establish and implement a statutory plan to decarbonise the railway network and make it resilient to current and projected climate risks. It would require binding targets, a funded programme of infrastructure improvements, whole-life carbon assessment and annual reporting on delivery.

BARONESS JONES OF MOULSECOOMB

330JA★ After Clause 95, insert the following new Clause—

"Disabled Persons Transport Advisory Committee: advice to Secretary of State and Great British Railways

In section 125 of the Transport Act 1985, after subsection (5) insert—

"(5A) The Committee—

(a) must provide advice to the Secretary of State or Great British Railways about such matters relating to the needs of disabled persons in connection with public passenger transport on the railways as the Secretary of State or Great British Railways may refer to it, and

(b) may otherwise provide advice to the Secretary of State or Great British Railways about such matters relating to the needs of disabled persons in connection with public passenger transport on the railways as it thinks appropriate (whether or not those matters are referred to it)."""

Member's explanatory statement

This amendment requires the Disabled Persons Transport Advisory Committee to act as an advisor to Great British Railways as well as the Secretary of State.

Schedule 4

BARONESS JONES OF MOULSECOOMB

330K Schedule 4, page 87, line 2, leave out from "(1)," to end of line and insert "for "section 4 above" substitute "section 18 of the Railways Act 2026"."

Member's explanatory statement
This amendment will ensure that licence conditions have regard to the general duties in the Railways Act 2026.

BARONESS JONES OF MOULSECOOMB

331 Schedule 4, page 88, line 21, at end insert—

"21A Omit section 67(3ZA)(b).

21B Omit section 67(3ZA)(d)."

Member's explanatory statement
This amendment would remove rolling stock and passenger information systems from the ORR's duty to regulate competition under section 67(3) of the Railways Act 1993.

BARONESS JONES OF MOULSECOOMB

332 Schedule 4, page 88, line 22, leave out paragraph 22

Member's explanatory statement
This amendment omits the requirement that the ORR applies competition regulation under section 67(3) of the Railways Act 1993 to Chapter 2 of Part 1 of the Railways Act 2026.

LORD LANSLEY

333 Schedule 4, page 93, line 8, leave out sub-paragraphs (i) and (ii) and insert—

"(i) a strategic authority as defined under section 1 of the English Devolution and Community Empowerment Act 2026, or"

Member's explanatory statement
This amendment is consequential on the amendment in the name of Lord Lansley to Clause 5 and defines a "relevant local government body " by reference to the definition of a strategic authority in section 1 of the English Devolution and Community Empowerment Act 2026, which includes single foundation strategic authorities and combined foundation strategic authorities as well as mayoral strategic authorities.

LORD MOYLAN

333A Schedule 4, page 93, line 25, at end insert—

"50A In section 19 (the Passengers' Council), after subsection (2) insert—

"(2A) The Secretary of State may not appoint a person as chairman until the Transport Committee of the House of Commons has completed pre-appointment scrutiny of the preferred candidate.""

Member's explanatory statement
This amendment would enact a recommendation of the House of Commons Transport Select Committee by precluding the appointment of a chair of the Passengers' Council before the Committee has undertaken pre-appointment scrutiny of the preferred candidate.

BARONESS JONES OF MOULSECOOMB

334 Schedule 4, page 96, line 14, leave out "has the meaning given by section 1159" and insert "means a wholly-owned subsidiary within the meaning given by section 1159(2)"

Member's explanatory statement
This amendment would ensure that shares in GBR subsidiaries are wholly owned by GBR, replacing the existing definition of "subsidiary" which would allow private shareholders.

BARONESS JONES OF MOULSECOOMB

334A Schedule 4, page 96, line 17, leave out from "(1)," to end of line and insert "for the words from "section 4" to the end substitute "section 18 of the Railways Act 2026.""

Member's explanatory statement
This amendment will ensure that SNRP conditions have regard to the general duties in the Railways Act 2026.

BARONESS JONES OF MOULSECOOMB

335 Schedule 4, page 97, line 14, leave out "has the meaning given by section 1159" and insert "means a wholly-owned subsidiary within the meaning given by section 1159(2)"

Member's explanatory statement
This amendment would ensure that shares in GBR subsidiaries are wholly owned by GBR, replacing the existing definition of "subsidiary" which would allow private shareholders.

BARONESS JONES OF MOULSECOOMB
BARONESS BRINTON

336 Schedule 4, page 98, line 5, after "Railways" insert "and GBR companies"

Member's explanatory statement
This amendment would ensure that both Great British Railways and GBR companies are listed in Schedule 19 to the Equality Act (public sector equality duty).

BARONESS JONES OF MOULSECOOMB

337 Schedule 4, page 98, line 28, leave out "has the meaning given by section 1159" and insert "means a wholly-owned subsidiary within the meaning given by section 1159(2)"

Member's explanatory statement
This amendment would ensure that shares in GBR subsidiaries are wholly owned by GBR, replacing the existing definition of "subsidiary" which would allow private shareholders.

BARONESS JONES OF MOULSECOOMB

338 Schedule 4, page 99, line 1, at end insert—

"Economic Growth (Regulatory Functions) Order 2017 (S.I. 2017/267)

95 In the Economic Growth (Regulatory Functions) Order 2017 (S.I. 2017/267), omit the entry for the Office of Rail and Road."

Member's explanatory statement
This amendment would remove reference to the ORR's safety functions from the Economic Growth (Regulatory Functions) Order 2017.

Clause 98

BARONESS LEAMAN

339 Clause 98, page 61, line 19, at end insert—

"(aa) regulations under section (*Automatic delay repay compensation*);"

LORD GRAYLING
LORD MOYLAN

340 Clause 98, page 61, line 19, at end insert—

"(aa) regulations under section 71;"

LORD EVANS OF GUISBOROUGH
LORD MOYLAN

341 Clause 98, page 61, line 19, at end insert—

"(aa) regulations under section (*Enforcement powers*);"

LORD MOYLAN

342 Clause 98, page 61, line 19, at end insert—

"(aa) regulations under section (*Minimum service levels*);"

BARONESS GREY-THOMPSON
BARONESS BRINTON

342A Clause 98, page 61, line 19, at end insert—

"(aa) regulations under section (*Passenger assistance guarantee*);"

Member's explanatory statement
This amendment is consequential on the amendment in the name of Baroness Grey-Thompson to insert a new Clause (Passenger assistance guarantee).

BARONESS LEAMAN
BARONESS PIDGEON

343 Clause 98, page 61, line 23, at end insert—

"(ea) regulations under section (*Anti-social noise*);"

LORD GRAYLING

344 Clause 98, page 61, line 23, at end insert—

"(ea) Regulations under section (*Establishment of the National Rail Training and Technology Academy*)"

Clause 99

BARONESS JONES OF MOULSECOOMB

345 Clause 99, page 62, line 4, after "a" insert "wholly-owned"

Member's explanatory statement
This amendment would ensure that shares in GBR subsidiaries are wholly owned by GBR, replacing the existing definition of 'subsidiary' which would allow private shareholders.

Clause 101

LORD MOYLAN

346 Clause 101, page 63, line 9, after "95," insert "*(Conditions for commencement)*,"

Member's explanatory statement
This amendment and two others in the name of Lord Moylan seek to place various conditions on the commencement of the principal operational provisions of the Act.

LORD MOYLAN

347 Clause 101, page 63, line 10, at end insert—

"(1A) Sections 3 to 14, 16 to 93, 96, and Schedules 1 to 4 of this Act may not come into force until the requirements set out in section *(Conditions for commencement)* have been met."

Member's explanatory statement
This amendment and two others in the name of Lord Moylan seek to place various conditions on the commencement of the principal operational provisions of the Act.

Railways Bill

FIFTH MARSHALLED

LIST OF AMENDMENTS

TO BE MOVED

IN GRAND COMMITTEE

15 October 2026

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